

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 13-059

RESIDENT POWER NATURAL GAS & ELECTRIC SOLUTIONS, LLC

DE 13-060

PNE ENERGY SUPPLY, LLC

**Investigation and Show Cause Hearing on Penalties and Suspension or Revocation of
Aggregator and CEPS Registrations and Order that PNE Temporarily Cease Enrolling
New Customers**

Order Scheduling Prehearing Conference

ORDER NO. 25,473

March 13, 2013

On March 8, 2013, Resident Power Natural Gas& Electric Solutions LLC (Resident) and PNE Energy Supply LLC (PNE) jointly filed a Motion to Schedule Prehearing Conference and for Expedited Decision (Motion) in regards to the hearing scheduled for March 20, 2013 in Docket Nos. DE 13-059 and 13-060. The dockets were initiated by Order of Notice dated February 28, 2013. The Office of Consumer Advocate, on March 11, 2013, filed a notice of intent to participate, pursuant to RSA 363:28. The Commission has received no requests for intervention.

According to Resident and PNE, an “immediate prehearing conference” will allow the parties to address prehearing procedures, discovery, witness lists, hearing exhibits, and memoranda. They also argue that a prehearing conference will allow for development of a “full procedural schedule” that provides for discovery and establishes “the conduct of the hearing, to include outstanding issues related to witnesses, cross examinations, exhibits and the burden of proof.” Motion at 1-2. They assert that such a schedule is essential to protect their due process rights and guarantee an orderly administration of justice. Motion at 2.

According to the Motion, Staff indicated it did not concur with the request. The OCA has not indicated its position.


The Commission may order a prehearing conference on its own motion, or on motion of a party, in order to facilitate proceedings and encourage informal disposition. RSA 541-A:31, V(b). Though not required, we are persuaded that a prehearing conference may facilitate the orderly disposition of the hearing on the merits now scheduled for March 20, 2013 and thus grant the request of PNE and Resident. We will conduct a joint prehearing conference for both dockets on March 15, 2013, commencing at 10 a.m. At the prehearing conference we will entertain, among other things, proposals by the parties and staff regarding the procedures governing the hearing on the merits and the particular discovery a party or staff believes it must obtain before that hearing commences.

The hearing on the merits previously noticed for March 20, 2013 commencing at 10 a.m. remains unchanged.

Based upon the foregoing, it is hereby

ORDERED, that PNE Energy Supply, LLC and Resident Power, LLC shall appear at a prehearing conference to be held before the Commission on March 15, 2013 at 10 a.m.

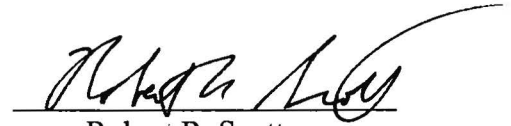
By order of the Public Utilities Commission of New Hampshire this thirteenth day of March, 2013.



Amy L. Ignatius
Chairman



Michael D. Harrington
Commissioner



Robert R. Scott
Commissioner

Attested by:



Debra A. Howland
Executive Director