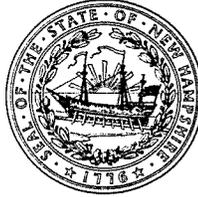


THE STATE OF NEW HAMPSHIRE

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EXECUTIVE DIRECTOR  
AND SECRETARY  
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**PUBLIC UTILITIES COMMISSION**  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH  
1-800-735-2964

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

July 23, 2010

Mr. Joseph Donovan  
Senior Counsel  
Constellation Energy Resources, LLC.  
100 Constellation Way, Suite 500C  
Baltimore, MD 21202

Re: DM 10-126, Constellation NewEnergy, Inc.  
Renewal of Registration to Supply Competitive Electric Service in Certain  
New Hampshire Franchise Areas

Dear Mr. Bessette:

On May 4, 2010, you filed on behalf of Constellation NewEnergy, Inc. (Constellation) an application for registration as a competitive electric power supplier (CEPS) in New Hampshire pursuant to Puc 2003.01, together with a check in the amount of \$500. On June 24, 2010, you filed a request to withdraw the May 4th application seeking instead renewal of Constellation's registration which expired April 9, 2010. You note in your request that, Constellation's renewal was not timely filed for administrative reasons and request that the Commission treat Constellation's May 4<sup>th</sup> "registration filing as its biennial license renewal.

Staff has reviewed the application provided and believes that it meets the requirements of Puc 2003.01. Staff supports Constellation's request that the Commission treat Constellation's May 4 application as a request for renewal rather than an original application in that Constellation has been registered as a competitive supplier in New Hampshire since 2004 and promptly took appropriate steps to correct its filing. Staff recommends the Commission refund to Constellation the difference between the renewal fee of \$250 and the \$500 registration fee.

Puc 2003.01 (h) requires, in pertinent part, that each CEPS re-register with the Commission every two years on or before its original registration anniversary date. In this instance, Constellation's renewal application was due on April 9, 2010. The Commission will treat Constellation's June 24<sup>th</sup> request for renewal as a request for a partial waiver of that rule.

July 23, 2010

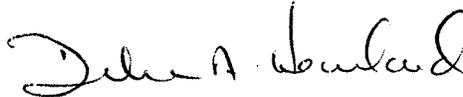
Page two

The Commission may waive a rule pursuant to Puc 201.05 if it finds the waiver serves the public interest and the waiver does not disrupt the orderly and efficient resolution of matters before the Commission. Constellation's request provides sufficient detail to determine that the request for an April 9, 2010 renewal date meets the above criteria. Therefore, the Commission will approve Constellation's renewal as a competitive electric power supplier, effective April 9, 2010. With respect to the registration fee, you will receive a refund of \$250 for the overpayment under separate cover.

Please bear in mind the following provision of Puc 2003.01 (h): "[E]ach CEPS shall re-register with the commission every 2 years on or before its original registration anniversary date by filing with the commission an application for renewal. If a CEPS fails to meet its re-filing obligation, the original registration shall expire." Constellation's original notice anniversary date is April 9, 2004 and therefore it is required to re-register on or before **April 9, 2012**. In addition, Constellation will also be subject to the provisions of Puc 2004.03, telephone solicitation of customers, and Puc 2004.07, customer protections provided by aggregators.

If you have any questions regarding this provision, please contact the Commission. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland  
Executive Director

cc: Docket file