


STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: March 9, 2011

AT (OFFICE): NHPUC

FROM: Al-Azad Iqbal 
Utility Analyst III

SUBJECT: DM 10-336 Application of Hannaford Energy, LLC for Registration
as a Competitive Electric Power Supplier (CEPS); Staff's
Recommendation

TO: Debra A. Howland
Executive Director and Secretary



On December 27, 2010, the New Hampshire Public Utilities Commission (Commission) received an application from Hannaford Energy, LLC for its registration as a Competitive Electric Power Supplier (CEPS). In its application Hannaford Energy, LLC requested waiver pursuant to Puc 2003.01(d)(1) which requires “demonstration of technical ability to provide for the efficient and reliable transfer of data and electronic information between utilities and the CEPS” citing their ongoing relationship with the utilities as ‘self supplier’ under the previous version of the rule. On February 22, 2011, Hannaford Energy, LLC provided statements from each utility with which it intends to do business in support of such waiver mentioning that the utilities have successfully and without issue been able to meter and bill Hannaford Energy, LLC. In its application Hannaford Energy, LLC also requested the following waivers of the following rules:

- (1) a waiver of Puc 2003.01(d)(4) and Puc 2003.02 regarding financial security;
- (2) a waiver of Puc 2004.03 regarding telephone solicitation of customers;
- (3) a waiver of Puc 2004.04 regarding in-person solicitation of customers;
- (4) a waiver of Puc 2004.05 regarding customers change in service;
- (5) a waiver of Puc 2004.06 regarding bill disclosure information; and
- (6) a waiver of Puc 2006.01(a)(19) and Puc 2006.01(a)(20) regarding sample of the bill form(s) and contract to be used, respectively.

Hannaford Energy, LLC argued that these waivers are not contrary to the public interest because Hannaford Energy will not solicit business from or issue bills to any individual or entity, making these consumer protection rules inapplicable to Hannaford Energy as the sole customers of Hannaford Energy are its parent and the parent’s affiliates; the affiliate relationship eliminates any need for consumer protection in the form of a financial security, bill disclosure, or otherwise.

Regarding to the waiver request pursuant to Puc 2003.01(d)(1), Staff recommends granting the waivers consistent with the statements filed by the utilities. On the other waiver requests, Staff believes the explanations provided are reasonable and recommends that the Commission grant the waivers with following conditions:

1. Hannaford Energy, LLC will not serve anyone other than its affiliates and subsidiaries listed in its application pursuant to Puc 2006.01(a)(5).
2. Neither its affiliates nor its subsidiaries would be involved in any activities covered under Puc 2000.
3. Hannaford Energy, LLC must notify the Commission when it adds any new affiliates or subsidiaries.

Should you have any questions, please do not hesitate to contact me.