

THE STATE OF NEW HAMPSHIRE



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November 14, 2011

Antonio D. Aguiar, President  
Axsess Energy Group, LLC  
18 Sawmill Drive  
P. O. Box 535  
Northborough, MA 01532

Re: DM 11-126, Notification of Axsess Energy Group, LLC's Intent to Provide Electric Aggregation Service

Dear Ms. Sim:

This is to confirm that the New Hampshire Public Utilities Commission (Commission) has received Axsess Energy Group, LLC's (Axsess') notice of intent to provide electric aggregation service in the State of New Hampshire, pursuant to N. H. Code Admin Rules Puc 2003.05. In its application, Axsess requested a waiver of Puc 2003.05(a) requiring an application for renewal be filed no less than 60 days prior to the expiration of the currently effective registration. Axsess' renewal application was due 60 days before its registration expiration date of March 11, 2011. Axsess stated that the delay in seeking renewal of its registration resulted from confusion surrounding the change in the renewal period when Puc 2000 was readopted with amendments on August 26, 2010.

Staff has reviewed the application and supplemental information provided and believes that it meets the requirements of Puc 2003.05. Staff supports Axsess' request for a waiver of Puc 2003.05(a) inasmuch as Axsess has been timely in its registration renewals since 2007.

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. Based on the foregoing, the Commission has concluded that the applicable standards for a waiver are satisfied and the requested waiver is consistent with the public good.

Please note the following provision of Puc 2003.05 (f): "[E]ach approved aggregator shall re-notify the commission after the initial 2 year period, or after the 5 year renewal period as

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applicable, by filing with the commission an application for renewal at least 60 days prior to the expiration of the currently effective registration." Axsess' original notice anniversary date is March 11, 2007 and therefore it is required to refile an up-to-date written notice on or before **January 11, 2016** if it continues to offer and provide electric aggregation service. In addition, Axsess is subject to the provisions of Puc 2004.03, telephone solicitation of customers, and Puc 2004.08, customer protections provided by aggregators. Finally, aggregators must comply with the requirements set out in RSA 362-F relative to the renewable portfolio standard (RPS) and RSA 362-F relative to disclosure of electric service energy sources and environmental characteristics. Please refer to Puc 2500 for further details regarding RPS reporting requirements. Commission Order No. 25,264 provides guidance as to the appropriate format for environmental disclosure.

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

Sincerely,

A handwritten signature in blue ink that reads "Debra A. Howland". The signature is written in a cursive style with a slanted baseline.

Debra A. Howland  
Executive Director

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 11-126-1      Printed: November 14, 2011

**FILING INSTRUCTIONS:**

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:
- DEBRA A HOWLAND  
EXECUTIVE DIRECTOR  
NHPUC  
21 S. FRUIT ST, SUITE 10  
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.