

THE STATE OF NEW HAMPSHIRE
BEFORE THE PUBLIC UTILITIES COMMISSION

Docket No. DM 15-421

SHELL ENERGY NORTH AMERICA (US), L.P.
Renewal Registration as a Competitive Natural Gas Supplier

MOTION OF SHELL ENERGY NORTH AMERICA (US), L.P.
FOR TEMPORARY WAIVER
OF PUC 3003.02

December 7, 2020

Pursuant to Rule Puc 201.05, now comes SHELL ENERGY NORTH AMERICA (US), L.P. (“Shell Energy”) by and through its undersigned counsel, and respectfully submits this Motion requesting that the Commission grant (1) a temporary waiver of its Puc 3003.02 rule regarding the renewal registration of Shell Energy’s registration as a Competitive Natural Gas Supplier (“CNGS”) to allow Shell Energy to submit an application for renewal registration no later than December 21, 2020, and allowing Shell Energy to continue supplying natural gas to its New Hampshire customers until the date on which the Commission acts on Shell Energy’s application for renewal registration, pursuant to a temporary extension of the renewal registration issued in this docket on January 7, 2016; and (2) such other relief as is necessary, appropriate, and consistent with the public interest.

In support of this Motion, Shell Energy states as follows:

Shell Energy has maintained an active registration with the Commission as a CNGS since its original registration in Commission docket DM 06-153. Since that initial registration, Shell Energy has regularly renewed its registration consistent with the

requirements of the Puc 3003.02 rule, by submitting timely renewal applications, each of which the Commission has granted.

Shell Energy's most recent renewal registration was granted by the Commission through a letter order in this docket, dated January 7, 2016 (the "2016 Letter Order"). Pursuant to the 2016 Letter Order, the term of Shell Energy's most recent renewal registration began on December 1, 2015 and ended on November 30, 2016. Pursuant to the 2016 Letter Order and the Commission's Puc 3003.02 rule, Shell Energy was required to submit annual reports on sales pursuant to its registration. Shell Energy submitted timely annual sales reports in 2016, 2017, 2018, 2019, and 2020, as required.

The 2016 Letter Order and the Puc 3003.02 rule also required Shell Energy to submit a renewal application at least 60 days prior to the expiration of the registration period described in the 2016 Letter Order. That renewal application was due on or before October 1, 2020. As a result of factors including the COVID-19 pandemic and the societal shifts resulting from the pandemic, including working-from-home, by mistake Shell Energy did not submit a timely renewal application on or before October 1, 2020. When Commission staff notified Shell Energy on December 3, 2020 that no timely renewal application was submitted, Shell Energy immediately investigated and began taking steps to address the situation, including retention of outside counsel to prepare this motion, and preparation of a complete application for renewal registration. Shell Energy is prepared to submit such a complete application for renewal registration by December 21, 2020. Shell Energy has also taken actions to prevent future errors of this nature.

The Commission may grant this waiver, as doing so is not precluded by statute. Granting this waiver serves the public interest. First, granting this waiver will allow Shell Energy to continue supplying natural gas to its New Hampshire customers on an uninterrupted basis pending the filing and resolution of an application for renewal registration. By contrast, not granting this waiver could affect Shell Energy's ability to continue supplying gas to its customers and could result in interruptions to Shell Energy's customers' gas service during the winter months. Second, compliance with the rule would be onerous or inapplicable given the timing and Shell Energy's circumstances; the purpose of the rule requiring registration and applications for renewal registration will be satisfied by allowing Shell Energy to continue serving these customers temporarily while its application for renewal registration is prepared, submitted, and processed by the Commission. Moreover, granting this waiver will not disrupt the orderly and efficient resolution of matters before the Commission, as it will not affect any other aspect of the Commission's activities.

WHEREFORE, for the reasons stated herein, Shell Energy respectfully requests that the Commission grant this Motion, and Order as follows:

- (1) that the requirements of Puc 3003.02 regarding the renewal registration of Shell Energy's registration as a CNGS be waived to allow Shell Energy to submit an application for renewal registration no later than December 21, 2020, and to allow Shell Energy to continue supplying natural gas to its New Hampshire customers until the date on which the Commission acts on that application for renewal registration, pursuant to a temporary

extension of the renewal registration issued in this docket on January 7, 2016; and

- (2) such other relief as is necessary, appropriate, and consistent with the public interest.

Respectfully submitted,



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Dated: December 7, 2020

CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the foregoing have been served via electronic filing with the New Hampshire Public Utilities Commission to the official service list in Docket No. DM 15-421, on this 7th day of December, 2020.



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