

THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION

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NHPUC 12NOV15PM4:28

November 12, 2015

Carrie Cammarano, Counsel
Viridian Energy, LLC
1055 Washington Blvd., 7th Floor
Stamford, CT 06901

Re: DM 15-479, Viridian Energy, LLC
Competitive Electric Power Supplier Application
Deficiency Letter – Request for Additional Information

Dear Ms. Cammarano:

On November 6, 2015, Viridian Energy, LLC (Viridian) submitted an application to the Commission for registration as a competitive electric power supplier (CEPS). Commission Staff has reviewed the application and determined it is incomplete and therefore does not comply with the requirements of N.H. Code Admin. Rules Puc 2003. In particular, Staff identified the following requirements that have not been met and the related items which are missing from the application:

- 1) Proof of completion of EDI training and testing with Eversource Energy (Eversource), Liberty Utilities (Liberty), New Hampshire Electric Cooperative, Inc. (NHEC), and Unitil Energy Systems (Unitil).

Puc 2003.01(d)(1) Demonstration of technical ability to provide for the efficient and reliable transfer of data and electronic information between utilities and the CEPS in the form of:

(a) A statement from each utility with which the CEPS intends to do business indicating that the applicant has complied with the training and testing requirements for electronic data interchange.

(c) A statement from each utility with which the CEPS does or intends to do business indicating that the applicant has successfully demonstrated electronic transaction capability.

2) Proof of financial security.

Puc 2003.01(d)(4) Evidence of financial security, as defined in Puc 2003.03.

3) A list of states in which your company currently conducts business.

Puc 2006.01(a)(12) A listing of the states where the applicant currently conducts business relating to the sale of electricity.

4) A list of the number and type of customer complaints concerning the applicant.

Puc 2006.01 (a)(13) A listing disclosing the number and type of customer complaints concerning the applicant or its principals, if any, filed with a state licensing/registration agency, attorney general's office or other governmental consumer protection agency for the most recent calendar year in every state in which the applicant has conducted business relating to the sale of electricity.

Regarding item #1, your application states that your company intends to operate in all possible utility franchise areas. The franchise areas your company could operate in are Eversource, Liberty, NHEC, and Unitil. Pursuant to Puc 2003.01(d)(1), you must demonstrate that you have completed EDI training and testing with each of those electric distribution companies prior to providing service in those franchise areas.

Regarding item #2, because the bond expires less than one year following the projected date of approval of your application, Staff does not find the bond acceptable and will not recommend that the Commission accept the bond as financial security in support of Viridian's registration. Staff requests that you revise the bond, either with a replacement bond or a rider, so that the bond expires no sooner than 7 business days after the projected date that your company completes all EDI testing and training.

Please note that, even if the bond is modified or replaced so that the proposed bond expires no less than one year and 7 days after all EDI testing and training is completed, if the bond expires less than five years and 150 days after the date the application was filed, the bond will not meet the term requirements of Puc 2003.03(a)(5). If this is the case, in order to be considered for approval, Viridian will need to file a request for a waiver of this requirement. Please note that Staff generally does not recommend that the Commission grant a waiver of the financial security term requirement for a bond with a term less than 12 full months from the effective date of registration or with a right of cancellation prior to the end of such 12-month period. The surety bond filed with the application should be amended, extended, or replaced in order to meet these conditions.

Regarding #3, Exhibit 3 of the application lists Connecticut, Massachusetts, and Rhode Island as states in which Viridian currently conducts business. However, Exhibit

4, which shows 2014 and 2015 complaints by state, lists 12 states. If Viridian is conducting business in any or all of the 12 states, then the application should be amended to include those states not already listed.

Regarding #4, Exhibit 4 provides a count of complaints by state. However, it does not provide a breakdown of complaints by type for each state. Please provide a list that shows, for each state, the number of complaints by type.

In order to complete your application, you should respond accordingly to the items listed above. When responding, please address your letter to Debra A. Howland, Executive Director, and reference the docket number listed on the subject line of this letter.

Pursuant to Puc 2003.04 (h), please provide all information requested within 60 days of the date of this letter, on or before **January 10, 2015**. Puc 2003.04 (h) is copied below.

Puc 2003.04(h) If the commission has requested information or clarification to complete an application for registration, and such information or clarification is not provided within 60 days of the request, the commission shall suspend the application. If, after 120 days of the date of the request, the applicant has not provided the requested information or clarification, the commission shall reject the application. If an application is rejected, the application fee shall be forfeited and the applicant shall be required to submit a new application and fee prior to acting as a CEPS in New Hampshire.

Sincerely,



David Goyette
Utility Analyst III

cc: Service List
Docket File

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 #: 15-479-1 Printed: November 12, 2015

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.