



January 6, 2017

Debra A. Howland  
Executive Director  
Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301-2429

NHPUC 11 JAN 17 PM 12:13

Re: Fiscal Impact Statement NHPUC Docket No. DRM 16-853  
Rule Number: Puc 2000 Competitive Electric Power Supplier and  
Aggregator Rules, Initial Proposal 11-21-16

Dear Commissioner Howland:

We appreciate the opportunity to comment on Docket No. DRM 16-853 as it significantly effects our ability to conduct business as a licensed Aggregator of electricity supply in New Hampshire.

Pope Industries, Inc. dba Pope Energy is a New Hampshire corporation with its principal office in Boston Massachusetts. Since 1979, Pope companies have started a number of New Hampshire corporations, that remain in business today involved with emergency housing, commercial modular construction, Hinsdale campground and since 2010 Pope Energy is focused on providing commercial customers with energy related services. Our customers over the years, as many New Hampshire based businesses, have come from within New England. Pope Energy offers its commercial customers electricity and natural gas competitive supply, energy efficiency and solar development services in Massachusetts, New Hampshire, Rhode Island and Connecticut. Our "Aggregation" services round out our product offerings to our commercial customers. Despite our ability to offer our customers significant energy related products and services we are a small business.

Puc 2003.06 Renewal of Registration by Aggregators.

We have no objection to the renewal period of 2 years with a renewal fee of \$125 payable to the commission.

Puc 2003.07 Assessment (a) (b) (c)

We appreciate the need for New Hampshire governmental departments, commissions and agencies to raise funds to support state operations. But commission fees need to have some semblance of balance relative to revenue generated by the private sector. When fees for authorization to do business by a governmental agency exceeds five (5%) percent of revenue, the feasibility of



firms prepared to service the citizens and businesses in New Hampshire becomes questionable.

To justify a \$2,000 commission fee and stay within a five (5%) percent fee range, an aggregator would need to generate \$40,000 in revenue. As a fee percentage, five (5%) percent is an enormous fee, however the aggregator could mitigate those cost by booking more business with the fee remaining the same. A small company or a company interested in "being prepared to service New Hampshire customers", a \$2,000 fee is prohibitive.

Please consider changing Puc 2003.07 (b) to read as follows:

*Each aggregator that is registered as of July 1 of any year with aggregation gross revenue greater than \$40,000 shall be assessed \$2,000. All other aggregators shall pay \$100 per year.*

This concept should apply to both CEPS and aggregators, as the business case for "being prepared" to service New Hampshire customers is the same.

**Puc 2006.04 Exception Claim:**

An administrative process in the regulatory enforcement of Puc 2003.07 (c ) has arisen which causes unnecessary interaction and administrative cost with the commission. Our firm has filed for an exemption under Puc 2006.04 in June of that year only to be told that the letter needed to be received after July 1 and before July 10 and accordingly our letter was rejected and we needed to provide a letter within the 10-day time frame. While there may be fiscal year start and end dates that the commission needs to consider, a provision in the docket should allow receipt for a Puc 2006.04 exemption letter to be submitted within 60-days of July 10 of that year. Since the exemption request is made under the pains and penalties of perjury, the commission should recognize a submission construct of greater than 10-days at the beginning of the Fourth of July / summer season.

A \$2,000 fee assessed under \$40,000 worth of gross revenue, as an aggregator would adversely affect our consideration to be prepared to service our New Hampshire customers with competitive supply aggregation services.

Please contact me should you have any questions.

Best Regards,

Doug Pope  
President