

STATE OF NEW HAMPSHIRE

Inter-Department Communication

NHPUC 30MAR17PM2:53

DATE: March 30, 2017

AT (OFFICE): NHPUC



FROM: David Goyette, Utility Analyst III

SUBJECT: DM 17-028, CleanChoice Energy, Inc.
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

Executive Summary

CleanChoice Energy has applied to renew its registration as a competitive electric power supplier. CleanChoice Energy's current registration expires on April 14, 2017. CleanChoice Energy submitted a sample residential and small commercial customer contract, a certificate demonstrating it completed EDI testing with NHEC, and a certificate extending the term of its currently effective surety bond in the amount of \$100,000, and a request for a waiver of the five-year and 90-day term requirement for financial security. If the Commission were to grant the requested rule waiver, Staff believes the filing is acceptable. Staff recommends that the Commission grant the waiver and approve the application for a registration period ending on the termination date of the surety bond, as extended.

Background and Analysis

On February 14, 2017, CleanChoice Energy, Inc. (CleanChoice Energy) filed an application to renew its registration as a competitive electric power supplier (CEPS). CleanChoice Energy's currently active registration, which the Commission approved in Docket DM 16-237, expires on April 14, 2017. CleanChoice Energy's application included a residential and small commercial customer contract, a certificate demonstrating that it has completed electronic data interchange (EDI) testing with New Hampshire Electric Cooperative, Inc. (NHEC), and documentation that shows it is able to obtain supply in the New England energy market. On March 29, 2017, CleanChoice Energy filed a certificate extending the term of its currently effective surety bond, which is in the amount of 100,000 and names the Commission as obligee, to April 15, 2018 and a request for a waiver of Puc 2003.03(a)(5), which requires the financial security filed with an initial CEPS application have a term of five years and 90 days.

Staff has reviewed the information in the application and, if the Commission were to grant approval of the waiver request, believes it meets the requirements of Puc 2003 and 2006.01. Staff recommends that the Commission grant the request for a waiver of Puc 2003.03(a)(5) and, because the surety bond does not meet the five-year and 90-day

term requirement and because it expires on April 15, 2018, that the Commission approve a registration period concurrent with the extended surety bond, beginning on the expiration date of the currently active registration, April 15, 2017, and ending at the close of business on April 15, 2018. Staff also recommends that the Commission notify CleanChoice Energy that the financial security rules are likely to change during 2017 and that CleanChoice Energy should monitor the rulemaking process in Docket DRM 16-853 and plan accordingly with respect to future operations in New Hampshire.

CleanChoice Energy filed documentation that demonstrates it has completed EDI testing with NHEC. Staff therefore recommends that the Commission approve CleanChoice Energy's application to renew its registration as a CEPS, and permit CleanChoice Energy to serve residential and small commercial customers and to operate in the service area of NHEC. If CleanChoice Energy seeks to operate in the service area of any other distribution utility, it can do so by filing a request with the Commission to extend its service area, and by providing proof that it has completed EDI testing with each distribution utility in whose franchise area it requests authority to operate. Staff will then review the request and make a recommendation to the Commission.

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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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.