

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 09-180
2009 DEFAULT ENERGY SERVICE RATE CHANGE

PETITION FOR INTERVENTION

NOW COMES Freedom Logistics, LLC and hereby petitions the New Hampshire Public Utilities Commission for intervention in the above-captioned proceeding pursuant to RSA 541-A:32 and NH Code Admin. Rule Puc 203.17. In support of its Petition for Intervention, Petitioner says the following:

1. Freedom Logistics, LLC d/b/a Freedom Energy Logistics, is a licensed aggregator specializing in providing high-end management services to large end-users that are Market Participant End-Users (MPEU). An MPEU is a member of NEPOOL and ISO-NE and purchases electricity directly from the ISO-NE hourly wholesale market. Freedom Logistics pioneered the passage of the 99th Amendment to the NEPOOL Agreement that became effective on March 1, 2004. This Amendment permits a Market Participant End-User (MPEU) to participate directly in the hourly NEPOOL Market.

2. Freedom Logistics was also the initiating party in the proceeding before the New Hampshire Public Utilities Commission wherein the Commission determined that it would not have jurisdiction over NEPOOL or ISO-NE if an end-user were to “self-supply” its own electricity needs by participating directly in the NEPOOL market. *Petition of Luminescent Systems Inc.*, NHPUC Order No. 24, 172 (May 13, 2003). There are currently several MPEU’s located in New Hampshire (all clients of Freedom Logistics) purchasing power directly from the ISO-NE hourly wholesale market.

3. On September 24, 2009, Public Service Company of New Hampshire (PSNH) filed a petition to establish its default energy service (ES) rate for bills rendered on or after January 1, 2010. While PSNH is not proposing a specific ES rate at this time, based on preliminary data, it estimates an ES rate of 9.31 cents per kilowatt hour (kWh) for effect with service-rendered and after January 1, 2010.

4. The filing raises, inter alia, issues related to whether the energy service rate is based on PSNH’s actual, prudent and reasonable costs of providing such power consistent with RSA 369-B:3, V(b)(1)(A), whether the costs associated with the RPS and RGGI statutes are reasonable and should be included in rates, whether PSNH should apply the new rates on a service rendered basis, whether the resulting rates are just and reasonable as required by RSA 378:5 and 8, and

whether and how to address the rate impacts resulting from customer migration, and whether those impacts are consistent with the restructuring principles of RSA 374-F.

5. As an entity providing an alternative to PSNH's Default Rate, Petitioner has a strong interest in the outcome of this proceeding that could substantially affect its rights, duties, privileges and other substantial interests.

WHEREFORE, Freedom Logistics hereby respectfully requests the Commission to grant it party intervener party status and to order such other and further relief as may be just and equitable.

Respectfully submitted,
Freedom Logistics, LLC
By its Attorney

/s/ James T. Rodier
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Dated: October 14, 2009

Certification of Service

Pursuant to Rules Puc 203.02(2) and Puc 203.11, I have served copy of this petition on each person identified on the commission's service list for this docket.

/s/ James T. Rodier