

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Investigation into Effect of Customer Migration
on Energy Service Rates

Docket No. DE 10-160

**PETITION TO INTERVENE OF
CONSTELLATION ENERGY COMMODITIES GROUP, INC. AND
CONSTELLATION NEWENERGY, INC.**

Pursuant to New Hampshire Revised Statutes Annotated (“RSA”) 541-A:32, New Hampshire Administrative Rules, PUC 203.02, and the Public Utilities Commission’s (“Commission”) June 11, 2010 Order of Notice, Constellation Energy Commodities Group, Inc. (“CCG”) and Constellation NewEnergy, Inc. (“CNE”) (together, “Constellation”) hereby petitions to intervene as a party in the above-captioned docket. In support of this Petition, Constellation states as follows:

1. CNE is a retail electricity supplier that provides customized energy solutions and comprehensive energy services to commercial and industrial customers throughout New England, including within the State of New Hampshire.

2. CCG is one of the leading wholesale energy marketing and trading firms in the New England market. CCG specializes in optimizing the supply and delivery of both fuel and power for producers and consumers of power, natural gas, oil and coal. As a wholesale electric supplier, CCG has an interest in providing electric power to PSNH.

3. CNE and CCG are wholly-owned subsidiaries of Constellation Energy Group, Inc. (“CEG”). CEG is a North American energy company, headquartered in Baltimore, Maryland with several merchant subsidiaries including a wholesale power marketer, competitive retail providers and a regulated utility company.

4. On May 4, 2010, PSNH filed a Joint Technical Statement (“Statement”) in Docket No. 09-180, including supporting testimony of Robert A. Baumann. The Statement and supporting documents requested, among other things, an adjustment to PSNH’s energy service rate effective July 1, 2010. PSNH estimates that the new rate would be 8.57 cents per kilowatt hour (kWh), a decrease of 0.39 cents per kWh from the current rate of 8.96 cents per kWh. A portion of the decrease reflects PSNH proposals to address customer migration from SNH service to competitive generation supp

5. On May 28, 2010, the Commission issued an Order of Notice in Docket 09-180. The 09-180 Order identified PSNH’s claims regarding adverse migration impacts and proposal to create a bypassable charge as significant and complex issues that should be reviewed in a separate docket.

6. Thereafter, on June 11, 2010, the Commission issued an Order of Notice in this docket soliciting interventions concerning issues relating to the effects of customer migration on energy service rates, as promised in the 09-180 Order.

7. Constellation has participated in past proceedings before this commission and has presented testimony on many of the electric issues raised in the current Order of Notice. In addition, Constellation possesses vast experience as wholesale and retail electric suppliers. CCG’s and CNE’s participation in this proceeding will assist the Commission in its consideration of the matters before it.

8. Constellation has an interest in understanding how PSNH’s proposed non-bypassable charge (or other parties’ proposed methods) impact the competitive landscape in New Hampshire and affect its opportunities to provide electricity at wholesale and at retail within New Hampshire. Whether this proposal is consistent with statutory mandates and Commission

policy directives is unknown at this time, but would appropriately be considered in the context of this proceeding. It cannot be reasonably disputed that Constellation has a direct interest in this issue.

9. Allowing Constellation's intervention will not impair the interests of justice and the orderly and prompt conduct of this proceeding. Constellation accepts the status of the case at this time. Granting this Petition will not prejudice any other party.

10. Constellation continues its review of the filed materials, and has not yet determined the nature of its participation in this proceeding. Constellation plans on attending the scheduled June 28, 2010 public hearing. By this Petition, Constellation seeks to reserve the right to protect its interests, participate fully in the additional pleadings, attend hearings and technical sessions, present evidence, cross-examine witnesses and present argument if necessary.

11. All communication should be directed to the following individuals:

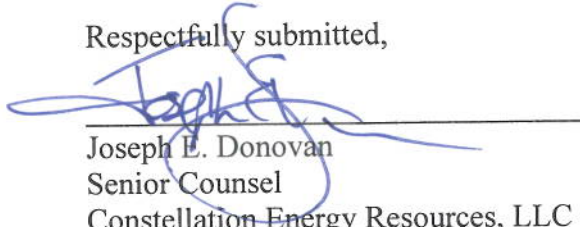
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WHEREFORE, CNE and CCG respectfully request that, pursuant to RSA 541-A:32 and PUC 203.17, the Commission grant them full intervenor status in this proceeding.

Respectfully submitted,



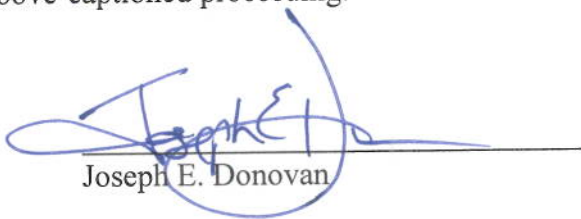
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*On behalf of Constellation Energy Commodities Group,
Inc. and Constellation NewEnergy, Inc.*

Dated: June 23, 2010

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition has been forwarded this 23rd day of June, 2010 to the service list in the above-captioned proceeding.



Joseph E. Donovan