

THE STATE OF NEW HAMPSHIRE



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October 10, 2011

Stacey Barnes
South Jersey Energy Company
One North White Horse Pike
Hammonton, NJ 08037

Re: DM 11-119, Application of South Jersey Energy d/b/a Halifax American Energy Company for renewal of Registration as a Competitive Electric Power Supplier (CEPS)

Dear Ms. Barnes:

On May 31, 2011, you filed on behalf of South Jersey Energy dba Halifax American Energy Company (SJE), an application for registration as a Competitive Electric Power Supplier (CEPS). Along with the application, SJE requested a waiver of N. H. Code Admin Rules Puc 2003.02(a) requiring an application for renewal be filed no less than 60 days prior to the expiration of the currently effective registration. SJE's registration renewal was due 60 days before its registration expiration date of July 14, 2011. SJE stated that the delay was due to an oversight. On September 7, 2011, SJE completed its application with evidence of financial surety.

On October 3, 2011, Staff filed a recommendation that SJE be registered as a CEPS and that the Commission grant the waiver request inasmuch as SJE has been timely in its registration renewals since 2007 and the difference between application due date and actual application date is considerably short.

The Commission may waive a rule pursuant to Puc 201.05 if it finds the waiver serves the public interest and the waiver does not disrupt the orderly and efficient resolution of matters before the Commission. Based on the foregoing, the Commission has concluded that the applicable standards for a waiver are satisfied and the requested waiver is consistent with the public good.

Therefore, based on Staff's recommendation, the Commission will approve the renewal of SJE's registration as a Competitive Electric Power Supplier in New Hampshire.

October 10, 2011

Page two

Please bear in mind the following provision of Puc 2003.02 (a) "Each registered CEPS shall re-register with the commission every 5 years by filing with the commission an application for renewal. Each application for renewal shall be filed no less than 60 days prior to the termination of the currently effective registration. If a CEPS fails to meet its re-filing obligation, its registration shall expire by its terms." Therefore, SJE is required to re-register on or before May 19, 2016. You are also advised that CEPS and aggregators must comply with the renewable portfolio standard (RPS) requirements of RSA 362-F. The RPS obligation applies to every "provider of electricity" as defined in RSA 374-F:2, II which includes CEPS and aggregators. See RSA 362-F:2,XIV. Please also refer to N.H. Code Admin. Rules Puc 2500 for further details regarding compliance and reporting requirements. Compliance is on a calendar year basis and must be reported to the Commission by July 1 of the subsequent calendar year.

If you have any questions regarding this provision, please contact the Commission. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Debra A. Howland/ace".

Debra A. Howland
Executive Director

cc: Docket File