

DM 11-197



TransCanada Power Marketing Ltd.
110 Turnpike Road – Suite 203
Westborough, MA 01581-2863

tel (508) 871-1857
fax (508) 898-0433
e-mail stuart_ormsbee@transcanada.com

November 14, 2011

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

Re: Competitive Electric Power Supplier Registration - Application for Renewal; Request for Waiver on Behalf of TransCanada Power Marketing Ltd.

Dear Ms. Howland:

On September 2, 2011 TransCanada Power Marketing Ltd. (“TransCanada”) submitted an application for renewal of its registration as a competitive electric power supplier (“CEPS”) to the New Hampshire Public Utilities Commission (the “Commission”). The application was submitted late due to a misunderstanding within TransCanada of the effect of the 2010 changes in the competitive electric supplier registration Puc 2000 rules on the length of time for which a registration remains valid. On November 4, 2011 TransCanada received communication from the Commission indicating that a waiver request pursuant to Puc 201.05 was required citing Puc 2003.02 (a), which requires that the application be received at least sixty (60) days prior to the expiration of the registration.

TransCanada respectfully requests that the Commission waive the sixty (60) day requirement under Puc 2003.02 (a) and continue to process TransCanada’s renewal application of its CEPS registration.

Puc 201.05 states:

“Commission shall waive the provisions of any of its rules, except where precluded by statute, upon request by an interested party if the commission finds that: (1) The waiver serves the public interest; and (2) The waiver will not disrupt the orderly and efficient resolution of matters before the commission. (b) In determining the public interest, the commission shall waive a rule if: (1) Compliance with rule would be onerous or inapplicable given the circumstances of the affected person; or (2) The purpose of the rule would be satisfied by an alternative method proposed.”

TransCanada submits that this waiver serves the public interest as TransCanada currently acts as CEPS to approximately 100 commercial electric customers in New Hampshire; granting a waiver of the rule allows TransCanada to continue to serve those customers without unnecessary interruption. Furthermore, the purpose of the rule, which is to ensure that CEPS maintain a license and continue to provide the Commission with accurate information, will continue to be satisfied.

TransCanada supplied the Commission with all information required under Puc 2003.02 (b) and (c), waiving the sixty (60) day requirement will create no additional process for the Commission, and the matter will be resolved in a timely manner. Therefore, waiving this rule is not likely to “disrupt the orderly and efficient resolution of matters before the Commission” as required under Puc 201.05 (a)(2).

TransCanada appreciates the Commission’s consideration of this waiver request. Please feel free to contact me should you have any questions or concerns.

Sincerely,



Stuart Ormsbee
Manager, Power Marketing