

DM12-062



**CONFIDENTIAL  
MATERIAL  
IN COMM FILE**

100 Constellation Way  
6<sup>th</sup> Floor  
Baltimore, MD 21202

www.constellation.com

March 9, 2012

**VIA UPS**

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



**Re: Constellation NewEnergy, Inc.'s 2012 CEPS Registration Renewal**

Dear Secretary Howland:

Please find enclosed both paper and electronic versions of Constellation NewEnergy, Inc.'s ("CNE") 2012 application for registration renewal as a Competitive Electric Power Supplier (CEPS). Following my conversation with Staff regarding CNE's renewal, this letter serves to formally request an extension or waiver of the renewal deadline, set 60 days in advance of CNE's April 9, 2012 CEPS registration expiration.

Please note that CNE considers Exhibits M and D to be market sensitive proprietary information and, as such, we respectfully request that the information contained therein be afforded confidential treatment.

If you have any questions please do not hesitate to contact me. I can be reached by phone at 410.470.3582 and by email at [Joseph.Donovan@constellation.com](mailto:Joseph.Donovan@constellation.com). Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Joseph E. Donovan".

Joseph Donovan  
Senior Counsel  
Constellation Energy Resources, LLC  
On behalf of Constellation NewEnergy, Inc.

cc. Mr. Al-Azad Iqbal

**STATE OF NEW HAMPSHIRE**  
**PUBLIC UTILITIES COMMISSION**

**SAMPLE APPLICATION FORM FOR:**

**THE REGISTRATION OF**

**COMPETITIVE ELECTRIC POWER SUPPLIERS (CEPS)**

NOTE: When completing this application electronically, using the "tab" key after addressing each item will move the cursor to the next item. Please note that there are certain attachments to be included with this application.

This signed application, together with an electronic copy on diskette, pursuant to Puc 202, shall be filed with the Executive Director and Secretary of the New Hampshire Public Utilities Commission (Commission). Any omissions and/or deficiencies which need to be corrected will be completed in a timely manner or the Commission may close this proceeding without prejudice.

1. Please check the appropriate box:  ORIGINAL NOTICE  RENEWAL NOTICE
  
2. Applicant's legal name: Constellation NewEnergy, Inc.
  
3. Trade name(s) under which the applicant will operate: N/A
  
4. Business address: (1) 116 Huntington Avenue  
(2) Suite 700  
(3) \_\_\_\_\_  
Boston MA 02116  
(City) (State) (Zip Code)
  
5. Principal place of business: 100 Constellation Way, Baltimore MD 21202
  
6. Telephone number: 410-470-3582
  
7. Facsimile number: 443-213-6388
  
8. Email address: Joseph.Donovan@constellation.com
  
9. Applicant's place of incorporation: Delaware
  
10. Name, title, business address, telephone number and facsimile number of the applicant's principal officers: (File this on a separate page(s) labeled "Exhibit A")

11. A copy of the applicant's most recent audited financial statement: (Attach as "Exhibit B")

12. The following regarding any affiliate and/or subsidiary of the applicant or N/A:

(a) The name and business address of the entity: \_\_\_\_\_

Please see Attachment A.

(b) A description of the business purpose of the entity: \_\_\_\_\_

The listed entities are licensed retail electricity suppliers and/or provide related retail electricity functions.

(c) A description of the nature of any agreement with an affiliated New Hampshire jurisdictional electric company:

N/A

13. The toll free telephone number of the customer service department: 866-237-7693  
OR the name, title and toll free telephone number of the customer service contact person:

|            |            |                    |
|------------|------------|--------------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u>         |
| (Name)     | (Title)    | (Telephone Number) |

14. For the individual responsible for responding to Commission inquiries:

(a) Name: Joseph Donovan

(b) Title: Senior Counsel

(c) Business address: 100 Constellation Way, Suite 600C, Baltimore, MD 21202

(d) Telephone number: 410-470-3582

(e) Facsimile number: 443-213-6388

(f) Email address: Joseph.Donovan@constellation.com

15. For the applicant's registered agent in New Hampshire for service of process:

(a) Name: CT Corporation

(b) Title: N/A

(c) Business address: 9 Capitol Street, Concord, NH 03301

(d) Telephone number: N/A

16. When filing an ORIGINAL application, a copy of the applicant's authorization to do business in New Hampshire from the New Hampshire Secretary of State: (Attach as "Exhibit C")

17. A description of the geographic areas of New Hampshire in which the applicant intends to provide service, described by a distribution company's existing franchise area, existing town boundaries, or a map with the boundary limits delineated:

CNE will provide service in the following distribution utility footprints:

Granite State Electric Company (GSECO), New Hampshire Electric Cooperative Inc. (NHEC),

Unitil Energy Systems, Inc. (UES), Public Service Company of New Hampshire (PSNH)

18. A description of the types of customers the applicant intends to serve and the customer classes as identified in the applicable utility's tariff within which those customers are served:

CNE will serve large commercial and industrial customers in the following customer classes:

NHEC – B, B2, B3, B32, BH, IND, LB, LB3, LB32, LGT09, LGT10, LGT12, P, PS and SKI

PSNH – G, GV, LG, OL, R

UES – D, G1, G-1, G2, OL

GSECO – DOO, G1, G2, G3, M00, T00, V00

19. A listing disclosing the number and type of customer complaints concerning the applicant or its principals, if any, filed with a state licensing/registration agency, attorney general's office or other governmental consumer protection agency for the most recent calendar year in every state in which the applicant has conducted business relating to the sale of electricity. (Check the appropriate box)

Not Applicable

Applicable (See "Exhibit D" for explanation)

20. A statement as to whether any of the applicant's principals, as listed in (a) through (c) below, have ever been convicted of any felony that has not been annulled by a court.

- (a) For partnerships, any of the general partners;
- (b) For corporations, any of the officers or directors; or
- (c) For limited liability companies, any of the managers or members. (Check the appropriate box)

Not Applicable                       Applicable (See "Exhibit E" for explanation)

21. A statement as to whether the applicant or any of the persons listed in (19) above has, within the 10 years immediately prior to registration:

- (a) Had any civil, criminal or regulatory sanctions or penalties imposed against them pursuant to any state or federal consumer protection law or regulation;
- (b) Settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation; or
- (c) Is currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation. (Check the appropriate box)

Not Applicable                       Applicable (See "Exhibit F" for explanation)

22. For those applicants intending to telemarket, a statement that the applicant shall:

- (a) Maintain a list of consumers who request being placed on a do-not-call list for the purposes of telemarketing;
- (b) Obtain, no less than semi-annually, access to updated telephone preference services lists maintained by the Direct Marketing Association; and
- (c) Not initiate calls to New Hampshire customers who have either requested being placed on do-not-call lists or customers who are listed on the Direct Marketing Association's telephone preference lists.

CNE does not currently intend to launch a telemarketing campaign in the state of New Hampshire.

However, if these plans change, CNE will adhere to all provisions of applicable law,

including the above requirements.

23. For those applicants that intend not to telemarket, a statement to that effect:

See statement in question 22 above.

24. A sample of the bill form(s) that the applicant intends to use or a statement that the applicant intends to use the transmission/distribution company's billing service (Attach as "Exhibit G").

25. A copy of each contract to be used for residential and small commercial customers or a statement that electricity will not be sold to those customers (Attach as "Exhibit H").

26. A statement certifying that the person completing the application has the authority to file the application on behalf of the CEPS and that its contents are truthful, accurate and complete (Attach as "Exhibit I").

27. Each CEPS applicant shall provide the following in or with its application:

- (a) Demonstration of technical ability to provide for the efficient and reliable transfer of data and electronic information between regulated distribution companies and CEPS in the form of:

- (i) A statement from each electric distribution company with which the CEPS intends to do business indicating that the applicant has complied with the training and testing requirements for electronic data interchange (Attach as "Exhibit J"); and
  - (ii) A statement from each electric distribution company with which the CEPS intends to do business indicating that the applicant has successfully demonstrated electronic transaction capability (Attach as "Exhibit K").
- (b) Evidence, including but not limited to proof of membership in the New England Power Pool (NEPOOL) or any successor organization or documentation of a contractual sponsorship relationship with a NEPOOL member, that the CEPS is able to obtain supply in the New England energy market (Attach as "Exhibit L").
- (c) A \$500.00 registration fee, made payable to the "New Hampshire Public Utilities Commission".
- (d) Evidence of financial security, as follows (Attach as "Exhibit M"):
- (i) The security shall be in the form of a surety bond or other financial instrument showing evidence of liquid funds, such as a certificate of deposit, an irrevocable letter of credit, a line of credit, a loan or a guarantee.
  - (ii) The security amount shall be the greater of \$100,000 or 20% of the CEPS's estimated gross receipts for its first full year of operation, not including revenue from the provision of transition or default service and shall not exceed \$350,000.00.
  - (iii) The security shall name the Commission as obligee.

NOTE: When the security amount required for CEPS is based on gross receipts, the CEPS shall annually adjust the amount of the security based on its gross receipts, not including revenues from the provision of transition and default service.

28. The CEPS shall notify any transmission and distribution utility doing business in an area where the CEPS intends to compete of its registration application at the time it files such application with the Commission (Attach a copy of these notifications as "Exhibit N").
29. The CEPS shall confirm with the transmission and distribution utility that it has successfully completed its registration upon receipt of approval from the Commission (Forward a copy of these confirmations to the Commission).
30. An electronic copy of this notice of intent (on diskette) is included.      YES  NO

**NOTE:**

- Each CEPS shall notify the Commission of any changes to the information required in this section within 30 days following the effective date of the change.
- The CEPS registration period shall run for 2 years.
- Each CEPS shall re-register with the Commission every 2 years on or before its original registration anniversary date by filing with the Commission an application for renewal. If a CEPS fails to meet its re-filing obligation, the original registration shall expire.

- The CEPS shall include on each renewal application an update noting any changes to all information contained in the previous application.
- The CEPS shall include with its renewal application a re-registration fee of \$250.00.
- Unless additional time is required to review the application and the Commission extends the review period, a registration application shall be deemed to have been approved 60 days after receipt by the Commission of the completed application.
- This application and all future correspondence should be sent to:

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

31. Preparer's Name and Title: Joseph E. Donovan

32. Preparer's Signature: 

# Exhibit A



## **CONSTELLATION NEWENERGY, INC.**

### **Corporate Officers**

Mark P. Huston  
Chief Executive Officer  
100 Constellation Way, Suite 1200C  
Baltimore, MD 21202  
410-470-2846  
[mark.huston@constellation.com](mailto:mark.huston@constellation.com)

Jonathan W. Thayer  
Chief Financial Officer  
100 Constellation Way, Suite 1800P  
Baltimore, MD 21202  
410-470-3450  
410-470-6200 Fax  
[jack.thayer@constellation.com](mailto:jack.thayer@constellation.com)

Andrew Good  
Vice President  
100 Constellation Way, Suite 600C  
Baltimore, MD 21202  
410-470-3450  
[andrew.good@constellation.com](mailto:andrew.good@constellation.com)

Jennifer E. Lowry  
Treasurer  
100 Constellation Way, Suite 600C  
Baltimore, MD 21202  
410-470-5650  
[jennifer.lowry@constellation.com](mailto:jennifer.lowry@constellation.com)

Charles A. Berardesco  
Secretary  
100 Constellation Way, Suite 1700P  
Baltimore, MD 21202  
410-470-3011  
410-470-5741 Fax  
[charles.berardesco@constellation.com](mailto:charles.berardesco@constellation.com)

Randall D. Osteen  
Assistant Secretary  
100 Constellation Way, Suite 500C  
Baltimore, MD 21202  
410-468-3499 Fax  
410-470-3121  
[randall.osteen@constellation.com](mailto:randall.osteen@constellation.com)

Sean J. Klein  
Assistant Secretary  
100 Constellation Way, Suite 1700P  
Baltimore, MD 21202  
410-470-5718  
[sean.klein@constellation.com](mailto:sean.klein@constellation.com)

Joshua Udler  
Assistant Secretary  
100 Constellation Way, Suite 1200C  
Baltimore, MD 21202  
410-470-5737  
[Joshua.udler@constellation.com](mailto:Joshua.udler@constellation.com)

Christopher J. Budzynski  
Assistant Treasurer  
100 Constellation Way, Suite 600C  
Baltimore, MD 21202  
410-470-5616  
[christopher.budzynski@constellation.com](mailto:christopher.budzynski@constellation.com)

### **Corporate Directors**

Mark P. Huston  
100 Constellation Way, Suite 1200C  
Baltimore, MD 21202  
410-470-2846  
[mark.huston@constellation.com](mailto:mark.huston@constellation.com)

Kathleen W. Hyle  
100 Constellation Way, Suite 500C  
Baltimore, MD 21202  
410-470-3387  
[kathleen.hyle@constellation.com](mailto:kathleen.hyle@constellation.com)

Edward J. Quinn  
100 Constellation Way, Suite 1200C  
Baltimore, MD 21202  
410-470-3130  
[edward.quinn@constellation.com](mailto:edward.quinn@constellation.com)

# Exhibit B

# Exhibit D

# Exhibit G



ABC Customer  
ABC Drive  
SUITE ABC  
Whitefield, NH 03598

CNE CUSTOMER ID  
99-9999999  
ACCOUNT ID  
99-999-99

STATEMENT NO.  
999999-0001  
STATEMENT DATE  
3/5/2012

PAGE  
Page 1 of 3  
DUE DATE  
3/5/2012

For questions or comments, please contact Customer Care at (888)635-0827 Monday through Friday 7:00 am to 7:00 pm Central Standard Time, or email us at [cnecustomercare@constellation.com](mailto:cnecustomercare@constellation.com).

When contacting Constellation, please reference the Account ID or Bill Group ID found at the top of this page.

**ACCOUNT BALANCE**

|                                   |                  |
|-----------------------------------|------------------|
| PREVIOUS STATEMENT DATE           |                  |
| PREVIOUS BALANCE                  | \$0.00           |
| PAYMENTS SINCE LAST INVOICE       | \$0.00           |
| DEBITS/CREDITS SINCE LAST INVOICE | \$0.00           |
| LATE/FINANCE FEE                  | \$0.00           |
| CURRENT CHARGES                   | \$XXXX.XX        |
| <b>TOTAL AMOUNT DUE</b>           | <b>\$XXXX.XX</b> |

**SAMPLE INVOICE**

**WIRE TRANSFER INFORMATION:**

Constellation NewEnergy, Inc.  
ABA-ACH #111000012, ABA-WIRE #026009593  
ACCT #4426223690  
BANK: Bank of America

**REMITTANCE ADDRESS:**

Constellation NewEnergy, Inc.  
14217 Collections Center Dr.  
Chicago IL, 60693

PLEASE RETURN THIS PORTION WITH PAYMENT AND MAKE ALL CHECKS PAYABLE TO Constellation NewEnergy, Inc.



ENTER AMOUNT ENCLOSED  
\$ **NO AMOUNT DUE**

Write account number on check and make payable to Constellation



| March 2012 |     |     |     |     |     |     |
|------------|-----|-----|-----|-----|-----|-----|
| Sun        | Mon | Tue | Wed | Thu | Fri | Sat |
| 26         | 27  | 28  | 29  | 1   | 2   | 3   |
| 4          | 5   | 6   | 7   | 8   | 9   | 10  |
| 11         | 12  | 13  | 14  | 15  | 16  | 17  |
| 18         | 19  | 20  | 21  | 22  | 23  | 24  |
| 25         | 26  | 27  | 28  | 29  | 30  | 31  |
| 1          | 2   | 3   | 4   | 5   | 6   | 7   |

|                             |                               |                              |
|-----------------------------|-------------------------------|------------------------------|
| CNE ACCOUNT ID<br>99-999-99 | CNE CUSTOMER ID<br>99-9999999 | STATEMENT NO.<br>999999-0001 |
| STATEMENT DATE<br>3/5/2012  | DUE DATE<br>3/5/2012          | AMOUNT DUE<br>\$XXXX.XX      |

ABC Site  
ABC Drive  
SUITE ABC  
Whitefield, NH 03598

Additional charges per the terms of your contract will be applied to the Total Amount Due if payment is not received on or before the due date.



**Adjustments:** Any adjustments that were made to your account within the invoice period. Adjustments may be made for a variety of reasons, including special contract calculations, corrections to prior bills, or settlement of disputed charges.

**Administration Fee or Service Charge:** The fee or charge set forth for each account per billing cycle.

**Ancillary Service Charges:** charges regarding ancillary services as set forth in the applicable Independent Service Operator (ISO) Open Access Transmission Tariff (OATT) and for other ISO costs not included in the definition of Capacity Costs, Energy Costs, and Transmission Costs. Generally, these costs are associated with ensuring the reliability of the electrical grid.

**Capacity Charge:** Charge for fulfilling the capacity requirements for the Account(s) imposed by the ISO or otherwise. Generally, these costs are associated with ensuring there is enough generating capacity available now and in the future to meet customer requirements.

**Energy Charge - Non-Time of Use (TOU):** Charge per kWh for electricity supplied for all hours of each day.

**Kilowatt Hour (kWh):** A measure of the quantity of electricity (energy) that you use.

**Late Fees or Finance Charges:** Additional charges assessed to accounts for late payment of invoices. Payment terms and charge calculations are specified in your contract.

**Line Loss Charges:** The cost associated with the loss of electricity as it travels over the transmission and distribution wires.

**Locational Forward Reserves (LFR):** Ancillary service administered by the ISO that facilitates the availability of generating units in the future to provide backup reserve service to ensure system reliability.

**Reliability Must Run (RMR):** Ancillary service administered by the ISO. Generation resources scheduled to operate out-of-merit order and identified by the ISO as necessary to preserve regional system reliability.

**Renewable Portfolio Standards Cost (RPS):** NewEnergy's cost of procuring renewable energy to comply with Renewable Portfolio Standards (RPS) requirements, usually established by individual states. Generally, these costs are associated with requirements to support generating units that produce power using renewable fuels such as water (hydro-electric) and solar.

**Retail Service Charge:** A contracted charge for supplying electricity to an account, based upon total kWh consumption per billing cycle.

**Retail Trade Transaction (RTT):** The fixed unit Price and Quantity for a specific commodity for a specific delivery point and pattern.

**Transmission Service Charge:** The charge for Network Transmission Service as identified in the applicable OATT Tariff for the provision of transmission service by the ISO within the Utility's service territory. Generally, these costs are associated with building and maintaining the electric transmission lines.

SAMPLE INVOICE



ABC Customer  
 ABC Drive  
 SUITE ABC  
 Whitefield, NH 03598

CNE CUSTOMER ID  
 99-9999999  
 ACCOUNT ID  
 99-999-99

STATEMENT NO.  
 999999-0001  
 STATEMENT DATE  
 3/5/2012

PAGE  
 Page 3 of 3  
 DUE DATE  
 3/5/2012

**SITE NAME** ABC Site  
**SERVICE LOCATION** ABC Service  
**UDC ACCOUNT ID** 9999999999  
**INVOICE ID** 999999-0001  
**kWh** 92,160.00  
**SERVICE PERIOD** 01/15/2012 to 02/15/2012  
**PRODUCT** Index Plus Block Solutions - FS

**METER NO(S).**

**Fixed Price Transactions**

|   |                  |                   |                     |
|---|------------------|-------------------|---------------------|
| RTT_6 - Electric Block Financial Settle 7X24 80 | 61,440.00 kWh at | -0.0164024 \$/kWh | (\$1,007.76)        |
| <b>Subtotal Fixed Price Transactions</b>        |                  |                   | <b>(\$1,007.76)</b> |

**Balancing Energy**

|                                  |                  |                  |                   |
|----------------------------------|------------------|------------------|-------------------|
| Market Energy Purchases          | 92,160.00 kWh at | 0.0470578 \$/kWh | \$4,337.77        |
| <b>Subtotal Balancing Energy</b> |                  |                  | <b>\$4,337.77</b> |

**Transaction Line Losses**

|   |                 |                  |                 |
|---|-----------------|------------------|-----------------|
| Line Loss on Market Purchases           | 0,417.83 kWh at | 0.0472192 \$/kWh | \$303.04        |
| <b>Subtotal Transaction Line Losses</b> |                 |                  | <b>\$303.04</b> |

**Contract Charges**

|                                  |                  |                  |                   |
|----------------------------------|------------------|------------------|-------------------|
| Retail Service Charge            | 92,160.00 kWh at | 0.0113000 \$/kWh | \$1,041.41        |
| <b>Subtotal Contract Charges</b> |                  |                  | <b>\$1,041.41</b> |

**Market Charges**

|  |                    |                     |                 |
|--|--------------------|---------------------|-----------------|
| ANCILLARIES CHARGE 01/15/2012 - 01/31/2012 | 49,259.22 kWh at   | 0.0020550 \$/kWh    | \$101.23        |
| ANCILLARIES CHARGE 02/01/2012 - 02/15/2012 | 42,900.78 kWh at   | 0.0006000 \$/kWh    | \$25.74         |
| CAPACITY CHARGE 01/15/2012 - 01/31/2012    | 4,150.21 kW Day at | 0.1248200 \$/kW Day | \$518.03        |
| CAPACITY CHARGE 02/01/2012 - 02/15/2012    | 3,661.95 kW Day at | 0.0458600 \$/kW Day | \$167.94        |
| RMR CHARGE 01/15/2012 - 02/15/2012         | 98,577.83 kWh at   | 0.0000148 \$/kWh    | \$1.46          |
| <b>Subtotal Market Charges</b>             |                    |                     | <b>\$814.39</b> |

**Subtotal Charges from Constellation NewEnergy \$5,488.85**

**Charges from Taxes**

**Subtotal Charges from Taxes \$0.00**

**Total Amount Due To Constellation NewEnergy \$5,488.85**

1221 Lamar St., Suite 750, Houston, TX 77010  
 FOR CUSTOMER SERVICE CALL (888) 635-0827  
 cneustomer@constellation.com



ABC Customer  
ABC Drive  
SUITE ABC  
Whitefield, NH 03598

CNE CUSTOMER ID  
99-9999999  
ACCOUNT ID  
99-999-99

STATEMENT NO.  
999999-0002  
STATEMENT DATE  
3/5/2012

PAGE  
Page 1 of 3  
DUE DATE  
3/25/2012

For questions or comments, please contact Customer Care at (888)635-0827 Monday through Friday 7:00 am to 7:00 pm Central Standard Time, or email us at [cnecustomer care@constellation.com](mailto:cnecustomer care@constellation.com).

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|                                   |                  |
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| DEBITS/CREDITS SINCE LAST INVOICE | \$0.00           |
| LATE/FINANCE FEE                  | \$0.00           |
| CURRENT CHARGES                   | \$XXXX.XX        |
| <b>TOTAL AMOUNT DUE</b>           | <b>\$XXXX.XX</b> |

**SAMPLE INVOICE**

**WIRE TRANSFER INFORMATION:**

Constellation NewEnergy, Inc.  
ABA-ACH #111000012, ABA-WIRE #02600693  
ACCT #4420223690  
BANK: Bank of America

**REMITTANCE ADDRESS:**

Constellation NewEnergy, Inc.  
14217 Collections Center Dr.  
Chicago IL, 60693

PLEASE RETURN THIS PORTION WITH PAYMENT AND MAKE ALL CHECKS PAYABLE TO Constellation NewEnergy, Inc.



ENTER AMOUNT ENCLOSED  
\$ **NO AMOUNT DUE**

Write account number on check and make payable to Constellation



| March 2012 |     |     |     |     |     |     |
|------------|-----|-----|-----|-----|-----|-----|
| Sun        | Mon | Tue | Wed | Thu | Fri | Sat |
| 25         | 27  | 28  | 29  | 1   | 2   | 3   |
| 4          | 5   | 6   | 7   | 8   | 9   | 10  |
| 11         | 12  | 13  | 14  | 15  | 16  | 17  |
| 18         | 19  | 20  | 21  | 22  | 23  | 24  |
| 25         | 26  | 27  | 28  | 29  | 30  | 31  |
| 1          | 2   | 3   | 4   | 5   | 6   | 7   |

|                             |                               |                              |
|-----------------------------|-------------------------------|------------------------------|
| CNE ACCOUNT ID<br>99-999-99 | CNE CUSTOMER ID<br>99-9999999 | STATEMENT NO.<br>999999-0002 |
| STATEMENT DATE<br>3/5/2012  | DUE DATE<br>3/25/2012         | AMOUNT DUE<br>\$XXXX.XX      |

ABC Site  
ABC Drive  
SUITE ABC  
Whitefield, NH 03598

Additional charges per the terms of your contract will be applied to the Total Amount Due if payment is not received on or before the due date.





|   |                                      |                                     |                              |
|---|--------------------------------------|-------------------------------------|------------------------------|
| <b>ABC Customer</b><br>ABC Drive<br>SUITE ABC<br>Whitefield, NH 03598 | <b>CNE CUSTOMER ID</b><br>99-9999999 | <b>STATEMENT NO.</b><br>999999-0002 | <b>PAGE</b><br>Page 2 of 3   |
|   | <b>ACCOUNT ID</b><br>99-999-99       | <b>STATEMENT DATE</b><br>3/5/2012   | <b>DUE DATE</b><br>3/25/2012 |

**Adjustments:** Any adjustments that were made to your account within the invoice period. Adjustments may be made for a variety of reasons, including special contract calculations, corrections to prior bills, or settlement of disputed charges.

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**Reliability Must Run (RMR):** Ancillary service administered by the ISO. Generation resources scheduled to operate out-of-merit order and identified by the ISO as necessary to preserve regional system reliability.

**Renewable Portfolio Standards Cost (RPS):** NewEnergy's cost of procuring renewable energy to comply with Renewable Portfolio Standards (RPS) requirements, usually established by individual states. Generally, these costs are associated with requirements to support generating units that produce power using renewable fuels such as water (hydro-electric) and solar.

**Retail Service Charge:** A contracted charge for supplying electricity to an account, based upon total kWh consumption per billing cycle.

**Retail Trade Transaction (RTT):** The fixed unit Price and Quantity for a specific commodity for a specific delivery point and pattern.

**Transmission Service Charge:** The charge for Network Transmission Service as identified in the applicable OATT Tariff for the provision of transmission service by the ISO within the Utility's service territory. Generally, these costs are associated with building and maintaining the electric transmission lines.





ABC Customer  
 ABC Drive  
 SUITE ABC  
 Whitefield, NH 03598

CNE CUSTOMER ID  
 99-9999999  
 ACCOUNT ID  
 99-999-99

STATEMENT NO.  
 999999-0002  
 STATEMENT DATE  
 3/5/2012

PAGE  
 Page 3 of 3  
 DUE DATE  
 3/25/2012

**SITE NAME** ABC Site  
**SERVICE LOCATION** ABC Service  
**UDC ACCOUNT ID** 9999999999  
**INVOICE ID** 999999-0002  
**kWh** 92,160.00  
**SERVICE PERIOD** 01/15/2012 to 02/15/2012  
**PRODUCT** Fixed Price Solutions

**METER NO(S).**

**Contract Charges**

Energy Charge Non TOU 92,160.00 kWh at 0.0786000 \$/kWh \$7,243.78

**Subtotal Contract Charges \$7,243.78**

**Market Charges**

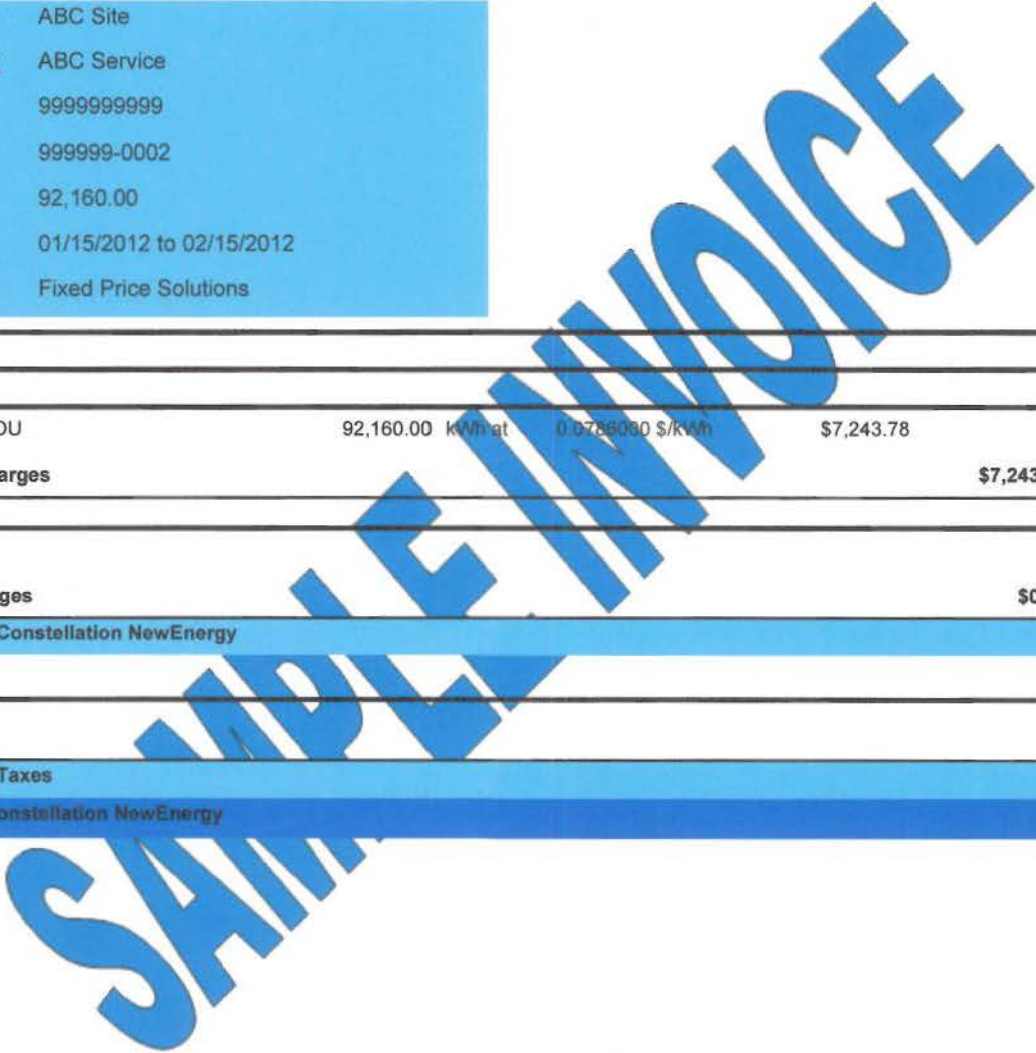
**Subtotal Market Charges \$0.00**

**Subtotal Charges from Constellation NewEnergy \$7,243.78**

**Charges from Taxes**

**Subtotal Charges from Taxes \$0.00**

**Total Amount Due To Constellation NewEnergy \$7,243.78**

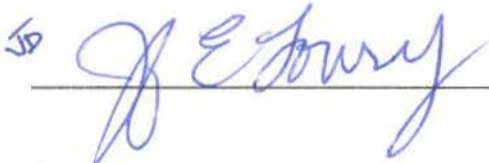


1221 Lamar St., Suite 750, Houston, TX 77010  
 FOR CUSTOMER SERVICE CALL (888) 635-0827  
 cnecustomer@constellation.com

# Exhibit I

**Exhibit I:**

Under penalty of perjury, the undersigned hereby affirms that he/she is authorized to and hereby does make this renewal registration for Constellation NewEnergy, Inc. and that based upon personal knowledge and information, the contents of this Application are truthful, accurate and complete.



March 9, 2012

Jennifer Lowry  
Treasurer, Constellation NewEnergy, Inc.

# Exhibit J

**From:** kelly.j.ryan@accenture.com [mailto:kelly.j.ryan@accenture.com]  
**Sent:** Thursday, April 15, 2010 9:17 AM  
**To:** Engel, Thomas  
**Cc:** kevin.j.perry@accenture.com; Sigg, Matt  
**Subject:** FW: CNE Completed Testing!

Dear Tom,

Good morning. Below is the email confirming we have completed certification testing with NGRID!

Thank you,  
Kelly

Kelly J. Ryan  
Accenture Transaction Management Services (ATMS)  
[kelly.j.ryan@accenture.com](mailto:kelly.j.ryan@accenture.com)  
office: 610 994 2855  
mobile: 267 939-7875



In the interests of the environment, please print only if necessary and recycle

**From:** Laura, Donna Marie [mailto:DonnaMarie.LAURA@us.ngrid.com]  
**Sent:** Thursday, April 15, 2010 10:10 AM  
**To:** Ryan, Kelly J.  
**Subject:** CNE Completed Testing!

Please know that testing has been officially completed!

Thank you for your patience with this process.

Regards,

Donna Marie Laura  
Supplier Services  
National Grid  
175 E. Old Country Road - Ground Floor  
Hicksville, NY 11801  
516-545-4939  
Email - [supplier.services@us.ngrid.com](mailto:supplier.services@us.ngrid.com)

\*\*\*\*\*

\*\*

This e-mail and any files transmitted with it, are confidential to National Grid and are intended solely for the use of the individual or entity to whom they are addressed. If you have received this e-mail in error, please reply to this message and let the sender know.

**From:** kelly.j.ryan@accenture.com [mailto:kelly.j.ryan@accenture.com]  
**Sent:** Monday, May 03, 2010 1:18 PM  
**To:** Sigg, Matt; Engel, Thomas  
**Subject:** RE: 20100413 Constellation Certification Testing

Dear Matt –

Please let the email below, confirming testing was completed.

**From:** pauljb@nu.com [mailto:pauljb@nu.com]  
**Sent:** Monday, May 03, 2010 2:13 PM  
**To:** Ryan, Kelly J.  
**Cc:** downiaj@nu.com; ITEDI@nu.com; kennijf@nu.com; wilksp@nu.com; bondpk@nu.com  
**Subject:** Re: FW: Recert Testing For Constellation

Hi Kelly,

CL&P, WMECO and PSNH successfully completed EDI testing on February 22, 2010.

Jean

Jean B Paul  
Supplier Relations  
Internal Phone # 607-6642  
External Phone #860-607-6642  
FAX # 860-607-6163

Thank you,  
Kelly

Kelly J. Ryan  
Accenture Transaction Management Services (ATMS)  
[kelly.j.ryan@accenture.com](mailto:kelly.j.ryan@accenture.com)  
office: 610 994 2855  
mobile: 267 939-7875



in the interests of the environment, please print only if necessary and recycle.

**From:** Sigg, Matt [mailto:Matt.Sigg@Constellation.com]  
**Sent:** Monday, May 03, 2010 12:48 PM  
**To:** Ryan, Kelly J.; Engel, Thomas  
**Subject:** RE: 20100413 Constellation Certification Testing  
**Importance:** High

Kelly/Tom,

Can you send me the email communication from NU specifically for PSNH that CNE completed EDI certification testing?

Thanks,

**From:** Fournier, Rich [mailto:fournier@unitil.com]  
**Sent:** Tuesday, May 04, 2010 12:09 PM  
**To:** Sigg, Matt  
**Cc:** Pascoe, Carrie  
**Subject:** Unitil UES and CNE EDI certification status.

This is to certify that Constellation New Energy has successfully completed all testing requirements with Unitil UES on 02/05/2010 and with Unitil FGE on 2/12/2010.



# Exhibit K

Exhibit K

Please see Exhibit J for correspondence from utilities confirming Constellation NewEnergy, Inc. has demonstrated electronic transfer capabilities

# Exhibit L

Effective: 1/1/2012

NEPOOL Participants  
Alpha by Voting Member  
Related Persons indented beneath

| NAME OF PARTICIPANT  | Generation Sector | Transmission Sector | Supplier Sector | AR Sector | Publicly-Owned Entity Sector | End User Sector |
|--|-------------------|---------------------|-----------------|-----------|------------------------------|-----------------|
| <i>Granite Reliable Power, LLC</i>   |                   |                     |                 |           |                              |                 |
| Burlington Electric Department   |                   |                     |                 |           | 1                            |                 |
| Calpine Energy Services, LP  |                   |                     | 1               |           |                              |                 |
| Cape Light Compact (O)   |                   |                     |                 |           |                              | 1               |
| Cargill Power Markets, LLC   |                   |                     | 1               |           |                              |                 |
| Centaurus Energy Master Fund LP  |                   |                     | 1               |           |                              |                 |
| Centre Lane Trading Ltd.   |                   |                     | 1               |           |                              |                 |
| Central Maine Power Company  |                   | 1                   |                 |           |                              |                 |
| <i>Iberdrola Renewables, Inc.</i>  |                   |                     |                 |           |                              |                 |
| <i>New York State Electric &amp; Gas Company</i>   |                   |                     |                 |           |                              |                 |
| <i>NYSEG Solutions, Inc.</i>   |                   |                     |                 |           |                              |                 |
| CHI Power Marketing, Inc.  |                   |                     | 1               |           |                              |                 |
| Chicopee Municipal Lighting Plant  |                   |                     |                 |           | 1                            |                 |
| Choice Energy LLC  |                   |                     | 1               |           |                              |                 |
| Cianbro Companies LLC (L)  |                   |                     |                 |           |                              | 1               |
| <i>Cianbro Energy, LLC</i>   |                   |                     |                 |           |                              |                 |
| Citigroup Energy Inc.  |                   |                     | 1               |           |                              |                 |
| Clearview Electric Inc.  |                   |                     | 1               |           |                              |                 |
| Community Power & Utility LLC  |                   |                     | 1               |           |                              |                 |
| Competitive Energy Services, LLC   |                   |                     | 1               |           |                              |                 |
| Comverge, Inc. (LR Sub-Sector)   |                   |                     |                 | 1         |                              |                 |
| Concord Municipal Light Plant  |                   |                     |                 |           | 1                            |                 |
| Connecticut Central Energy, LLC  |                   |                     | 1               |           |                              |                 |
| Conn. Municipal Electric Energy Cooperative  |                   |                     |                 |           | 1                            |                 |
| <i>Connecticut Transmission Municipal Electric Energy Cooperative d/b/a The Transmission Authority</i> |                   |                     |                 |           |                              |                 |
| <i>Energy New England LLC</i>  |                   |                     |                 |           |                              |                 |
| Connecticut Office of Consumer Counsel (O)   |                   |                     |                 |           |                              | 1               |
| Connecticut Resources Recovery Authority   |                   |                     |                 |           | 1                            |                 |
| Conservation Law Foundation (O)  |                   |                     |                 |           |                              | 1               |
| Conservation Services Group, Inc. (LR Sub-Sector)  |                   |                     |                 | 1         |                              |                 |
| Consolidated Edison Energy, Inc.   |                   |                     | 1               |           |                              |                 |
| <i>Consolidated Edison Development, Inc.</i>   |                   |                     |                 |           |                              |                 |
| <i>Consolidated Edison Solutions, Inc.</i>   |                   |                     |                 |           |                              |                 |
| <i>Consolidated Edison Co. of New York, Inc.</i>   |                   |                     |                 |           |                              |                 |
| Constellation Energy Commodities Group, Inc.   |                   |                     | 1               |           |                              |                 |
| <i>Constellation NewEnergy, Inc.</i>   |                   |                     |                 |           |                              |                 |
| <i>MxEnergy Electric Inc.</i>  |                   |                     |                 |           |                              |                 |
| Corinth Wood Pellets LLC (L)   |                   |                     |                 |           |                              | 1               |
| <i>Corinth Energy LLC</i>  |                   |                     |                 |           |                              |                 |
| Covanta Maine, LLC (RG Sub-Sector)   |                   |                     |                 | 1         |                              |                 |
| <i>Covanta Energy Marketing, LLC</i>   |                   |                     |                 |           |                              |                 |
| <i>Covanta Haverhill Associates, LP</i>  |                   |                     |                 |           |                              |                 |
| <i>Covanta Projects of Wallingford, L.P.</i>   |                   |                     |                 |           |                              |                 |
| CP Energy Marketing (US) Inc.  |                   |                     | 1               |           |                              |                 |
| Danvers Electric Division  |                   |                     |                 |           | 1                            |                 |
| DB Energy Trading, LLC   |                   |                     | 1               |           |                              |                 |
| DC Energy, LLC   |                   |                     | 1               |           |                              |                 |
| Dennis Beverage Company Inc. (S)   |                   |                     |                 |           |                              | 1               |
| <i>Dennis Energy Company</i>   |                   |                     |                 |           |                              |                 |
| Devonshire Energy LLC  |                   |                     | 1               |           |                              |                 |
| <i>Backyard Farms LLC</i>  |                   |                     |                 |           |                              |                 |
| <i>Backyard Farms Energy LLC</i>   |                   |                     |                 |           |                              |                 |
| DFC-ERG Milford, LLC (RG Sub-Sector)   |                   |                     |                 | 1         |                              |                 |
| <i>Bridgeport Fuel Cell Park, LLC</i>  |                   |                     |                 |           |                              |                 |
| <i>DFC ERG CT LLC</i>  |                   |                     |                 |           |                              |                 |
| Discount Power, Inc.   |                   |                     | 1               |           |                              |                 |
| Dominion Energy Marketing, Inc.  | 1                 |                     |                 |           |                              |                 |

Effective: 1/1/2012

41037331\_125.xls

# Exhibit M

# Attachment A

ATTACHMENT A

BGE Home Products and Services, LLC  
Constellation Energy Projects and Services Group Advisors, LLC  
Constellation Energy Commodities Group Maine LLC  
MXenergy Electric Inc.  
Star Electricity, Inc.  
Baltimore Gas & Electric Company

# Exhibit N





111 Market Place  
Suite 500  
Baltimore, Maryland 21202

March 08, 2012

**Via Overnight Delivery**

Granite State Electric Company  
ATTN: General Counsel  
9 Lowell Road  
Salem, NH 03079-2902

Public Service Co of NH  
ATTN: General Counsel  
1000 Elm Street  
Manchester NH 03105

NH Electric Cooperative Inc  
ATTN: Billo Bayard  
579 Tenney Mountain Hwy  
Plymouth NH 03264-3147

Unitil Energy Systems, Inc.  
ATTN: General Counsel  
One Mcguire St.  
Concord, NH 03301

Theodore J. Paradise  
Senior Regulatory Counsel  
Independent Systems Operator –  
New England  
One Sullivan Road  
Holyoke, MA 01040

Unitil Energy Systems, Inc.  
ATTN: General Counsel  
114 Drinkwater Rd.  
Kensington NH 03833

To whom it may concern:

As part of its New Hampshire licensing obligations, Constellation NewEnergy, Inc. is required to provide certain notices to transmission and distribution utilities as part of its Competitive Electric Power Supplier license renewal process. Please be advised that, consistent with Part 2003.01 of the New Hampshire Code of Administrative Rules, Chapter PUC 2000, Constellation NewEnergy, Inc. has submitted its 2012 Competitive Electric Power Supplier license renewal to serve Large Commercial and Industrial customers as a Competitive Electric Power Supplier in New Hampshire.

Please call with any questions.

Sincerely,

Joseph E. Donovan  
Senior Counsel  
Constellation Energy Resources, LLC  
On behalf of Constellation NewEnergy, Inc.  
410.470.3582