

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: March 26, 2012
AT (OFFICE): NHPUC

FROM: Jan Quint, Utility Analyst
SUBJECT: DE 10-226 Hannaford Energy, LLC Request for a waiver of the requirement to provide a disclosure label to its customers

TO: Amy Ignatius
Michael Harrington
Robert Scott
Debra Howland

ENTERED

APR 05 2012

NH PUBLIC
UTILITIES COMMISSION



Senate Bill 327, 2010 N.H. Laws 336:1, signed into law on July 20, 2010, amended N.H. R.S.A. Chapter 378 by adding section 49 and establishing requirements for disclosure of electric service energy sources and environmental characteristics to customers by providers of electricity. The enactment directed the Commission to approve a standard format and methodology for electricity providers to use in providing this information to their customers. Thus, Docket DE 10-226 was open on September 28, 2010.

On September 1, 2011 the New Hampshire Public Utilities Commission issued Order No. 25,264 in Docket DE 10-226. This order approved the content and dissemination of the customer disclosure label of electric service energy sources and their environmental characteristics. The order required providers of electricity to provide this disclosure label to all customers no less than once a year.

On February 13, 2012, Hannaford Energy, LLC asked for a waiver from the Commission's Order No. 25,264 in Docket DE 10-226, requiring each provider of electricity to provide a disclosure label to all its customers no less than once a year. In its request, Hannaford Energy, LLC stated that it is a wholly owned subsidiary of Hannaford Bros. Co. established for the purpose of facilitating electricity transactions for Hannaford Bros. Co. through the wholesale market administered by ISO-NE. Hannaford Energy, LLC's sole retail customer in New Hampshire is Hannaford Bros. Co., its parent company, which operates a number of retail grocery stores in the service territories of Unitil, PSNH, Granite State and the NHEC. Hannaford Energy, LLC further stated that it does not currently provide, and has no future plans to provide, retail electricity service to any customer other than its parent company, Hannaford Bros. Co. Because of the relationship between Hannaford Energy, LLC and Hannaford Bros. Co., Hannaford Energy, LLC stated that the requirement to prepare and distribute a disclosure label to

Hannaford Bros. Co. at least once a year does not serve the purpose of the rule. Finally, Hannaford Energy, LLC is only requesting a waiver for the purpose of providing a disclosure label to its parent company, Hannaford Bros. Co.

Staff supports the request for waiver filed by Hannaford Energy, LLC. Hannaford Energy, LLC is a wholly owned subsidiary of their only customer, Hannaford Bros. Co. Hannaford Energy, LLC has stated the management and personnel of Hannaford Bros. Co. and Hannaford Energy, LLC are identical and that Hannaford Energy, LLC serves no other retail customers in New Hampshire. Accordingly, Staff recommends the waiver be granted but only as it applies to the provision of the disclosure label to Hannaford Bros. Co, its parent company.