



**CONFIDENTIAL
MATERIAL
IN COMM FILE**



July 30, 2012

Debra A. Howland, Executive Director
New Hampshire Public Utility Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

Re: DE 12-214, Public Service Company of New Hampshire
Constellation Request for Filtrine Manufacturing Company Load Data

To Ms. Howland:

Please accept this letter in response to the above-referenced complaint, dated July 17, 2012. Constellation New Energy, Inc., LLC, an Exelon Company (“CNE”) received the complaint, which was filed by Robert Bersak of the Public Service Company of New Hampshire (“PSNH”) on behalf of Filtrine Manufacturing Company (“FMC”) on July 11, 2012 concerning allegations of a forged signature. CNE has investigated this matter and provides the results of the investigation below.

CNE does not have an existing contractual agreement with FMC. Rather, FMC worked with a broker, Good Energy, L.P. (“GE”), which obtained Letters of Authorization (“LOA”) and provided them to CNE after they were signed.

By way of background, GE submitted a price request to CNE on July 10, 2012. Subsequent to this request, GE emailed CNE a signed LOA to obtain meter data for FMC from the PSNH. The initial request was rejected by PSNH on the ground that the submitted LOA had expired. (PSNH LOA’s are only effective for 1 year to receive summary data and 90 days for interval meter data.) Later that day, GE emailed an updated LOA to CNE, reflecting a signature date of July 10, 2012 (“July 10, 2012 LOA”). A copy of the July 10, 2012 LOA is attached hereto (Exhibit 1). This updated LOA was then submitted to PSNH and, on July 11, 2012, PSNH rejected the July 10, 2012 LOA stating that the customer had not signed the form and advising CNE to contact the customer to obtain a new form. PSNH further stated that FMC had advised that they did not sign the July 10, 2012 LOA.

On July 17, 2012, GE emailed CNE another updated executed LOA (“July 17, 2012 LOA”). A copy of the July 17, 2012 LOA is attached hereto (Exhibit 2). Upon receipt of this LOA, CNE forwarded the request to PSNH for processing.

On July 24, 2012, CNE received (via the United States Postal Service) a complaint from the New Hampshire Public Utilities Commission (“NH PUC”), filed by Mr. Bersak of PSNH on behalf FMC. The complaint alleges that an employee of CNE forged the signature of FMC’s President, Mr. Peter Hansel.

CNE's investigation has determined that each of the three LOA's submitted for FMC were received by CNE from GE already executed and submitted to PSNH without alteration. Upon receipt of an LOA request, it is CNE's procedure to verify if in fact the form has the following details, prior to submitting to PSNH: company name, signature, address, title, account numbers, and expiration date. To CNE's knowledge, all of the LOA's were signed by an authorized party.

In an effort to obtain further clarification, a CNE representative spoke to FMC's President, Mr. Hansel on July 27, 2012. During this conversation, Mr. Hansel stated that he did sign the July 17, 2012 LOA; however, he was uncertain as to who signed the July 10, 2012 LOA.

Based upon the information provided, CNE acted at all times in good faith, in accordance with applicable law and the LOA requests for FMC. CNE believes that no further action from the NH PUC should be required with respect to CNE. Therefore, CNE respectfully requests that the complaint be dismissed.

Please do not hesitate to contact me at (603) 224-9653 if you have any questions.

Very truly yours,



Daniel W. Allegretti
Director, State Government Affairs

DWA: kdb

cc: Catherine Barron
William Cameron
Joseph Donovan
Jeanne J. Dworetzky
James McGrew
Vashti Padmore

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