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August 7, 2013

HAND DELIVERED AND VIA EMAIL

Debra A. Howland, Executive Director & Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit St., Suite 10  
Concord, NH 03301-2429

**Re: IR 13-038 - Stakeholder Review of Utility Assessment Practices**

Dear Ms. Howland:

On behalf of a number of competitive electric power suppliers (CEPs), including ENH Power, TransCanada Power Marketing, North American Power, and Constellation NewEnergy, Inc., we are writing with regard to the most recent straw proposal that was sent out in docket DE 13-038. We understand that this straw proposal grew out of a proceeding about the telecom industry which only recently came to have serious implications for CEPs and that no CEPs have attended the meetings that have been held. As the second straw proposal recommends assessments to non-utility entities and would require significant legislative changes we believe that it would be helpful to have input from representatives of this segment of the industry.

Specifically, the second straw proposal recommends that individual CEPs be assessed based on 33% of their New Hampshire retail electric revenues for purposes of funding the Commission's budget. If the Commission's goal is to present legislative recommendations during the upcoming legislative session, there is still sufficient time to include the CEPs' input in context of Docket DE 13-038. Of particular concern is the fact that CEPs currently do not have enough information to determine the impact of the proposal.

In addition, we recently became aware that Public Service Company of New Hampshire has provided participants in Docket DE 13-038 with information regarding CEPs' revenues. We understand this information was provided with an informal request that it be kept confidential. We would like to find out more about this information, including what it is and how it is being treated, and would like to be allowed to review the information (in an aggregate form to protect competitive information), especially since it is apparently being used as a basis for making some decisions about a legislative proposal going forward.

We would also respectfully ask if there is any information pertaining to the amount of time spent by PUC Staff and Commissioners on electric supplier related matters as compared

with other matters. We believe that such information would provide a nexus for determining whether a CEP assessment is appropriate and, if so, the amount that could equitably be assessed to CEPs. We realize that this kind of information may already have been provided and if so we would like the opportunity to review it. If not, we think it would certainly be helpful for this group and ultimately the Legislature to have information that would help it to determine cost causation as a justification for a fair allocation of the Commission's costs.

We would also ask that you add the attached list of emails to your email distribution list for any information being circulated in the future in this docket.

Thank you for your consideration. Please let me know if you have any questions.

Respectfully submitted,

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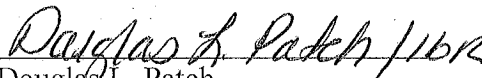
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Certificate of Service

I hereby certify that on this 7th day of August, 2013 a copy of the foregoing letter was sent by electronic mail to the Service List.

  
Douglas L. Patch

cc. Service List in IR 13-038

Proposed Additions to IR 13-028 Service List:

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