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STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX No. 271-3878

Website:
www.puc.nh.gov

February 3, 2014

Christopher Cole, Esq.
Sheehan Phinney Bass & Green, PA
1000 Elm Street
Manchester, NH 03101

Matthew Fossum, Esq.
Public Service Company of New Hampshire
780 N. Commercial Street
Manchester, NH 03101

Re: IR 13-233, PNE Energy Supply, LLC v. Public Service Company of New Hampshire

Dear Attorneys Cole and Fossum:

This letter is to advise you as to how the Commission intends to proceed with respect to resolving all outstanding issues in the above-referenced docket. As you know, the case concerns the allegations by PNE Energy Supply, LLC (PNE) that Public Service Company of New Hampshire (PSNH) unlawfully retained customer payments in violation of PSNH's Tariff N.H.P.U.C. No 8 and PNE's Electric Supplier Services Master Agreement and Electric Supplier Trading Partner Agreement with PSNH.

After reviewing PSNH's letter of December 16 and PNE's letter of December 18, 2013 on the issue of whether this docket should be closed or proceed to a hearing, the Commission has determined that further inquiry is warranted.

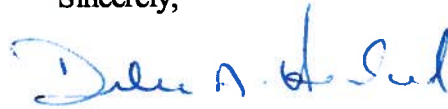
Accordingly, the Commission will conduct a hearing on February 18, 2014 at 1:30 p.m. and adopts the following procedures and determinations with respect to the hearing:

1. The hearing will be limited to whether PNE as the complainant can meet its burden of proof on the following issues:
 - a) Did PSNH act improperly when it withheld payments otherwise due PNE beginning in February 2013, and, if so, what is the appropriate remedy?
 - b) Independent of the issue above, did PSNH improperly calculate and assess the approximately \$50,000 in Competitive Supplier Charges that it withheld from PNE? If so,

what is the proper allocation of those charges between PNE and PSNH and what is the appropriate remedy?

2. To the extent there are facts upon which the parties can agree, the parties shall file a joint statement of such facts no later than February 14, 2014.

Sincerely,



Debra A. Howland
Executive Director

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov
alexander.speidel@puc.nh.gov
amanda.noonan@puc.nh.gov
ccole@sheehan.com
Christina.Martin@oca.nh.gov
david.shulock@puc.nh.gov
matthew.fossum@nu.com
michael.sheehan@puc.nh.gov
rcheney@sheehan.com
steve.mullen@puc.nh.gov
susan.chamberlin@oca.nh.gov
tom.frantz@puc.nh.gov

Docket #: 13-233-1 Printed: February 03, 2014

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.