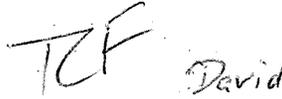


STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: April 16, 2015
AT (OFFICE): NHPUC

FROM: David Goyette, Utility Analyst III

SUBJECT: DM 15-070, Mint Energy, LLC
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

NHPUC 16APR15PM1:38

Executive Summary

Mint Energy has applied to renew its registration as a competitive electric power supplier. Mint Energy's current registration expires on April 16, 2015. Mint Energy submitted a certificate demonstrating it completed EDI testing with Eversource, an amendment extending by one year the term of its letter of credit in the amount of \$100,000, and a request for a waiver of the five-year and 90-day term requirement for financial security. Mint Energy stated it would continue to use the small commercial contract it submitted with its previously filed registration application, in Docket No. DM 14-008, pending final Commission review and approval of three new small commercial customer contract forms. If the Commission were to grant the requested rule waiver, Staff believes the filing is acceptable. Staff recommends the Commission grant the waiver and approve the application, for service only in the franchise area of Eversource, for a renewal registration period ending on the termination date of the amended letter of credit.

Background and Analysis

On February 17, 2015, Mint Energy, LLC (Mint Energy) filed an application to renew its registration as a competitive electric power supplier (CEPS). Mint Energy's currently active registration, which the Commission approved in Docket No. DM 14-008, expires on April 16, 2015. Mint Energy's renewal application included three forms of small commercial customer contracts, each with a different pricing structure, a certificate demonstrating that it had completed EDI testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), and a request for a waiver of Puc 2003.03(a)(5)(b), which requires that the financial security filed with a CEPS renewal application have a term of not less than five years and 90 days. Prior to filing the renewal application, on February 12, 2015, Mint Energy filed an amendment to the letter of credit it filed with its initial application in Docket No. DM 14-008, which extends the term and expiration date of the letter of credit until October 31, 2017. The amended letter of credit

is in the amount of \$100,000 and names the Commission as beneficiary. On February 18, 2015, Mint Energy filed addenda for two of its sample contracts. On April 16, 2015, Mint Energy filed a letter stating that it would not use the proposed new small commercial customer contract forms submitted on February 17, 2015 and the addenda filed on February 18, 2015, but would instead continue to use the small commercial customer contract submitted with its prior CEPS registration application, in Docket No. DM 14-008, pending final Commission review and approval of the new small commercial customer contract forms.

Staff has reviewed the information in the application, and, if the Commission were to grant approval of the waiver request, believes it meets the requirements of Puc 2003 and 2006.01. Staff recommends that the Commission grant the request for a waiver of Puc 2003.03(a)(5), and, because the amended letter of credit does not meet the five-year and 90-day requirement and because it expires on October 31, 2017, that the Commission approve a renewal registration period with a term concurrent with the amended letter of credit, beginning on the expiration date of the previously active registration, April 16, 2015, and ending on October 31, 2017.

Staff also recommends that, if the Commission grants the requested rule waiver, the Commission notify Mint Energy that the financial security rules are likely to change during 2015 and that Mint Energy should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Staff recommends that the Commission approve Mint Energy's application to renew its registration as a CEPS, authorized to operate only in the service area of Eversource. If Mint Energy seeks to operate in the service areas of other distribution utilities, it can do so by filing a request with the Commission to extend its service area, and by providing proof that it has completed EDI testing with each distribution utility in whose franchise area it requests authority to operate. Staff will then review the request and make a recommendation to the Commission.

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.

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Docket #: 15-070-1 Printed: April 16, 2015

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.