

# STATE OF NEW HAMPSHIRE

Inter-Department Communication

NHPUC 1JUN16PM3:55

DATE: June 1, 2016

AT (OFFICE): NHPUC

  
FROM: David Goyette, Utility Analyst III

SUBJECT: DM 15-479 Viridian Energy, LLC  
Application for Registration as Competitive Electric Power Supplier

TO: Commissioners  
Debra Howland, Executive Director

## Executive Summary

Viridian has applied to register as a competitive electric power supplier. Viridian submitted a certificate demonstrating it completed EDI testing with Eversource and UES, a sample residential and small commercial customer contract, a surety bond in the amount of \$100,000, and a request for a waiver of the five-year and 150-day term requirement for financial security. 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 a registration period ending on the termination date of the surety bond.

## Background and Analysis

On November 6, 2015, Viridian Energy, LLC (Viridian) filed an application to register as a competitive electric power supplier (CEPS). Viridian's application included evidence that it is able to obtain supply in the New England energy market. On January 13, 2016, Viridian filed a list of states in which it currently conducts business and a list of customer complaints for the most recent calendar year by state and complaint type. On March 9, 2016, Viridian requested an extension for the application review period, which the Commission granted, until April 30, 2016. On May 4, 2016, Viridian filed a second request for an extension, which the Commission granted, until June 1, 2016. On May 25, 2016, Viridian filed a residential and small commercial customer contract, documentation that demonstrates it has completed electronic data interchange (EDI) testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and Unitil Energy Systems (UES), and a request for a waiver of Puc 2003.03(a)(5), which requires the financial security filed with an initial CEPS application have a term of five years and 150 days. On May 31, 2016, Viridian filed a surety bond in the amount of \$100,000, which becomes effective on May 31, 2016 and expires on May 31, 2017, and names the Commission as obligee.

Staff has reviewed the information in the application and, if the Commission were to grant approval of the waiver request of the financial security term requirement,

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 surety bond does not meet the five-year and 150-day requirement and because it commences on May 31, 2016 and expires on May 31, 2017, that the Commission approve a renewal registration period with a term concurrent with the surety bond, beginning on May 31, 2016 or on the date of the Commission's letter, whichever is later, and ending at the close of business on May 31, 2017. Staff also recommends that, if the Commission grants the requested waiver, the Commission notify Viridian that the financial security rules are likely to change during 2016 and that Viridian should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Viridian filed documentation that demonstrates it has completed EDI testing with Eversource and UES. Staff, therefore, recommends that the Commission approve Viridian's application to register as a CEPS, and that it permit Viridian to serve residential and small commercial customers and operate only in the service areas of Eversource and UES. If Viridian 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**

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**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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**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  
EXECUTIVE 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.**