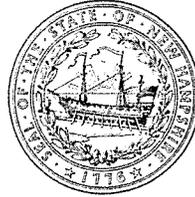


THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION

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February 5, 2016

Otibo Arthur, Compliance Operations
Direct Energy Services, LLC
12 Greenway Plaza, Suite No. 250
Houston, TX 77046

Re: DM 15-513, Direct Energy Services, LLC d/b/a First Choice Power
Application to Register as Competitive Electric Power Supplier

Dear Mr. Arthur:

On December 17, 2015, Direct Energy Services, LLC d/b/a First Choice Power (Direct Energy Services) filed an application to register as a competitive electric power supplier (CEPS). Prior to submitting its application, on August 18, 2015, Direct Energy Services filed a surety bond in the amount of \$350,000, which became effective on July 9, 2015 and names the Commission as obligee. Direct Energy Services' application included a rider that extends the term of the bond to July 31, 2021, a contract for residential and small commercial customers, and documentation that demonstrates it has completed electronic data interchange (EDI) training with Public Service Company of New Hampshire, d/b/a Eversource Energy (Eversource). On December 30, 2015, Direct Energy Services filed evidence that it is able to obtain supply in the New England Energy market and documentation that demonstrates it has completed EDI connectivity testing with Eversource. On January 8 and 11, 2016, Direct Energy Services filed amendments indicating its intent to use the registered trade name "First Choice Power." On January 28, 2016, Direct Energy Services filed revisions to its form of contract for residential and small commercial customers.

Commission Staff filed a memorandum on February 4, 2016, and noted that the application complies with the requirements of Puc 2003 and 2006.01. Staff recommended that the Commission approve the registration for a term of five years.

In addition, Staff recommended that the Commission authorize Direct Energy Services to operate in the franchise area of Eversource. Finally, Staff recommended that Direct Energy Services be informed that the financial security rules are likely to change during 2016 and that it should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly.

The Commission has reviewed Direct Energy Services' application and Staff's recommendation and has approved the application as recommended. Accordingly, Direct Energy Services' application to register as a CEPS, authorized to operate in the franchise area of Eversource, is granted for a term beginning on February 5, 2016 and ending at the close of business on February 5, 2021. Pursuant to N.H. Code Admin. Rules Puc 2003.02(a), Direct Energy Services must submit a renewal application at least 60 days prior to the expiration of the approved registration period, on or before December 7, 2020.

Please be aware that registered CEPSs are subject to specific requirements contained in Puc 2000 – Competitive Electric Power Supplier and Aggregator Rules. These rules are available at: <http://www.puc.nh.gov/Regulatory/Rules/PUC2000.pdf>.

Each CEPS also must input into a shopping comparison website maintained by the Commission, information regarding its standard pricing policies, charges, and key terms for residential and small commercial customers. This information must be updated whenever it changes, but no less frequently than once per month. These requirements are intended to comply with RSA 374-F:4-b, II. Following its initial registration, each CEPS will be sent by electronic mail a link to the website through which it must input the required information.

In addition, CEPS must comply with the renewable portfolio standard (RPS) requirements of RSA 362-F. The RPS obligation applies to every "provider of electricity," as defined in RSA 362-F:2, XIV, which includes registered CEPS. Please also refer to the Puc 2500 rules for further details regarding RPS compliance and reporting requirements. RPS compliance is on a calendar year basis and must be reported to the Commission by July 1 of the subsequent calendar year. Pursuant to RSA 378:49, all CEPS also must comply with the requirement to disclose environmental characteristics of the electricity they sell to retail customers. Commission Order No. 25,264, in Docket No. DE 10-226, provides guidance as to the appropriate format for such disclosure. Order No. 25,264 can be viewed at: <http://puc.nh.gov/Regulatory/Orders/2011orders/25264e.pdf>.

Finally, as noted above, the financial security rules set forth in Puc 2003.05(a)(5) are likely to change. Please monitor the Commission's website for notice of this rulemaking process in Docket No. DRM 13-151 and plan accordingly.

Sincerely,



Debra A. Howland
Executive Director

cc: Service List/Docket File

LINKED

2/9/16 CHP

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 #: 15-513-1 Printed: February 05, 2016

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.**