

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: May 5, 2016

AT (OFFICE): NHPUC

David

FROM: David Goyette, Utility Analyst III

SUBJECT: DM 16-531, Devonshire Energy LLC
Renewal of Registration as Competitive Electric Power SupplierTO: Commissioners
Debra Howland, Executive DirectorExecutive Summary

Devonshire Energy has applied to renew its registration as a competitive electric power supplier. Devonshire Energy's current registration expires on June 6, 2016. Devonshire Energy is a self-supply CEPS which only serves affiliates of Fidelity Investments, and does not serve any customers other than its own affiliates. Devonshire Energy therefore has requested a waiver of the financial security requirements, for which Staff recommends approval, subject to certain conditions, as well as a waiver of the filing deadline requirement. Devonshire Energy submitted certificates demonstrating it completed EDI testing with Eversource and Liberty. If the Commission were to grant the requested rule waivers, Staff believes the filing is acceptable. Staff recommends the Commission grant the waivers and approve the application, for service in the franchise areas of Eversource and Liberty, for a five year registration period.

Background and Analysis

On May 2, 2016, Devonshire Energy LLC (Devonshire Energy) filed an application to renew its registration as a competitive electric power supplier (CEPS). Devonshire Energy's currently active registration, which the Commission approved in Docket No. DM 11-147, expires on June 6, 2016. Devonshire Energy's application included certificates demonstrating that it has completed EDI testing with Liberty Utilities (Granite State Electric) Corp. (Liberty) and Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), as well as evidence that it is able to obtain supply in the New England energy market.

Devonshire Energy is a subsidiary of Fidelity Investments, and only serves companies affiliated with Fidelity Investments and does not serve any customers other than its own affiliates. Devonshire Energy therefore has requested a waiver of the financial security requirements, as it had done with its previously approved application. Staff recommends approval of the waiver request with the same conditions required with its previously approved application, as follows:

1. Devonshire Energy will not serve entities other than its affiliates and subsidiaries listed in its application pursuant to Puc 2006.01 (a)(5).
2. Neither its affiliates nor its subsidiaries will be involved in any activities covered under Puc 2000.
3. Devonshire Energy must notify the Commission if it adds any new affiliates or subsidiaries.

Devonshire Energy acknowledged that its renewal application was submitted after the filing deadline of April 7, 2016. Devonshire Energy apologized for the delay and requested that the Commission waive the requirements of Puc 2003.02(a).

Staff has reviewed the information in the application and, if the Commission were to grant approval of the waiver request of the financial security requirement, with the above outlined conditions, and of the filing deadline requirement, believes the application meets the requirements of Puc 2003 and 2006.01. Staff recommends that the Commission grant approval of the requested waivers and approve the registration for a term of five years. Staff also recommends that, if the Commission grants the requested waivers and approves the registration, the Commission notify Devonshire Energy that the Puc 2000 rules are likely to change during 2016 and that Devonshire Energy should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Devonshire Energy filed documentation that demonstrates it has completed EDI testing with Eversource and Liberty. Staff therefore recommends that the Commission approve Devonshire Energy's application to register as a CEPS, and that it permit Devonshire Energy to serve only its affiliates and to operate only in the service areas of Eversource and Liberty. If Devonshire 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.

Executive.Director@puc.nh.gov
amanda.noonan@puc.nh.gov
brian.daigle@fmr.com
david.goyette@puc.nh.gov
david.wiesner@puc.nh.gov
leszek.stachow@puc.nh.gov
margaret.raymond@puc.nh.gov
ocalitigation@oca.nh.gov
tom.frantz@puc.nh.gov

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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.**