

CHAIRMAN  
Martin P. Honigberg

COMMISSIONERS  
Robert R. Scott  
Kathryn M. Bailey

EXECUTIVE DIRECTOR  
Debra A. Howland

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](http://www.puc.nh.gov)

February 15, 2017

Chris Hendrix, Director of Markets and Compliance  
Texas Retail Energy, LLC  
2001 S.E. 10<sup>th</sup> Street  
Bentonville, AR 72716-5530

Re: DM 17-026, Texas Retail Energy, LLC  
Application to Renew Registration as Competitive Electric Power Supplier

Dear Mr. Hendrix:

On February 9, 2017, Texas Retail Energy, LLC (TRE) filed an application to renew its registration as a self-supply competitive electric power supplier (CEPS). Because the application was submitted after the applicable filing deadline, Staff recommended that the Commission waive the filing deadline requirements of Puc 2003.02(a).

Commission Staff filed a memorandum on February 14, 2017 that summarizes the filings made by TRE in connection with its application and Staff's analysis of the completed application. In its memo, Staff recommended the following conditions be required of TRE, as follows:

1. TRE 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. TRE must notify the Commission if it adds any new affiliates or subsidiaries.

Staff noted that, if a waiver of the deadline requirements of Puc 2003.02(a) were granted and the above outlined conditions were required, the application complies with the requirements of Puc 2003 and 2006.01. Staff recommended that the Commission grant the waiver and approve the registration for a term beginning on the expiration date of the currently active registration, April 1, 2017, and ending at the close of business on March 31, 2022. In addition, Staff recommended that the Commission authorize TRE to

serve only its affiliates and to operate in the franchise areas of Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), and Unitil Energy Systems, Inc. (Unitil). Finally, Staff recommended that TRE be informed that the financial security rules are likely to change during 2017 and that it should monitor the rulemaking process in Docket DRM 16-853 and plan accordingly.


The Commission has reviewed TRE's application and Staff's recommendation and has granted a waiver of Puc 2003.02(a), having found the waiver is for good cause and in the public interest, and approved the application as recommended. Accordingly, TRE's application to renew its registration as a CEPS, authorized to serve only its affiliates in the franchise areas of Eversource, Liberty, and Unitil, is granted for a term beginning on April 1, 2017 and ending at the close of business on March 31, 2022. Pursuant to N.H. Code Admin. Rules Puc 2003.02(a), TRE must submit its next renewal application at least 60 days prior to the expiration of the approved registration period, on or before January 31, 2022.

Please be aware that registered CEPS 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>.

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 DRM 16-853 and plan accordingly.

Sincerely,



Debra A. Howland  
Executive Director

cc: Service List  
Docket File

**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  
chris.hendrix@texasretailenergy.com  
david.goyette@puc.nh.gov  
david.wiesner@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

Docket #: 17-026-1 Printed: February 15, 2017

**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.**