

STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

August 22, 2017

Dan Kern, CEO
SmartEnergy Holdings, LLC
575 Lexington Avenue, 4th Floor
New York, NY 10022

Re: DM 17-129, SmartEnergy Holdings, LLC
Competitive Electric Power Supplier Application for Renewal Registration
Deficiency Letter – Request for Additional Information

Dear Mr. Kern:

On August 21, 2017, SmartEnergy Holdings, LLC (SmartEnergy) submitted an application to the Commission for renewal of its registration as a competitive electric power supplier (CEPS). Commission Staff has reviewed the application and determined that it is incomplete and therefore does not comply with the requirements of N.H. Code Admin. Rules Puc 2003. In particular, Staff identified the following requirement that has not been met and the related item which is missing from the application:

- 1) Proof of financial security.

Puc 2003.01(d)(4) Evidence of financial security, as defined in Puc 2003.03.

Regarding item #1, please note that, based on the expiration date of SmartEnergy's currently effective surety bond and CEPS registration, both of which are October 18, 2017, the termination date of the new financial security, or the currently effective bond if extended by a continuation certificate or rider, should be no sooner than October 18, 2018.

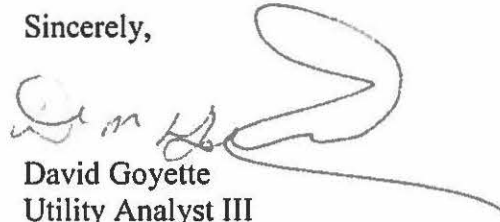
Please also be aware that, if the financial security expires less than five years and 90 days after the date the application was filed, the security will not meet the term requirement of Puc 2003.03(a)(5). If that is the case, in order to be considered for approval, SmartEnergy will need to file a request for a waiver of the term requirement. Please note that Staff generally does not recommend that the Commission grant a waiver of the financial security term requirement for a financial security instrument with a term less than 12 full months from the effective date of registration or with a right of cancellation prior to the end of such 12-month period.

In order to complete your application, you should respond accordingly to the item listed above. When responding, please address your letter to Debra A. Howland, Executive Director, and reference the docket number listed on the subject line of this letter.

Pursuant to Puc 2003.02(f), please provide all information requested within 60 days of the date of this later. Puc 2003.02(f) is copied below.

Puc 2003.02(f) If the commission has requested information or clarification to complete an application for renewal, and such information or clarification is not provided within 60 days of the request, the commission shall suspend the application. If, after 120 days of the date of the request, the applicant has not provided the requested information or clarification, the commission shall reject the application. If an application is rejected, the application fee shall be forfeited and the applicant shall be required to submit a new application and fee prior to acting as a CEPS in New Hampshire.

Sincerely,

A handwritten signature in black ink, appearing to read "David Goyette", with a large, stylized flourish extending to the right.

David Goyette
Utility Analyst III

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.

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Docket #: 17-129-1

Printed: August 22, 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
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.