


**STATE OF NEW HAMPSHIRE****Inter-Department Communication****DATE:** February 4, 2019**AT(OFFICE):** NHPUC

  
**FROM:** David Goyette, Utility Analyst III

**SUBJECT:** DM 18-195, Agera Energy LLC  
Application for Registration as Competitive Natural Gas Supplier

**TO:** Commissioners  
Debra Howland, Executive Director

Executive Summary

Agera Energy LLC has applied to renew its registration as a competitive natural gas supplier. Agera's currently-active registration expires on February 3, 2019. Agera indicated, in its application, that it operates in all service areas, submitted a letter of credit in the amount of \$350,000, and requested a waiver of the filing deadline and a waiver of the five-year and 90-day term requirement for financial security. Staff recommends that the Commission grant the waivers and approve the application, for service in the franchise areas of Liberty and Northern, for a renewal registration period ending on the termination date of the letter of credit.

Background and Analysis

On December 31, 2018, Agera Energy LLC (Agera) filed an application to renew its registration as a competitive natural gas supplier (CNGS). Agera's currently-active registration, which the Commission approved in Docket DM 17-185, expires on February 4, 2019. Agera stated, in its application, that it operates in all service areas, so it therefore serves customers in the local distribution company (LDC) territories of Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (Liberty) and Northern Utilities, Inc. (Northern), and requested a waiver of the filing deadline requirement in Puc 3003.02(a). On January 31, 2019, Agera filed a request for a waiver of Puc 3003.03(a)(5), which requires that the financial security filed with a CNGS renewal application have a term of five year and 90 days. On February 4, 2019, Agera Energy filed a letter of credit (LOC) in the amount of \$350,000, which names the Commission as beneficiary, became effective on February 1, 2019, and may not be terminated prior to February 4, 2020

Staff has reviewed the information in the application. Staff believes that, if Agera's requested waivers of the filing deadline and the five-year and 90-day term requirement for financial security are granted, the application meets the requirements of Puc 3003 and 3006.01. Staff recommends that the Commission grant the requests for

waivers and a registration period concurrent with the term of the LOC, beginning on the expiration date of the currently-active registration, February 4, 2019, and ending at the close of business on February 4, 2020. Staff also recommends that the Commission notify Agera that the rules applicable to CNGS are likely to change during 2019 and that Agera should monitor the rulemaking process in Docket DRM 18-152 and plan accordingly with respect to future operations in New Hampshire.

Agera indicated that it operates in all service areas, so it provides service in the LDC territories of Liberty and Northern. Staff therefore recommends approval of Agera's application to register as a CNGS, pursuant to Puc 3003.02(d), with Agera permitted to operate in the service areas of Liberty and Northern.

**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.**