

Dm 19-173

**Buchanan Ingersoll & Rooney PC**

**Alan M. Seltzer**  
717 237 4862  
alan.seltzer@bipc.com

409 N. Second Street, Suite 500  
Harrisburg, PA 17101-1357  
T 717 237 4862  
F 717 233 0852  
www.buchananingersoll.com

October 16, 2019

**VIA UPS DELIVERY**

New Hampshire Public Utilities Commission  
Debra Howland, Executive Director  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

NHPUC 17OCT'19AM9:56

Re: HealthTrust Purchasing Group, Limited Partnership  
Natural Gas Aggregator Registration Application

Dear Ms. Howland:

Enclosed for filing with the New Hampshire Public Utilities Commission (“Commission”) are an original and two (2) copies of a Natural Gas Aggregator Registration Application and Attachments/Exhibits on behalf of HealthTrust Purchasing Group, Limited Partnership (“HealthTrust” or “Applicant”), pursuant to N.H. Code Admin. Rules Puc 3003.04(b) and (c). A check in the amount of \$250, the required filing fee, is enclosed, pursuant to N.H. Code Admin. Rules Puc 3003.05(b)(2). In addition, a PDF copy of the entire application packet (*i.e.*, this letter, the Application and Attachments/Exhibits) is being sent by e-mail to [executive.director@puc.nh.gov](mailto:executive.director@puc.nh.gov), per the Commission’s Natural Gas Registration Instructions.

*Description of Applicant*

Applicant is a group purchasing organization established in 1999 and headquartered in Nashville, Tennessee. HCA Healthcare, Inc. is the sole owner of the general partner of HealthTrust through indirect, wholly owned subsidiaries. HCA Healthcare, Inc. operates over 185 hospitals across the United States.

HealthTrust members are hospitals and other healthcare providers. On behalf of its members, HealthTrust negotiates the purchase of goods and services with third-party suppliers, including negotiations for the purchase of natural gas and electricity services, so that its members can benefit from their combined purchasing power. HealthTrust expects to negotiate the purchase of natural gas or electricity on behalf of its members from a third-party Commission-licensed natural gas or electric competitive supplier. Each HealthTrust member will directly purchase natural gas or electricity from the third-party licensed natural gas or electric supplier, and remit payment directly to the third-party licensed supplier. HealthTrust will not take title to

the natural gas or electricity or take responsibility for product delivery, and HealthTrust will not accept customer payments or deposits. HealthTrust will only receive an administrative fee from the third-party licensed supplier to cover the costs of conducting a Request for Proposals (“RFP”) to obtain a Commission-licensed third-party natural gas or electric supplier and negotiating and administering a Group Purchasing Agreement. HealthTrust members do not pay HealthTrust any fee based on the energy purchased. HealthTrust does not charge a service fee to its members for negotiating contracts. The amount of the administrative fee is disclosed to each HealthTrust member on the natural gas Transaction Agreement between the competitive supplier, HealthTrust and the member hospital.

In compliance with N.H. Code Admin. Rules Puc 3003.05(a), HealthTrust will not enroll any customers or make a legally binding offer to any non-residential customers until its registration and notification process is completed. HCA Healthcare, Inc. owns two hospitals in New Hampshire, Portsmouth Regional Hospital, Portsmouth, NH, and Parkland Medical Center, Derry, NH. These two hospitals obtained natural gas service under energy contracts negotiated by their parent entity prior to 1999, and which were assigned to HealthTrust after its creation in 1999 as part of an affiliate transaction. Administrative fees associated with any energy contracts are returned to each member according to their Participation Agreement with HealthTrust.

#### *Proposed Services*

Applicant proposes to negotiate for the purchase of electricity and natural gas on behalf of its member hospitals and other healthcare providers in the State of New Hampshire from third-party competitive suppliers licensed by the Commission. Each member will directly purchase electricity or natural gas from the third-party licensed supplier, and remit payment directly to the electric or natural gas distribution company or third-party licensed supplier, as applicable. Applicant will not take title to the electricity or natural gas. The customer class to be served would be commercial and/or industrial throughout the State of New Hampshire. *No residential customers will be served.* HealthTrust will not provide services to a customer that consumes less than 50,000 kWh or 1,500 Dth per year. The customers to be served are HealthTrust members, which would be classified as either industrial or large volume commercial or commercial customers.

#### *Relevant Experience*

Applicant notes that since its inception in 1999, its membership has grown to more than 4,000 healthcare providers located in virtually every state, with an aggregate annual purchasing volume of over \$40 billion. Applicant currently procures natural gas for over 600 facilities located in 44 states, managing gas volumes of over 26 billion cubic feet annually. A list of key

Debra Howland, Executive Director  
October 16, 2019  
Page 3

technical personnel involved in Applicant's energy-related activities and their resumes are attached as Attachment 1.

Please date stamp the extra copy of this cover letter and application, and return them to me in the self-addressed, stamped envelope. If you have any questions regarding this filing, please contact me at your convenience. Thank you.

Very truly yours,



Alan M. Seltzer

Attorney for HealthTrust Purchasing Group,  
Limited Partnership

AMS/gm  
Enclosures

cc: Karla Ota, HealthTrust Purchasing Group, Limited Partnership

## **ATTACHMENT 1 - RELEVANT EXPERIENCE AND TECHNICAL FITNESS**

Applicant hereby submits information and the resumes of key technical staff as evidence of HealthTrust's technical ability to provide natural gas aggregator services to its members. Applicant notes that since its inception in 1999, its membership has grown to more than 4,000 healthcare providers located in virtually every state, with an aggregate annual purchasing volume of over \$40 billion. Applicant currently procures natural gas for over 600 facilities located in 44 states, managing gas volumes of over 26 billion cubic feet annually. Applicant also manages electricity contracts for over 250 facilities in 13 states with over 2.5 million MWh annually managed load. A list of key technical personnel involved in Applicant's energy-related activities and their resumes are set forth below.

### **CLIFTON FOSTER, CEP**

AVP, Energy & Facilities

Email: [clifton.foster@healthtrustpg.com](mailto:clifton.foster@healthtrustpg.com)

Phone: (615) 344-3179

As AVP, Energy & Facilities for HealthTrust, Clifton Foster leads the team responsible for the procurement of natural gas, electricity and related energy services for HealthTrust members. Mr. Foster has been involved in many facets of the energy industry since the start of his career. Through the years Mr. Foster has worked for a "Fortune 100" Facility Management and Controls Company, a Utility owned Energy Service Company, an independent Energy Services Company, and an independent Energy Consulting Firm, and an Engineering Firm. During his tenure he directed activities including business development, consulting, finance, marketing, and sales in the energy, healthcare, and investment banking industries.

Mr. Foster holds a Bachelor of Science, Mechanical Engineering from The University of Tennessee and a MBA from Owen Graduate School of Management at Vanderbilt University. He is a Certified Energy Procurement Professional with the Association of Energy Engineers.

### **DAVE MCMILLAN, PE, CEM, CPQ, CEP**

Director, Energy

[dave.mcmillan@healthtrustpg.com](mailto:dave.mcmillan@healthtrustpg.com)

(615) 344-3404

As Director, Energy for HealthTrust, Dave McMillan supports the management of energy costs for HealthTrust members participating in energy programs. HealthTrust energy initiatives include the administration of deregulated electric and natural gas agreements, utility rate studies, evaluation of capital programs, utility negotiations, demand response services, utility bill pay services. Mr. McMillan is also involved with and the evaluation, negotiation and implementation of new procurement and service offerings for HealthTrust participants.

Mr. McMillan has over thirty years of diverse energy industry experience. Prior to joining HealthTrust, he was the energy manager for a Fortune 500 retailer. He has worked as a director

of engineering for an energy service company, project manager for utility consulting firm, and engineering design supervisor for an electric generation and transmission cooperative.

Mr. McMillan received his Bachelor of Science in Engineering from the University of Alabama in Huntsville and his MBA from the University of Alabama. He is a licensed Professional Engineer in Tennessee. Mr. McMillan is a senior member of the Association of Energy Engineers (AEE). He has attained the AEE certifications for Certified Energy Manager (CEM), Certified Power Quality Professional (CPQ), and Certified Energy Procurement Professional (CEP).

**BILL MILLER, CEP**

Director, Energy

E-mail: [bill.miller@healthtrustpg.com](mailto:bill.miller@healthtrustpg.com)

Phone: (615) 344-3491

As Director, Energy for HealthTrust, Bill Miller supports the management of energy costs for HealthTrust members participating in energy programs. HealthTrust energy initiatives include the administration of deregulated electric and natural gas agreements, utility rate studies, evaluation of capital programs, utility negotiations, demand response services, utility bill pay services. Mr. Miller is also involved with and the evaluation, negotiation and implementation of new procurement and service offerings for HealthTrust participants.

Mr. Miller has over thirty years of diverse energy industry experience including electrical design and engineering, commodity (energy, metals, and agricultural products) trading, contract negotiations and natural gas and electricity procurement in deregulated markets. Prior to joining HealthTrust, he was the energy manager for a Fortune 500 retailer with a total annual energy spends of over \$900 Million. He also has previous experience in setting up electricity trading desks as well as running the power system operation of an electric utility in the western United States.

Mr. Miller received his Bachelor of Science in Electrical Engineering from the University of Utah in Salt Lake City. He is a member of the Association of Energy Engineers (AEE) and has attained the certification for Certified Energy Procurement Professional (CEP).

**BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

**HEALTHTRUST PURCHASING GROUP, L.P.  
NATURAL GAS AGGREGATOR REGISTRATION APPLICATION**

**PUC 3006.02 Information Required for Initial and Renewal Registration of Aggregators. The registration application required by PUC 3003.05(a) and PUC 3003.06(b) shall include the following information and signature:**

- (a) **The legal name of the applicant as well as the trade name, if any, under which it intends to operate in this state.**

HealthTrust Purchasing Group, Limited Partnership

- (b) **The applicant's business address, telephone number, e-mail address and website address, if applicable.**

1100 Dr. Martin L. King Jr. Blvd., Suite 1100  
Nashville, TN 37203  
(615) 344-3000  
[hpgsvc@healthtrustpg.com](mailto:hpgsvc@healthtrustpg.com)  
[www.healthtrustpg.com](http://www.healthtrustpg.com)

- (c) **The name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant if an individual or of the applicant's principal(s), if the applicant is anything other than an individual.**

HPG Enterprises, LLC (General Partner of Applicant)  
One Park Plaza  
Nashville, TN 37203  
(615) 344-9551  
[clifton.foster@healthtrustpg.com](mailto:clifton.foster@healthtrustpg.com)

- (d) **The telephone number of the customer service department or the name, title, telephone number, and e-mail address of the customer service representative of the applicant, including toll free telephone numbers if available.**

Clifton Foster  
AVP, Energy & Facilities  
1100 Dr. Martin L. King Jr. Blvd., Suite 1100  
Nashville, TN 37203  
(615) 344-3000  
[clifton.foster@healthtrustpg.com](mailto:clifton.foster@healthtrustpg.com)

- (e) **The name, title, business address, telephone number, and email address of each individual responsible for responding to commission inquiries regarding:**

**(1) Customer complaints;**

Clifton Foster  
AVP, Energy & Facilities  
1100 Dr. Martin Luther King Jr. Blvd., Suite 1100  
Nashville, TN 37203  
(615) 344-3000  
clifton.foster@healthtrustpg.com

**(2) Regulatory compliance matters;**

Clifton Foster  
AVP, Energy & Facilities  
1100 Dr. Martin Luther King Jr. Blvd., Suite 1100  
Nashville, TN 37203  
(615) 344-3000  
clifton.foster@healthtrustpg.com

**(3) Commission assessment payments;**

Clifton Foster  
AVP, Energy & Facilities  
1100 Dr. Martin Luther King Jr. Blvd., Suite 1100  
Nashville, TN 37203  
(615) 344-3000  
clifton.foster@healthtrustpg.com

- (f) **Evidence of the applicant's registration to do business in New Hampshire from the New Hampshire secretary of state, if anything other than an individual.**

Attached as Exhibit A is (i) a copy of the Certificate of Registration for HealthTrust Purchasing Group, L.P., a Foreign Limited Partnership, issued by the New Hampshire Secretary of State; and (ii) a Certificate from the Secretary of State dated October 3, 2019 certifying that HealthTrust has paid the fees required by law and has not dissolved.

- (g) **Evidence of the applicant's registration of the trade name, if any, to be used by the applicant in New Hampshire from the New Hampshire secretary of state.**

No trade name filed.

**(h) A list of other states or jurisdictions in which the applicant currently conducts business relating to the aggregation of natural gas customers.**

Arizona	Indiana	Nebraska	Rhode Island
Arkansas	Iowa	Nevada	South Carolina
California	Kansas	New Jersey	Tennessee
Colorado	Kentucky	New Mexico	Texas
Connecticut	Louisiana	New York	Utah
Delaware	Maryland	North Carolina	Virginia
District of Columbia	Massachusetts	North Dakota	Washington
Florida	Michigan	Ohio	West Virginia
Georgia	Minnesota	Oklahoma	Wisconsin
Idaho	Mississippi	Oregon	Wyoming
Illinois	Missouri	Pennsylvania	

**(i) Per the requirements set forth in PUC 3003 and 3006, neither applicant nor any of the applicant’s principals:**

- (1) Has ever been convicted of any felony that has not been annulled by a court;
- (2) Has, within the 10 years immediately prior to application, had any civil, criminal, or regulatory sanctions or penalties imposed against it, him, or her pursuant to any state or federal consumer protection law or regulation;
- (3) Has, within the 10 years immediately prior to application, settled any civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation;
- (4) Is currently the subject of any pending civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation; or
- (5) Has been denied authorization to provide competitive natural gas supply service or natural gas aggregation service in any other state or jurisdiction;

**(j) If an affirmative answer is given to any item in (i) above, a detailed explanation of the occurrence and the related circumstances.**

N/A



- (k) **A list of CNGSs in New Hampshire through which the applicant intends to provide service.**

The competitive natural gas suppliers (CNGSs) in New Hampshire with which Applicant expects to do business are as follows:

Direct Energy  
Shell Energy North America (US), L.P.  
Sprague Energy Corp

- (l) **A statement that the applicant is not representing any supplier interest or a list of any supplier interest(s) the applicant intends to represent.**

Applicant does not represent any supplier interest.

- (m) **The date upon which the applicant expects to commence marketing its services to customers in New Hampshire.**

The earlier of (i) approximately December 1, 2019, or (ii) upon approval of this registration application by the Executive Director of the Commission.

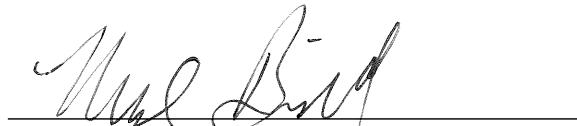
- (n) **A statement certifying that the applicant has the authority to file the application on behalf of the aggregator and an attestation that its contents are truthful, accurate, and complete.**

By signing below, the applicant representative certifies that he has the authority to file the application on behalf of the aggregator and attests, under penalties of perjury, that the contents of the application are truthful, accurate, and complete as of the date hereof.

- (o) **The signature of the applicant or its authorized representative.**

**HPG Enterprises, LLC**

General Partner of Applicant, HealthTrust Purchasing Group, L.P.



By: Michael Berryhill

Title: Vice President

Date: 10/11/19

**BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**  
**HEALTHTRUST PURCHASING GROUP, L.P.**  
**NATURAL GAS AGGREGATOR REGISTRATION APPLICATION**  
**EXHIBIT A - AUTHORIZATION TO DO BUSINESS IN NEW HAMPSHIRE**

Attached is a copy of the Certificate of Registration for HealthTrust Purchasing Group, L.P., a Foreign Limited Partnership, issued by the New Hampshire Secretary of State and a Certificate from the Secretary of State dated October 3, 2019 certifying that HealthTrust has paid the fees required by law and has not dissolved.

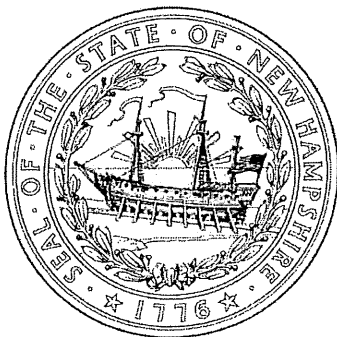
State of New Hampshire  
Department of State

CERTIFICATE OF REGISTRATION FOR  
HEALTHTRUST PURCHASING GROUP, L.P.  
A FOREIGN LIMITED PARTNERSHIP

The undersigned, as Secretary of State of the State of New Hampshire, hereby certifies that HEALTHTRUST PURCHASING GROUP, L.P., a limited partnership duly organized under the laws of the State of Delaware, has this day qualified under the provisions of New Hampshire Revised Statutes Annotated, Chapter 304-B, and is authorized to do business in New Hampshire under the name HEALTHTRUST PURCHASING GROUP, LIMITED PARTNERSHIP as provided by said statute.

Business ID#: 619540

IN TESTIMONY WHEREOF, I hereto  
set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 16th day of September, 2009 A.D.



*William M. Gardner*

William M. Gardner  
Secretary of State

# State of New Hampshire

Filed  
Date Filed: 09/16/2009  
Business ID: 619540  
William M. Gardner  
Secretary of State

Filing fee: \$50.00  
Fee for Form SRA: \$50.00  
Total fees: \$100.00

Form FLP-1  
RSA 304-B:49

Use black print or type.

Form must be single-sided, on 8½" x 11" paper;  
double sided copies will not be accepted.

## APPLICATION FOR REGISTRATION OF FOREIGN LIMITED PARTNERSHIP

(1) Limited Partnership name (see Note 1): HealthTrust Purchasing Group, L.P.

(2) Name used in New Hampshire: HealthTrust Purchasing Group, Limited Partnership

(3) State of Formation: Delaware Date of Formation: April 28, 1999

(4) Name of Agent: C T Corporation System

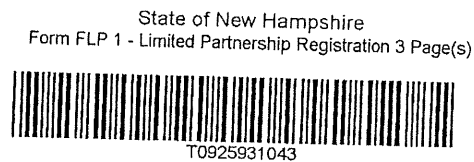
(5) Agent's Address: 9 Capitol Street, Concord, N.H. 03301

(6) The Secretary of State is appointed agent for service of process if agent has not been appointed or cannot be found or served or agent's authority has been revoked.

(7) Address of office in state of formation (if not required by laws of state of formation, address of principal office): One Park Plaza - Legal Department, Nashville, TN 37203

(8) Address at which is kept a list of the names and addresses of limited partners and their contributions. These records will be maintained until this registration is canceled or withdrawn: One Park Plaza - Legal Department, Nashville, TN 37203

(9) The sale or offer for sale of any ownership interests in this business will comply with the requirements of the New Hampshire Uniform Securities Act (RSA 421-B).



APPLICATION FOR REGISTRATION OF  
FOREIGN LIMITED PARTNERSHIP

Form FLP-1  
(Cont.)

(10) GENERAL PARTNERS (list additional general partners on separate sheet):

Name(s):

Business Address(es):

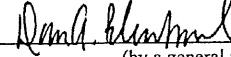
CMS GP, LLC

One Park Plaza, Nashville, TN 37203

I, the undersigned, do hereby certify that the statements on this application are true to the best of my information, knowledge and belief.

CMS GP, LLC, general partner

SIGNED: By:



(by a general partner)

Dora A. Blackwood, VP & Secretary of GP

Print or type name

Date signed:

9-8-2009

**Note 1:** List actual limited partnership name on (1). If name does not contain "limited partnership" without abbreviation, add to name on (2). If using an assumed name, insert assumed name on (2) and file trade name application (Form TN-1, \$50.00).

**DISCLAIMER:** All documents filed with the Corporate Division become public records and will be available for public inspection in either tangible or electronic form.

Mail fee, DATED AND SIGNED ORIGINAL AND FORM SRA to: Corporate Division, Department of State, 107 North Main Street, Concord NH 03301-4989.

**Form SRA – Addendum to Business Organization and Registration Forms  
Statement of Compliance with New Hampshire Securities Laws**

**Part I – Business Identification and Contact Information**

Business Name: HealthTrust Purchasing Group, L.P.  
Business Address (include city, state, zip): One Park Plaza, Nashville, TN 37203  
Telephone Number: 615-344-2162 E-mail: dora.blackwood@hcahealthcare.com  
Contact Person: Dora A. Blackwood  
Contact Person Address (if different): \_\_\_\_\_

**Part II – Check ONE of the following items in Part II. If more than one item is checked, the form will be rejected.**  
[PLEASE NOTE: Most small businesses registering in New Hampshire qualify for the exemption in Part II, Item 1 below. However, you must insure that your business meets all of the requirements spelled out in A), B), and C)]:

1. \_\_\_\_\_ Ownership interests in this business are exempt from the registration requirements of the state of New Hampshire because the business meets ALL of the following three requirements:  
A) This business has 10 or fewer owners; and  
B) Advertising relating to the sale of ownership interests has not been circulated; and  
C) Sales of ownership interests – if any – will be completed within 60 days of the formation of this business.
2. \_\_\_\_\_ This business will offer securities in New Hampshire under another exemption from registration or will notice file for federal covered securities. Enter the citation for the exemption or notice filing claimed - \_\_\_\_\_.
3. \_\_\_\_\_ This business has registered or will register its securities for sale in New Hampshire. Enter the date the registration statement was or will be filed with the Bureau of Securities Regulation - \_\_\_\_\_.
4.  This business was formed in a state other than New Hampshire and will not offer or sell securities in New Hampshire.

**Part III – Check ONE of the following items in Part III:**

1.  This business is not being formed in New Hampshire.
2. \_\_\_\_\_ This business is being formed in New Hampshire and the registration document states that any sale or offer for sale of ownership interests in the business will comply with the requirements of the New Hampshire Uniform Securities Act.

**Part IV – Certification of Accuracy**

(NOTE: The information in Part IV must be certified by: 1) all of the incorporators of a corporation to be formed; or 2) an executive officer of an existing corporation; or 3) all of the general partners or intended general partners of a limited partnership; or 4) one or more authorized members or managers of a limited liability company; or 5) one or more authorized partners of a registered limited liability partnership or foreign registered limited liability partnership.)

I (We) certify that the information provided in this form is true and complete. (Original signatures only)

Name (print): Dora A. Blackwood, VP/Secretary of GP Signature: By: CMS GP, LLC, general partner *Dora A. Blackwood*  
Date signed: 9-8-2009  
Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_  
Date signed: \_\_\_\_\_  
Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_  
Date signed: \_\_\_\_\_

RSA 304-B:52

Filed  
Date Filed: 05/09/2012  
Business ID: 619540  
William M. Gardner  
Secretary of State

STATE OF NEW HAMPSHIRE  
CERTIFICATE OF CORRECTION

- (1) NAME OF LIMITED PARTNERSHIP: HealthTrust Purchasing Group, L.P.
- (2) NAME USED IN THIS STATE: HealthTrust Purchasing Group, Limited Partnership
- (3) ORIGINAL DATE OF FILING: 09/16/2009
- (4) THE FALSE OR INACCURATE INFORMATION IS:  
CMS GP, LLC, the general partner of HealthTrust Purchasing Group, L.P. has amended its name to HPG Enterprises, LLC
- (5) THE CORRECT OR ACCURATE INFORMATION IS:

"(10) GENERAL PARTNERS:

Name: HPG Enterprises, LLC One Park Plaza, Nashville, TN 37203"

HealthTrust Purchasing Group, L.P.  
(Name of Limited Partnership)

HPG Enterprises, LLC, general partner

By: *Dora A. Blackwood*  
Dora A. Blackwood, VP/Secretary of GP

State of Tennessee  
County of Davidson

Before me personally appeared Dora A. Blackwood, VP and Secretary of HPG Enterprises, LLC, the general partner of HealthTrust Purchasing Group, L.P. who signed the foregoing instrument in my presence, on this 4<sup>th</sup> day of May, 2012



*Margaret C. Estill*  
Margaret C. Estill, Notary Public  
My Commission Expires: 1/9/2016

NH043 - CT System Online

State of New Hampshire  
NH Foreign Limited Partnership Amendment 1 Page(s)

T1213031035

# State of New Hampshire

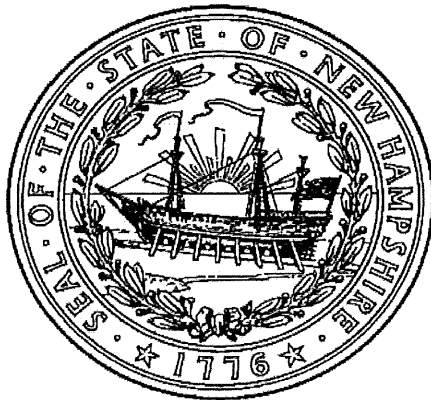
## Department of State

### CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that HEALTHTRUST PURCHASING GROUP, L.P. a Delaware Limited Partnership formed to do business in New Hampshire as HEALTHTRUST PURCHASING GROUP, LIMITED PARTNERSHIP on September 16, 2009. I further certify that it has paid the fees required by law and has not dissolved.

Business ID: **619540**

Certificate Number: **0004600109**



IN TESTIMONY WHEREOF,  
I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 3rd day of October A.D. 2019.

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State