


STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: December 21, 2020

AT (OFFICE): NHPUC


FROM: Corrine Lemay, Management Analyst

SUBJECT: DM 20-173, Direct Energy Business, LLC
Renewal of Registration as Competitive Electric Power Supplier
Staff Recommendation

TO: Debra A. Howland, Executive Director

Executive Summary

Direct Energy Business, LLC (Direct Energy) has applied to renew its registration as a competitive electric power supplier (CEPS). Direct Energy's current registration expires on December 31, 2020. Direct Energy submitted certificates demonstrating it has completed electronic data interchange (EDI) testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), New Hampshire Electric Cooperative, Inc. (NHEC), and Unitil Energy Systems, Inc. (Unitil), and a surety bond with a term ending on March 15, 2024. Staff recommends that Direct Energy's registration renewal application be approved, pursuant to N.H. Admin. R., Puc 2003.02(c)(1), for service in the franchise areas of Eversource, Liberty, NHEC, and Unitil, for a renewal registration term of three years.

Background and Analysis

On October 21, 2020, Direct Energy filed an application to renew its registration as a CEPS. Direct Energy's currently-active registration, which the Commission approved in Docket No. DM 15-373, expires on December 31, 2020. Direct Energy's application included certificates demonstrating that it has completed EDI testing with Eversource and Unitil. On December 3, 2020, Direct Energy filed additional EDI testing certificates for Liberty and NHEC. On October 1, 2020, Direct Energy filed a surety bond in the amount of \$500,000, which names the Commission as obligee. The surety bond becomes effective on September 15, 2020 and may not be terminated prior to March 15, 2024. A copy of that surety bond was filed in this docket on December 11, 2020.

Staff has reviewed the information in the application and believes it meets the requirements of Puc 2003 and Puc 2006.01. Staff therefore recommends that Direct Energy's registration renewal application be approved, pursuant to Puc 2003.02(c)(1), for a registration period of three (3) years, beginning on the expiration date of the currently active registration, December 31, 2020, and ending at the close of business on December 31, 2023, with Direct Energy permitted to serve only large commercial and industrial customers and operate in the service areas of Eversource, Liberty, NHEC, and Unitil.

Staff further recommends that Direct Energy be informed that, pursuant to Puc 2003.03(e), if a CEPS's financial security instrument will not be renewed or extended beyond its expiration date, it must (1) provide written notice to the Commission of such non-renewal or non-extension no less than 60 days prior to the expiration date, and (2) file with the Executive Director a replacement financial security instrument meeting the requirements of the rules no less than 30 days prior to the expiration date, and that, under Puc 2003.03(f), a CEPS that fails to comply with the requirement to file a replacement financial security instrument is subject to fines, suspension, or revocation pursuant to Puc 2005.

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