

STATE OF NEW HAMPSHIRE

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Jared S. Chicoine

DEPUTY COMMISSIONER  
Christopher J. Ellms, Jr.



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March 8, 2023

Direct Energy Business Marketing, LLC  
Robert J Gaudette, President  
804 Carnegie Center  
Princeton, NJ 08540

Re: Direct Energy Business Marketing, LLC Renewal of Registration as a  
Competitive Natural Gas Supplier

Dear Mr. Gaudette:

On February 21, 2023, Direct Energy Business Marketing, LLC (Direct Energy) filed an application to renew its registration as a competitive natural gas supplier (CNGS). Direct Energy previously submitted additional information and materials to complete its application, including a surety bond in the amount of \$500,000. Direct Energy requested authority to operate in the franchise areas of Liberty Utilities (Energy North Natural Gas) Corp. d/b/a Liberty (Liberty) and Northern Utilities, Inc. (Northern), and to provide service only to commercial and industrial customers. The application and additional information and materials demonstrate compliance with the requirements of N.H. Code Admin. Rules Puc 3000.

Under RSA 12-P:15, as amended effective July 1, 2021, the Department of Energy (Department) is now responsible for registration and regulation of CNGS and gas aggregators and for the adoption of related rules. The Department therefore is authorized to enforce the relevant provisions of the Puc 3000 rules, including those related to CNGS registration. *See* RSA 12-P:14.<sup>1</sup>

Pursuant to that statutory authority, and the applicable provisions of Puc 3003.02, Direct Energy has met the requirements to renew its registration as a CNGS. Accordingly, Direct Energy's application for renewal registration as a CNGS authorized to operate in the franchise areas of Liberty and Northern, and to provide service only to commercial and industrial customers, is approved for a five-year term beginning on May 29, 2023, and ending at the close of business on May 29, 2028. Pursuant to Puc 3003.02(b), Direct Energy must submit its renewal application at least 60 days prior to the expiration of the approved registration period, on or before March 30, 2028.

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<sup>1</sup> On July 1, 2021, the Department came into existence and many functions previously performed by the Public Utilities Commission (PUC) were transferred to the Department. Under RSA 12-P:14, "[e]xisting rules, orders, and approvals of the [PUC] which are associated with any functions, powers, and duties, transferred to the [Department] pursuant to RSA 12-P:11 or any other statutory provision, shall continue in effect and be enforced by the commissioner of the [Department] until they expire or are repealed or amended in accordance with applicable law." *See* 2021 N.H. Laws Chapter 91 (House Bill 2-FN-A-Local).

Please be aware that registered CNGS are subject to specific requirements contained in Puc 3000 - Competitive Natural Gas Supplier and Aggregator Rules. These rules are available at: <https://www.puc.nh.gov/Regulatory/Rules/PUC3000.pdf>. In particular, note that, under Puc 3003.03(e), if a CNGS's financial security instrument will not be renewed or extended beyond its expiration date, it must (1) provide written notice to the Department of such non-renewal or non-extension no less than 60 days prior to the expiration date, and (2) submit to the Department 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 3003.03(f), a CNGS that fails to comply with the requirement to file a replacement financial security instrument is subject to fines, suspension, or revocation pursuant to Puc 3005.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared S. Chicoine", with a long horizontal flourish extending to the right.

Jared S. Chicoine  
Commissioner