

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

**DE 09-091
PSNH**

RECONCILIATION OF ENERGY SERVICES AND STRANDED COST

PETITION FOR INTERVENTION

NOW COMES Clean Power Development, LLC (“CPD”) and hereby petitions the New Hampshire Public Utilities Commission for intervention in the above-captioned proceeding pursuant to RSA 541-A:32 and NH Code Admin. Rule Puc 203.17. In support of its Petition for Intervention, Petitioner says the following:

1. CPD is a New Hampshire limited liability company that focuses on the development of renewable and sustainable wood-fueled biomass-energy facilities. CPD has appropriately-sized biomass energy projects under development in Berlin and Winchester, NH.

2. On May 1, 2009, Public Service Company of New Hampshire (PSNH) filed testimony and schedules with the Commission in support of its proposed reconciliation of revenues and costs associated with its energy service charge and stranded cost recovery charge (SCRC) for calendar year 2008.

3. CPD has a Complaint pending before the Commission in DE-09-067 alleging that PSNH has been unwilling to even discuss a power purchase agreement with CPD, even while PSNH was reaching an agreement with a different (and excessively-large proposed biomass-energy facility) on the material terms of a contemplated 20-year power purchase agreement which would provide a “guaranteed” source of revenue for that project.¹

¹ PSNH’s willingness to enter such an agreement with such a large facility prior to formally studying the regional availability and pricing of biomass related to that project, shows considerable indifference to the impact such a decision might have on its existing Schiller biomass facility, the impact it might have on other biomass energy suppliers that presently supply energy to PSNH, or concern for the ratepayers that might realize fuel pass through surcharges as a result of such an agreement.

4. According to the Order of Notice, PSNH's filing raises issues related to the prudence of generation outages that are reflected in PSNH's energy service costs for the period; the prudence of PSNH's use and availability of its generation resources during the period as well as the prudence of market purchases used to supplement those resources as well as issues related to biomass fuel procurement.

5. CPD intends to inquire into PSNH practices, policies, procedures for meeting its energy and capacity requirements during 2008.

6. As a developer of proposed wood-fueled biomass-energy facilities located in PSNH's territory, CPD has a substantial interest that may be affected by the Commission's deliberations in this proceeding as to the prudence of PSNH's use and availability of its generation resources as well as the prudence of market purchases used to supplement those resources and the issues related to biomass fuel procurement. PSNH's practices, policies, procedures and attitudes on these matters have had, and will continue to have a great impact on CPD.

7. CPD does not intend to submit testimony in this proceeding.

WHEREFORE, CPD hereby respectfully requests the Commission to grant it intervener party status and to order such other and further relief as may be just and equitable.

Respectfully submitted,
CLEAN POWER DEVELOPMENT, LLC
By its Attorney


/s/ James T. Rodier

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Dated: July 16, 2009

Certification of Service

Pursuant to Rules Puc 203.02(2) and Puc 203.11, I have served copy of this petition on each person identified on the commission's service list for this docket.

/s/ James T. Rodier