

**Orr&Reno**  
*Professional Association*

One Eagle Square, P.O. Box 3550  
Concord, NH 03302-3550  
Telephone 603.224.2381  
Facsimile 603.224.2318  
www.orr-reno.com

September 21, 2010

HAND DELIVERED AND VIA EMAIL

Debra A. Howland, Executive Director & Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit St., Suite 10  
Concord, NH 03301-2429

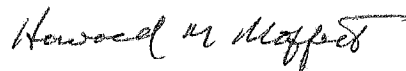
***Re: Docket No. DE 09-174 PETITION FOR DECLARATORY RULING  
PENACOOK LOWER FALLS PRICING***

Dear Ms. Howland:

On behalf of Briar-Hydro Associates, I am filing an original and seven copies of the enclosed BRIAR HYDRO ASSOCIATES' MEMORANDUM OF LAW, copies of which have been sent electronically to the service list.

Thank you for your attention to this matter. Please let me know if you have any questions.

Sincerely,



Howard M. Moffett

cc. Service List in DE 09-174

encs  
690439\_1

William L. Chapman  
George W. Roussos  
Howard M. Moffett  
James E. Morris  
John A. Malmberg  
Martha Van Oot  
Douglas L. Patch  
James P. Bassett  
Emily Gray Rice  
Steven L. Winer  
Peter F. Burger  
Lisa Snow Wade  
Susan S. Geiger  
Richard Y. Uchida  
Jennifer A. Eber  
Michael D. Ramsdell  
Jeffrey C. Spear  
Connie Boyles Lane  
Judith A. Fairclough  
Todd C. Fahey  
Vera B. Buck  
James F. Laboe  
Robert S. Carey  
John M. Zaremba  
Courtney Curran Vore  
Justin M. Boothby  
Heidi S. Cole  
Jeremy D. Eggleton  
Rachel A. Goldwasser  
Joshua M. Pantescio  
John L. Arnold  
Michael T. Cretella

Maureen D. Smith  
(Of Counsel)