



Public Service Company of New
Hampshire
Docket No. DE 10-195

Data Request IPP-02

Dated: 10/18/2010

Q-IPP-017

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Witness: Richard C. Labrecque
Request from: Wood-Fired Small Power Producers

Question:

Please state whether any continued payment would be required for RECs under the PPA if at any point in time: (a) the New Hampshire General Court were to repeal RSA 362-F, (b) the renewable portfolio eligibility requirements were to change such that the Facility were to become ineligible for New Hampshire Class I certification or the production of New Hampshire Class I RECs, or (c) the Facility were ineligible for any other substitute environmental attribute subsidy or incentive program. In your answer, please elaborate upon the intent and operation of sections 1.8, 1.44, 1.57, 8.1 and 23 of the PPA.

Response:

The conditions noted would likely be considered a "Change in Law" under Article 23. PSNH would take any and all legal remedies available to amend the PPA in accordance with Article 23 and 25. That notwithstanding, Article 1.57 provides for a minimum Renewable Product Payment that is tied to the alternative compliance payment under the current version of RSA 362-F. Article 1.8 defines "Change in Law" and Article 1.44 clarifies that eligibility of the Facility to create and be compensated under the PPA for a "NH Class I REC" will be based on the eligibility requirements that existed on the effective date of the PPA.