

THE STATE OF NEW HAMPSHIRE  
BEFORE THE  
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

Exhibit No.	#1
Witness	Panel 1
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FILE	

Petition for Approval of Power Purchase Agreement  
between  
Public Service Company of New Hampshire  
and  
Laidlaw Berlin BioPower, LLC

Under the provisions of RSA 362-F:9, Public Service Company of New Hampshire ("PSNH") hereby seeks approval of a multi-year purchase agreement with Laidlaw Berlin BioPower, LLC ("LBB"), a renewable energy source, for renewable energy certificates, in conjunction with a power purchase agreement from such source, to meet reasonably projected renewable portfolio requirements and default service (Energy Service) needs.

In support of this Petition, PSNH says the following:

1. Pursuant to RSA Chapter 362-F, the Electric Renewable Portfolio Standard ("RPS"), PSNH must obtain and retire certificates ("RECs") sufficient in number and class type to meet or exceed specified annual percentages of total megawatt-hours of electricity supplied by it to its Energy Service customers. To partially comply with this statutory requirement, PSNH has entered into a Power Purchase Agreement ("PPA") with LLB regarding LLB's proposed 70 MW (gross) biomass fueled generating station in Berlin, New Hampshire (the "Project"), to purchase the RECs produced by the Project, as well as the energy and capacity produced from the Project .
2. The transactions call for purchases of these products starting from the In-Service Date of the Project and for a period of twenty years thereafter.
3. Per Rule Puc 203.06 (b), PSNH is filing herewith the following supporting testimony:
  - a. Mr. Gary A. Long, its President and Chief Operating Officer
  - b. Mr. Terrance J. Large, its Director of Business Planning and Customer Support Services
  - c. Mr. Richard C. Labrecque, its Manager, Supplemental Energy Sources

d. Dr. Lisa K. Shapiro, Chief Economist for the Concord law firm of Gallagher, Callahan & Gartrell, P.C.


4. Many terms of the PPA are the product of confidential negotiations and include confidential, commercial, financial information as set forth in RSA 91-A:5, IV. Copies of the PPA and the testimony of Mr. Labrecque are being filed in redacted form with this Petition. Unredacted copies of the PPA and that testimony are being filed separately along with a Motion for Confidential Treatment Pursuant to RSA Chapter 91-A and N.H. Code Admin. Rules Puc § 203.08.

5. PSNH's obligation to begin the purchase of the Project's output under the PPA is contingent upon, *inter alia*, receipt from this Commission of a final, nonappealable decision approving and allowing for full cost recovery of the rates, terms and conditions of the PPA.

WHEREFORE, pursuant to RSA 362-F:9, PSNH respectfully requests the Commission to find that the Power Purchase Agreement is in the public interest, and order such further relief as may be just and equitable.

Respectfully submitted this 26<sup>th</sup> day of July, 2010,


**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE**

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that I served an electronic copy of this filing with the office of the consumer advocate pursuant to Rule Puc 203.02 (a)(4).



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