

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

EILEEN FOX
CLERK OF COURT
TIMOTHY A. GUDAS
DEPUTY CLERK
ALLISON R. COOK
DEPUTY CLERK



ONE CHARLES DOE DRIVE
CONCORD, N.H. 03301
(603) 271-2646
1-888-535-1946
TTY/TDD RELAY 1-800-735-2964
www.courts.state.nh.us

NHPUC 20CT13AM11:21

September 27, 2013

Re: 2013-0624, Appeal of Public Service Company of New Hampshire

Dear Counsel:

The purpose of this letter is to make all parties aware of Justice Carol Ann Conboy's relationship to the law firm of McLane, Graf, Raulerson & Middleton (McLane), which represents one or more parties in this case.

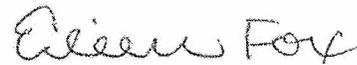
Prior to her appointment to the superior court in 1992, Justice Conboy was an employee of McLane for approximately 13 years. As a result of her employment by McLane, Justice Conboy is entitled to and receives benefits under the McLane pension plan, a defined benefit pension plan insured by the Pension Benefit Guaranty Corporation. Justice Conboy's benefits under the plan are fixed and are not affected by McLane's financial performance. Benefits are paid to Justice Conboy by the McLane pension plan trust, which is a separate entity from the McLane law firm.

Justice Conboy also receives estate planning advice from Attorney Robert A. Wells, a partner of the McLane law firm, and is therefore a client of the firm for that purpose only. She has recused herself from any case involving Attorney Wells.

Rule 2.11 of Canon 2 of the Code of Judicial Conduct (Supreme Court Rule 38) requires a judge to disqualify herself in a proceeding in which the judge's impartiality might reasonably be questioned. Justice Conboy does not have a personal or social relationship with the McLane attorneys involved in this case. She does not regard her prior professional relationship with McLane, her receipt of pension benefits from the McLane pension plan, or the fact that she is an estate planning client of the firm, as circumstances that require her disqualification from this case. She believes that she can and will decide the case impartially based upon the facts and the applicable law. If any party

believes that Justice Conboy should not participate in this case, however, the party should file a motion for recusal as soon as possible in accordance with Supreme Court Rule 21A.

Very truly yours,



Eileen Fox
Clerk

Distribution:

New Hampshire Public Utilities Commission, DE 11-250

Wilbur A. Glahn, III, Esquire

Barry Needleman, Esquire

Linda T. Landis, Esquire

Robert A. Bersak, Esquire

Douglas L. Patch, Esquire

N. Jonathan Peress, Esquire

Zachary M. Fabish, Esquire

Susan W. Chamberlin, Esquire

Sandi Hennequin, Esquire

James Dannis, Esquire

Attorney General

File