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THE STATE OF NEW HAMPSHIRE



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June 24, 2010

Arthur B. Cunningham, Esq.
71 Checkerberry Lane
Hopkinton, NH 03229

Re: DE 08-103 Investigation of Public Service Company of New Hampshire Installation of Scrubber Technology at Merrimack Station

Dear Mr. Cunningham:

In response to your letter of June 21, 2010 to Secretary Howland regarding Attorney Bersak's conduct, the Commission has no jurisdiction regarding allegations of professional misconduct of attorneys appearing before it. Anyone who feels an investigation into attorney conduct is warranted, should contact the New Hampshire Professional Conduct Committee.

Regarding the January 14, 2010 letter from Suzanne Amidon, Staff Attorney at the Commission, to the Air Resources Council at the Department of Environmental Services (DES), the letter was filed in Commission docket 09-091 because it related to events which occurred in that docket. Subsequently, you contacted me by telephone to indicate that the letter had not been served on you as a party to the DES docket. Following your phone call, we promptly forwarded a copy of the letter to you and arranged with DES to have it served on all parties to the DES docket. I believe that matter is resolved as are the issues that were pending in Commission docket 09-091.

Very truly yours,

A handwritten signature in blue ink, appearing to read "F. Anne Ross".

F. Anne Ross, Esq.
General Counsel

Cc: Robert A. Bersak
Service List DE 09-091 and DE 08-103