

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 09-091
PSNH

RECONCILIATION OF ENERGY SERVICES AND STRANDED COST

CPD RESPONSE TO PSNH OBJECTION TO CPD INTERVENTION

NOW COMES Clean Power Development, LLC (“CPD”) and hereby responds to PSNH’s Objection to CPD’s intervention in this proceeding. In support hereof, CPD says the following:

1. According to the Order of Notice, PSNH’s filing raises issues related to the prudence of generation outages that are reflected in PSNH’s energy service costs for the period; the prudence of PSNH’s use and availability of its generation resources during the period as well as the prudence of market purchases used to supplement those resources as well as issues related to biomass fuel procurement.

2. PSNH has objected to CPD’s intervention on the following basis:

The Petition neglects to state any facts to describe what CPD’s substantial interest may be. The manner in which PSNH operated its generating plants, bought its fuel and purchased supplemental power on the market during 2008 to meet its energy service customers’ needs has nothing to do with a company that focuses on developing wood-fired generating plants in the future.

Objection, ¶ 2.

3. CPD intends to inquire into PSNH practices, policies, procedures for meeting its energy and capacity requirements during 2008 and for procuring biomass fuel for the Schiller Plant.

4. The issue of PSNH’s practices, policies and procedures regarding biomass fuel procurement in 2008 are of substantial interest to CPD in that those policies, practices and procedures have established a pattern of usage that impacts CPD’s ability to develop an appropriately sized renewable and sustainable wood-fueled biomass energy facility. The source of the biomass PSNH is purchasing, the amount paid for that fiber and other material issues are

all factors in establishing the viability of the CPD projects in New Hampshire. Additionally, the operational availability of Schiller station unit #5 is a factor to be considered in the efforts to develop additional biomass generating capacity in the State of New Hampshire.

5. As a developer of two proposed wood-fueled biomass-energy facilities located in PSNH's territory, CPD has a substantial interest that may be affected by the Commission's deliberations in this proceeding as to the prudence during 2008 of PSNH's use and availability of its generation resources as well as the prudence of market purchases used to supplement those resources and the issues related to biomass fuel procurement. **PSNH's ongoing practices, policies, procedures and attitudes on these matters have had, and will continue to have a great impact on CPD's ability to move forward with its projects under development.**

WHEREFORE, CPD hereby respectfully requests the Commission to grant it intervener party status and to order such other and further relief as may be just and equitable.

Respectfully submitted,
CLEAN POWER DEVELOPMENT, LLC
By its Attorney

/s/ James T. Rodier
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Dated: July 22, 2009

Certification of Service

Pursuant to Rules Puc 203.02(2) and Puc 203.11, I have served copy of this petition on each person identified on the commission's service list for this docket.

/s/ James T. Rodier