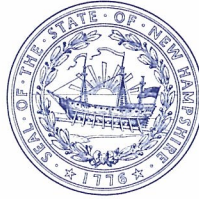


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October 1, 2010

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street Suite 10
Concord, New Hampshire 0301



Re: Docket No. DE 10-195
Public Service Company of New Hampshire Proposed Purchase Power Agreement with
Laidlaw Berlin BioPower, LLC
Report Following Prehearing Conference/Proposed Procedural Schedule

Dear Ms. Howland:

The Commission held a prehearing conference in the above-captioned docket on September 29, 2010 pursuant to an Order of Notice issued on September 1, 2010. The Office of Consumer Advocate filed a letter on August 3, 2010 stating that it would be participating in this docket on behalf of residential ratepayers pursuant to RSA 363:28. The following parties filed petitions to intervene: Concord Steam; Clean Power Development, LLC (CPD); a joint petition filed by Bridgewater Power, Pinetree Power, Pinetree Power-Tamworth, Springfield Power, Whitefield Power and Indeck Energy (collectively, Independent Power Producers (IPPs)); the City of Berlin; Edrest Properties, LLC, and New England Power Generators Association, Inc (NEPGA). Public Service Company of New Hampshire (PSNH) and Laidlaw Berlin BioPower, LLC (Laidlaw) filed objections to the petitions to intervene filed by Concord Steam, CPD, the IPPs, NEPGA and Edrest Properties, LLC. The Commission granted all petitions to intervene and stated that it would issue an order that discussed its reasons for granting the petitions to intervene.

The Commission also took positions of the parties on Laidlaw's request to expedite the proceeding and on PSNH's motion for confidential treatment. The Commission did not rule on these issues during the prehearing conference.

The procedural schedule proposed by the parties is as follows:

Rolling Data Requests
Last Day for Responses to Data Requests
Staff/Intervenor Testimony

October 8 through October 25, 2010
November 2, 2010
November 23, 2010

Data Requests on Staff/Intervenor Testimony	December 2, 2010
Responses to December 2 nd Data Requests	December 15, 2010
Rebuttal Testimony	December 22, 2010
Hearing on the merits	December 28 or 29, 2010

There was also an agreement regarding data requests. Originally, Staff proposed two rounds of discovery. In the interests of expediting the proceeding, the parties settled on rolling data requests. Laidlaw stated that it would not be asserting a blanket objection for discovery it received from Staff and the parties, and that would it respond to data requests unless the company can assert a valid objection.

PSNH and Laidlaw stated that they would provide responses to data requests as soon as the response is available, but with respect to all data requests, responses would be provided no later than 10 calendar days after the data requests are served.

Regarding discovery disputes, the parties and Staff agreed as follows:

- Objections must be made within 5 days of receipt of the subject data requests;
- Motions to compel will be made to the Commission within 5 days of the date of the objection;
- The Commission will be asked to timely rule on Motions to Compel.

Staff reserved its right to propose modifications to the procedural schedule in the event that discovery disputes interfere with the orderly conduct of the proceeding.

PSNH indicated a need for the scope of the docket to be decided in advance in order to limit discovery disputes, but the Commission stated that it would deal with objections to discovery on a case-by-case basis.

On behalf of the parties, Staff requests that the Commission approve the proposed procedural schedule and the rules on discovery agreed to by the parties.

One final outstanding issue is PSNH's pending motion for confidential treatment of certain pricing terms contained in the proposed purchased power agreement with Laidlaw. Several interveners stated that without access to the confidential information they cannot make a determination regarding the reasonableness of the agreement. Further, because discovery commences October 8, 2010, a decision on PSNH's motion is urgently needed. The sooner these issues are resolved, the more likely this proceeding will be able to go forward according to the proposed schedule.

Sincerely,



Suzanne G. Amidon
Staff Attorney

CC: Service List