

THE STATE OF NEW HAMPSHIRE
before the PUBLIC UTILITIES COMMISSION
DE 10-195

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
Petition for Approval of Power Purchase Agreement with
Laidlaw Berlin BioPower, LLC

Objection to Motion to STRIKE

December 23, 2010

Pursuant to N.H. Code of Admin Rule Puc 203.07, Edrest Properties hereby objects to PSNH's motion to strike the prefiled testimony submitted by Concord Steam Corporation of Mark E. Saltsman and the joint testimony of Robert J. Berti and James C. Dammann. The subject of the testimony in question is the impact of the Laidlaw Power Purchase Agreement on the region's wood supply, and hence, wood cost. The basis for this objection is that the identified prefiled testimony is within the scope of this proceeding, and deals with a matter that was considered by the New Hampshire Site Evaluation Committee during its deliberation in its Docket No. 2009-2, "Application of Laidlaw Berlin BioPower for a Certificate of Site and Facility for a 70 MW Biomass Fueled Energy Facility in Berlin, Coos County, New Hampshire."

In support of this Motion, Edrest Properties states:

As ratepayers intervening in this docket, Edrest Properties LLC requests that Concord Steam's recent testimony on wood supply should not be stricken from the docket. We believe the PUC can benefit by collecting information pertinent to wood supply as it becomes available as wood is truly what fuels the north country economy and is therefore our most precious resource. Even information that doesn't necessarily provide further insight can further substantiate what is currently available for review. Additionally fuel price is a subject before the PUC and price has everything to do with availability.

Edrest Properties has heard from biomass companies of their concern for wood availability and price, and we have witnessed significant liquidation harvesting in the north country very recently where we believe this subject requires discovery well beyond the SEC up to and including testimony before the PUC. Proven biomass companies in the north country significantly support their host towns and Clifton Below's synopsis of biomass within the State clearly shows, in our opinion, that PSNH is bringing into question whether or not they are truly working this state towards the State's 2025 initiative when in fact most of these currently operating biomass facilities are not currently operating with PPA's with PSNH. Though it may not be PSNH's requirement to do so, it certainly would be more convincing for PSNH to show a move towards the 2025 initiative by supporting these already operating facilities. We have had the opportunity to discuss the subject of wood availability with loggers and foresters as well and any documentation pertinent to wood availability in the State of NH should continue to enhance decision making on this important docket.

Additionally, we share concerns as rate payers that the only logic we can surmise from an approval by the PUC of this PPA, is that it would make sense solely to PSNH to monopolize wood supply and pay significantly more to purchase power under this PPA for two reasons;

1. To move towards the state's 2025 initiative and at the same time potentially terminate the IPP's that are currently fighting for their continued existence.
2. To match an offer being made on this facility in the future and avoid a change in law by purchasing this facility outside of PSNH's regulated position by some other legally formed entity or to put this state in a position where a change in law leads us to a monopoly.

We do not feel, however, that this PPA represents the best interests of the NH rate payers or the State of NH, or that it captures what the 2025 initiative should be moving towards, as its premise should include already existing NH biomass facilities continuing into the future rather than bring into risk their termination, not due to free trade but due to monopolization.

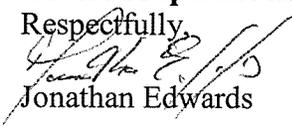
Therefore, Edrest Properties LLC contends that the issues contained in the Wood Supply Testimony need to be heard by the Commission in this proceeding.

WHEREFORE, Edrest Properties LLC objects to PSNH's move to strike the pre-filed testimony of Mr. Mark E. Saltsman and the joint testimony of Mssrs. Robert J. Berti and James C. Dammann filed on behalf of Concord Steam Corporation.

Respectfully submitted this 23rd day of December, 2010.

Edrest Properties LLC

Respectfully,


Jonathan Edwards