

THE STATE OF NEW HAMPSHIRE  
SUPREME COURT  
APPEAL OF PNE ENERGY SUPPLY, LLC

DOCKET NO. 2013-0404

MOTION TO WITHDRAW APPEAL

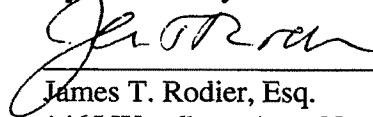
NOW COMES Appellant PNE Energy Supply, LLC ("PNE"), by and through its attorney, and respectfully requests this Honorable Court to allow withdrawal of its appeal in this proceeding and to order such other and further relief as may be just and equitable.

Subsequent to the filing of the Notice of Appeal, PNE was informed by an adverse party that it intended to file a motion for summary judgment based upon PNE's lack of standing as a competitor to PSNH, in view of, *inter alia*, this Court's recent ruling in *Hannaford Bros. Co. v. Town of Bedford*, 64 A.3d 951, 957 (April 25, 2013).

Date: June 24, 2013

Respectfully submitted,  
PNE ENERGY SUPPLY, LLC

By its Attorney

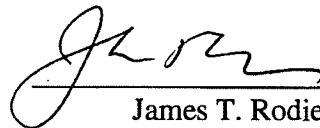


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CERTIFICATION

I hereby certify that I have sent a copy of this Motion for Withdrawal to all parties of record to this proceeding listed in the Notice of Appeal, and to the Attorney General.

Date: June 24, 2013



James T. Rodier