

THE STATE OF NEW HAMPSHIRE
BEFORE THE PUBLIC UTILITIES COMMISSION

Docket No. DE 11-250

Public Service Company of New Hampshire

Investigation of Scrubber Costs and Recovery

PETITION TO INTERVENE OUT OF TIME
OF PSNH RATEPAYER JIM AND SANDY DANNIS



Pursuant to the Commission's Order of Notice in this proceeding (December 1, 2011) N.H. Admin. Rules, Puc 203.17, and in accordance with the standards of RSA 541-A:32, Jim and Sandy Dannis ("Ratepayer Dannis") hereby collectively petition for leave to intervene in the above-captioned docket. In support of our petition, we state the following:

1. Ratepayer Dannis resides at 117 McGinty Road, Dalton, NH, 03598. Our residence is located in PSNH's service territory and we purchase electric energy and distribution service from PSNH. One of several PSNH account numbers for service provided to us is numbered 56362555054 for the meter delineated as number D99461943.

2. As set forth in the Order of Notice, this proceeding addresses rate recovery for costs which PSNH states were prudently incurred for its \$422 million Scrubber Project including PSNH's motion, filed November 18, 2011, for the establishment of temporary rates. According to PSNH's motion, it is seeking to add in excess of \$300 million to its rate base through this proceeding and an additional 1.18 cent/kWh to its current 8.31 cent/kWh energy service rate currently approved for residential ratepayers. According to the Order of Notice at page 3,

PSNH's filing raises, inter alia, issues related to whether the costs of the Scrubber Project were prudently incurred consistent with the requirements of RSA 125-O:11 et seq. and are eligible for recovery through default service rates as provided by RSA 125-O:18; whether temporary rates pursuant to RSA 378:27 are appropriate for recovery of any

costs associated with the Scrubber Project; and whether the resulting rates are just and reasonable pursuant to RSA 378:5 and 8.

3. The Commission's determination in this proceeding will directly affect the costs payable by us as ratepayers for electric energy supplied by PSNH. Therefore we have a direct and substantial pecuniary interest in this proceeding which impacts our rights, duties and privileges as PSNH ratepayers. Intervention in this proceeding will allow Ratepayer Dannis to protect our substantial economic interests in the rates charged by PSNH for supplying electricity. See, *Appeal of Richards*, 134 N.H. 148, 590 A.2d 586 (N.H. 1991) (PSNH ratepayer has standing to appeal Commission order to increase electric rates charged by PSNH).

6. In addition, granting intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceedings. See, RSA 541-A:32,II ("The presiding officer may grant one or more petitions for intervention at any time, upon determination that such intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceedings.") The Scrubber Project at issue in this proceeding is the most expensive New Hampshire utility undertaking for which cost-recovery is being sought in at least a generation. The public interest and the interests of justice demand that the investigation into such a monumental expense be expansive, thorough and open to participation by affected ratepayers. Ratepayer Dannis is the only current PSNH energy service customer seeking to participate in this docket and protect our rights, as ratepayers.

7. As set forth above, we have set forth a valid legal basis for the Commission to grant intervention and the participation of the Office of Consumer Advocate ("OCA") cannot preclude or otherwise limit our right to intervene or fully participate as a party to this proceeding. As the Commission previously recognized in this proceeding, OCA has an independent statutory right to fully participate which may not be disturbed by the Commission imposing conditions on

its participation, including a requirement that its efforts be combined with other parties. See, Secretarial Letter dated December 23, 2011 (not granting PSNH's request that OCA be compelled to combine efforts with other intervenors).

8. Moreover, our participation will assist the Commission by virtue of Jim Dannis's substantial investment banking experience as a Managing Director for Salomon Brothers, Salomon Smith Barney and Citigroup with responsibility for financing a broad range of energy projects and as an investment manager. At a time when OCA is short-staffed due to the recent departure of Meredith Hatfield, Mr. Dannis will provide a relevant financial perspective that will be useful to the Commission in reviewing PSNH's petition, including costs and expenditures.

9. We accept the schedule as set forth in the Commission's Pre-Hearing Order (Secretarial Letter dated December 23, 2011). Thus, allowing our intervention will not impair the orderly and prompt conduct of the proceedings.

WHEREFORE, we respectfully request that the Commission grant us full intervenor status in this proceeding.

Respectfully submitted,

Sandy and Jim Dannis



By: _____

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Dated: March 9, 2012

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of March, 2012, a copy of the foregoing Petition to Intervene by Ratepayer Jim and Sandy Dannis was sent electronically to all persons on the service list for this proceeding, DE 11-250.

Dated in Dalton, New Hampshire this 9th day of March, 2012.



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