

THE STATE OF NEW HAMPSHIRE

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January 16, 2013

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street Suite 10
Concord, New Hampshire 03301



Re: Docket No. DE 12-295
Power New England, LLC d/b/a Power New England (PNE)
Petition for Review of Certain Charges of Public Service Company of New Hampshire
for Service to Competitive Suppliers
Report Following Technical Session

Dear Ms. Howland:

Pursuant to an Order of Notice issued on November 21, 2012, the Commission held a prehearing conference in the above-captioned docket on January 15, 2013. Commission General Counsel F. Anne Ross served as hearing examiner.

The Order of Notice recognized Public Service Company of New Hampshire (PSNH) as a necessary party to the proceeding. The Office of Consumer Advocate (OCA) filed a letter on December 13, 2012 indicating its participation in this docket pursuant to RSA 363:28.

Petitions to intervene were filed by North American Power and Gas, LLC (NAPG), Retail Energy Supply Association (RESA), and Electricity New Hampshire d/b/a ENH Power (ENH) and are still pending. On January 4, 2013, PSNH filed a motion to dismiss which is also pending. On January 7, 2013 and January 14, 2013 respectively, PNE and NAPG filed objections to the PSNH motion.

In their pending motions to intervene, NAPG and ENH raised additional issues which were not noticed in the November 21, 2012 Order of Notice. Following hearing positions of the Parties on the petition and on the merits of including the additional issues in the proceeding, Attorney Ross directed the Parties and Staff to (1) prepare a procedural schedule based on the narrow scope, a review of the reasonableness of the three tariff charges, for the PNE petition, and (2) recommend a process for consideration of the additional issues raised by NAPG and ENH that relate more broadly to the competitive market in the New Hampshire. In accordance with these instructions, the Parties and Staff agreed to the following proposed procedural schedule. This procedural schedule would apply in the event that the Commission denies the PSNH motion to dismiss. Should the Commission grant the PSNH motion to dismiss, a procedural schedule would no longer be necessary.

Intervenor Testimony	3 weeks following issuance of order denying motion to dismiss
Discovery on Testimony	3 weeks following intervenor testimony
Responses to Discovery	2 weeks from issuance of discovery
Technical Session	1 week following receipt of responses to discovery
Testimony of Staff/PSNH/OCA	3 weeks following technical session
Discovery on Testimony	2 weeks following filing of testimony
Responses to Discovery	2 weeks following issuance of discovery
Technical Session	1 week following receipt of responses to discovery
Hearing	2 weeks following technical session

The Staff respectfully requests that the Commission accept this proposed schedule in the event that the Commission denies the motion to dismiss, and inserts appropriate dates in any order embodying that decision.

With respect to the additional issues raised by NAPG and ENH, Staff and the Parties propose the following process to determine how the issues should be addressed.

The competitive electric suppliers who filed motions to intervene in this proceeding will provide the Parties and Staff a list of issues on January 25, 2012. The issues will be in two categories—those that are specific only to PSNH and those that are industry wide in nature. The competitive suppliers will also prioritize the issues.

Staff and the Parties will meet on January 31, 2013 at 9:00 a.m. to review the issues identified, discuss applicable processes to address the issues and develop recommendations for the Commission based on those discussions.

Staff respectfully requests approval of the proposed procedural schedule should the PSNH motion to dismiss be denied. Please don't hesitate to contact me if you have any questions.

Sincerely,



Suzanne G. Amidon
Staff Attorney

Service List