

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 12-371

CONCORD STEAM CORPORATION

**Petition for Approval of Transfer of Utility Assets,
Distribution System Upgrades and Steam Purchase Agreement**

ORDER OF NOTICE

On December 17, 2012, Concord Steam Corporation (Concord Steam), pursuant to the terms of Commission Order No. 24,969 (May 22, 2009), issued in Docket No. DG 08-107, filed for: (i) a determination by the Commission that Concord Steam's updated plan to enter into a certain Steam Purchase Agreement with Concord Power and Steam, LLC (Concord Power), under which Concord Power will supply all of Concord Steam's steam requirements for retail steam service for a minimum period of 30 years, would be prudent and in the public interest; (ii) a determination by the Commission that the updated plan for the construction of system upgrades by Concord Steam necessary to interconnect its distribution system to the proposed new Concord Power cogeneration facility would be prudent and in the public interest; and (iii) Commission approval pursuant to RSA 374:30 for Concord Steam to sell certain utility assets to Concord Power for \$500,000. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-371.html>.

The filing raises, inter alia, issues related to the reasonableness and prudence of Concord Steam's business plan going forward; the ongoing progress of Concord Power's financing and construction plans for the new cogeneration facility, which have not been finalized; and whether

it is prudent and in the public interest for Concord Steam to : (i) sell certain utility assets to Concord Power and, if so, at what price; (ii) implement the revised plan for upgrading the current steam distribution system and interconnect with the Concord Power planned cogeneration facility; and (iii) enter into the long term Steam Purchase Agreement with Concord Power under the terms and conditions specified in the Agreement, as revised by Concord Steam since the issuance of Order No. 24,969. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on February 22, 2013 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15 shall be considered; and it is

FURTHER ORDERED, that, immediately following the Prehearing Conference, Concord Steam, the Staff of the Commission and any Intervenors hold a Technical Session to review the petition and allow Concord Steam to provide any amendments or updates to its filing; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, Concord Steam shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than February 8, 2013, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before February 20, 2013; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to Concord Steam and the Office of the Consumer Advocate on or before February 20, 2013, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17 and RSA 541-A:32,I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before February 22, 2013.

By order of the Public Utilities Commission of New Hampshire this fourth day of February, 2013.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.