

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

Docket No. DE 13-275

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Proposed Default Energy Service Rate for 2014

**PETITION TO INTERVENE
OF CONSERVATION LAW FOUNDATION**

Pursuant to the Commission's Order of Notice dated October 9, 2013, N.H. Admin. Rules, Puc 203.17, and in accordance with the standards of RSA 541-A:32, the Conservation Law Foundation ("CLF") hereby petitions for leave to intervene in the above-captioned docket. In support of its petition, CLF states the following:

1. CLF is a private, non-profit environmental membership organization dedicated to the protection and responsible use of New England's natural resources, including resources affected by the generation, transmission and distribution of electric power. CLF, through its Clean Energy and Climate Change Program, represents the interests of its members in ensuring that environmental impacts resulting from the generation, production, distribution and/or use of electricity in New Hampshire and the region are minimized. CLF has over 3,300 members, including approximately 450 members residing in New Hampshire.

2. Consistent with its mission, CLF is dedicated to advancing solutions that strengthen New England's – and New Hampshire's – economic vitality. CLF represents the interests of its members in avoiding adverse economic impacts associated with continued use and reliance on uneconomic, environmentally unsustainable electricity generation such as coal-fired generation at Public Service Company of New Hampshire's ("PSNH") Merrimack and Schiller Stations. In order to achieve its organizational objectives, CLF's focus includes advocacy

regarding the design and operation of the region's energy markets, including those regulated by state Public Utility Commissions, such as the retail market in New Hampshire in which PSNH participates, and the wholesale electricity market in New England, as regulated by the Federal Energy Regulatory Commission. In this regard, CLF has been a voting member and participant in the New England Power Pool ("NEPOOL") since 2004 because we believe that vibrant competitive energy markets facilitate competition and innovation which attenuates environmental impacts.

3. As set forth in the Order of Notice, this proceeding addresses, *inter alia*, issues related to whether the energy service rates proposed by PSNH in its filings in this docket are based on its actual, prudent, and reasonable costs of providing such service and whether the resulting rates are just and reasonable as required by New Hampshire state law.

4. The decisions made by PSNH in serving its default energy service customers, including addressing the foregoing matters related to generating and supplying energy, dictate the costs of PSNH's energy service, the extent that PSNH's generating resources will operate, the resulting environmental impacts, and the energy service rates of customers of PSNH, including CLF members.

5. CLF and CLF's New Hampshire members have a direct and substantial interest in the outcome of this proceeding. Intervention will allow CLF to protect its members' substantial interests in the environmental and public health impacts resulting from PSNH's use of its generating resources and market purchases to supply its customers. The economic interests of CLF's New Hampshire members as ratepayers are also directly affected by this proceeding, including by the costs incurred by PSNH for its self-owned generating assets, which costs also implicate the environmental interests addressed above.

6. In this docket, the Commission must determine whether PSNH's projected future costs of its energy service decisions, with reference to its forecasts of power needs, costs, and related factors, meet the statutory standards of prudence and reasonableness and whether the resulting rates proposed by PSNH are just and reasonable. These issues raise important economic and environmental concerns which, as set forth above, will affect the rights, duties and privileges of CLF and its members. CLF appreciates the scope of the Commission's proceedings regarding PSNH's default energy service rates and that the Commission "does not review or enforce environmental laws that should be properly reviewed by the New Hampshire Department of Environmental Services, the U.S. Environmental Protection Agency, or the courts." *Cf.* Order No. 25,540, Docket No. DE 13-108, at 5.

7. CLF's policy and program experience includes over twenty years of extensive collaborative work and participation in numerous utility commission dockets throughout New England, including DR 97-211, DE 01-057, DE 07-064, DE 08-145 and DE-09-033; DE 10-160; DE 10-188; DE 11-215; DE 11-250; and DE 13-108 in New Hampshire. CLF's institutional expertise in these matters will inform its participation and benefit the Commission's consideration of PSNH's proposed energy service rate. Allowing CLF to intervene will not impair the orderly and prompt conduct of the proceedings.

WHEREFORE, CLF respectfully requests that it be granted full intervenor status in this proceeding.

Respectfully submitted,

CONSERVATION LAW FOUNDATION



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Dated: October 23, 2013

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing petition has on this 23rd day of October 2013 been sent by email to the service list in Docket No. DE 13-275 and by first-class mail to PSNH and the Office of Consumer Advocate.



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