

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 15-068

FREEDOM LOGISTICS, LLC d/b/a FREEDOM ENERGY LOGISTICS

**Petition for Authorization Pursuant to RSA 362-A:2-a II for a
Purchase of LEEPA Output by the Private Sector**

Granite State Hydropower Association's Petition to Intervene

NOW COMES Granite State Hydropower Association, Inc. ("GSHA"), a New Hampshire association representing small hydroelectric power producers, and, pursuant RSA 541-A:32 and N.H. Admin. R. Rule Puc 203.17, respectfully petitions the New Hampshire Public Utilities Commission ("Commission") for intervention as a full party in the above-captioned proceeding. In support of this petition, GSHA states as follows:

1. The Commission's Order of Notice dated April 7, 2015 in this docket states that Freedom Energy Logistics, LLC d/b/a Freedom Energy Logistics ("FEL") filed a petition pursuant to RSA 362-A:2-a requesting the Commission to authorize FEL, a private sector retail customer, to purchase 5 kilowatts of electrical output generated by a by Fiske Hydro, Inc. ("Fiske Hydro"), a limited electrical energy producer.

2. The Order of Notice at page 2 also states that "FEL's filing raises, inter alia, issues related to the interpretation of RSA 362-A:2-A, II under LEEPA, and the terms and conditions of agreements and arrangements pursuant to which the electrical output of the limited electrical energy producer will be sold to the end user and wheeled by the franchised electric distribution utility from the producer to the end user."

3. The Order of Notice established a deadline of May 4, 2015 for the submission of petitions to intervene and scheduled a prehearing conference for May 6, 2015. Accordingly, this Petition is timely filed.

4. The statutory standards for intervention are set forth in RSA 541-A:32, I and II. First, a petition for intervention *must* be granted if the petitioner states facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding (or the petitioner qualifies under any provision of law) and the interests of justice and orderly and prompt conduct of the proceedings would not be impaired by allowing intervention. See RSA 541-A:32, I(b) and (c). Second, the Commission *may* grant a petition to intervene “at any time, upon determining that such intervention would be in the interests of justice and would not impair the orderly conduct of the proceedings.” RSA 541-A:32, II. See also N.H. Admin. R. Puc 203.17 (requiring the Commission to grant one or more petitions to intervene in accordance with the standards of RSA 541-A:32).

5. For the reasons presented below, GSHA meets the foregoing mandatory and discretionary intervention standards.

6. GSHA is a non-profit trade association for the small, independent hydroelectric power industry in New Hampshire. Its members own, operate, and manage several New Hampshire hydroelectric facilities that are limited electrical energy producers within the meaning of RSA 362-A:1-a, III and are therefore subject to the provisions of RSA 362-A.

7. The substantial interests of GSHA’s members are likely to be affected by this proceeding it involves the interpretation of RSA 362-A, and because they are situated similarly to Fiske Hydro. Thus, any decision by the Commission on the merits of FEL’s petition will also

likely apply to the GSHA members whose circumstances are the same or similar to the situation presented by the Fiske Hydro – FEL transaction.

8. As the foregoing information demonstrates, GSHA has knowledge and experience that are likely to be of value to the Commission and other parties in this proceeding. Thus, granting this petition for intervention would be in the interest of justice.

9. GSHA's intervention will not impair the orderly conduct of this proceeding and, in fact, will help to conserve resources by avoiding the need for its individual members to participate in order to protect their own interests.

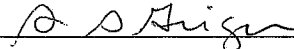
WHEREFORE, GSHA respectfully requests that the Commission grant it full intervenor status in the proceeding and grant such other relief as the Commission deems just and equitable.

Respectfully submitted,

GRANITE STATE HYDROPOWER ASSOCIATION

By its attorneys,
ORR & RENO, P.A.

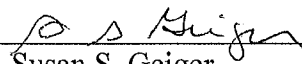
Dated: May 4, 2015

By: 

Susan S. Geiger,
45 South Main St. – P.O. Box 3550
Concord, NH 03302-3550
Telephone: 603-223-9154
Email: ssg@orr-reno.com

Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 4th day of May, 2015 been either sent by electronic or first class mail, postage prepaid, to persons listed on the Service List.


Susan S. Geiger