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October 16, 2019

Ms. Debra A. Howland  
Executive Director and Secretary  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, New Hampshire 03301

**Re: Docket No. DE 19-142  
PSNH - Rate Recovery of Costs in Excess of the Cumulative Reduction Cap Under the  
Power Purchase Agreement with Berlin Station, LLC**

Dear Director Howland:

Pursuant to the Order of Notice issued in Docket No. DE 19-142 on August 30, 2019, a prehearing conference and subsequent technical session were held on September 24<sup>th</sup> at the Commission's office.

At the technical session, Commission Staff suggested that Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource" or the "Company") provide information to the Commission explaining what the Company would do under 2018 N.H. Laws, ch. 340 ("SB 577") and the existing Power Purchase Agreement ("PPA") with Burgess BioPower/Berlin Station if there was no near-term resolution of the various legal issues that are part of this proceeding.

Unless and until there is: i) a bilaterally negotiated change to the existing PPA; ii) that has undergone Commission review per RSA 374:57; and, iii) the Commission issues an order approving the amended PPA that assures Eversource of full recovery via rates of all costs of the amended PPA, Eversource is bound to perform its obligations under the terms of the existing PPA as approved by the Commission. As a result, until such a Commission order is issued, there will be no changes in the methodology for recovery of PPA costs via the Stranded Cost Recovery Charge than what was contemplated at the time the existing contract was approved by the Commission and when the 2015 PSNH Restructuring and Rate Stabilization Agreement was executed.

Eversource again notes that discussions with the owners of Burgess/Berlin Station regarding SB 577 have been open, cooperative, and meaningful. Eversource feels that best way of proceeding is to allow those discussions to continue without deciding issues that might interfere with attainment of a bilateral resolution and without setting an arbitrary deadline.

Sincerely,

A handwritten signature in black ink that reads "Robert Bersak". The signature is written in a cursive, flowing style.

Robert A. Bersak  
Chief Regulatory Counsel

cc via e-mail: Service List

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