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February 13, 2024

Via Electronic Mail Only

Daniel C. Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: Docket No. DE 23-091, Public Service Company of New Hampshire, d/b/a Eversource Energy, Petition for Adjustment to Stranded Cost Recovery Charge Request to Continue Hearing Scheduled for February 14, 2024

Dear Chairman Goldner:

Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource”), respectfully requests that the Commission continue the February 14th hearing scheduled by procedural order issued yesterday afternoon until February 21st at 9:00 a.m. (i.e., the date and time of the hearing previously scheduled in this proceeding).

Eversource understands and appreciates the Commission’s strong interest in learning more about the recent bankruptcy filings of Burgess Biopower, LLC and Berlin Station, LLC and what actions Eversource has taken and intends to take in relation to those bankruptcy filings. To date, Eversource has filed two pleadings with the United States Bankruptcy Court for the District of Delaware, copies of which are submitted herewith:

1. Motion of Public Service Company of New Hampshire, Pursuant to 28 U.S.C. § 1412 and Federal Rules of Bankruptcy Procedure 1014(a), to Transfer Venue of Bankruptcy Proceedings to United States Bankruptcy Court for the District of New Hampshire;¹ and
2. Objection of Public Service Company of New Hampshire to Debtors’ Motion for Interim and Final Orders (I) Approving Entry into New Lead Market Participant Agreement and (II) Granting Related Relief.

Eversource also intends to file an objection to the *Motion of the Debtors for Entry of an Order (I) Authorizing the Debtors to Reject the Power Purchase Agreement and Option Agreement with Public Service Company of New Hampshire (d/b/a Eversource Energy) Nunc Pro Tunc to the Petition Date and (II) Granting Related Relief*, once a hearing on that motion has been calendared by the Bankruptcy Court. For the Commission’s information, Eversource was given no prior notice of the bankruptcy filings on Friday the 9th, nor were any related documents provided for its review in advance of those bankruptcy filings.

¹ The exhibits submitted with this motion are not included herewith; however, Eversource will file those exhibits into the docket if so directed by the Commission.

The enclosed motion and objection confirm Eversource's position that it has not breached the Amended and Restated Power Purchase Agreement, as amended (the "PPA") and no grounds for termination or rejection of the PPA exist. Accordingly, the PPA remains in full force and effect and is binding on both Eversource and Berlin Station, LLC.

Eversource also takes this opportunity to reiterate that the primary focus of the Stranded Cost Recovery Charge adjustment proceeding should be on the reasonableness of its estimates of future Burgess PPA payments and netted amounts for purposes of the Part 2 Costs and Ch. 340 Adder components of the SCRC, in light of recent developments.

Based on the foregoing, and due to the limited availability of certain relevant personnel on short notice, Eversource respectfully requests that the Commission continue the February 14th hearing until February 21st starting at 9:00 a.m.

Consistent with current Commission policy, this filing is being made electronically only and paper copies will not follow. If you should have any questions, please contact me.

Sincerely,

/s/ David K. Wiesner

David K. Wiesner
Senior Counsel

Enclosures
cc: DE 23-091 Service List