

James T. Rodier, Esq.
Attorney-at-Law
1500 A Lafayette Road, No. 112
Portsmouth, NH 03801-5918

Tel. 603-559-9987
jrodier@freedomenergy.com

June 2, 2009

Debra A. Howland
Executive Director and Secretary
State of New Hampshire
Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**COMPLAINT OF CLEAN POWER DEVELOPMENT, LLC
AGAINST PUBLIC SERVICE OF NEW HAMPSHIRE
DE 09-067**



Dear Ms. Howland:

I am writing on behalf of Complainant Clean Power Development, LLC (CPD) to respond to PSNH's letter to the Commission dated June 1, 2009. In the letter, PSNH asserted that "the complainant in the instant case is not a customer; it is a disappointed and disgruntled merchant generator trying to use the RSA 365:1 complaint process to force its output on an unwilling buyer."

CPD is not trying to force its output on an unwilling buyer. CPD has complained that, inter alia, PSNH has violated New Hampshire state energy policy as established by RSA 362-F, and RSA 378:37, 38 and 39 because it has an obligation to at least objectively consider a PPA with a proposed renewable facility. According to the Complaint, PSNH may not reject out-of-hand proposals from a renewable facility such as CPD, particularly where, as here, it has represented to the Commission that every developer would be treated evenly and fairly, no matter who they are.

PSNH's position is that it has no obligation to do so, notwithstanding the fact that it has testified otherwise under oath to the Commission.

Thank you.

Sincerely,

/s/ James T. Rodier

DISTRIBUTED