



**Public Service  
of New Hampshire**

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The Northeast Utilities System

January 22, 2010

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

Re: Petition for Declaratory Ruling Re: Penacook Lower Falls Pricing  
Docket No. DE 09-174



Dear Secretary Howland:

On December 15, 2009, Staff Attorney Matthew Fossum, Esq., submitted a report from the technical session held following the Pre-hearing Conference held in the above captioned matter on December 8, 2009. The procedure outlined therein called for the parties to file a stipulation of facts with the Commission on January 22, 2010. Public Service Company of New Hampshire and Briar Hydro Associates attempted to reach a stipulation of facts, but we were unable to reach such a stipulation by January 22. The parties will meet with the Staff and Office of Consumer Advocate on February 10, 2010 and will attempt to develop a procedural schedule for the remainder of the proceeding.

Copies of this letter have been provided electronically to the persons on the attached Service List pursuant to Puc § 203.011.

Very truly yours,

Gerald M. Eaton  
Senior Counsel

Enclosures  
cc: Service List

**PURSUANT TO N.H. ADMIN RULE PUC 203.09 (d), FILE DISCOVERY**

**DIRECTLY WITH THE FOLLOWING STAFF**

**RATHER THAN WITH THE EXECUTIVE DIRECTOR**

LIBRARIAN - DISCOVERY  
NHPUC  
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BULK MATERIALS:

Upon request, Staff may waive receipt of some of its multiple copies of bulk materials filed as data responses. Staff cannot waive other parties' right to receive bulk materials.

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Docket #: 09-174-1 Printed: January 22, 2010

**FILING INSTRUCTIONS:**

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:

DEBRA A HOWLAND  
EXEC DIRECTOR & SECRETARY  
NHPUC  
21 S. FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.