

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire

Petition for Approval of PPA with Laidlaw Berlin BioPower, LLC

Docket No. DE 10-195

**CONCURRENCE OF CITY OF BERLIN WITH LAIDLAW BERLIN BIOPOWER,
LLC'S OBJECTION TO CONCORD STEAM CORPORATION'S AND THE WOOD
FIRED IPPs' JOINT MOTION TO CONTINUE PROCEDURAL SCHEDULE**

NOW COMES the City of Berlin, ("the City") to state its concurrence with the Objection of Laidlaw Berlin BioPower, LLC ("LBB"). This concurrence is based on the following:

1. The City joins the Objection of LBB. The City favors creating flexibility within the procedural schedule subject to holding to the 28, 29 December 2010 hearing date.
2. Faithful adherence to the 28, 29 December 2010 hearing date is of critical importance to the City. The opportunity of the City to benefit from the New Market Tax Credits and the benefits which will flow from those credits are at risk if the established December 2010 hearing date is not preserved. The best expression of the importance of this to the City is the letter of 28 September 2010 from Patrick MacQueen, City Manager, to the Commission, a copy of which is attached hereto as Exhibit 1.

WHEREFORE, the City respectfully requests the Commission:

- A. Limit an extension of the procedural schedule so as to ensure that the 28, 29 December 2010 hearing date is preserved; and
- B. Grant such other and further relief as the Commission deems just and equitable.

Respectfully submitted,

THE CITY OF BERLIN

By its attorneys:

DONAHUE, TUCKER & CIANDELLA, PLLC

Date: 26 October 2010

By: /s/ Keriann Roman

Robert D. Ciandella, Esq.
Christopher L. Boldt, Esq.
Keriann Roman, Esq.
225 Water Street
Exeter, NH 03833
(603) 778-0686

CERTIFICATE OF SERVICE

Pursuant to Rules Puc 203.02(2) and Puc 203.11, I hereby certify that on this 26th day of October 2010, I served copies of this Petition to those parties listed on the Service List and to the Office of Consumer Advocate.

/s/ Keriann Roman
Keriann Roman, Esq.

City of Berlin, NH
City Manager's Office



September 28, 2010

New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: DE 10-195

Dear New Hampshire Public Utilities Commission:

This letter is written on behalf of the Mayor and City Council of the City of Berlin. At their meeting on Monday, September 27, 2010, on a vote of 5-3, the Mayor and Council voted to provide you with this letter in support of PSNH's Petition to the PUC for Approval of a Power Purchase Agreement between PSNH and Laidlaw Berlin BioPower, LLC (DE 10-195) and to urge the expedited consideration of its petition.

The City of Berlin is by far the most economically distressed city in the state. It desperately needs the enterprise, jobs and tax base that the proposed Laidlaw energy development project will bring to the community. In order to take advantage of close to \$3,000,000 in local community benefits from New Market Tax Credits which have been allocated to the project, final financing must close by November 15, 2010. This financing cannot close without a Power Purchase Agreement.

As the Commission is aware, Laidlaw has just completed what is a 9-month process before the Site Evaluation Committee process. The project is now ready to begin construction. The City fully expects that the PUC will carry out its review process with proper due diligence. The City also respectfully requests that the PUC do everything in its power to streamline that review to make it as rapid as reasonably possible.

The PUC's judicious and timely review of this petition is greatly appreciated.

Sincerely,

Patrick MacQueen
City Manager

cc: Mayor and Council