

DE 10-195



**Public Service
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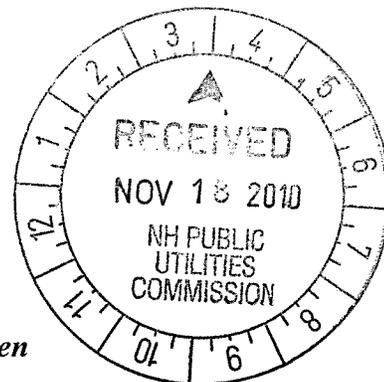
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A Northeast Utilities Company

Robert A. Bersak
Assistant Secretary and
Assistant General Counsel

November 18, 2010

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



**Re: *Petition for Approval of Power Purchase Agreement between
Public Service Company of New Hampshire and
Laidlaw Berlin BioPower, LLC***

Dear Secretary Howland:

Enclosed for filing in this proceeding, please find Public Service Company of New Hampshire's "Objection to Wood-Fired IPPs' Motion to Compel Dated November 12, 2010." An electronic version of this filing has been submitted to the Commission and parties via email.

This filing is being made today by PSNH to coincide with the Commission's new procedural schedule issued yesterday afternoon, which calls for a "discovery conference" tomorrow afternoon.¹ In contemplation of tomorrow's discovery conference, the Hearings Examiner also issued a request at the close of business yesterday "that PSNH file immediately any further arguments it may have on confidentiality." PSNH cannot reasonably comply with that request for such an "immediate" filing.

As noted in the accompanying pleading, under Rule Puc 203.08, the Commission allows such motions for confidential treatment to be filed "at or before the commencement of the hearing in this proceeding."² We note in the attached pleading that we intend to file the necessary motions for confidential treatment soon, but have been otherwise occupied in this proceeding responding in a timely manner to the non-stop pleadings filed by the competitor-intervenors, all of which had procedural filing dates well before the Rule Puc 203.08 deadline.

PSNH will make a diligent effort to prepare the necessary motions for confidential treatment for the confidential data request responses in this proceeding prior to tomorrow's discovery conference; but, PSNH's ability to make that filing is not guaranteed.

¹ Under Rule Puc 203.07(e), PSNH had until November 29th to file this pleading.

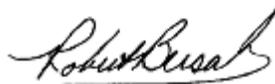
² The hearing date was originally set for December 28, 2010, and was changed yesterday to begin on January 25, 2011.

Finally, PSNH notes that in yesterday's new procedural schedule the deadline for discovery requests, initially set for October 25 and later extended to November 1, has yet again been extended until November 30. That new date was set in the context of yesterday's secretarial letter concerning "the various Motions to Compel Discovery from Public Service Company of New Hampshire that remain pending before the Commission..." As such, it is PSNH's understanding that any further discovery requests served on PSNH should be limited to i) matters that relate to the Commission's Order Denying Rehearing, pursuant to which PSNH provided to the parties unredacted copies of the PPA and Mr. Labrecque's testimony as well as responses to a number of data requests previously deemed to be confidential; and ii) any responses to data requests which PSNH has objected to but is compelled by the Commission to respond to. Otherwise, this docket will likely continue to be delayed by further discovery and confidentiality issues.

PSNH appreciates the Commission's patience and diligence in this proceeding.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Bersak". The signature is fluid and cursive, with a prominent initial "R" and "B".

Robert A. Bersak
Assistant Secretary and
Assistant General Counsel

cc: Service List

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 10-195-1 Printed: November 18, 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.