



May 17, 2011



HAND-DELIVERED

Eileen Fox, Clerk
NH Supreme Court
Noble Drive
Concord, NH 03301

Re: Appeal of Bridgewater Power Company, L.P., Pinetree Power, Inc., Pinetree Power-Tamworth, Inc., Springfield Power LLC, DG Whitefield, LLC d/b/a Whitefield Power & Light Company, and Indeck Energy-Alexandria, LLC

Dear Ms. Fox:

Please find enclosed an original and eight copies of an RSA 541:6 notice of appeal of an administrative decision rendered by the New Hampshire Public Utilities Commission ("PUC"), along with eight copies of a related appendix and our firm check in the amount of \$205 in payment of the court's filing fee. The notice of appeal is filed by Bridgewater Power Company, L.P., Pinetree Power, Inc., Pinetree Power-Tamworth, Inc., Springfield Power LLC, DG Whitefield, LLC d/b/a Whitefield Power & Light Company, and Indeck Energy-Alexandria, LLC (collectively the "Wood-Fired IPPs"), all of whom are jointly represented by this office.

Please be aware that because of the ambiguity of RSA 541:6 with respect to when a party to an administrative proceeding *must* appeal an intermediate order on rehearing, we have filed the accompanying notice as a prophylactic measure. As set forth in Sections F and G, this appeal arises from interim orders of the PUC. The PUC has not yet issued a final order. It is unclear under RSA 541:6 (considered in light of RSA 541:3) whether the 30-day appeal requirement applies to interim orders on rehearing, so the Wood-Fired IPPs have filed this notice to preserve their rights.

The Wood-Fired IPPS have filed a second motion for rehearing of the PUC's latest order. Depending on the outcome of the pending motion for rehearing, this appeal could be rendered moot or additional appeals might result. The Wood-Fired IPPs therefore would have no objection were the Court to stay screening or any other consideration of the accompanying notice of appeal until 30 days after the PUC has ruled on the pending motion for rehearing.

Eileen Fox, Clerk
NH Supreme Court
May 17, 2011
Page 2

Please do not hesitate to contact me if you would like to discuss this matter.

Very truly yours,



David J. Shulock, Esq.

DJS:sas/Encs.

cc: Debra Howland, Exec. Dir. & Secretary, Public Utilities Commission

Office of the Attorney General

Robert Bersak, Esq., Public Service Company of New Hampshire

Suzanne Amidon, Esq.

Edward Damon, Esq.

Staff, New Hampshire Public Utilities Commission

Meredith A. Hatfield, Esq., Office of Consumer Advocate

James Rodier, Esq., Clean Power Development

Keriann Roman, Esq. City of Berlin

Christopher Boldt, Esquire, City of Berlin

Jonathan Edwards, *Pro se*, Edrest Properties LLC

Angela O'Connor, New England Power Generators Association