



**Public Service  
of New Hampshire**

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A Northeast Utilities Company

**Robert A. Bersak**  
Assistant Secretary and  
Assistant General Counsel

September 8, 2011

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

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**Re: *Docket No. DE 11-184***  
***Joint Petition for Approval of Power Purchase and Sale Agreements and***  
***Settlement Agreement***

Dear Secretary Howland:

On August 23, 2011, Public Service Company of New Hampshire ("PSNH" or the "Company"), 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-Alexandria, LLC (collectively the "Wood IPPs"), the New Hampshire Department of Resources and Economic Development ("DRED") and certain Staff of the New Hampshire Public Utilities Commission (the "Staff") (collectively, the "Joint Petitioners") filed the subject Joint Petition with the Commission seeking, *inter alia*, approval of five Power Purchase Agreements ("Wood IPP PPAs").

Paragraph 10 of that Joint Petition noted that PSNH's obligation to purchase power under the Wood IPP PPAs is contingent upon two fundamental conditions precedent. The second of those conditions precedent, set forth in paragraph 10(b) of the Joint Petition, required a financial closing for the new biomass-fired generating station in Berlin that was the subject of Commission Docket No. DE 10-195 that: (a) included the funding of \$2.75 million in New Market Tax Credits dedicated to New Hampshire's North Country, and (b) was completed by August 30, 2011. Subsequent to the filing of the Joint Petition, PSNH, the Wood IPPs and Cate Street Capital, Inc. entered into a "Modification and Extension Agreement" extending the date on or prior to which the closing must occur from August 30, 2011 to September 9, 2011. A copy of that "Modification and Extension Agreement" is attached hereto as Attachment 1.

The Joint Petitioners are pleased to report that on September 2, 2011, Cate Street Capital closed financing for its \$275 million biomass power plant in Berlin, New Hampshire and will begin construction immediately. That closing included funding of the \$2.75 million in New Market Tax Credits dedicated to New Hampshire's North Country. Moreover, as part of the

financial closing process, the Wood IPPs withdrew their appeals of the Commission's Orders issued in Docket No. DE 10-195 that were pending before the New Hampshire Supreme Court in its Docket No. 2011-0348. By Order dated September 2, 2011, the Court granted the Wood IPPs' withdrawal action, terminating that appeal process. Copies of the Wood IPPs' "Notice of Withdrawal of Appeals by Petition" and of the Court's Order are attached hereto as Attachments 2 and 3, respectively.

As a result of the matters discussed above, PSNH wishes to inform the Commission that the condition precedent set forth in paragraph 10(b) of the Joint Petition has now been met.

If you have any questions, please let me know.

Sincerely,



Robert A. Bersak  
Assistant Secretary and  
Assistant General Counsel

cc: Service List

Attachments

1. "Modification and Extension Agreement"
2. "Notice of Withdrawal of Appeals by Petition"
3. Order of the New Hampshire Supreme Court