

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Docket No. DE 11-250

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Investigation of Merrimack Station Scrubber Project and Cost Recovery

PETITION FOR INTERVENTION BY THE SIERRA CLUB

Pursuant to the Commission's Order of Notice dated December 1, 2011, N.H. Admin. Rules, Puc 203.17, and in accordance with the standards of RSA 541-A:32, the Sierra Club hereby petitions to intervene in the above-captioned docket. In support of its petition, the Sierra Club states the following:

1. The Sierra Club, founded in 1892, is a national nonprofit environmental organization with more than 608,000 members nationwide, and nearly 3,700 in the New Hampshire Chapter. The Club's purposes include: practicing and promoting the responsible use of the Earth's ecosystems and resources, and educating and enlisting humanity in the protection and restoration of the quality of the natural and human environment. Members of the Sierra Club are greatly concerned about air quality, and the Club has a long history of involvement in air quality-related activities on both the local and national levels.

2. As set forth in the Order of Notice, this proceeding addresses whether the costs of Public Service Company of New Hampshire's (PSNH) flue gas desulfurization system installation (the Scrubber Project) were prudently incurred consistent with the requirements of RSA 125-O:11 *et seq.* and are eligible for recovery through default services rates pursuant to RSA 125-O:18, whether temporary rates pursuant to RSA

378:27 are appropriate for recovery of any costs associated with the Scrubber Project, and whether the resulting rates are just and reasonable pursuant to RSA 378:5 and 8.

3. As such, the determination made by the Commission will likely involve a range of important issues: review of the changes made at the facility, determination of which if any alterations were prudent or in the public interest and which were not, clarification of the emission level reductions achieved, and setting what if any rate increases ratepayers will be charged.

4. The Sierra Club and the Sierra Club's New Hampshire members have a direct and substantial interest in the outcome of this proceeding. Intervention will allow the Sierra Club to protect its members' substantial interests in the environmental and public health impacts resulting from a determination as to the prudence of the specific Scrubber Project undergone by PSNH, as well as from the level of emissions reduction the Scrubber Project will ultimately entail.

5. This proceeding further directly impacts the economic interests of the Sierra Club's New Hampshire Chapter members as ratepayers, as the proceeding will determine what if any rate increases those members will be obligated to pay.

6. The Sierra Club has extremely extensive experience working before and with utility commissions in a wide variety of dockets, including in New Hampshire (*see, e.g.*, recent dockets DE 10-121, DE 10-122, DE 10-261, DE 09-067, DE 08-103, and DE 07-064). The Sierra Club's presence in the proceedings will be guided by this experience, and will aid in the Commission's ultimate determination. Accordingly, allowing the Sierra Club to intervene will not impair the orderly and prompt conduct of the proceedings.

WHEREFORE, the Sierra Club respectfully requests that it be granted full
intervenor status in this proceeding.

Respectfully Submitted,

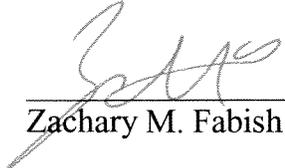


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Dated: December 8, 2011

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Sierra Club's Petition for Intervention has been served electronically on the persons in the Commission's service list in accordance with Puc 203.11 this 8th Day of December, 2011.



Zachary M. Fabish