



**Public Service
of New Hampshire**

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A Northeast Utilities Company

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September 20, 2012

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



**Re: Docket No. DE 11-250, Public Service Company of New Hampshire,
Investigation of Scrubber Costs and Cost Recovery
Update Concerning PSNH's Objection to TransCanada's Second Motion to Compel**

Dear Secretary Howland:

In PSNH's "Objection to TransCanada's Second Motion to Compel" filed on September 13, 2012, paragraph 11 commented on the status of the Mercury Baseline Appeal pending before the Air Resources Council as its Docket No. 11-10. In that Objection, PSNH noted that the Mercury Baseline Appeal had not yet been decided by the Air Resources Council, and that PSNH's appeal is still pending.

On September 17, 2012, the Air Resources Council held a meeting at which deliberations took place concerning Docket No. 11-10. The Air Resources Council unanimously granted PSNH's appeal, and the mercury baseline issue will ultimately be remanded to the Department of Environmental Services. The Air Resources Council's decision will not be official and final until it issues a written order pursuant to Rule Env-AC 205.15.

In light of the status of the Air Resources Council proceeding, TransCanada's data request questions 3-20 and 3-21 which were premised on "the recent ruling by the NH Air Resources Council *affirming* the New Hampshire Department of Environmental Services determination of the baseline mercury emissions pursuant to RSA 125-O:14, II" now appear to be moot.

Sincerely,

Robert A. Bersak
Assistant Secretary and
Associate General Counsel

cc: Service List, Docket No. DE 11-250