



Mark Dean
Attorney

June 5, 2012

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 S. Fruit Street
Concord, NH 03301-24229

RE: DE 12-097 Electric and Gas Utilities

Dear Director Howland:

I represent New Hampshire Electric Cooperative, Inc. ("NHEC").

NHEC did not participate in the prehearing conference and was not represented in the technical session in the above-referenced docket on May 31, 2012. It has come to my attention that questions concerning whether or not NHEC is, or ought to be, a party in that docket, were raised at the technical session. I am writing to express NHEC's views on those questions.

NHEC received the May 3, 2012 Order of Notice in DE 12-097. NHEC did not, and does not, read that notice as requiring that NHEC be a party, and NHEC did not believe that the Commission intended it to do so. Had NHEC thought that the Commission intended or expected its participation in this docket NHEC would have articulated its jurisdictional position either in writing or in person at the prehearing conference.

As described in the Order of Notice, the instant proceeding raises questions relating to whether certain proposed new measures concerning utility interaction with competitive suppliers may be consistent with the restructuring principles in RSA 374-F:3 and whether certain rates associated with these new proposals would be just and reasonable under RSA 378:5 and 7. The Order of Notice indicated that all electric and gas distribution utilities, subject to the Commission's jurisdiction, shall be mandatory parties to the proceeding.



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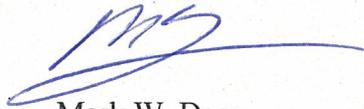
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Because NHEC is not currently a public utility, or subject to Commission jurisdiction, for purposes of RSA 378:5 or 7, and because the Commission's current jurisdiction over NHEC with regard to RSA 374-F:3 is limited by the operation of RSA 374-F:4 XII to certain circumstances and procedural prerequisites not presented by this docket, NHEC did not, and does not, believe that the subject matter of the instant docket falls within the scope of the Commission's jurisdiction relative to NHEC.

Accordingly, NHEC did not anticipate that its absence from either the prehearing conference or the technical session would be a source of either interest or concern. I am hopeful that this letter answers the questions raised at the technical session.

If you, or any of the parties or the Commission Staff, have any questions concerning this matter please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Dean', with a long horizontal flourish extending to the right.

Mark W. Dean

Copies of this letter have been sent electronically to the Service List.