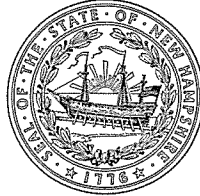


THE STATE OF NEW HAMPSHIRE

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AND SECRETARY
Debra A. Howland



PUBLIC UTILITIES COMMISSION

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September 23, 2008

Howard M. Moffett, Esq.
Orr & Reno, P.A.
One Eagle Square
P.O. Box 3550
Concord, NH 03302-3550

Re: DE 08-053, Public Service Company of New Hampshire
Application for Class IV Renewable Energy Certificate Eligibility
Disposition of Pending Motions

Dear Mr. Moffett:

On April 2, 2008, Public Service Company of New Hampshire (PSNH) filed an application for Class IV Renewable Energy Certificate (REC) eligibility for certain PSNH-owned existing small hydroelectric facilities pursuant to RSA 362-F and N.H. Code Admin. Rules Puc 2500. This letter sets out the Commission's disposition of pending motions in this docket.

Granite State Hydropower Association (GSHA) filed a motion to intervene on May 7, 2008. In its motion, GSHA argued that 1) four of the eight hydroelectric facilities identified in PSNH's application do not qualify for Class IV RECs based on the gross nameplate capacity of the source, and 2) seven of the eight facilities named in PSNH's application fail to qualify for Class IV RECs because they have not installed both upstream and downstream fish passage facilities which, according to GSHA are required by RSA 362-F:4,IV. On July 11, 2008, PSNH filed a response to GSHA's motion to intervene and stated that, although it had no objection to GSHA's motion, PSNH disagreed with GSHA's interpretation of the statute.

On July 22, 2008, GSHA made an additional filing requesting that the Commission commence an adjudicative proceeding or, in the alternative, accept GSHA's previously filed motion to intervene as a petition for declaratory ruling. PSNH responded on July 30, 2008 suggesting that the Commission act on its petition first and then commence an adjudicatory proceeding, if necessary.

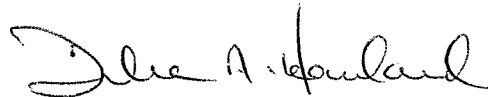
September 23, 2008

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As GSHA acknowledges in its July 22 motion, pursuant to RSA 362-F:11, certification of the classification of an existing or proposed generation facility shall be in a non-adjudicative process. Accordingly, before an adjudicative proceeding may commence and/or any motions to intervene, comments and other non-applicant filings will be considered, the Commission must issue a decision on an application. Therefore, the Commission finds GSHA's various motions and petition premature and/or moot, and therefore dismisses them, without prejudice.

A separate Secretarial Letter has been issued today addressing PSNH's application for a Class IV Renewable Energy Certificate for certain of its hydro facilities. To the extent your client is aggrieved by the Commission's action on PSNH's application, it should file an appropriate petition pursuant to Puc 2505.13.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with the first name "Debra" being more prominent.

Debra A. Howland
Executive Director

cc: PSNH
Robert R. Scott, DES
Representative Suzanne Harvey
Robert E. King, Ashuelot River

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Docket #: 08-053 Printed: September 26, 2008

FILING INSTRUCTIONS: PURSUANT TO N.H. ADMIN RULE PUC 203.02(a),
WITH THE EXCEPTION OF DISCOVERY, FILE 7 COPIES (INCLUDING COVER LETTER) TO:
DEBRA A HOWLAND
EXEC DIRECTOR & SECRETARY
NHPUC
21 SOUTH FRUIT STREET, SUITE 10
CONCORD NH 03301-2429

PURSUANT TO N.H. ADMIN RULE 203.09 (d), FILE DISCOVERY

DIRECTLY WITH THE FOLLOWING STAFF

RATHER THAN WITH THE EXECUTIVE DIRECTOR

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BULK MATERIALS:

Upon request, Staff may waive receipt of some of its multiple copies of bulk materials filed as data responses. Staff cannot waive other parties' right to receive bulk materials.

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