

THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION

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September 3, 2008

Debra A. Howland
Executive Director
N.H. Public Utilities Commission
21 South Fruit Street Suite 10
Concord, N.H. 03301

Re: Docket No. DE 08-077
Public Service Company of New Hampshire
Power Purchase Agreement with Lempster Wind, LLC
Report Following Technical Session re: Data Requests in Dispute



Dear Ms. Howland:

Pursuant to the Commission's direction in the August 29, 2008 Secretarial Letter issued in the above-captioned docket, Staff reports that Public Service Company of New Hampshire (PSNH) continues to object to the following data requests because PSNH believes the requests are not relevant to this proceeding and request competitively sensitive information. In turn, Constellation Energy Commodities Group, Inc (Constellation) requests that the Commission grant Constellation's pending Motion to Compel, filed with the Commission on August 5, 2008, with respect to the subject data requests. The data requests in dispute are as follows:

Set 1-1. Set forth all steps PSNH has taken to obtain renewable energy certificates (including the approximate date when such steps were taken) to meet the renewable energy portfolio standard requirements of RSA 362-F. If PSNH has issued any request for proposals or other solicitations to procure renewable energy certificates, please provide a copy of any documents concerning or reflecting such requests or solicitations.

Set 1-5. Please provide any projections in PSNH's possession or control regarding the price of New Hampshire renewable energy certificates during the period when the arrangement with Lempster project is in effect.

Set 1-13. How many renewable energy certificates are projected to be generated by PSNH's Schiller plant for 2008 and thereafter? How does that number compare to the

number of renewable energy certificates that PSNH expects to receive and the class of certifications pursuant to RSA 362-F?

Set 1-15. For any purchased power resources other than the Lempster project that PSNH has under agreement, please indicate whether PSNH anticipates being entitled to any New Hampshire renewable energy certificates associated with such resource. For each such resource please list the number of certificates that PSNH expects to receive and the class of certificates pursuant to RSA 362-F.

Set 1-24. Did PSNH consider conducting a request for proposals to obtain the renewable energy certificates it ultimately decided to purchase from the Lempster project? If so, please explain the reason for PSNH's decision to conduct or not conduct such a process and provide any documents that reflect PSNH's consideration of such a process.

Set 1-29. Please provide a detailed timeline setting forth the first contact with the Lempster project by PSNH concerning the potential purchase of renewable energy certificates, energy and/or capacity, the dates when any proposals were exchanged, the date when an agreement in principle was reached or letter of intent was executed, the date when draft agreements were exchanged and the date on which PSNH became obligated to purchase renewable energy certificates, energy and/or capacity from the Lempster project.

With respect to the remaining data requests referenced in the letter Constellation filed with the Commission today (September 3, 2008), PSNH has agreed to modify its responses. Please note, however, that if Constellation believes the modified responses are inadequate, it may assert that the remaining data requests should also be subject to its pending Motion to Compel.

Please contact me if you have any questions. I certify that a copy of this letter has been served electronically upon all parties to this docket.

Sincerely,

A handwritten signature in black ink, appearing to read 'Suzanne Amidon', written in a cursive style.

Suzanne Amidon
Staff Attorney

Service List