

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

RE: CONCORD STEAM CORPORATION

DOCKET NO. DG 10-__

PETITION FOR APPROVAL OF AMENDMENT TO
SPECIAL CONTRACT
WITH THE CONCORD FAMILY YMCA

Concord Steam Corporation ("Concord Steam" or the "Company") hereby petitions the New Hampshire Public Utilities Commission for authority, pursuant to RSA 378:18, to amend the terms of a special contract dated February 15, 2007 (the "Special Contract") between Concord Steam and The Concord Family YMCA, a non-profit organization providing services to the public in Concord, NH, (the "YMCA"). In support of this Petition, Concord Steam states as follows:

1. The Special Contract was approved by the Commission by Order No. 24,776 (the "Order"). The original Special Contract contained a provision in which the set annual usage would be renegotiated, subject to approval by the Commission, if the annual usage by the YMCA increased or decreased by more than 10 percent. *See* Section 1 of the Special Contract, which is attached to the Prefiled Testimony of Peter Bloomfield.

2. On or around March 22, 2010, the Company and the YMCA entered into a Special Contract Amendment Agreement (the "Amendment"), with its effectiveness contingent upon approval by the PUC. The Amendment is being submitted contemporaneously with this Petition and includes a Statement of Special Circumstances in accordance with N.H. Code of Admin. Rules Puc 1606.03(b).

3. As described in the prefiled testimony of Peter Bloomfield, which accompanies this Petition, the YMCA's annual steam usage has exceeded the contracted amount by more than 10% and as a result, the Company and YMCA have negotiated changes to the Special Contract's billing formula to account for this usage variation. As described in Mr. Bloomfield's testimony, the Amendment is in the public interest because it will allow the Company to retain Concord Steam as a customer which benefits all customers since the YMCA constitutes approximately 15% of the Company's summer load and about 3.5% of the Company's annual load. Further, under the Amendment, the Company will continue to serve the YMCA at a rate not below its marginal cost to serve the YMCA. *See* Bloomfield testimony, page 3.

4. As set forth in Amendment, the parties have agreed that the effective date of the agreement is retroactive to January 1, 2010, assuming Commission approval of the Amendment. The proposed rate is subject to recoupment or refund in the event that the Commission's approval for the Amendment is not obtained on or before November 10, 2010.

5. For the reasons set forth in this Petition and Mr. Bloomfield's testimony, Concord Steam avers that the Amendment is just and consistent with the public interest.

6. Concord Steam respectfully requests that the Commission approve the Amendment to the Special Contract.

WHEREFORE, Concord Steam respectfully requests that the Commission:

- A. Issue an Order *Nisi* approving the Amendment to the Special Contract; and
- B. Grant such other and further relief as may be just and reasonable.

Respectfully submitted,

CONCORD STEAM CORPORATION

By its Attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: April 27th, 2010

By: 

Sarah B. Knowlton

100 Market Street, P.O. Box 459

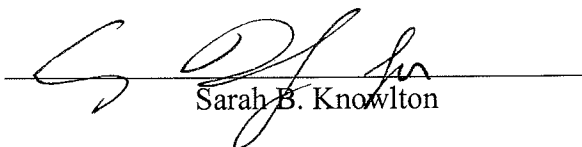
Portsmouth, New Hampshire 03802

Telephone (603) 334-6928

Email: sarah.knowlton@mclane.com

Certificate of Service

I hereby certify that a copy of the foregoing Petition has been forwarded this 27th day of April, 2010 to Meredith Hatfield, Consumer Advocate.


Sarah B. Knowlton