

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

DE 10-261

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
2010 LEAST COST INTEGRATED RESOURCE PLAN

PETITION FOR INTERVENTION OF THE NEW HAMPSHIRE SIERRA  
CLUB

New Hampshire Sierra Club [NHSC], pursuant to the Order of Notice issued by the Public Utilities Commission on November 3, 2010, respectfully petitions to intervene in the captioned case.

STANDING

NHSC, a duly organized Chapter of the Sierra Club, is a non-profit organization whose over 4000 volunteer members in New Hampshire are dedicated to securing a pollution free and healthy environment. The Sierra Club mission statement is: "To explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and, to use all lawful means to carry out these objectives."

The New Hampshire Sierra Club [NHSC] founded in 1992, is a proud Chapter of the Sierra Club, an organization of 1,300,000 members that has an over 100 year history of battling for a clean and healthy environment.

Each and every member and friend of NHSC is entitled to the protections and benefits of 41 USC § 7401 et seq. the Clean Air Act and RSA 125-O et seq. New Hampshire Multiple Pollutant Reduction Program, and have, and will in the future, suffer direct and actual adverse affects and injury from air pollution as defined in the Clean Air Act and the New Hampshire Multiple Pollutant Reduction Program.

The members and friends of the NHSC are as follows:

Jim Allmendinger 88 Province Rd Strafford, NH 03884, 603-224-7751;  
Mr David William Anderson, 111 Porpoise Way, Portsmouth, NH 03801, 603-617-0679;  
Marie Bergen, 5A Monroe St Concord, NH 03301, 603-315-4798;  
Catherine Corkery, 97 High St Concord, NH 03303, 603-224-8222;  
Gerald L Curran, 44 Buckridge Dr Amherst, NH 03031, 603-673-7996;  
Lori Demaine, 47 Sharon Rd Windham, NH 03087, 603-893-2647;  
Kurt Ehrenberg, 281 Wallis Rd Rye, NH 03870, 603-498-2275;

Barbara Ganley, 7 Riverwoods Dr Apt C109 Exeter, NH 03833, 603-778-8861;  
Kary Jencks, 3 Molly Stark Lane New Boston, NH 03070, 603-225-2925;  
Jim Powers 3 Curriers Cove Portsmouth, NH 03801, 603-436-7896;  
Cindy Reid, 27 Lovers Lane Rd Chichester, NH 03258, 603-798-3712;  
Sheharyar Shera, 5A Monroe St Concord, NH 03301, 413-358-5809; and  
Erika Thorsell, 9 Summer St Apt 5 Penacook, NH 03303, 603-393-5901.

Air pollution causes serious adverse health effects. The members and friends of NHSC have suffered or will suffer the adverse health effects of air pollution, a claim which meets the standing requirement articulated by the New Hampshire Supreme Court. Appeal of Richards, 134 N.H. 148, cert denied, 502 U.S.899 [1991]; In re Stonyfield Farm, Inc., 159 N.H. 227 [2009]; Appeal of Union Telephone, 160 N.H. 309 [2010]

The Sierra Club has many years of experience advocating for clean air in relevant venues; legislative, judicial, and administrative.

The Public Utilities Commission would benefit by NHSC intervention because of NHSC knowledge of the Clean Air Act and the New Hampshire Multiple Pollutant Control Program, including permitting responsibilities under the Clean Air Act and New Hampshire Multiple Pollutant Control Program law and regulatory programs, pending regulatory changes for green house gases, increasingly stringent ozone emission limits, regional haze emission limits, increasingly stringent toxic air pollutant limits and its environmental litigation enforcement experience, including pending administrative litigation before the New Hampshire Department of Environmental Services-Air Resources Council.<sup>1</sup> This NHSC experience is directly relevant to the Public Utility Commission examination of the PSNH 2010 Least Cost Integrated Resource Plan.

PSNH, at page 133 of its 2010 Least Cost Integrated Resource Plan, represented that more stringent pollution control regulation has caused upward pressure on electricity costs because of compliance obligations. NHSC intervention will assist the Public Utilities Commission in making the factual assessment of the PSNH representations regarding lowest reasonable cost while providing for the reliability and diversity of energy sources; the protection of the safety and health of the citizens; the physical environment of the state; the future supplies of nonrenewable resources; and consideration of the financial stability of the state's utilities as required by RSA 378:37.

NHSC intervention will not impair the interests of justice and the prompt conduct of the proceedings will not be impaired. On the contrary, justice will be served by

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<sup>1</sup> Dockets 09-10 ARC and 10-06 ARC.

the conduct of a full, open and transparent examination of the PSNH 2010 Least Cost Integrated Resource Plan as required by RSA 378:38.

Wherefore, NHSC requests that it be authorized to intervene in this docket, together with whatever other relief may be proper in the premises.

*Nov 12, 2010*

Respectfully submitted,



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No.18301

Certificate of Service

Petitioner served notice of the filing of this Petition pursuant to Puc 203.17.

Arthur B. Cunningham