

THE STATE OF NEW HAMPSHIRE  
before the  
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire  
Application for Certification of Class IV Small Hydroelectric Facilities.

Docket No. DE 08-053

PUBLIC SERVICE COMPANY'S RESPONSE TO  
GRANITE STATE HYDROPOWER ASSOCIATION'S PETITION TO COMMENCE  
ADJUDICATORY PROCEEDING OR, IN THE ALTERNATIVE, TO ACCEPT ITS  
MOTION TO INTERVENE AS A PETITION FOR DECLARATORY RULING

Public Service Company of New Hampshire ("PSNH" or "the Company") hereby responds to the Granite State Hydropower Association's Petition to Commence Adjudicatory Proceeding or, in the Alternative, to Accept Its Motion to Intervene as a Petition for Declaratory Ruling filed on July 18, 2008. PSNH believes the Petition is premature.

Applications for certification are to be addressed in a non-adjudicatory process. RSA 363-F:11, I. PSNH respectfully suggests that the Commission act on its application for certification of the small hydroelectric units, then open an adjudicatory process if necessary. Although it may seem likely that one or more parties may be unhappy with the Commission's decision on PSNH's application, the above-cited statute appears to require the Commission to act first before contested issues need to be addressed.

Respectfully submitted,

Public Service Company of New Hampshire

July 30 2008  
Date

By:

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CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached Response to Granite State Hydropower Association's Petition to Commence Adjudicatory Proceeding or, in the Alternative, to Accept Its Motion to Intervene as a Petition for Declaratory Ruling to be served pursuant to N.H. Code Admin. Rule Puc §203.11.

July 30 2008  
Date

Gerald M. Eaton  
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