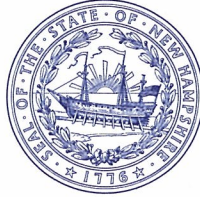


THE STATE OF NEW HAMPSHIRE

CHAIRMAN
Thomas B. Getz

COMMISSIONERS
Graham J. Morrison
Clifton C. Below

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland



PUBLIC UTILITIES COMMISSION

21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH
1-800-735-2964

Website:
www.puc.nh.gov

August 29, 2008

Re: DE 08-077, Public Service Company of New Hampshire
Petition for Approval of Power Purchase Agreement and Renewable
Energy Certificate with Lempster
Disposition of Pending Motions

To the Parties:

On August 5, 2008, Constellation Energy Commodities Group, Inc. (Constellation) filed a motion to compel Public Service Company of New Hampshire (PSNH) to respond to various data requests in the above referenced proceeding and, on August 12, 2008, it filed a motion to make Lempster Wind, LLC (Lempster) a mandatory party to this proceeding. On August 15, 2008, PSNH objected to Constellation's motions and moved to withdraw Constellation's grant of intervenor status.

In its August 12 motion, Constellation requests that Lempster be made a full party or, in the alternative, make representatives of Lempster available for discovery purposes noting that PSNH responded to data requests by stating that Lempster, not PSNH, possesses the requested information. Without this information, Constellation argues, the Commission will be unable to make the requisite public interest finding. In its response, PSNH, among other things, argues that Lempster's participation is not necessary for the Commission to fulfill its duties under RSA 362-F:9 and it further notes that Lempster is not a utility subject to the Commission's jurisdiction. In its August 15 filing, PSNH also requests that the Commission withdraw Constellation's intervenor status.

With respect to Constellation's motion to make Lempster a participant in this docket, the Commission denies all relief requested in the motion. Lempster's participation as a party to this docket is not necessary to the determination of whether the agreement between PSNH and Lempster is in the public interest. The burden of proving whether the agreement is in the public interest ultimately resides with PSNH.

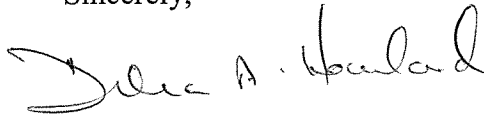
With respect to PSNH's motion to withdraw Constellation's intervenor status, the Commission also denies this relief. Constellation demonstrated that it has "rights, duties, privileges, immunities or other substantial interests" that may be affected by this proceeding and any change to its status is not warranted.

August 29, 2008

Page 2

Finally, with respect to Constellation's motion to compel PSNH to respond to data requests, inasmuch as the Commission has concluded that Lempster will not be a party to this docket, the parties should file an updated list of the data requests that are in dispute at the conclusion of the technical session scheduled for September 3, 2008.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland". The signature is written in dark ink and is positioned above the printed name.

Debra A. Howland
Executive Director

DANIEL W ALLEGRETTI
CONSTELLATION ENERGY COMMODIT
111 MARKET PLACE STE 500
BALTIMORE MD 21202

K NOLIN
PUBLIC SERVICE COMPANY OF NEW H
PO BOX 330
MANCHESTER NH 03105

THOMAS E BESSETTE
CONSTELLATION NEW ENERGY
800 BOYLSTON ST 28TH FLR
BOSTON MA 02199

JAMES T RODIER
ATTORNEY-AT-LAW
1500 A LAFAYETTE RD NO 112
PORTSMOUTH NH 03801-5918

STEVEN V CAMERINO
MCLANE LAW FIRM
11 SOUTH MAIN ST STE 500
CONCORD NH 03301

KEN E TRAUM
OFFICE OF CONSUMER ADVOCATE
21 SOUTH FRUIT ST STE 18
CONCORD NH 03301-2429

ALLEN DESBIENS
PUBLIC SERVICE COMPANY OF NEW H
780 N COMMERCIAL ST
PO BOX 330
MANCHESTER NH 03105-0330

GERALD M EATON
PUBLIC SERVICE COMPANY OF NEW H
780 N COMMERCIAL ST
PO BOX 330
MANCHESTER NH 03105-0330

SUSAN GEIGER
ORR & RENO PC
ONE EAGLE SQUARE
PO BOX 3550
CONCORD NH 03302-3550

MEREDITH A HATFIELD
OFFICE OF CONSUMER ADVOCATE
21 SOUTH FRUIT ST STE 18
CONCORD NH 03301

MICHAEL E KAUFMANN
CONSTELLATION ENERGY GROUP IN
111 MARKET PLACE STE 500
BALTIMORE MD 21202

Docket #: 08-077 Printed: August 29, 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

LIBRARIAN
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429

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.

SUZANNE AMIDON
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429

THOMAS FRANTZ
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429

AL-AZAD IQBAL
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429

STEVE MULLEN
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429

MAUREEN RENO
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429

AMANDA NOONAN
CONSUMER AFFAIRS DIRECTOR
NHPUC
21 SOUTH FRUIT ST, SUITE 10
CONCORD NH 03301-2429