

**THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

DE 08-120

PETITION OF WAL-MART, STORES EAST, L.P.  
TO INTERVENE

Pursuant to RSA 541-A:32 and PUC 203.17 of the Commission's Rules of Practice and Procedure, Wal-Mart, Stores East, L.P. ("Wal-Mart") hereby petitions to intervene in the above-captioned matter. In support of this petition, Wal-Mart states as follows:

1. On October 7, 2008, Granite State Electric d/b/a National Grid, New Hampshire Electric Cooperative, Inc., Public Service Company of New Hampshire and Unitil Energy Systems, Inc. (collectively "Utilities") filed a joint proposal for "CORE" energy efficiency programs ("CORE Programs") to be made available in 2009. *See* Order of Notice at 1.

2. Among other matters, the October 7 filing contains a proposal for the treatment of forward capacity payments made by the Independent System Operator, New England ("ISO-NE") for the demand reductions associated with the CORE Programs. The Utilities also state that the Commission may have access to additional funding to support expanded CORE Programs through the Greenhouse Gas Emissions Reduction Fund ("GGERF") and Renewable Energy Portfolios Standard Law. Order of Notice at 1.

3. Thus, among other issues, the October 7 filing raises issues related to the reasonableness of the proposed allocation of the forward capacity payments and whether the Commission should allocate monies from the GGERF to expand the CORE Programs.

4. Wal-Mart also has participated in the CORE Programs through PSNH's New Equipment and Construction Program.

5. Last year, the Commission granted Wal-Mart's Petition to Intervene in DE 07-106, the Commission's review of the Utilities' 2008 CORE Programs. Wal-Mart actively participated in that docket and continued to be an active participant in the quarterly meetings conducted throughout this past year; meetings designed to address CORE Programs-related issues.

6. Wal-Mart continues to explore its options with respect to its participation in the ISO-NE transition and forward capacity markets.

7. As a major commercial ratepayer of the electric distribution companies in New Hampshire with a total of 32 facilities, who consumes approximately 99 million kWh a year in New Hampshire, an innovator in the development and use of conservation and renewable technologies and participant in several demand response programs across the country and a participant in the ISO-NE forward capacity and transition markets, Wal-Mart is directly and specifically affected by the implementation of the CORE Programs. Wal-Mart's interest cannot be adequately represented by any other participant in this proceeding.

8. Wal-Mart has acquired substantial experience through its activities and participation in similar proceedings in other states and as a result, has developed unique insights into the issues in this proceeding. Wal-Mart is currently participating in similar energy efficiency proceedings in Massachusetts. In addition to the 2008 CORE proceeding, Wal-Mart has participated in this Commission's investigations into Energy Policy Act Standards, Docket No. DE 06-061 and Energy Efficiency Rate Mechanisms, Docket No. DE 07-064.

9. Wal-Mart's request to intervene is timely and the granting of Wal-Mart's petition will not result in any undue delays or otherwise impair the orderly and prompt conduct of the

proceeding. The interest of justice will be promoted by allowing the intervention of Wal-Mart in this proceeding.

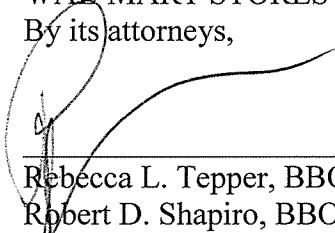
10. The following persons should be included on the service list in this proceeding and all communications concerning this matter should be addressed to:

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Wherefore, Wal-Mart respectfully requests that its petition to intervene be granted with full rights as a party.

Respectfully submitted,  
WAL-MART STORES EAST, L.P.  
By its attorneys,



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Dated: October 20, 2008

**CERTIFICATE OF SERVICE**

I certify that on this date a copy of this Petition was sent via over-night mail to the Commission, filed with the Commission electronically and copies were sent electronically to the service list.



Rebecca L. Tepper