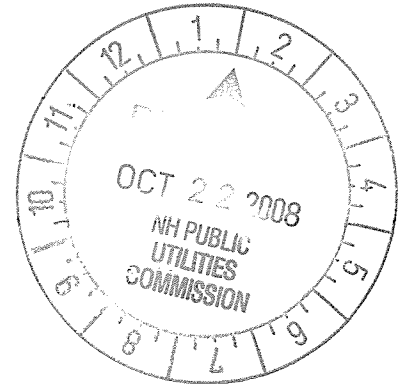


Judith A. Fairclough
(Of Counsel)
Maureen D. Smith
(Of Counsel)

October 21, 2008



William L. Chapman
George W. Roussos
Howard M. Moffett
James E. Morris
John A. Malmberg
Martha Van Oot
Douglas L. Patch
James P. Bassett
Emily Gray Rice
Steven L. Winer
Peter F. Burger
Lisa Snow Wade
Susan S. Geiger
Richard Y. Uchida
Jennifer A. Eber
Jeffrey C. Spear
Connie Boyles Lane
Todd C. Fahey
Vera B. Buck
James F. Laboe
Robert S. Carey
John M. Zaremba
Courtney Curran Vore
Justin M. Boothby
Heidi S. Cole
Jeremy D. Eggleton
Rachel A. Goldwasser

Ms. Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: DE 08-123 and DE 08-124
FPL Energy Maine Hydro LLC Class IV REC Applications for
Its North Gorham and Bar Mills Hydro Projects**

Dear Ms. Howland:

We write on behalf of the Granite State Hydropower Association (“GSHA”), in opposition to the above-referenced applications.

On September 25, 2008, FPL Energy Maine Hydro LLC (“FPL”) filed applications with the Commission for Class IV REC certifications for two FPL hydro projects, the North Gorham Project on the Presumpscot River in Gorham, Maine, and the Bar Mills Project on the Saco River in Buxton, Maine.

FPL’s North Gorham application represents that downstream fish passage facilities were installed in 1995, but that “upstream passage is not currently required of the project.” The Bar Mills application notes that downstream anadromous fish passage facilities were installed in 2000, but that under the project’s August 26, 2008 FERC license, downstream eel passage facilities are not required until 2026 and “upstream passage is not required until 2014 and 2016 for eel and anadromous fish.” Thus the North Gorham project appears to have downstream anadromous fish passage facilities required by FERC, but neither has upstream fish passage facilities installed in accordance with FERC requirements.

As GSHA has argued in a series of filings with the commission in DE 08-053 (PSNH Class IV REC Applications), GSHA believes that in order to qualify for Class IV REC eligibility under RSA 362-F:4, IV, an existing hydro project, among other requirements, must have been required by FERC to install both

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upstream and downstream fish passage facilities and must have actually installed such facilities – both upstream and downstream. Any other interpretation of RSA 362-F:4, IV would be inconsistent with the legislative intent and would flood the market for Class IV REC's, as the instant FPL applications suggest. See GSHA's May 6, 2008 Motion to Intervene, its July 21, 2008 Petition to Commence Adjudicative Proceeding, and its October 3, 2008 Petition for Adjudicative Proceeding, Motion for Rehearing, and Motion to Suspend Decision, all filed in DE 08-053 and all incorporated by reference here.

Accordingly, and for the reasons related to fish passage stated in its filings in DE 08-053, GSHA objects to the granting of Class IV certification to FPL's North Gorham and Bar Mills projects, and asks the Commission not to act on FPL's applications until a final, unappealable decision on the fish passage question has been issued in DE 08-053.

Respectfully,



Howard M. Moffett

HMM:kjc

cc: Nate Stevens, FPL Energy Maine Hydro LLC
Richard Norman, GSHA