

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

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
PETITION FOR PERMANENT RATE INCREASE**

DOCKET NO. DE 09-035

CONSERVATION LAW FOUNDATION'S PETITION TO INTERVENE

Pursuant to the Order issued on July 30, 2009, by the New Hampshire Public Utilities Commission ("Commission") in the above-captioned docket, N.H. Admin. Rules Puc 203.17, and in accordance with the standards of RSA 541-A:32, the Conservation Law Foundation ("CLF") hereby petitions for leave to intervene in this proceeding. In support of its petition, CLF states the following:

1. CLF is a private, non-profit environmental membership organization dedicated to the protection and responsible use of New England's natural resources, including resources affected by the generation, transmission and distribution of electric power. CLF represents the interests of its members in ensuring that environmental impacts resulting from electric utility operation in New Hampshire and the region are minimized. To that end, CLF is an active proponent of measures to promote energy efficiency.

2. CLF has over 3,300 members, including more than 350 members residing in New Hampshire. CLF has 119 members who reside in forty-one towns where PSNH is the only service provider.¹ CLF and CLF's New Hampshire members may be directly

¹ CLF derived this total based on the PSNH service territory map available at <http://www.psnh.com/SharePDFs/PSNHServiceTerritory.pdf>. The thirty-eight towns are: Amherst, Antrim, Barrington, Bedford, Bennington, Brookline, Dover, Dublin, Durham, Fitzwilliam, Gilsum, Goffstown, Greenfield, Greenland, Hancock, Hollis, Hooksett, Jaffrey, Keene, Marlborough, Merrimack, Mont Vernon, Nashua, New Ipswich, New London, Newington, Newmarket, North Hampton,

and substantially affected by this proceeding. Intervention will allow CLF to protect its members' substantial interests in promoting energy efficiency and thereby reducing the environmental and health impacts of electricity generation. CLF's primary interest is to protect the environment, promote energy efficiency, and ensure regulated activities are consistent with the State's energy policy as set forth at RSA 378:37; as well, CLF and its members have an economic interest in ensuring that rate structures promote energy efficiency. See Commission Docket No. DE 07-064, Energy Efficiency Rate Mechanisms, Order Resolving Investigation (Order No. 24,934) (January 16, 2009).

3. In this docket, Public Service Company of New Hampshire (PSNH) seeks authority for a permanent distribution rate increase of \$51 million or 4.2%, annually. See Commission Docket No. DE 09-035, Public Service Company of New Hampshire Petition for Permanent Rate Increase, Order Suspending Tariffs and Scheduling Prehearing Conference (Order No. 24,994) (July 30, 2009) at 1. PSNH has also proposed an increased return on equity of 10.5% to help it increase its permanent distribution revenues. Id. Additionally, PSNH proposes to modify its Reliability Enhancement Program, proposes a mechanism for adjusting rates on an annual basis, and seeks to alter its rate design by increasing customer charges and demand charges while decreasing the energy charge. Id. at 2. PSNH contends that the rate increase and changes in rate design are needed to address financial challenges, including attrition, the need to replace or upgrade infrastructure, and the need to recover the costs of responding to the December

Peterborough, Portsmouth, Rochester, Rollinsford, Sharon, Stoddard, Sullivan, Swanzy, Troy, Warner, Wentworth, Westmoreland, and Winchester. The total includes only those CLF members residing in New Hampshire towns that are fully covered by PSNH service; the actual total number of CLF members that are PSNH customers is therefore likely higher. For example, seven CLF members reside in the nearly fully PSNH-served town of Hopkinton; since it could not easily be determined whether those members are PSNH customers, they have been excluded from the total.

2008 ice storm. Id. at 1. The Commission must make several determinations relating to whether the proposed permanent rates and proposed measures for addressing financial challenges are lawful and fair. Id. at 1-2. Given the environmental implications of a rate increase and changes in rate design, this proceeding presents an important opportunity for CLF to provide input regarding these matters and how they affect the interests of CLF and its members.

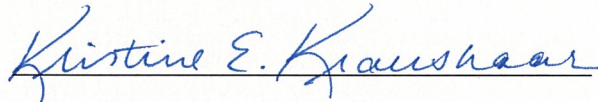
4. CLF's experience with energy efficiency policies and programs includes over twenty years of extensive collaborative work and participation in numerous utility commission dockets throughout New England. CLF's institutional expertise in these matters will inform its participation and benefit the investigation.

WHEREFORE, CLF respectfully requests that it be granted full intervenor status in this proceeding.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

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Dated: August 7, 2009

CERTIFICATE OF SERVICE

I certify that on this 7th day of August, 2009, a copy of Conservation Law Foundation's Petition to Intervene was served by electronic and First Class Mail on

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