



**Public Service
of New Hampshire**

DE09-174

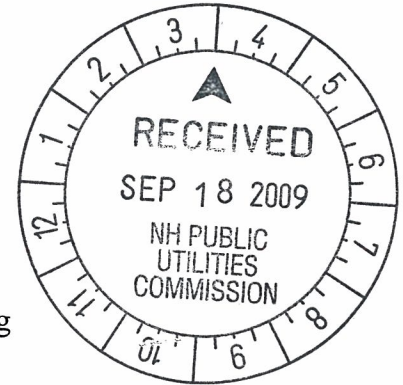
PSNH Energy Park
780 North Commercial Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000
www.psnh.com

The Northeast Utilities System

September 18, 2009

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



Re: Petition for Declaratory Ruling Re: Penacook Lower Falls Pricing
Docket No. DE 09-XXX

Dear Secretary Howland:

Enclosed please find the original and six copies of Public Service Company of New Hampshire's (PSNH) Petition for Declaratory Ruling Re: Penacook Lower Falls Pricing (Petition). PSNH and Briar Hydro Associates disagree over the price that should be paid for power under the terms of the thirty year contract between New Hampshire Hydro Associates and PSNH. The Petition is verified by the Affidavit of Richard C. Labrecque. This dispute is separate and unrelated to the dispute adjudicated in Docket DE 07-045 which is currently before the New Hampshire Supreme Court (N.H. Sup. Ct. Docket No. 2009-0359).

Copies were provided to the persons on the attached Service List pursuant to the Commission's Rules Puc §§ 203.02 and 203.11 (a).

Very truly yours,

Gerald M. Eaton
Senior Counsel

Enclosures

cc: Service List

Service List
Docket DE 09-XXX

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

Atty. F. Anne Ross
General Counsel
State of New Hampshire
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

** Legal Department
State of New Hampshire
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

Mr. Steve Mullen
Assistant Director - Electric Division
State of New Hampshire
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

Ms. Amanda Noonan
Consumer Affairs Director
State of New Hampshire
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

Ms. Meredith A. Hatfield
Consumer Advocate
Office of Consumer Advocate
21 S. Fruit Street, Suite 18
Concord, NH 03301-2429

Atty. Robert A. Bersak
Assistant General Counsel
Public Service of New Hampshire
780 N. Commercial Street
Manchester, NH 03101

Mr. Allen M. Desbiens
Senior Analyst
Public Service of New Hampshire
780 N. Commercial Street
Manchester, NH 03101

Atty. Gerald M. Eaton
Senior Counsel
Public Service of New Hampshire
780 No. Commercial Street
Manchester, NH 03101

Mrs. Susan Geiger
Orr & Reno PC
One Eagle Square, PO Box 3550
Concord, NH 03302-3550

Mr. Stephen R. Hall
Manager
Public Service of New Hampshire
780 N. Commercial Street
Manchester, NH 03101

Atty. Howard M. Moffett
Orr & Reno
1 Eagle Square
P. O. Box 3550
Concord, NH 03302-3550

Ms. K'LaRae Nolin
Admin Support
Public Service of New Hampshire
780 N. Commercial Street
Manchester, NH 03101

Mr. Richard Norman
Essex Hydro Association
One State St., Suite 1200
Boston, MA 02109

Mr. Richard C. Labrecque
Mgr., Supp Energy Sources
Public Service of New Hampshire
780 N. Commercial Street
Manchester, NH 03101