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November 22, 2010

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Re: DE 10-195 PSNH Purchase Power Agreement between
Public Service Company of New Hampshire and Laidlaw Berlin BioPower, LLC
November 19, 2010 Discovery Conference

Dear Ms. Howland:

This letter will serve as a report of the agreements reached at the discovery conference in this docket held on November 19, 2010. Prior to the discovery conference there were pending motions to compel PSNH responses to 7 data requests from Concord Steam and motions to compel PSNH responses to 76 data requests from the Wood Fired IPPs. PSNH has timely objected to all of these motions to compel. At the conclusion of the discovery conference Concord Steam's motions on all 7 data responses were resolved. Of the Wood IPP's motions on 76 data responses 41 were resolved and 35 require Commission decision. The 35 remaining disputed IPP data requests are listed below. Two of Concord Steam's requests were resolved through compromise as follows.

CS 1-5 asked about PSNH studies on wood costs at Schiller. Concord Steam has agreed to limit the request to studies conducted from 2008 to present and PSNH has agreed to make such studies available to counsel and experts only for both Concord Steam and the Wood IPPs under a confidentiality agreement with the information to be withheld from Concord Steam, the Wood IPPs and other competitors.

CS 1-9 asked that PSNH provide any and all documents supporting its position in this docket. Concord Steam agreed to withdraw the request and instead rely upon an agreement to mark all exhibits to be used at hearing in this docket one week before hearing.

Wood IPP's Data Requests – PSNH Objections based upon Confidentiality

PSNH motion for confidential treatment filed Nov. 19, 2010. Concord Steam and Wood IPPs objections to PSNH motion to be filed shortly.

Staff 1-17 (included in IPP 2-7 b and c)

Staff 1-18 (included in IPP 2-39)

Staff 5-4 (PSNH will provide Schiller mo. aggregated REC sales in and out of NH)

Staff 5-6

IPP 2-10 (IPPs agreed to limit to contracts entered into 2008-2010)

Wood IPP Data Requests – PSNH Objections based on relevance (questions deal with negotiations between PSNH and Laidlaw leading to the PPA)

IPP 2-2

IPP 2-3 (IPPs assert this question seeks more than negotiation documents)

IPP 2-4 (IPPs assert this question seeks more than negotiation documents)

IPP 2-5

IPP 2-6g

IPP 2-6h

IPP 2-53

IPP 2-54

IPP 5-14

Wood IPP Data Requests – PSNH Objections based on requests for legal opinion

IPP 2-11

IPP 3-1 (same as IPP 5-1)

IPP 3-2 (same as IPP 5-2)

IPP 3-3 (same as IPP 5-3)

IPP 3-5 (same as IPP 5-5)

IPP 3-6 (same as IPP 5-6)

IPP 3-7 (same as IPP 5-7)

IPP 3-8 (same as IPP 5-8)

IPP 3-13 (same as IPP 5-9)

IPP 3-14a

Wood IPP Data Requests – PSNH Objections based on relevance or overly broad and burdensome

IPP 2-6e

IPP 2-9

IPP 2-15

IPP 2-71 b and c

IPP 2-10 (IPPs agreed to time limit from 2008 to present)

IPP 5-28

Wood IPP Data Requests – Motions claim answers not complete

IPP 2-46 (IPPs agree to limit question to Class I RECs)

IPP 2-48

IPP 2-49

IPP 2-50

IPP 2-58

Scope of Discovery

The parties agreed that the scope of discovery will be limited to: (1) responses released by PSNH as a result of the Commission's Order No. 25,168 on rehearing; (2) questions withdrawn to be restated as part of the November 19th discovery conference; and (3) PSNH responses to questions resulting from the upcoming Commission order on motions to compel.

Very truly yours,



F. Anne Ross, Esq.
General Counsel