



For a thriving New England

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June 24, 2011

Debra Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301-7319



RE: DE 10-261 PSNH
2010 LCIRP, Reservation of Rights for DR CLF-02

Dear Ms. Howland:

We write to update the Commission regarding the discovery issue in the above-captioned proceeding which Conservation Law Foundation (CLF) and the Public Service Company of New Hampshire (PSNH) addressed in CLF's letter dated June 15, 2011 (attached) regarding PSNH's response to data request CLF-02.

CLF and PSNH are continuing to work together to reach agreement on mutually acceptable language for a Nondisclosure agreement as requested by PSNH as a prerequisite to providing responsive information, most recently exchanging drafts and extensively discussing while together at the Technical Conference conducted on June 22, 2011. PSNH continues to express its intent to provide responsive information for said data requests upon execution by PSNH and CLF of a Nondisclosure Agreement. [As requested by PSNH, at the Technical Conference CLF returned all documents under a previous Confidentiality Agreement between said parties in DE10-121.] In the event that the CLF and PSNH are unable to reach an agreement on confidential treatment or the response filed under the confidentiality agreement is insufficient, CLF hereby reserves its right to file a motion to compel in this proceeding.

Thank you for your assistance, and please do not hesitate to contact me if you require additional information.

Sincerely,

N. Jonathan Peress
Conservation Law Foundation

cc: Service List (via email)

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Debra Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301-7319

RE: DE 10-261 PSNH
2010 LCIRP, Reservation of Rights for DR CLF-02

Dear Ms. Howland:

I write to inform the Commission of a discovery issue in the above-captioned proceeding which Conservation Law Foundation (CLF) and the Public Service Company of New Hampshire (PSNH) are working in good faith to resolve.

PSNH's response to data request CLF-02 was due on May 20, 2011. PSNH's initial response, however, was not provided until June 1, 2011. PSNH has indicated that it will provide certain responsive information for said data requests upon execution by PSNH and CLF of a Nondisclosure Agreement and return of all documents under a previous Confidentiality Agreement between said parties. The parties are working on mutually acceptable language for a Nondisclosure Agreement and are hopeful that it will not be necessary for the CLF to file a motion to compel. However, in the event that the CLF and PSNH are unable to reach an agreement on confidential treatment or the response filed under the confidentiality agreement is insufficient, CLF hereby reserves its right to file a motion to compel within fifteen business days after June 1, 2011 (i.e., June 22, 2011). Counsel for PSNH has assented to the foregoing extension of time for a motion to compel, if necessary.

Thank you for your assistance, and please do not hesitate to contact me if you require additional information.

Sincerely,

N. Jonathan Peress
Conservation Law Foundation

cc: Service list (via email)