

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

Docket No. DE 14-120

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Reconciliation of 2013 Energy Service and Stranded Costs

**PETITION TO INTERVENE
OF CONSERVATION LAW FOUNDATION**

Pursuant to the Commission's Order of Notice dated May 21, 2014, 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 the above-captioned docket. 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 has over 4,100 members, including approximately 500 members residing in New Hampshire, some of whom are Public Service Company of New Hampshire ("PSNH") customers on default energy service.
2. Consistent with its mission to promote thriving, resilient communities, CLF is dedicated to advancing solutions that strengthen New England's – and New Hampshire's – economic vitality. In this regard, CLF represents the interests of its members in avoiding adverse economic impacts associated with continued use and reliance on uneconomic, environmentally unsustainable electricity generation such as coal-fired generation at PSNH's Merrimack and Schiller Stations. In order to achieve its organizational objectives, CLF's focus includes advocacy regarding the design and operation of the region's energy markets, including those regulated by state Public Utility Commissions, such as the retail market in New Hampshire in

which PSNH participates, and the wholesale electricity market in New England, as regulated by the Federal Energy Regulatory Commission. In this regard, CLF has been a voting member and participant in the New England Power Pool (“NEPOOL”) since 2004 because we believe that vibrant competitive energy markets facilitate competition and innovation that attenuates environmental impacts.

3. As set forth in the Order of Notice, this proceeding addresses, *inter alia*, issues related to the prudence of PSNH’s use of its generation resources and its market purchases during 2013, and the prudence and reasonableness of PSNH’s incurred capital costs at its generation resources in 2013.

4. The decisions made by PSNH in serving its default energy service customers, including addressing the foregoing matters related to generating and supplying energy, dictate the costs of PSNH’s energy service, the extent that PSNH’s generating resources operate, the resulting environmental impacts, and the energy service rates of customers of PSNH, including CLF members.

5. CLF and CLF’s New Hampshire members have a direct and substantial interest in the outcome of this proceeding. Intervention will allow CLF to protect the interests of CLF’s New Hampshire members who are PSNH default energy service customers and pay bills determined using the rates resulting from Commission decisions in this proceeding, including Commission decisions regarding the prudence of costs incurred by PSNH for its self-owned generating assets. Moreover, PSNH’s operation of its fossil fuel power plants and the resulting costs implicate the direct and substantial environmental and public health interests of CLF and its members, including those exposed to harmful and toxic air pollution from PSNH plants.

6. In this docket, the Commission must determine whether PSNH's decisions in 2013 met the statutory standards of prudence and reasonableness and whether the resulting rates are just and reasonable. These issues raise important economic and environmental concerns which, as set forth above, affect the rights, duties, and privileges of CLF and its members.

7. CLF appreciates the scope of the Commission's proceedings regarding PSNH's default energy service rates and that the Commission "does not review or enforce environmental laws that should be properly reviewed by the New Hampshire Department of Environmental Services, the U.S. Environmental Protection Agency, or the courts." *See* Order No. 25,540, Docket No. DE 13-108, at 5. Consistent with the Commission's directives, CLF's participation in recent default energy service dockets has appropriately focused on the economic merits of PSNH's decisions and investments as they relate to the applicable standards of New Hampshire public utilities law.

8. CLF's policy and program experience includes over twenty years of extensive collaborative work and participation in numerous utility commission dockets throughout New England, including DR 97-211, DE 01-057, DE 07-064, DE 08-103, DE 08-145, DE 09-033, DE 10-160; DE 10-188; DE 11-215; DE 11-250; DE 13-108; and DE 13-275 in New Hampshire. CLF's institutional expertise in these matters and its deep experience with state retail electric markets and the regional wholesale electric market, as well as with environmental compliance measures at energy facilities, will inform its participation and benefit the Commission's consideration of PSNH's filing. Allowing CLF to intervene will not impair the orderly and prompt conduct of the proceedings.

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

Respectfully submitted,

CONSERVATION LAW FOUNDATION



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing petition has on this 3rd day of June been sent by email to the service list in Docket No. DE 14-120 and by first-class mail to PSNH and the Office of Consumer Advocate.



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