

STATE OF NEW HAMPSHIRE

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September 27, 2022

Daniel C. Goldner, Chairman  
New Hampshire Public Utilities Commission  
21 South Fruit Street  
Concord, NH 03301

Re: DE 19-142; Public Service Company of New Hampshire d/b/a Eversource Energy;  
Rate Recovery re Power Purchase Agreement with Berlin Station, LLC

Re: DE 22-050; Public Service Company of New Hampshire d/b/a Eversource Energy;  
Petition for Consideration of Second Amendment to Power Purchase Agreement with  
Berlin Station, LLC

Department of Energy Comments in Support of Approval of Second Amendment  
to Power Purchase Agreement between Public Service Company of New  
Hampshire d/b/a Eversource Energy and Berlin Station LLC

Dear Chairman Goldner:

On September 14, 2022, the Public Utilities Commission (Commission) issued a Procedural Order requesting the Department of Energy (Department) to file its recommendation and supporting evidence regarding Eversource's petition for approval of the Second Amendment to the Power Purchase Agreement which is the subject of this docket. This letter represents the Department's recommendation with respect to such approval.

The Department notes that, in paragraph 15 of its petition, Eversource states that "the Department of Energy does not object to the Second Amendment, and assents to the recommendation of approval via order *nisi*." Prior to filing its petition, Eversource contacted the Department to confirm that paragraph 15 was an accurate representation of the Department's position concerning the Second Amendment, and the Department confirmed to Eversource that it was.

The reason the Department agrees with paragraph 15 is that the Second Amendment accomplishes what is required under 2022 N.H. Laws 275:1 (commonly known as SB 271). Specifically, SB 271 requires the Commission to amend its prior orders to the extent required to suspend operation of the cap on the cumulative reduction factor for one additional year. The Second Amendment (at paragraph 2(a)) is the

contractual mechanism by which that further one-year suspension of the cap is accomplished. Therefore, the Department supports approval of the Second Amendment. There is no additional evidence to provide for the Department's position of support.

Consistent with the Commission's current policy, this letter is being filed only in electronic form.

Sincerely,

*/s/ Paul B. Dexter*

Paul B. Dexter  
Staff Attorney/Hearings Examiner

cc: Service Lists