

12/03/04

THE STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

DE 04-072

ORDER OF NOTICE

On April 30, 2004, Public Service Company of New Hampshire (PSNH) filed with the New Hampshire Public Utilities Commission (Commission) an integrated least cost transmission plan. PSNH submitted this plan pursuant to RSA 378:38, which requires that each electric utility file an integrated least cost resource plan at least biennially. In addition, pursuant to RSA 378:38-a, PSNH seeks a waiver “with respect to a least cost plan for generation purposes.”

RSA 378:38 provides that each such plan shall include, but not be limited to: a forecast of future electrical demand for the utility’s service area; an assessment of demand-side energy management programs, including conservation, efficiency improvement and load management programs; an assessment of supply options; an assessment of transmission requirements; provision for diversity of supply sources; integration of demand-side and supply-side options; an assessment of plan integration and impact on state compliance with the Clean Air Act Amendments of 1990; an assessment of plan integration and impact on state compliance with the National Energy Policy Act of 1992; and an assessment of the plan’s long- and short-term environmental, economic and energy price and supply impact on the state.

In support of its request for a waiver regarding generation, PSNH contends that its future as a generation provider is uncertain in light of RSA 369-B:3-a, which prohibits the sale of its fossil and hydro assets before April 30, 2006. PSNH argues that it would not be consistent

with the concept of administrative economy to expend substantial resources on generation issues at this time inasmuch as there may be a separate investigation at a later date concerning whether it should retain or divest its fossil and hydro assets.

This filing raises, inter alia, issues related to whether a waiver should be granted pursuant to RSA 378:38 and, if so, with respect to transmission and distribution, whether PSNH's planning process is adequate.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Admin. Rules Puc 203.05, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire on January 5, 2005 at 10:00 a.m., at which any one or more of the issues set forth in N.H. Admin Rule Puc 203.05(c) shall be considered; and it is

FURTHER ORDERED, that the Commission will hear argument as to whether it is appropriate to grant a waiver pursuant to RSA 378:38-a; and it is

FURTHER ORDERED, that, immediately following the Prehearing Conference, PSNH, the Staff of the Commission and any Intervenors hold a Technical Session to review the petition and allow PSNH to provide any amendments or updates to its filing; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.01, PSNH shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than December 15, 2004, in a newspaper with statewide circulation or of general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before January 5, 2005; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission an original and eight copies of a Petition to Intervene with copies sent to PSNH and the Office of the Consumer Advocate on or before December 31, 2004, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding, as required by N.H. Admin. Rule Puc 203.02 and RSA 541-A:32,I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before January 5, 2005.

By order of the Public Utilities Commission of New Hampshire this third day of December, 2004.

Debra A. Howland
Executive Director & Secretary

Any individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the American with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Preferably, notification of the need for assistance should be made one week before the scheduled event.