



February 15, 2010

Mr. Thomas S. Burack, Chairman
New Hampshire Site Evaluation Committee
c/o New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

RE: Application of Laidlaw Berlin BioPower LLC; Docket 2009-02
Filing of Petition to Intervene by Wagner Forest Management, Ltd.

Dear Chairman Burack:

Pursuant to provisions of the SEC's administrative rules, section Site 202.11, and RSA 541-A:32 Wagner Forest Management, Ltd. (WFM) hereby petitions to intervene in the docket referenced above. Section 202.11 (b) states, "The presiding officer shall grant a petition to intervene if...The petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding...." RSA 541-A:32 contains almost identical language. For the reasons outlined below, we believe Wagner Forest Management, Ltd. is entitled to intervene in this matter.

Wagner Forest Management, Ltd. is based in Lyme, NH. We have been in business since 1955 providing timberland investment management services to clients. We manage over 2.7 million acres of timberland in the US and Canada. We currently manage 692,000 acres of timberland within a 100 mile radius of the project site and are a major supplier of forest products to all the local wood users. The location and scale of the Laidlaw project will have a profound effect on local wood markets which we currently serve and put a significant increased demand on the logging infrastructure that we use to harvest the timber on our adjoining land. We are not pre-judging whether this is beneficial or detrimental but it clearly will change the dynamics of the local wood using community in which we play a significant role.

In addition, Wagner has an industrial wind farm in the early stages of development in northern Coos County. The project we call North Country Wind filed with ISO-New England for a 180 MW queue position for transmission capacity on the Coos Loop (Queue #280). This is the same transmission system that Laidlaw will be using. It is well known that transmission space on this loop is finite and insufficient to handle all the projected demands from new planned generation. Therefore, Wagner has a direct interest in knowing how Laidlaw will be approaching the transmission part of their project.

In summary, we feel Wagner should be granted full intervener status because as the largest private timberland owner in the immediate vicinity of the project, the increased demand on the local wood resource will have a direct impact on the local wood markets we currently serve and the logging force we employ. Also, as a developer of a large industrial wind project in northern Coos County, this project may have an impact on our ability to find a transmission solution for our wind project.

We appreciate the Site Evaluation Committee's consideration of our request for intervention. We intend on being present for the March 11, 2010 Pre-Hearing Conference. Please let me know if you need anything further from us.

Sincerely,

A handwritten signature in black ink that reads "Tom Colgan". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Colgan
President and CEO

cc. Attorney Barry Needleman, Counsel to Laidlaw
NH Attorney General Michael A. Delaney
Attorney Michael J. Iacopino
Service List in SEC Docket No. 2009-02