



PETER D. VAN OOT  
pvanoot@drm.com

May 4, 2010

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, New Hampshire 03302-0095

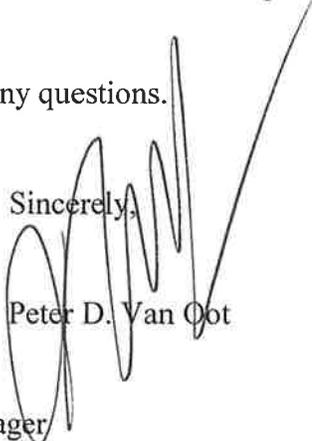
Re: Laidlaw Berlin BioPower, LLC  
Docket No. 2009-02

Dear Chairman Burack:

Enclosed is my Notice of Appearance, which is being substituted for that of N. Jonathan Peress. Copies have been served by e-mail and U.S. Mail on all parties on the attached Service List.

Please contact me should you have any questions.

Sincerely,

  
Peter D. Van Oot

Enclosures

cc: Patrick MacQueen, Berlin City Manager  
Service List

3633039.1

## SERVICE LIST

Docket No. 2009-02

Application of Laidlaw Berlin Biopower, LLC

### Sub-Committee Members

Thomas Burack, Chairman Site Evaluation Committee Department of Environmental Services 29 Hazen Dr., Box 95 Concord, NH 03302-0095 <a href="mailto:Thomas.Burack@des.nh.gov">Thomas.Burack@des.nh.gov</a>	Christopher Northrop, designee NH Office of Energy and Planning 4 Chenell Drive Concord, NH 03301 <a href="mailto:chris.northrop@nh.gov">chris.northrop@nh.gov</a>
Harry T. Stewart, Director – Water Division Department of Environmental Services 29 Hazen Drive, Box 95 Concord, NH 03302-0095 <a href="mailto:Harry.Stewart@des.nh.gov">Harry.Stewart@des.nh.gov</a>	Craig Wright, designee Air Resources Division Department of Environmental Services 29 Hazen Drive, Box 95 Concord, NH 03302-0095 <a href="mailto:Craig.Wright@des.nh.gov">Craig.Wright@des.nh.gov</a>
Donald M. Kent, Administrator NH Natural Heritage bureau 172 Pembroke Road, Box 1856 Concord, NH 03302-1856 <a href="mailto:DONALD.M.KENT@DRED.STATE.NH.US">DONALD.M.KENT@DRED.STATE.NH.US</a>	William Janelle, Assistant Director Project Development Department of Transportation PO Box 483 Concord, NH 03302-0483 <a href="mailto:BJANELLE@DOT.STATE.NH.US">BJANELLE@DOT.STATE.NH.US</a>
Amy Ignatius, Commissioner NH Public Utilities Commission 21 South Fruit St., Suite 10 Concord, NH 03301 <a href="mailto:Amy.Ignatius@puc.nh.gov">Amy.Ignatius@puc.nh.gov</a>	Michael Harrington, Staff Engineer NH Public Utilities Commission 21 South Fruit St., Suite 10 Concord, NH 03301 <a href="mailto:michael.harrington@puc.nh.gov">michael.harrington@puc.nh.gov</a>
Elizabeth H. Muzzey, Director NH Division of Historical Resources 19 Pillsbury St., 2 <sup>nd</sup> Floor Concord, NH 03301-3570 <a href="mailto:elizabeth.muzzey@dcr.nh.gov">elizabeth.muzzey@dcr.nh.gov</a>	

## Committee Members Not on Sub-Committee

<p>Thomas Getz, Vice Chairman Site Evaluation Committee NH Public Utilities Commission 21 South Fruit St., Suite 10 Concord, NH 03301 <a href="mailto:Tom.Getz@puc.nh.gov">Tom.Getz@puc.nh.gov</a></p>	<p>George Bald, Commissioner Dept. of Resources &amp; Economic Development 172 Pembroke Road, Box 1856 Concord, NH 03302-1856 <a href="mailto:george.bald@dred.state.nh.us">george.bald@dred.state.nh.us</a></p>
<p>Glenn Normandeau, Executive Director NH Fish &amp; Game Department 11 Hazen Drive Concord, NH 03301 <a href="mailto:GLENN.NORMANDEAU@WILDLIFE.NH.GOV">GLENN.NORMANDEAU@WILDLIFE.NH.GOV</a></p>	<p>Ted Austin, Director Division of Parks &amp; Recreation Dept. of Resources &amp; Economic Development 172 Pembroke Road, Box 1856 Concord, NH 03302-1856 <a href="mailto:ted.austin@dred.state.nh.us">ted.austin@dred.state.nh.us</a></p>
<p>George N. Campbell, Jr., Commissioner NH Department of Transportation 7 Hazen Drive, Box 483 Concord, NH 03302-0483 <a href="mailto:GCAMPBELLCOMMISSIONER@DOT.STATE.NH.US">GCAMPBELLCOMMISSIONER@DOT.STATE.NH.US</a></p>	<p>Robert Scott, Director Air Resources Division Department of Environmental Services 29 Hazen Drive, Box 95 Concord, NH 03302-0095 <a href="mailto:Robert.Scott@des.nh.gov">Robert.Scott@des.nh.gov</a></p>
<p>Clifton Below, Commissioner NH Public Utilities Commission 21 South Fruit St., Suite 10 Concord, NH 03301 <a href="mailto:Clifton.Below@puc.nh.gov">Clifton.Below@puc.nh.gov</a></p>	<p>Brook Dupee, Bureau Chief Department of Health &amp; Human Services Division of Public Health Services 29 Hazen Drive Concord, NH 03301 <a href="mailto:bdupee@dhhs.state.nh.us">bdupee@dhhs.state.nh.us</a></p>
<p>Brad W Simpkins, Interim Director Division of Forests &amp; Lands Dept. of Resources &amp; Economic Dev. 172 Pembroke Road, Box 1856 Concord, NH 03302-1856 <a href="mailto:brad.simpkins@dred.state.nh.us">brad.simpkins@dred.state.nh.us</a></p>	<p>Van McLeod, Commissioner Dept. of Cultural Resources 20 Park Street Concord, NH 03301-6314 <a href="mailto:van.mcleod@dcr.nh.gov">van.mcleod@dcr.nh.gov</a></p>

## Committee Staff

<p>Michael J. Iacopino, Esq.                  Brennan, Caron, Lenehan &amp; Iacopino                  85 Brook Street                  Manchester, NH 03104  <a href="mailto:miacopino@bclilaw.com">miacopino@bclilaw.com</a></p>	
<p>Jane Murray, Secretary                  Site Evaluation Committee                  Dept. Of Environmental Services                  29 Hazen Drive, Box 95                  Concord, NH 03302-0095  <a href="mailto:jane.murray@des.nh.gov">jane.murray@des.nh.gov</a></p>	<p>Timothy Drew, Administrator                  Public Information &amp; Permitting                  Dept. of Environmental Services                  29 Hazen Dr., Box 95                  Concord, NH 03301  <a href="mailto:Timothy.Drew@des.nh.gov">Timothy.Drew@des.nh.gov</a></p>

## Parties

<p><b>Counsel for the Applicant</b></p> <p>Barry Needleman, Esq.                  McLane Graf Raulerson &amp; Middleton                  11 So. Main Street                  Concord, NH 03301                  603-226-0400  <a href="mailto:barry.needleman@mclane.com">barry.needleman@mclane.com</a></p>	<p><b>Counsel for the Applicant</b></p> <p>Cathryn Vaughan                  McLane Graf Raulerson &amp; Middleton                  11 So. Main Street                  Concord, NH 03301                  603-226-0400  <a href="mailto:cathryn.vaughn@mclane.com">cathryn.vaughn@mclane.com</a></p>
<p><b>Counsel for the Applicant</b></p> <p>Gregory Smith, Esq.                  McLane Graf Raulerson &amp; Middleton                  11 So. Main Street                  Concord, NH 03301                  603-226-0400  <a href="mailto:gsmith@mclane.com">gsmith@mclane.com</a></p>	

## Counsel to the Public

<p>K. Allen Brooks, Esq          Senior Assistant Attorney General          NH Attorney General's Office          33 Capitol Street          Concord, NH 03301  <a href="mailto:ALLEN.BROOKS@DOJ.NH.GOV">ALLEN.BROOKS@DOJ.NH.GOV</a>          603-271-3658</p>	<p>Peter C. L. Roth          Senior Assistant Attorney General          NH Attorney General's Office          33 Capitol Street          Concord, NH 03301  <a href="mailto:Peter.Roth@doj.nh.gov">Peter.Roth@doj.nh.gov</a></p>
--	--

## Information Only

<p>Edith Tucker          Coos County Democrat  <a href="mailto:tigger@ncia.net">tigger@ncia.net</a>  <a href="mailto:edithtucker@ne.rr.com">edithtucker@ne.rr.com</a></p>	<p>Barbara Tetreault          Berlin Daily Sun  <a href="mailto:Barbara@berlindailysun.com">Barbara@berlindailysun.com</a></p>
<p>Douglas Patch, Esquire          Orr &amp; Reno          1 Eagle Sq., Box 3550          Concord, NH 03302  <a href="mailto:DPatch@Orr-Reno.com">DPatch@Orr-Reno.com</a></p>	<p>Erik Eisele          The Berlin Reporter  <a href="mailto:erik.eisele@gmail.com">erik.eisele@gmail.com</a></p>
<p>Jeff Hayes          Director of Economic Development          North Country Council          107 Glessner Rd          Bethlehem, NH 03574  <a href="mailto:jhayes@nccouncil.org">jhayes@nccouncil.org</a></p>	<p>Chris Jensen          NHPR North Country Correspondent  <a href="mailto:Chris416jensen@aol.com">Chris416jensen@aol.com</a></p>

## Interested Parties

<p>James T. Rodier, Esq. 1500A Lafayette Rd., Suite 112 Portsmouth, NH 03801 <a href="mailto:jtrodier@comcast.net">jtrodier@comcast.net</a></p>	<p>Tom Colgan Wagner Forest Management Ltd PO Box 160 Lyme, NH 03768 <a href="mailto:Tom@wagnerforest.com">Tom@wagnerforest.com</a></p>
<p>N. Jonathan Peress, Esq Downs Rachlin Martin LLC PO Box 191 Lebanon, NH 03766-0191 <a href="mailto:JPeress@drm.com">JPeress@drm.com</a></p>	<p>Merritt Schnipper, Esq Downs Rachlin Martin LLC PO Box 191 Lebanon, NH 03766-0191 <a href="mailto:MSchnipper@drm.com">MSchnipper@drm.com</a></p>
<p>Jonathan Edwards 323 School ST Berlin, NH 03570 <a href="mailto:jonathanedwards@ne.rr.com">jonathanedwards@ne.rr.com</a></p>	<p>Coos County Commissioners Burnham A Judd, Chairman PO Box 10 West Stewartstown, NH 03597 <a href="mailto:bjudd@co.coos.or.us">bjudd@co.coos.or.us</a> <a href="mailto:bing.judd@cooscountynh.us">bing.judd@cooscountynh.us</a></p>
<p>Patrick MacQueen, City Manager City of Berlin Berlin City hall 168 Main Street Berlin, NH 03570 <a href="mailto:pmacqueen@municipalresources.com">pmacqueen@municipalresources.com</a></p>	<p>Pam Laflamme, City Planner City of Berlin Berlin City Hall 168 Main Street Berlin, NH 03570 <a href="mailto:plaflamme@berlinnh.gov">plaflamme@berlinnh.gov</a></p>
<p>Max Makaitis Chairman Community EFSEC Advisory Committee <a href="mailto:kjmakaitis@ncic.org">kjmakaitis@ncic.org</a></p>	<p>Racheal Stuart Senior Program Director NH Charitable Foundation 37 Pleasant ST Concord, NH 03037 <a href="http://www.nhcf.org">www.nhcf.org</a></p>
<p>Tara E. Bamford, Planning Director North Country Council, Inc. 107 Glessner Road Bethlehem, NH 03574 <a href="mailto:tbamford@nccouncil.org">tbamford@nccouncil.org</a></p>	

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

**Docket No. 2009-02**

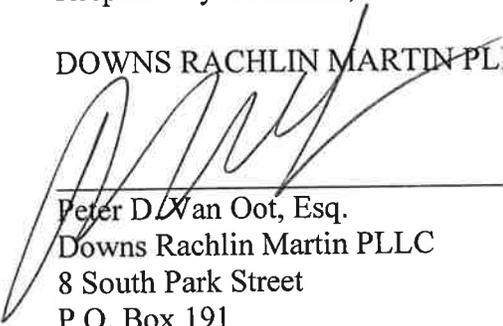
**Application of Laidlaw Berlin BioPower, LLC, for a Certificate of Site and Facility for a 70  
MW Biomass Fueled Energy Facility in Berlin, Coos County, New Hampshire**

**Notice of Appearance**

Pursuant to N.H. Admin.R. Site 202.04, please enter the appearance of Downs Rachlin  
Martin PLLC, by Peter D. Van Oot, an attorney licensed to practice in New Hampshire, on  
behalf of the City of Berlin.

Respectfully submitted,

DOWNNS RACHLIN MARTIN PLLC

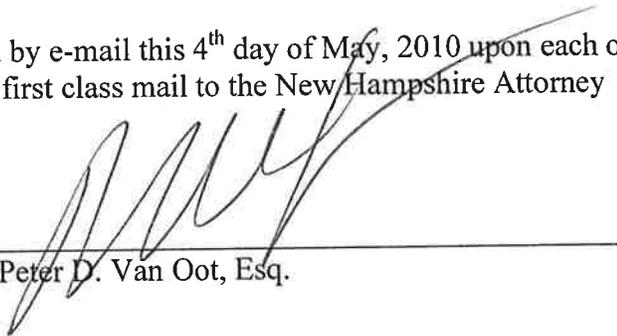


---

Peter D. Van Oot, Esq.  
Downs Rachlin Martin PLLC  
8 South Park Street  
P.O. Box 191  
Lebanon, New Hampshire 03766-0191  
Tel.: (603) 448-2211  
Fax: (603) 448-9967  
Email: pvanoot@drm.com

**Certificate of Service**

A copy of this Notice has been served by e-mail this 4<sup>th</sup> day of May, 2010 upon each of  
the parties on the attached service list and by first class mail to the New Hampshire Attorney  
General's Office.



---

Peter D. Van Oot, Esq.