

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 70MW Biomass Fueled Energy Facility in Berlin, Coos County, New Hampshire

October 20, 2010

**PROCEDURAL ORDER REGARDING FINAL WRITTEN DECISION  
GRANTING CERTIFICATE OF SITE AND FACILITY**

On December 15, 2009, Laidlaw Berlin BioPower, LLC (Applicant), filed an Application for a Certificate of Site and Facility in order to site, construct, and operate a 70 megawatt biomass fueled energy generating facility in Berlin, New Hampshire at the site of the former Fraser Paper Mill.

In the course of this docket, the Subcommittee has conducted a public informational hearing and site visit in Berlin. In addition, the Subcommittee has held adjudicatory hearings encompassing six days. After the adjudicatory hearings, the Subcommittee deliberated on the merits of the Application for two full days. At the conclusion of the deliberations, the Subcommittee voted to grant a Certificate of Site and Facility to the Applicant with numerous conditions.

At that time, counsel for the Committee was asked to prepare a written decision memorializing the reasons for the Subcommittee's decision granting the Certificate with numerous conditions. At the time, the Committee also voted to extend its deadline for the filing of its written decision and the Certificate of Site and Facility in order to allow counsel for the Committee an appropriate amount of time to complete preparation of the Decision, Order and Certificate. Thereafter, counsel for the Committee had a family emergency which required him to travel out of state for a significant time. As a result, the Decision, Order and Certificate will not be finalized on October 22, 2010.

The Application in this docket was the subject of a contested hearing and the Subcommittee received public comments, both in favor and opposed, to the Application. It is in the public interest for the Subcommittee to ensure that the final written Decision, Order and Certificate is complete and fully provides the parties and the public with the considerations and reasons that underlie the Subcommittee's decision. Therefore, I find that it is in the public interest to further suspend deliberations in this matter pursuant to RSA 162-H:6-A, IX, and to enlarge the time frame for the issuance of a written Decision, Order and Certificate until November 8, 2010.

SO ORDERED.

Date: October 20, 2010

  
Thomas S. Burack, Chair  
New Hampshire Site Evaluation Committee