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Hand-Delivered and E-Mail

February 1, 2010

Thomas S. Burack, Commissioner
NH Department of Environmental Services
Chairman, NH Site Evaluation Committee
29 Hazen Drive
Concord, NH 03302-0095

SEC DOCKET NO. 2009-03

Dear Chairman Burack:

On behalf of Clean Power Development, LLC, I am writing to inform the Committee of three corrections to Mr. Bill Gabler's oral testimony at the hearing held on January 29.

1. Mr. Gabler stated that Unity Street was state owned, and that CPD would be working with the state on any necessary engineering/permits. This statement was incorrect. Unity Street falls within the city compact zone and is fully owned by the city. The city highway department is fully aware of the plans for this project and are ready to proceed as soon as they are given the go ahead. Consequently, there will be no state involvement.

2. Mr. Gabler stated that the improvement to Shelby Street will require easements from four parties. After reviewing the applicable documents this morning, Mr. Gabler determined that the Project will require easements from only three parties (City of Berlin, Androscoggin Valley Regional Refuse Disposal District, and Public Service of New Hampshire).

3. Additionally, in discussion with the Berlin city planner this morning, CPD and the City agreed that the City will be the party seeking the easements, not Clean Power. CPD's involvement will generally be limited to responsibility for the costs incurred.

Sincerely,

James T. Rodier/cap