

Edrest Properties LLC
P.O. Box 202
Berlin, NH 03570

Thomas S. Burack, Chairman
N.H. Site Evaluation Committee
N.H. Department of Environmental Services
29 Hazen Drive
Concord, NH, 03302

April, 15, 2011

Berlin Station
SEC Docket No. 2011-01

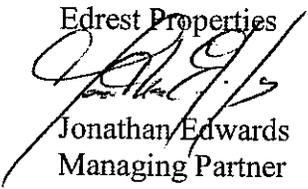
Dear Chairman Burack,

On behalf of Edrest Properties LLC, I am filing with the NH Site Evaluation Committee an original and 18 copies of a Motion for Intervention in this proceeding. In speaking with Mr. Timothy Drew, I understand that the service list pertinent to this docket has yet to be issued and would appreciate your assistance in forwarding this motion to interested parties.

Please let me know if you have any questions.

Sincerely,

Edrest Properties



Jonathan Edwards
Managing Partner

State of New Hampshire
Site Evaluation Committee
SEC Docket No. 2011-01

Joint Motion of Laidlaw Berlin Biopower , LLC and Berlin Station, LLC for transfer and amendment of the certificate of Site and Facility and notice of change in major contractor.

Petition for Intervention of Edrest Properties, LLC

NOW COMES EDREST PROPERTIES LLC and petitions the New Hampshire Site Evaluation Committee for intervention in the above noted proceeding pursuant to RSA 541 -A:32 and NH Code Admin,. Rule Puc 20317. In support of its Petition for Intervention, Petitioner states the following:

On March 9, 2011 a joint motion of Laidlaw Berlin Biopower. LLC AND Berlin Station LLC for transfer and amendment of the certificate of site and facility and notice of change in major contractor was filed with the NH Site Evaluation Committee.

Among other changes, Laidlaw Berlin Biopower LLC and Berlin station propose to change the size of the facility from 70 MW to 75 MW and the fuel supplier from Cousineau to Carrier.

There is a concern with the amount of wood which Laidlaw would consume that surfaced during the PUC hearings. Laidlaw continuously testified in front of this Commission last summer that the plant was to consume 750,000 tons of wood. Now Laidlaw is claiming the same consumption while increasing the size of the facility.

PSNH's testimony in front of the PUC was that at 85% capacity, the plant would generate about 500,000 MWH of electricity. That equates to a burn rate of 1.5 tons/MWH. (750,000 tons/500,000 MWH).

In its PUC testimony, PSNH testified that the wood price adjustment clause (which is objectionable because of its anti-competitive effect on the wood market) in the PPA adjusts the price of energy at Laidlaw by 1.8 times the change in the price of wood at Schiller (from a base of \$34/ton.) PSNH testified that this 1.8 figure was the approximate burn rate at Schiller as well as Laidlaw. The 1.8 tons/MWH burn rate is fully 20% greater than the 1.5 tons/MWH (750,000 tons/500,000 MWH) which Laidlaw is claiming. Either the burn rate Laidlaw is claiming is too low (in which case they will burn much more than 750,000 tons) or there is a large 20% revenue subsidy when wood prices rise.

In addition, Laidlaw's wood consumption figures are based on an 85% capacity factor. This assumed capacity factor is very low compared to the historical capacity factors of the existing wood IPP's which run in the 90-95% area. To put this in perspective, at 85% capacity, Laidlaw would run at 67 MW net (75 gross) for 7446 hours for a total production of about 500,000 MWH (see PSNH testimony at PUC). At 92.5% capacity, the plant would run 8103 hours for a total of 543,000 MWH. If we were to believe Laidlaw's claimed burn rate of 1.5 tons/MWH, they would burn 815,000 tons. If we use the burn rate of 1.8 tons/MWH as proposed in the PPA, consumption would be 977,000 tons.

The change of wood supplier to Richard Carrier Trucking is also a major change, and one which I believe should be of concern to this Commission. Carrier runs a large yard (among others) in Brentwood NH- about 20 miles from Schiller. The yard mainly takes in bark mulch from pulp/saw mills in Maine/Canada, as well as whole tree chips. These chips are colorized for sale as mulch. It is a very large operation. As fuel prices rise, there will be extra pressure for the bark generating mills in Maine/Canada to use the bark as fuel in-house, and cause Carrier to buy in more whole tree chips in Brentwood. In other words, Richard Carrier Trucking can be

considered a competitor of Schiller station for whole tree chips, and his operation could put substantial price pressure on Schiller. In fact, Laidlaw has an incentive to use Richard Carrier Trucking, because it is a very large player in the wood markets in New England, and is best positioned with its Brentwood NH yard to affect the price of wood fuel at Schiller. The PPA makes it very profitable for Laidlaw if the price of wood fuel at Schiller increases, at the expense of NH ratepayers.

Also, there is likely to be new pressure from overseas for wood fiber here in the Northeast. The Europeans are importing more and more biomass every year, and they are increasingly looking to the US. (<http://biomassmagazine.com/articles/5339/report-north-american-wood-pellet-exports-double>). The Europeans are already exporting wood fiber from the mid Atlantic states, and I know of at least two recent proposals for the export of wood fiber here in the Northeast. In order to export, wood fiber will likely be shipped from the coast. The closer such an export operation is to Schiller, the more price pressure will be applied to Schiller's wood fuel, and the more revenue will be headed towards Laidlaw, at the expense of NH ratepayers.

Edrest Properties LLC owns and/or leases properties with electric heat and services that can be substantially impacted by rate increases substantially triggered by competitive bidding absence, pass through costs to the rate payer and fuel monopolies.

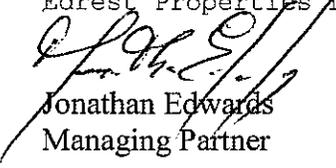
Edrest Properties LLC recognizes testimony through the NHSEC from third party testimony that pass through costs inherent to this docket power purchase agreement can have significant threat to the continued operation of numerous north country biomass companies that support the backbone of Coos County. This in turn can lead to the downward spiral of significant tax revenue through closure of these facilities that provide a significant portion of north country revenue through taxes and jobs. This can lead to the downward spiral of existing real estate value which can directly impact Edrest properties in addition to rising electrical rates.

In view of these factors, Edrest Properties LLC has a substantial interest in the issues presented to the Commission in the proceeding.

Wherefore, Edrest Properties LLC respectfully requests the Commission to grant it intervener party status and to order such other and further relief as may be just and equitable.

Respectfully,

Edrest Properties LLC



Jonathan Edwards
Managing Partner