

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

**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 Issued to Laidlaw  
Berlin Biopower, LLC, and Notice Of Change of Major Contractor**

**May 6, 2011**

**ORDER AND AGENDA FOR TECHNICAL SESSION**

**Consistent with the Chair's Order dated May 2, 2011, a Technical Session will be held in this docket on May 13, 2011. The Technical Session shall begin at 10:00 A.M. The Technical Session shall be held at the office of the Public Utilities Commission located at 21 South Fruit Street, Concord N.H., Suite 10, Hearing Room B.**

This Technical Session will be an informal opportunity for all parties to ask questions of all witnesses who have filed testimony in this matter. The scope of questioning at this Technical Session shall be limited to issues raised by the Joint Motion or designed to lead to the discovery of evidence or information related to the issues raised in the Joint Motion. The following rules and procedures shall apply:

**1. Schedule of Witnesses.** The Technical session will begin with the Applicant's witnesses: Matthew Eastwick, Raymond Kusche, and Ross D'Elia. Thereafter Counsel for the Public will present his witnesses, if any, followed by witnesses designated by the City of Berlin and then witnesses designated by the Intervenor, Edrest Properties, LLC<sup>1</sup>.

**2. Order of Inquiry.** The order of inquiry for each of the witnesses shall be as follows:

- i. Counsel for the Public
- ii. City of Berlin
- iii. Edrest Properties LLC
- iv. Joint Applicant

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<sup>1</sup> To date there has been no indication that Counsel for the Public, The City of Berlin or Edrest Properties have designated witnesses.

**3. Procedures.** Inquiries shall be in a question form and shall not be argumentative. Repetitive questions or inquiries will not be allowed. Questions and inquires to witnesses should be limited to issues pertaining to the witness's field of expertise, pre-filed testimony, and the scope of this Technical Session as set forth above. Questions regarding qualifications of witnesses will also be allowed. If a proper question or inquiry cannot be answered at the time of the Technical Session, the parties will attempt to agree to a date by which the answer must be provided in writing. Said answers are to be distributed to the parties only and shall not be copied to the committee.

**4. Counsel for the Committee.** Counsel for the Committee will mediate any disputes regarding inquiries and requests for information and will maintain a list of documents or additional answers requested by the parties. To the extent that any party is aggrieved by the handling of any inquiry, question or document request, that party shall file an appropriate motion for discovery, objection to discovery or motion for a protective order. Said motions and/or objections shall be directed to the presiding officer and shall comply with the Committee's Procedural Rules and the pre-trial order issued in this docket.

**5. Instructions for Teleconference.** If any party requires teleconference services they should contact Counsel for the Committee immediately so that arrangements can be made.

*(Please note that the teleconference service is not guaranteed to operate perfectly and is subject to various problems including but not limited to inclement weather, power failures, line failures and equipment malfunctions. **Therefore, personal appearance is the preferred method of participation.** The Technical Session will not be rescheduled in the event that a party's participation by teleconference is affected by such problems.)*

Any questions should be directed to Counsel for the Committee:

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May 6, 2011

/s/Michael J. Iacopino  
Michael J. Iacopino  
Counsel, NH Site Evaluation Committee