

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

**Procedural Order and Notice of Pre-Hearing Conference
Docket No. 2008-01**

**Joint Application of Newington Energy, LLC (“NEL”) and North American Energy
Alliance, LLC (“NAEA”) (“Co-Applicants”) for approval of transfer
of membership interests in NEL**

In this Joint Application, NEL and NAEA, the Co-Applicants, seek approval from the Site Evaluation Committee to transfer the membership interests in NEL from CED/SCS, Newington, LLC, a Delaware Limited Liability Company (“CED/SCS”) to NAEA. NEL operates a nominal 525 megawatt (MW) combined-cycle, dual fuel merchant electric generation facility situated near the Piscataqua River in Newington, New Hampshire, pursuant to a Certificate of Site and Facility issued in Docket No. 98-01 effective May 25, 1999. The facility consists of two GE 7FA combustion turbines, two heat recovery steam generators with supplemental firing, and one steam turbine in combined-cycle configuration. The facility has low NOx burners and selective catalytic reduction for emissions control. The primary fuel is natural gas and the secondary fuel is ultra-low sulfur diesel.

In addition to the site proper, the facility includes a water supply pipeline and intake structure in the Piscataqua River, and an electric transmission line interconnecting the facility to the substation at the Public Service of New Hampshire (“PSNH”) Newington Power Station. A natural gas pipeline runs from the Portland Natural Gas Transmission System and Maritimes Northeast (joint facilities) interconnection point to the site to transport the primary fuel. An oil transfer pipeline, which is owned by Sprague Energy, transmits the alternate diesel oil fuel to the site. One above ground diesel fuel storage tank (“AST”), with one million gallons of storage capacity is also located on site.

The proposed transferee, NAEA, is owned by Industry Funds Management (62.45%) and Allco Finance Group Limited (37.55%). Subsequent to the transfer of NEL to NAEA, the Co-Applicants submit that day-to-day responsibility for facility operations will continue to be handled by General Electric. General Electric has operated the facility since the commercial operation date of the facility in November, 2002.

On February 11, 2008, at a public meeting, the Committee reviewed the Joint Application and voted to issue the following Procedural Order and Notice:

It Is Hereby Ordered That: All persons having an interest in the Joint Application and wishing to intervene in the above-referenced docket shall file a Motion to Intervene with the Committee on or before March 7, 2008. Said motions shall be in writing and shall clearly identify the party seeking to intervene and fully state the party’s interest in the proceeding as required by N.H.R.S.A. 541-A:32. The deadline for the filing of Motions to Intervene shall be strictly enforced.

It Is Further Ordered That: The Co-Applicants shall file objections to any Motion to Intervene on or before March 12, 2008

Motions to Intervene and Objections should be addressed to:

Thomas S. Burack, Chairman
N.H. Site Evaluation Committee
Department of Environmental Services
29 Hazen Drive, P. O. Box 95
Concord, NH 03302-0095

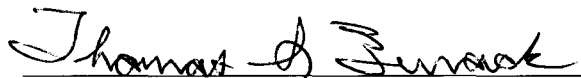
It Is Further Ordered That: All Parties and all persons seeking to intervene in the above-referenced docket shall appear at a Pre-Hearing Conference to be held on March 13, 2008 at 9A.M. at the office of Committee Counsel located at:

Brennan, Caron, Lenehan & Iacopino
85 Brook Street
Manchester, NH 03104

Committee Counsel, Michael J. Iacopino, shall preside at the Pre-Hearing Conference. At the Pre-Hearing Conference the parties and potential intervenors shall discuss and propose a schedule for the resolution of the issues raised in this docket, including but not limited to discovery, data requests, stipulations, the filing of testimony and exhibits and the date of final hearing. Counsel for the Committee shall report the results of the Pre-Hearing Conference to the Committee Chair who may then issue a further scheduling order.

It Is Further Ordered That: The Co-Applicants shall cause a copy of this Procedural Order and Notice to be published, no later than February 22, 2008, in the *Manchester Union Leader*, a newspaper of regular statewide circulation, and in at least one additional newspaper having a regular circulation in Rockingham County. The Co-Applicants shall file an affidavit documenting such publication on or before March 12, 2008.

By Order of the Site Evaluation Committee, this 11th day of February, 2008.


Thomas S. Burack, Chairman
New Hampshire Site Evaluation Committee