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From: <jonathanedwards@ne.rr.com>

To: <pcre@pcre.com>

Sent: Tuesday, February 23, 2010 12:10 PM

Subject: SEC

February 22, 2010

Mr. Thomas S. Burack, Chairman  
New Hampshire Site Evaluation Committee  
C/O New Hampshire Department of Environmental Services  
29 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

RE: Application of Laidlaw Berlin BioPower LLC; Docket 2009-02  
Filing of Petition to Intervene by Jonathan Edwards

Dear Chairman Burack,

Relative to SEC's administrative rules, section Site 202.11 and RSA 541-A:32, I hereby petition to intervene in the docket referenced above. Section 202.11 (b) states, "The presiding officer shall grant a petition to intervene if. The petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding..." RSA 541-A:32 has almost the same language. For reasons that follow, I believe I am entitled to intervene in this matter.

As a citizen, business owner, rate payer, and actively involved in the Berlin NH real estate market, I have been an active opponent to the Laidlaw proposal because I believe the location and size of the plant will have an adverse impact to this area's quality of life, Coos county's assessed value, sustainability of the great North Woods, and could lead to the peril of many NH wood commodity businesses that easily could be forced out of business due to lack of supply, escalating prices, or both of various wood commodities. I also see this proposal as the beginning of wasting better quality wood to be sold as wood chips if pass through costs were granted to cover the additional cost. Also, I find it difficult to believe that the existing biomass plants in Tamworth, Bethlehem, Whitefield, and the proposed Clean Power plant could ever compete against pass through costs which could lead to greater job losses to direct employees of these companies as well as indirect logging job loss. It may become important to look at the profit margins of other companies and the negative impact one proposal that stands to provide 40 direct jobs can have on already existing biomass facilities.

Additionally, there are indications that our North Country politicians, from State Senator to Coos County commissioners have been sending incomplete messages to Concord; that the North Country and Berlin in general are in favor of the Laidlaw proposal. The Coos County commissioners and our State Senator Gallus among others have taken it upon themselves to conclude this area is in favor of this project without basing that decision on any factual data as no referendum has taken place on this proposal. Recently the Commissioners, who are presumably representing Coos County, have sent you a letter of support, however that letter of support is not indicative of how the entire county is currently reacting. In fact, this county seems to be quite divided on the Laidlaw proposal. One of the Commissioners, Paul Grenier, is also now Berlin's mayor. The city of Berlin has asked to intervene in this process, yet the mayor, acting as Coos commissioner is "fully supporting" the proposal while the council has voted unanimously to intervene. It's questionable that the mayor can fully support Laidlaw and also state he wishes to intervene as mayor as "full support" and "intervention" by definition contradicts one another. If the NH SEC is even looking at Berlin's input, that input needs to be presented unbiased and I am representative of the concerns of Berlin citizens who do not feel this plant accomplishes the governor's 2025 initiative or the wishes of many citizens looking for synergies and efficiencies within our sustainable forest.

As a business owner of Berlin's oldest real estate firm I have seen our nearby forests become liquidation harvesting centers and have watched, and now am quite embarrassed to admit the forest within close proximity to both biomass proposals has become depleted. I have read the wood studies provided by the state of NH performed by Landvest, the revised version provided by Landvest for Laidlaw, Clean Power's study, and Professor Aber's wood study of UNH. I believe all studies support concerns relative to sustainability. I encourage the NH Site Evaluation Committee to take a tour of this area's liquidated forests as they are becoming focal points of our Great North Woods beyond the buffers and very visible by air at any time of the year.

Laidlaw's proposal is directly across the street from low income housing comprising over a hundred people in just two buildings many of whom are physically and/or mentally impaired and may suffer great consequences in close proximity to sudden noise increases, constant truck noise, and danger from toxins that these plants emit, especially created upon downdrafts in low lying valleys of which these citizens reside. The area of Berlin's east side, which is also in close proximity to Laidlaw's proposal suffers the effects of being located so close to an industrial base that the property values are significantly lower than Berlin's average selling price, and this proposal would keep that property going in a downward direction.

As a rate payer, I feel that Laidlaw is effectively utilizing a PSNH monopoly to purchase power solely from Laidlaw which is at the detriment of our very own governor's 2025 initiative, and at the expense of more efficient proposals moving forward that don't put our forests' sustainability at risk. If you look at the fact that Laidlaw is third on the queue list behind both Noble and Clean Power, yet Laidlaw is the only one PSNH is willing to purchase power from, you begin to wonder at the very least if the meaning or definition of the word corruption should be investigated as it pertains to a company that is presumably working towards alternative energy in a responsible way.

In summary, I feel that I represent a significant voice in Berlin that wants to embrace biomass as it pertains to the governor's 2025 initiative, but not at the sacrifice of sustainability, efficiency, and upon an adverse impact to health and quality of life. I appreciate the Site Evaluation Committee's consideration of my request for full intervener status. I do intend to be present at the March 11, 2010 Pre-Hearing Conference, and appreciate it if you'd let me know if you need anything further from me.

Sincerely,

Jonathan Edwards

cc. Attorney Barry Needleman, Counsel to Laidlaw  
NH Attorney General Michael A. Delaney  
Attorney Michael J. Iacopino  
Service List in SEC Docket No. 2009-02