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March 9, 2010

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

Re: Laidlaw Berlin BioPower, LLC – SEC Docket No. 2009-02

Dear Chairman Burack:

Pursuant to Committee rules, I have enclosed an original and eighteen (18) copies of Laidlaw Berlin BioPower's Response to Petition for Intervention of New Hampshire Sierra Club for filing in the above matter.

If you have any questions, please contact me.

Sincerely,

Barry Needleman

BN:cb
Enclosure
cc: Service List

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

SEC DOCKET NO. 2009-02

Application of Laidlaw Berlin BioPower, LLC, for a Certificate of Site and Facility for a
70MW Biomass Fueled Energy Facility in Berlin, Coos County, New Hampshire

LIDLAW BERLIN BIOPOWER'S
RESPONSE TO PETITION FOR INTERVENTION OF
NEW HAMPSHIRE SIERRA CLUB

NOW COMES the Applicant, Laidlaw Berlin BioPower, LLC ("Laidlaw"), and submits this Response to Petition for Intervention of the New Hampshire Sierra Club ("NHSC"). In its Petition, NHSC articulates various concerns relating to forest health and sustainable biomass fuel supplies. Laidlaw shares these concerns and has repeatedly expressed its commitments to address these issues during the development and operation of its proposed biomass plant in Berlin. Given these commonality of interests with NHSC, Laidlaw has no objection to NHSC's Petition to Intervene in this matter, provided NHSC's intervention is limited, pursuant to Site 202.11(d), to the concerns NHSC articulated in paragraphs 2 (a)-(d) of its Petition.

Respectfully submitted,

Laidlaw Berlin BioPower, LLC

By Its Attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

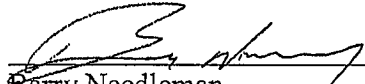
Date: March 9, 2010

By: 

Barry Needleman NH Bar No. 9446
Gregory H. Smith NH Bar No. 2373
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900 Elm Street, P.O. Box 326
Manchester, New Hampshire 03105
Telephone (603) 625-6464

Certificate of Service

A copy of this Response has been served by electronic mail this 9th day of March, 2010 to each of the parties on the attached service list and by first class mail to the New Hampshire Attorney General's Office.



Barry Needleman