

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

September 10, 2010 - 9:13 a.m.  
Public Utilities Commission  
21 South Fruit Street  
Suite 10  
Concord, New Hampshire

DAY 6

MORNING SESSION ONLY

RE: SEC DOCKET NO. 2009-02  
Application of Laidlaw Berlin  
BioPower for a Certificate of  
Site and Facility for a 70 MW  
Biomass Fueled Energy Facility  
in Berlin, Coos County, New  
Hampshire. (Hearing on the merits)

PRESENT:	SITE EVALUATION SUBCOMMITTEE:
Thomas Burack, Cmsr. (Presiding as Chairman)	Dept. of Environmental Services
Amy Ignatius, Cmsr.	Public Utilities Commission
William Janelle, Asst. Dir.	Dept. of Transportation
Elizabeth Muzzey, Dir.	N.H. Div. of Historical Res.
Harry Stewart, Dir.	Water Division - DES
Craig Wright, Asst. Dir.	Air Resources Division - DES
Donald Kent, Administrator	Dept. of Resources & Econ. Dev.
Christopher Northrop	Office of Energy & Planning
Michael Harrington	Public Utilities Commission

\* \* \*

Counsel for the Committee: Michael J. Iacopino, Esq.

COURT REPORTER: STEVEN E. PATNAUDE, LCR No. 52

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ALSO PRESENT:

REPTG. THE APPLICANT:  
(Laidlaw Berlin BioPower)

Barry Needleman, Esq.  
Gregory H. Smith, Esq.  
Cathryn E. Vaughn, Esq.  
(McLane, Graf, Raulerson  
& Middleton)

REPTG. CLEAN POWER DEVELOPMENT:

James T. Rodier, Esq.

COUNSEL FOR THE PUBLIC:

K. Allen Brooks, Esq.  
Senior Asst. Atty. General  
N.H. Dept. of Justice

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

I N D E X

PAGE NO.

PUBLIC STATEMENTS BY:

Mark Saltsman	13
Robert Berti	17
Michael O'Leary	31

\* \* \*

WITNESS: MELVIN E. LISTON (RESUMED)

INTERROGATORIES FROM SUBCOMMITTEE MEMBERS BY:

Mr. Harrington	34
Chairman Burack	39

Cross-examination by Mr. Needleman	42
------------------------------------	----

Redirect examination by Mr. Rodier	43
------------------------------------	----

WITNESS: WILLIAM W. GABLER

Direct examination by Mr. Rodier	46
----------------------------------	----

Cross-examination by Mr. Needleman	50
------------------------------------	----

Cross-examination by Mr. Brooks	66
---------------------------------	----

Cross-examination by Mr. Iacopino	131, 138
-----------------------------------	----------

INTERROGATORIES FROM THE SUBCOMMITTEE MEMBERS BY:

Mr. Harrington	88, 127, 136
Dr. Kent	115, 119, 135
Mr. Janelle	117
Cmsr. Ignatius	122
Chairman Burack	129

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

E X H I B I T S

EXHIBIT NO.	D E S C R I P T I O N	PAGE NO.
COMM. 12	RESERVED (Re: Study by Professor Aber of University of New Hampshire)	41

## P R O C E E D I N G

1  
2 CHAIRMAN BURACK: Good morning. I'm  
3 going to call to order today's hearing, which is a  
4 continuation of the hearing process in State of New  
5 Hampshire Site Evaluation Committee Docket Number 2009-02,  
6 Application of Laidlaw Berlin BioPower, LLC, for a  
7 Certificate of Site and Facility for a 70 megawatt biomass  
8 fueled energy facility in Berlin, Coos County, New  
9 Hampshire.

10 My name is Tom Burack. I serve as Chair  
11 of the Committee, in light of my capacity as Commissioner  
12 of the State's Department of Environmental Services.  
13 Because there are a few new faces in the room here today,  
14 I am going to ask the members of the Committee who are --  
15 or, the Subcommittee who are present to introduce  
16 themselves. I will note that one of our members has been  
17 delayed, due to some travel issues. I expect he will be  
18 here within approximately the next half hour. So, my plan  
19 here is to try to get through a number of procedural  
20 issues prior to the arrival of our one missing member.  
21 And, my hope is to be able to put off the continuation of  
22 the actual testimony and examination of witnesses until  
23 our other member has arrived.

24 Having said that, I would now entertain

1 a motion by the Applicant. Mr. Needleman.

2 MR. NEEDLEMAN: Thank you, Mr. Chair.

3 The motion pertains to a request for treatment --  
4 confidential treatment of a particular document that we  
5 submitted this morning. It requires a slight bit of  
6 background explanation. After the conclusion of the  
7 hearing last week, the Applicant met with Public Counsel  
8 and also with the State Forester to discuss the  
9 sustainability condition that we had proposed. And, as an  
10 outcome, as an outgrowth of that discussion, we reached  
11 agreement with the Public Counsel regarding that  
12 condition, and have submitted, as an exhibit, a  
13 stipulation to that effect, and have also submitted an  
14 amended sustainability condition that I think now has  
15 addressed all of Public Counsel's concerns.

16 One component of that agreement was that  
17 we agreed to amend a provision of the Cousineau Contract,  
18 to deal with a particular supply issue. That amendment is  
19 one that the Committee has before it, but it pertains to  
20 sensitive market and commercial information. And, so, we  
21 are asking that that amendment be treated as confidential,  
22 pursuant to the statute and consistent with the  
23 Committee's prior rulings.

24 CHAIRMAN BURACK: Thank you, Attorney

1 Needleman. So, it is your position then that the  
2 information that you are seeking to have treated as  
3 confidential by the Committee is information that would be  
4 exempt from public disclosure under the Right to Know Law,  
5 because it contains confidential commercial or financial  
6 information, is that correct?

7 MR. NEEDLEMAN: Yes, that's correct.

8 CHAIRMAN BURACK: Okay. Have you  
9 shared, and I do have a copy of your written motion here  
10 in front of me, dated this morning, have you shared a copy  
11 of this with all of the parties to the proceeding?

12 MR. NEEDLEMAN: The motion?

13 CHAIRMAN BURACK: Yes.

14 MS. VAUGHN: Yes.

15 MR. NEEDLEMAN: Yes, we have.

16 CHAIRMAN BURACK: Okay. I understand  
17 then that, Counsel for the Public, you assent to the  
18 relief sought?

19 MR. BROOKS: Correct.

20 CHAIRMAN BURACK: Okay. And, I also  
21 understand you're representing that you have conferred  
22 with the City of Berlin and they assent to the relief  
23 sought?

24 MR. NEEDLEMAN: Yes.

1 CHAIRMAN BURACK: That's correct. Mr.  
2 Rodier, what is your client's position on this motion?

3 MR. RODIER: Well, this, we wouldn't get  
4 a copy of it. We got a copy of the Cousineau Agreement,  
5 as you know, it was redacted, but we wouldn't get a copy  
6 of this. I really, you know, I really don't know what the  
7 subject matter of it is, beyond the general description  
8 that was given. But I would say this. Just generally  
9 speaking, in this proceeding, we've tried to consent to  
10 everything that we can. We have consented to a number of  
11 motions.

12 But, I mean, this one here, I think  
13 we're going to draw the line, and we're going to object on  
14 the basis that, you know, 91-A is to protect confidential  
15 information from being disclosed to the public. We're a  
16 party to the proceeding. Yes, it's fair to say we're a  
17 competitor. But we're a party. This amendment goes to  
18 our issue, availability and sustainability. We cannot  
19 exercise our right to litigate the issue, one of the two  
20 issues the Committee said was -- we had a substantial  
21 interest in, if we can't see the document.

22 I think, like previously, you know, we  
23 see things, you had a confidential session on the  
24 Cousineau Agreement, I think that worked out okay. And,



1 that's really, in my view, you know, how this should be  
2 handled. Otherwise, we have, you know, we're asked to  
3 being -- to object to something we really don't know  
4 about. But, in any event, I think we've got a right to  
5 see something that goes to the heart of one of the matters  
6 in this proceeding, so that we can decide what we want to  
7 do about it. And, there's nothing in what I am saying now  
8 that should be construed as trying to be obstructionists,  
9 because we've done everything we can in these hearings to  
10 try to keep moving it along. Particularly, you know, very  
11 targeted, concise cross-examination, and a lot of  
12 concurrences.

13 So, for those reasons, CPD respectfully  
14 objects.

15 CHAIRMAN BURACK: Thank you. Thank you,  
16 Attorney Rodier.

17 MR. NEEDLEMAN: Mr. Chair, may I  
18 respond?

19 CHAIRMAN BURACK: Yes, you may.

20 MR. NEEDLEMAN: We appreciate  
21 Mr. Rodier's concerns. But I would point out that we made  
22 an effort to only redact those portions of the Cousineau  
23 Contract that we truly believed were highly sensitive and  
24 involved competitive information. And, we did provide the

1 rest on a confidential basis to Mr. Rodier and his client.  
2 Had this provision originally been in the contract, it  
3 would have been redacted as well for precisely the same  
4 reason. So, we think we have addressed all of their  
5 concerns. And, we don't believe that treating this narrow  
6 provision as "confidential" would do any violence to his  
7 ability to represent his client adequately, nor would it  
8 be in any way inconsistent with the prior decision that  
9 this Committee has made.

10 CHAIRMAN BURACK: Thank you. Thank you,  
11 parties, for the arguments. I'm going to take this motion  
12 and the argument under advisement. I'm going to review  
13 the document in question in camera, and then I will make a  
14 ruling later today on this particular motion.

15 Attorney Needleman, do you have any  
16 other procedural matters at this time?

17 MR. NEEDLEMAN: Nothing that requires  
18 Committee action. Only to note that we have provided, in  
19 addition to the sustainability condition and that  
20 amendment, we have provided two other exhibits, 74 and 75,  
21 which are both affidavits; one from Mr. Kusche and one  
22 from Mr. Richmond. I don't believe that we have copies  
23 for everyone yet, because they were just signed a few  
24 minutes ago, but we will have copies shortly.

1                   CHAIRMAN BURACK: Thank you very much.  
2 We will provide those to the Committee and have them --  
3 and be sure they're provided to the other parties as well,  
4 we'll need to have them marked at an appropriate time  
5 here.

6                   Okay. My plan for today is to get  
7 through all of the remaining testimony, any additional  
8 public comment, as well as closing arguments. My goal is  
9 to adjourn by 3:30, or sooner, if all of our hearing work  
10 is completed. What I'd like to do now is get a sense as  
11 to whether there are any members of the public here today  
12 who would like to have an opportunity to make brief public  
13 comment?

14                   CHAIRMAN BURACK: One, two, three.  
15 Okay. What I'm going to do, because we are still awaiting  
16 the arrival of one of our Subcommittee members, I'm going  
17 to entertain this public comment now. Going to ask the  
18 members of the public, who wish to address the  
19 Subcommittee, to please keep their comments very brief and  
20 to the point. We will be happy to receive any written  
21 statements, in addition to your oral statements here this  
22 morning.

23                   I will note for the record that I did  
24 receive, I believe it was yesterday, by e-mail from one of

1 the people who provided public comment at our last  
2 hearing, Mr. Jasen Stock, of the New Hampshire Timberland  
3 Owners Association. He did submit a written testimony or  
4 a written statement, which is also or will be included as  
5 part of the public comment file in this matter and, of  
6 course, shared with all of the members of the  
7 Subcommittee.

8 So, with that, I would ask the  
9 individuals who raised their hands, if they would please  
10 just tell me their names one at a time. Sir?

11 MR. SALTSMAN: Mark Saltsman.

12 CHAIRMAN BURACK: Mark Saltsman. And,  
13 Mr. Saltsman, what is your affiliation?

14 MR. SALTSMAN: I have no affiliation.  
15 I'm the Vice President and General Manager of Concord  
16 Steam Corporation.

17 CHAIRMAN BURACK: Thank you. Okay. Who  
18 is our next public member?

19 MR. BERTI: My name is Robert Berti.  
20 And, I am President of North Country Procurement. It's a  
21 fuel management company located in Rumney.

22 CHAIRMAN BURACK: Thank you. Okay.  
23 And, sir?

24 MR. O'LEARY: Michael O'Leary. I'm the

1 General Manager of Bridgewater Power Company.

2 CHAIRMAN BURACK: What was the company,  
3 sir?

4 MR. O'LEARY: Bridgewater Power Company.

5 CHAIRMAN BURACK: Thank you. Very good.  
6 If we may, I'd like to just take you gentlemen in the  
7 order in which you've introduced yourselves. I'll ask you  
8 please to come forward, introduce yourselves again, spell  
9 your name, if you would please, for our court reporter.  
10 And, again, please keep your comments very brief, and we'd  
11 welcome written submittals as well.

12 You know what, what you might want to do  
13 is sit right there at that table right by that microphone.  
14 I will note for the record, by the way, that the City of  
15 Berlin's counsel informed us that they did not expect to  
16 be present today. Please proceed.

17 MR. SALTSMAN: Thank you, Mr. Chair.  
18 Members of the Committee, my name is Mark Saltsman,  
19 spelled S-a-l-t-s-m-a-n. As I stated earlier, I'm the  
20 Vice President and General Manager of Concord Steam  
21 Corporation. We're a local district heating utility here  
22 that produces steam for use throughout the City, using  
23 wood as a fuel source.

24 Originally, and I'll try to be very

1 brief, originally, I had tried to keep myself at an arm's  
2 length from this entire project, because there is some  
3 affiliation. The President, my business partner at  
4 Concord Steam, is associated with Clean Power Development.  
5 So, I want to clarify that now. But, quite honestly, what  
6 has really raised concern on my part, as I read testimony  
7 from earlier hearings here, is the fact that, while I was  
8 greatly concerned with the sustainability of the wood  
9 supply up in the northern region and the effect that that  
10 would have on the other power producers up there that use  
11 wood as a fuel source, that was quite troubling to me to  
12 begin with. But I really didn't consider it my fight.  
13 Because I was operating under the assumption that that --  
14 that would mostly affect those plants up north. Those of  
15 us in the southern part of the state or central part of  
16 the state that were using wood would, while we would be  
17 affected and would have to be concerned with what would  
18 happen to the price and the availability of fuel somewhat,  
19 I really didn't see it as something that I needed to get  
20 involved with, because I thought there was enough support  
21 against this facility going in that it really didn't  
22 concern us.

23 But now that I've heard that there's a  
24 contract with Cousineau, who operates essentially in our

1 backyard, to bring fuel supply from the southern part of  
2 the state and from Massachusetts and from other areas of  
3 the southern part of the state, there's great concern on  
4 my part. I believe this is going to severely affect our  
5 ability to purchase, and at least purchase fuel at a  
6 reasonable price. Because, essentially, what you've  
7 created here, if you allow this project to go forward,  
8 which is way too big at 70 megawatts, if this project was  
9 a 30 megawatt, a 20 megawatt project, I wouldn't be  
10 sitting here today. I don't think most of those who  
11 oppose this project would be sitting here today. I think  
12 the project's way too big for a single-point wood supply,  
13 from a wood supply issue.

14 What we, essentially, what we create, if  
15 we allow this to go forward, is one buyer, and I know it's  
16 Laidlaw, but, effectively, it's PSNH. We've got one  
17 buyer, with two plants, that will control well over  
18 50 percent of the wood supply in the marketplace in New  
19 Hampshire. And, allowing them to have a contract with  
20 Cousineau throws another monkey wrench in the works. And,  
21 I think it's going to create some real problems for us to  
22 continue to get wood supply at a reasonable rate. I have  
23 ratepayers I have to be concerned for. And, I think this  
24 is going to severely affect our ability to protect their

1 interests. Because I'm going to be subject to Cousineau  
2 opening that woodyard over there, and bringing wood from  
3 the areas that I typically buy wood from, we're pretty  
4 good about staying within a 30-mile radius, some of it may  
5 reach out to 50 now and then, but, generally speaking,  
6 most of our wood comes from reasonably close to this  
7 facility. And, with Cousineau opening that yard, it's  
8 going to create a real difficulty for us to competitively  
9 buy wood, without chasing the price. And, the price will  
10 go very high, I can guarantee you that. We've been doing  
11 this, Concord Steam has been doing this for 30 years. We  
12 know the wood market. We know how it operates. And, I'm  
13 telling you folks today to carefully consider this,  
14 because it's going to create a real issue. And,  
15 basically, you're creating a monopoly, if you allow this  
16 to go forward, at least it's going to be an oligarch.  
17 And, I don't think it's going to be good for New  
18 Hampshire, and I don't think it's going to be good for the  
19 forests, and I don't think it's going to be good for the  
20 ratepayers of this state, our ratepayers and PSNH's  
21 ratepayers.

22 So, I just would like to bring those  
23 issues forward. And, thank you for your time and  
24 consideration.



1                   CHAIRMAN BURACK: Thank you very much,  
2 Mr. Saltsman. We'd now like to call upon Mr. Robert  
3 Berti.

4                   MR. BERTI: I've got -- it's basically a  
5 outline of my testimony. I didn't -- you may wish to  
6 follow.

7                   CHAIRMAN BURACK: Thank you. These are  
8 copies for us?

9                   MR. BERTI: Those are copies for you.

10                  CHAIRMAN BURACK: Okay. This will be  
11 made part of the public comment file in this proceeding.

12                  MR. BERTI: Not knowing -- my name is  
13 Robert Berti. That's spelled B-e-r-t-i. And, I am  
14 President of North Country Procurement. That's a fuel  
15 management company located in Rumney. We've been in  
16 business now for about 25 years. I have given you an  
17 outline of my background. I'm a licensed forester and a  
18 licensed surveyor in the State of New Hampshire. I hold  
19 degrees from the University of Massachusetts and the  
20 University of New Hampshire. I have served on several  
21 boards in this state. As a forester, I own a company  
22 called "FORECO", which manages 45,000 acres of land in  
23 both New Hampshire and Vermont. One of our clients is the  
24 City of Concord.

1           The company that I work for, besides  
2     arranging for the fuel contracts, we're not brokers, have  
3     done fuel resource studies and analysis, and I've outlined  
4     those in the outline. They include companies such as  
5     Bethlehem Power, in Bethlehem, New Hampshire; Bridgewater  
6     Power, in Bridgewater, New Hampshire. We've done projects  
7     in Connecticut and Rhode Island. We did the Wood Fuel  
8     Analysis for the Schiller Station. And, we have worked as  
9     consultants for Green Energy Power.

10           But I do want you to recognize today  
11    that I'm here not representing any firm or any company. I  
12    am not hired today to be here. I'm here on my own nickel  
13    and my own time. And, one of the reasons I am here is I  
14    have several concerns on information that I have gleaned  
15    from different testimony. And, I do admit that I have not  
16    read in detail, and I have not been provided with all of  
17    the information, but part of and quite a bit of the  
18    information that I have heard and have read is quite  
19    disturbing to me, not only as a wood fuel manager, but  
20    also as a forester.

21           Presently, the procurement company that  
22    I am present for -- president of buys for five facilities  
23    -- nine facilities in three states. We work in New  
24    Hampshire, Vermont, and Massachusetts. Of those

1 facilities, six -- five of them are power plants, two of  
2 them -- three of them are thermal plants, one of them  
3 being Concord Steam, and one is a school district.

4 Our firm, as I mentioned, we are not  
5 brokers. We set -- we manage wood fuel contracts for  
6 different power plants and the thermal plants. And,  
7 basically, what we do is we make arrangements between the  
8 plants and the timber companies for deliveries to those  
9 plants. We work with the plant managers in assessing what  
10 is available, what we feel the prices should be, but those  
11 contracts or wood fuel agreements are direct between the  
12 producer or the timber logger and the power plant or the  
13 thermal plant.

14 I have already mentioned that I am not  
15 here representing any company or firm, although I have  
16 consulted for several companies and firms throughout New  
17 England. My concern, as I had mentioned it, is really  
18 basically in four areas, or at least I'd like to make  
19 comments in four areas. And, amongst those is the forest  
20 industry, the forest resource, the procurement --  
21 procurement analysis, and ratepayer concerns.

22 A little bit of background on the forest  
23 industry, and what biomass or fuelwood or whole tree  
24 harvesting has meant to this industry. It was basically

1 an industry that did not exist 25 years ago. Most timber  
2 harvesting at that time was done by chainsaw and with  
3 skidders. And, with the advent of biomass harvesting, a  
4 whole new industry was allowed to develop. And, it had --  
5 it has had positive benefits on timber harvesting and on  
6 the timber industry. It certainly increased production as  
7 the mechanization grew. It had a significant benefit on  
8 safety. There was a substantial increase in the capital  
9 investment that these individuals made in equipment. And,  
10 I will say for you that there are many business operators  
11 out there who are in the industry that have capital  
12 investments that exceed \$2 million.

13 I would say that many of these people  
14 who are in the industry have had excellent track records.  
15 And, probably, if you equate them to other people who have  
16 started industries, they have a better-than-average track  
17 record.

18 All of these individuals who are in  
19 business deal directly with the sawmills and the pulpmills  
20 and generally with the power plants. They do not need to  
21 have someone in between them, buying their wood, and then  
22 reselling it to the different entities that I have  
23 mentioned. They're very capable, they're very successful.  
24 And, what existed years ago, where there were a network of

1 brokers throughout the Northeast, that has pretty much  
2 gone by. And, I find, and I think all of us in the  
3 industry will recognize that the relationship between the  
4 timber producer or the logger is a direct one, a direct  
5 link, with the different facility that he might be selling  
6 to.

7 So, that's kind of a quick analysis of  
8 where the forest industry is and where I think it will  
9 continue to go.

10 My second comment I wish to make today  
11 is that issue of the forest resource. The silvicultural  
12 benefits from whole tree harvesting and the biomass  
13 industry has been extremely positive. As a forester, I  
14 can tell you that the results in our forests have been  
15 extremely beneficial. We have a great outlet, because of  
16 the power plants, for low-grade materials. Pre-commercial  
17 thinnings that were unavailable to us 25 years ago are now  
18 available. There's less damage to the forest floor. And,  
19 the damage, the residual damage to the forest, to the  
20 remaining trees, has been substantially reduced.

21 I have heard a lot of testimony around  
22 sustainability. And, I will tell you that, I know if you  
23 ask three lawyers for an opinion, you'll get four answers.  
24 But, if you ask four foresters about sustainability, you

1 will get ten answers. Because, really, there isn't a good  
2 measure of sustainability. I think on a very low level or  
3 a very basic level, "sustainability" means to me "keeping  
4 land in the state where it will continue to grow trees."  
5 Once you cut it off, pave it, or make another use of it,  
6 that acre of land isn't sustainable anymore. So, as long  
7 as a forest remains growing and trees are on it, it is  
8 sustainable. It is growing product.

9 A more defined definition of  
10 "sustainability" can mean to some people that you "cut  
11 what the average growth is on an annual basis." And,  
12 that's not really true. There are times, in the age of a  
13 forest or an age of a large landscape, where, if the  
14 forest is young, you do not cut that annual growth. You  
15 are adding annual growth. So, in a sense, to keep that  
16 forest sustainable, your cut is less than the growth is.  
17 As the forest matures, you may actually get into a  
18 situation where you cut more than what is growing on an  
19 annual basis. So, "sustainability", in that term on  
20 growth is really a moving target, and you should try to  
21 understand that.

22 I think what I have heard people talk  
23 about "sustainability", and I may be wrong on this, but  
24 foresters, and I think the general public, is concerned

1 about cutting trees at a certain age for a certain product  
2 that, if left to grow, would have a higher value. So,  
3 example, if someone was to go into the forest and cut a  
4 tree down and make biomass out of it, fuelwood out of it,  
5 and five years or ten years from now it was going to be a  
6 pulpwood tree or a sawlog tree, we would not call that  
7 "sustainable harvesting". So, it's a difficult area to  
8 understand, and a lot of people don't grasp it. But I  
9 really think that that is the issue before you, and it's  
10 something that really must be considered. It's not, "are  
11 you cutting your forests too heavily?" "Are you cutting  
12 the wrong trees, for any individual product, for any  
13 individual mill, or for any individual use?"

14 I have also heard some attempts to put  
15 monitoring on the type of harvesting that is done so it is  
16 done in a sustainable manner. Some of this is out there,  
17 and I'm not sure what the arrangement and what the  
18 agreements are between the parties involved. But I will  
19 tell you this, Burlington Electric and Ryegate Power,  
20 their permit requires them to have a very simplified plan.  
21 It doesn't talk about "sustainability", it's just that you  
22 follow certain forest practices, generally, best  
23 management practices. You have controls on erosion  
24 control and you don't have overcutting. The cost, and

1 this is generally a small map and a one-page on what  
2 you're going to do there, and there's some follow-up by  
3 the State of Vermont and by the foresters that work with  
4 both Ryegate Power and Burlington Electric.

5 I was down to a hearing at the DOER in  
6 Massachusetts, and Burlington Electric was there, and they  
7 have their own issues going on on timber harvesting and  
8 whole tree harvesting. And, Burlington Electric states  
9 that their cost for about 300,000 tons a year averages one  
10 -- \$1.75 a ton. So, that's what their oversight costs.  
11 That does not include the cost to the State of Vermont to  
12 have their Fish & Game people go out and monitor the work  
13 that has happened and review the cutting plans. So, it  
14 isn't just \$1.75 per ton, it's \$1.75 a ton to the plants,  
15 plus the cost to the State of Vermont.

16 I have a statement, and it's probably  
17 the only one in there. And, again, as I mentioned, I have  
18 not read in depth the testimony of the procurement costs  
19 and their analysis. However, based on some of what I have  
20 heard, on the type of fuel they're going to buy and the  
21 cost of it, I find, again, this is my opinion, to be  
22 lacking in depth and several conclusions that have been  
23 made to your Committee to be misleading. And, the  
24 understanding of wood production and the availability and



1 the costs to be flawed. And, I have reason for this  
2 statement.

3 First of all, the comparison of wood  
4 consumption that existed at Groveton and Berlin is not the  
5 same as the type of material that's going to be used at  
6 the proposed Berlin Project, the 70 megawatt. Groveton  
7 was using a product which we call "dirty chips". It  
8 basically means they took bolewood or pulpwood, and they  
9 chipped it with the bark on to make cardboard. Worked for  
10 several years in the North Country for Bethlehem Power.  
11 And, generally, they were able to pay five to seven  
12 dollars more a ton for that type of material, compared to  
13 the product that Bethlehem was buying. Bethlehem or the  
14 power plants generally buy the very top of the tree. They  
15 do not buy much of the bolewood or the pulpwood portion of  
16 the tree. Can't afford to. Pulpwood is worth a lot more  
17 than biomass chips or fuel chips.

18 Berlin was buying pulpwood, they were  
19 not buying fuel chips. So, just because there may have  
20 been a volume of wood that was being sold and bought at  
21 these facilities, that should not be equated to the  
22 availability of the product that is there.

23 I have read that there is more than  
24 enough wood in that area to fuel this 70 megawatt plant.

1 Well, I will tell you that our firm, which purchases -- I  
2 shouldn't say "purchase", that manages 1.3 million tons of  
3 fuel a year, two and a half years ago, in three plants  
4 that we manage fuel for, it was almost impossible to keep  
5 those plants fueled. We were paying as high as \$35 a ton,  
6 but we could not compete with the pulpwood market. I want  
7 to say that again. We could not compete with the pulpwood  
8 market. And, that's when both Groveton and Berlin did not  
9 exist. We were competing for products that existed or  
10 markets that existed in Maine. And, the price that they  
11 were paying for pulpwood far exceeded any price that the  
12 power plants could pay. So, I just want to make sure that  
13 you understand, there was no power plant in Berlin at the  
14 time, the existing plants that were there had a very  
15 difficult time to buy wood.

16 There is discussion about bark, and the  
17 availability, I don't know how much bark they're going to  
18 buy, but I have a pretty good idea about the cost of bark.  
19 First of all, bark is a terrible fuel. It will  
20 contaminate, if you have piles of wood, it will --  
21 inventory, it will contaminate your piles, and it will  
22 cause a fire in your pile, if left too long. But the  
23 value of pine and spruce bark, at certain times of the  
24 year, at the plant is between \$40 and \$45 a ton. It goes

1 for mulch. It goes down to Massachusetts. It goes to  
2 Connecticut. It goes to Rhode Island. It goes to the  
3 Cape. It goes to southern New Hampshire. And, that  
4 market is very strong during the months of January to  
5 July.

6 I have had -- I've heard discussions  
7 about "back haul". I am very aware of back hauling. At  
8 one time, when the market for land clearing and our  
9 economy was really going great guns, a significant volume  
10 of material came back on back hauls. They would take bark  
11 down to Massachusetts, Connecticut, Rhode Island, and they  
12 came back with chips. Well, now, land clearing is off.  
13 The second item that has happened is Schiller Station is  
14 there. And, Schiller Station absorbs what minimal land  
15 clearing is there. I would say several of the plants that  
16 were dependent have bought a significant amount of whole  
17 tree chips or fuel chips, maybe as much as 50 percent,  
18 that number is down to 5 or 10 percent.

19 The other issue that has happened in  
20 southern New England is a lot of these facilities or a lot  
21 of these producers, who used to sell chips upward, here,  
22 are now taking those same chips, putting colorization in  
23 them, and selling them for mulch. So, that kind of  
24 orangy, reddish material you'll see around the malls and

1 all, that's not really bark that's coming down from the  
2 northern part of New Hampshire or Vermont or even Canada,  
3 that is material that is actually produced in the southern  
4 tier, in the southern tier of New England, they put color  
5 on it. And, so, that material is not available anymore.

6 I have heard some discussion about  
7 rails. I have had a lot of experience on rails. I have  
8 done three studies on rails. I spent six months with the  
9 Vermont railroad system, trying to buy fuel into Ryegate  
10 Station. And, after six months, we found that it would  
11 cost us, I believe, \$6.00 more a ton than what we could  
12 buy product for. I don't know how much experience you've  
13 had working with railroads, but they are very convoluted.  
14 And, every time you cross somebody else's track, you pay a  
15 fee.

16 I am a principal in the Russell Biomass  
17 Project, have been for five years. And, one of the things  
18 that the State of Massachusetts required was us to do an  
19 intensive study on rail systems in producing our -- and  
20 buying our chips and delivering them on rail. And, after  
21 six months of studies on that, it was concluded it was  
22 going to increase our cost by \$20 a ton.

23 The current marketplace for chips in  
24 northern New Hampshire is between \$27 and \$29 a ton. In

1 central New Hampshire, it's \$27 to \$28 a ton. And, in the  
2 south, it's \$24 to \$28 a ton.

3 I have tried to, and I did, as I  
4 mentioned, a study for Clean Power Energy. And, they  
5 originally requested a analysis on pricing and  
6 availability on a 50 megawatt plant. We came back to  
7 them, and based on the availability, the price structure  
8 of other plants, the competition, we recommended that they  
9 not build a plant higher than 25 to 30 megs. We said "you  
10 can build it, but you're going to have to pay a price  
11 which is substantially higher than the -- than what the  
12 current area is paying for chips." And, you know, I'm not  
13 sure about all the ratepayers and all what happens. But,  
14 when you're building a new plant, it's certainly more  
15 expensive, your payments and so forth, and the cost of  
16 fuel. And, the other plants are already existing and  
17 they're paid for, and didn't know how they were going to  
18 do it. But we concluded that a plant could exist in  
19 Berlin, but we questioned and we recommended that they not  
20 build anything more than 25 to 30 megs.

21 So, my thoughts on it, knowing what the  
22 present price of electricity is, and what the plants can  
23 pay, and what's available, I think that, if that Laidlaw  
24 Project goes in, the impacts on two existing plants will

1 be severe. The impact on two other plants will be  
2 moderate to severe. And, two other plants will be slight  
3 to moderate. But it will have impacts.

4 CHAIRMAN BURACK: Mr. Berti, I'm going  
5 to ask you, if you would please, you've given us written  
6 testimony. We've taken a considerable amount of time  
7 here. If you could just summarize quickly for us the  
8 remainder of your testimony.

9 MR. BERTI: I will quickly summarize.

10 CHAIRMAN BURACK: Thank you.

11 MR. BERTI: I feel that there is a  
12 considerable amount of uncertainty in the information  
13 that's been presented to the Committee. I think a plant  
14 can and should be built in the Berlin area. I think the  
15 Committee has to have a better and complete understanding  
16 of what "sustainability" is. I really question who's  
17 interest is being served if this plant is built. And, I  
18 think you need to have a professional, comprehensive study  
19 on availability, pricing, the electrical needs, and the  
20 agreement that exists between Laidlaw and Public Service  
21 of New Hampshire. Thank you.

22 CHAIRMAN BURACK: Thank you very much,  
23 Mr. Berti. I would now like to call upon Mr. O'Leary, if  
24 I have that correct? And, ask you to please come forward.

1 And, again, please state and spell your name for us.

2 MR. O'LEARY: Mr. Chairman, members of  
3 the Committee, thank you very much for affording me the  
4 authority to speak. My name is Michael O'Leary, O  
5 apostrophe L-e-a-r-y. I'm the General Manager of  
6 Bridgewater Power Company. Bridgewater is a 15 megawatt  
7 wood-to-energy facility located in Bridgewater. We've  
8 been in operation since 1987. We generate approximately  
9 130,000 megawatt-hours per year, about enough capacity for  
10 15 to 20,000 homes. We procure and burn about  
11 230,000 tons of chips annually. With a value to the  
12 economy of about \$7 million, at today's pricing. We  
13 employ 20 people directly at the facility. We indirectly  
14 employ about 100 people in the woods procuring that  
15 product for the facility. We sold, under a long-term  
16 power purchase agreement, to Public Service Company of New  
17 Hampshire for 20 years. We then, in 2007, entered a  
18 three-year power purchase agreement with Constellation  
19 Energy Commodities Group. Our contract with Constellation  
20 Energy ended on August 31st of this year. We have tried  
21 unsuccessfully, for more than six months, to enter into a  
22 new power purchase agreement that will keep our facility  
23 viable. Let me say that again. We have tried for more  
24 than six months to enter into a power purchase agreement

1 with many, many off-takers to keep our facility viable.  
2 We're currently selling into the ISO-New England real-time  
3 market, power prices in the ISO, real-time power markets,  
4 will not keep our doors open.

5 We're very concerned that the  
6 construction of the Laidlaw facility will further  
7 undermine our ability to operate. A 70 megawatt plant  
8 will have a reach for fuel well over 100 miles and greatly  
9 impact our market. Further, the contract being proposed  
10 for the facility, in Section 6.1.2, outlines a fuel  
11 adjustment that limits fuel risk to the owners and ties  
12 the price of fuel to the price of fuel from Schiller  
13 Station. Schiller Station is a rate based plant, and fuel  
14 risk at that facility is borne by ratepayers. Therefore,  
15 the index that the Laidlaw plant is benchmarked against is  
16 a facility that has no fuel price risk.

17 Our facility has no such backstop, and  
18 never has. Higher fuel prices and pressure on supply will  
19 likely force us out of business. It seems that the  
20 certainty of existing jobs and existing facilities should  
21 be the number one priority, so that existing jobs and  
22 benefits of these facilities are not lost or traded for  
23 speculative jobs.

24 Thank you. And, I would be happy to



1 entertain any questions.

2 CHAIRMAN BURACK: Thank you very much,  
3 Mr. O'Leary. And, if you do have a written statement,  
4 we'd be happy to receive it.

5 MR. O'LEARY: Okay.

6 CHAIRMAN BURACK: Thank you. Are there  
7 any other members of the public present today who would  
8 like to be able to make a public comment in this  
9 proceeding? Thank you very much.

10 MR. O'LEARY: Yes. Thanks.

11 (No verbal response)

12 CHAIRMAN BURACK: Okay. Seeing none,  
13 I'd now like to inquire of the parties and the Committee,  
14 when we were wrapping up at our last session, we were  
15 taking testimony here, and "cross-examination", I should  
16 say, of Mr. Liston, the first of Clean Power Development's  
17 two witnesses. And, I just want to inquire as to whether,  
18 Counsel for the Public, do you have any additional  
19 questions for Mr. Liston?

20 MR. BROOKS: We do not.

21 CHAIRMAN BURACK: You do not. Okay. Do  
22 members of the Committee have additional questions for Mr.  
23 Liston at this time? Attorney Needleman, did you have any  
24 additional questions for Mr. Liston?

1 MR. NEEDLEMAN: No.

2 CHAIRMAN BURACK: Okay. Mr. Harrington  
3 does have a question. Mr. Liston, if you would be kind  
4 enough please to return to the witness table here. You've  
5 already taken an oath, so it's not necessary for you to do  
6 so again.

7 MR. LISTON: Okay.

8 CHAIRMAN BURACK: And, we thank you for  
9 returning.

10 (Whereupon Melvin E. Liston was recalled  
11 to the stand, having been previously  
12 sworn.)

13 CHAIRMAN BURACK: Please proceed,  
14 Mr. Harrington.

15 MELVIN E. LISTON, Previously sworn

16 BY MR. HARRINGTON:

17 Q. Mr. Liston, just a couple of questions. It seems like  
18 a lot of discussion we've had, and including the people  
19 who just gave public statements, is to the effect that  
20 the Laidlaw plant being 70 megawatts will just consume  
21 too much wood. Is that basically one of your  
22 objections to the plant?

23 A. It will consume too much wood, and the implications are  
24 that it has the ability to pay too much for it, or a

1 one-of-a-kind ability to pay more for it.

2 Q. But, if your development went forward, you would  
3 consume somewhere around 30 megawatts, so a little  
4 less, say 40, 45 percent of the wood that Laidlaw would  
5 consume?

6 A. Correct. Our sizing is based upon the amount of wood  
7 that is available at a reasonable price within the  
8 30-mile radius.

9 Q. But we've also heard a lot of testimony here that,  
10 basically, that the wood market is not necessarily  
11 limited to 30 miles, due to this back hauling and all  
12 these other different things that were discussed, that  
13 it appears that, at least to some extent, it's a --  
14 more of almost a statewide market. Would you agree  
15 with that or disagree?

16 A. I think there are circumstances whereby sometimes  
17 people have product far away that they can't get rid of  
18 any other way. But anybody that was in the southern  
19 part of the state is going to have to drive by other  
20 facilities to get to Berlin. So, I would presume that  
21 they would take the first facility that was paying  
22 market price.

23 Q. And, speaking of other facilities, is Clean Power  
24 planning on or is at least in the planning stages of

1 building another biomass plant in southern New  
2 Hampshire?

3 A. Yes, we have one in the ISO-New England queue that we  
4 are actively developing in Winchester, New Hampshire.

5 Q. And, what's the size of that plant?

6 A. Twenty megawatts.

7 Q. So, what you're proposing then is for Clean Power to  
8 have about 50 megawatts of wood burning capability in  
9 New Hampshire?

10 A. Correct.

11 Q. Okay. And, are there -- is there a third or fourth  
12 plant in the wings or planning stages?

13 A. We're looking at several locations, like Groveton and  
14 other places, and then continue to look at the  
15 Anheuser-Busch situation, for much smaller facilities,  
16 yes.

17 Q. But that would start approaching the 70 megawatts of  
18 Laidlaw, as far as wood consumption then, wouldn't it?

19 A. I believe that, within the footprint of New Hampshire,  
20 that there may be as much as 80 megawatts' worth of  
21 potential. But that's the same potential that would  
22 have to be used by the pellet industry and all users of  
23 biomass. Then, that would assume that -- that would be  
24 reaching absolute maximization. And, somewhere shy of

1 that you have to stop, or, you know, you have issues  
2 when, you know, sometimes there won't be enough supply.

3 Q. Okay. Well, I guess what I'm trying to get straight in  
4 my mind here is that we keep hearing that, at  
5 70 megawatts, Laidlaw is going to cause massive  
6 disruption of the wood industry and existing power  
7 plants in New Hampshire. But, if Clean Power comes in  
8 at 30, and then an additional 20, which is now 50,  
9 there must be some incremental effect on that. Maybe  
10 not massive disruption, but some disruption. Some  
11 other plants will close, the price of wood will go up,  
12 and will cause problems to existing facilities?

13 A. Not as long as the facilities are built small enough,  
14 as we approach the point of maximization, as long as  
15 they're built small enough, so that they can live off  
16 of fairly local supplies of wood.

17 The Clean Power Project does not draw  
18 from Cheshire County, for instance, but the Winchester  
19 Project would. So, within a 30-mile radius of Cheshire  
20 County, we would be looking at that. And, that's in  
21 the southwestern corner of the state. And, so,  
22 probably 15 to 25 percent of the wood would come from  
23 New Hampshire, a similar amount would come from  
24 Vermont, and maybe as much as half might come from

1 Massachusetts, looking at just a circle.

2 Q. So, you're saying then that it's not just the total  
3 megawatts that count, it's how they're distributed  
4 geographically?

5 A. It's very important that they be -- additionally, like  
6 I'm talking with a utility in Vermont, and their  
7 interests are that they locate a power plant in a place  
8 where they can avoid having to make transmission  
9 upgrades. In other words, they have to feed into an  
10 area that presently doesn't have power. And, by  
11 installing a plant in a specific location, you can save  
12 that utility the ability to -- the need to have to  
13 upgrade transmission lines to get more power into that  
14 area.

15 The whole southwestern part of New  
16 Hampshire, who has Keene and everything in there, I  
17 know, other than a few hydro projects, there's no  
18 generation there. So, it is a -- it is like a black  
19 hole for power. And, prior to the Pinetree-Tamworth  
20 Project, that Tamworth location was the same thing.  
21 And, I believe back then, 25 years ago, when we were  
22 developing that, that Public Service Company was facing  
23 considerable upgrades to bring transmission lines in  
24 there to feed that area. They may have done something

1 about it since then. But, at that point in time, they  
2 were very favorable that that plant be located in that  
3 spot, because it solved transmission issues for them.

4 MR. HARRINGTON: All right. Thank you.  
5 That's all the questions I had. Thank you, Mr. Chairman.

6 CHAIRMAN BURACK: Other questions from  
7 other members of the Committee?

8 MR. NEEDLEMAN: Mr. Chair, if the  
9 Committee does not, I wanted to ask a follow-up.

10 CHAIRMAN BURACK: I do. And, we'll come  
11 to you. And, I do have a question for you, Mr. Liston.

12 MR. RODIER: Excuse me, Mr. Chairman?

13 CHAIRMAN BURACK: Yes.

14 MR. RODIER: At an appropriate time, I  
15 have just one redirect, if you want to permit me to do  
16 that at some point?

17 CHAIRMAN BURACK: We will. We'll do our  
18 cross-examination on the direct, --

19 MR. RODIER: Good. Thank you.

20 CHAIRMAN BURACK: -- then come back and  
21 do your redirect, and then see if that spurs any further  
22 questions for this witness.

23 BY CHAIRMAN BURACK:

24 Q. Mr. Liston, you mentioned a moment ago that you thought

1 that there was an 80-megawatt limit to the amount of  
2 capacity that could be added to the existing electrical  
3 capacity, based on biomass in this state, is that  
4 correct?

5 A. No. What I mentioned there was the footprint of the  
6 State of New Hampshire. The University of New  
7 Hampshire did do a study, and we did talk about this  
8 the last time, and I didn't search it to bring it in.  
9 But the University of New Hampshire did do a study, and  
10 I can't remember exactly the professor's name, but it's  
11 fairly -- it's a fairly recent study. And, basically,  
12 they were looking at the low-grade biomass potential of  
13 the footprint of New Hampshire. In other words, how  
14 much was growing, so to speak, or what could be taken  
15 from New Hampshire. What parameters they used to do  
16 their study, I don't know. But, at that time,  
17 reflecting that availability as megawatts versus so  
18 much wood available, they referred to it as the total  
19 capability being in the area of 80 megawatts, is what  
20 would be appropriate to locate in New Hampshire,  
21 dependent upon New Hampshire fuel resources.

22 And, I would say that that concurs with  
23 my own opinion and other studies that we have, that it  
24 is somewhere in that neighborhood. If you go beyond



1           that, it doesn't mean that you couldn't have more  
2           megawatts in New Hampshire, but, if you're drawing fuel  
3           from other states, other localities. But the actual  
4           amount that we have available as a New Hampshire grown  
5           source was something like that.

6       Q.    I believe in your testimony last time, and my notes  
7           reflect that you mentioned a "Professor Aber of UNH"?

8       A.    I believe that's pretty close to his name. But, yes.  
9           And, I forgot to bring it in, okay? But we can get it  
10          to you.

11                           CHAIRMAN BURACK: I am going to request  
12          that you provide a copy of that for the record as quickly  
13          as you can here for the Committee. And, we'll mark that  
14          as a Committee exhibit. We'd like to have that included  
15          here please.

16                           (Committee Exhibit 12 was reserved for  
17          the record request.)

18                           CHAIRMAN BURACK: Other questions from  
19          the Subcommittee for this witness?

20                           (No verbal response)

21                           CHAIRMAN BURACK: Okay. If not,  
22          Attorney Needleman, questions?

23                           CROSS-EXAMINATION

24       BY MR. NEEDLEMAN:

1 Q. Mr. Liston, the last time when you were testifying,  
2 Dr. Kent asked you the following question: He said "Do  
3 you have any studies that you know of that demonstrate  
4 an expected impact, a negative impact to the region if  
5 Laidlaw were to become operational?" And, the first  
6 portion of your response was "I don't believe anybody's  
7 done such a study." Do you recall that?

8 A. Yes.

9 Q. My question to you is with respect to the PSNH Schiller  
10 Project. Are you aware of any studies or third party  
11 assessments that have been done that show the  
12 construction of that 50 megawatt wood-fired plant had  
13 the sort of negative impacts that you've been talking  
14 about here?

15 A. No.

16 Q. And, the same question with respect to the Burlington  
17 Electric facility. Are you aware of any reports or  
18 third party studies that showed that that facility,  
19 once constructed, had the sort of negative impacts that  
20 you're talking about here?

21 A. No.

22 MR. NEEDLEMAN: Thank you. No further  
23 questions.

24 CHAIRMAN BURACK: Thank you. Attorney

1 Rodier, you have some redirect?

2 MR. RODIER: Yes. Just one area.

3 REDIRECT EXAMINATION

4 BY MR. RODIER:

5 Q. And, it follows up on Mr. Harrington's question here.

6 And, actually, it goes back to an exchange that

7 Mr. Harrington had with Mr. Liston when he was here

8 last time. And, Mr. Liston, the question from

9 Mr. Harrington: "It seems as if the testimony we've

10 heard on the availability of wood has been one constant

11 throughout, given by Laidlaw, their experts, and

12 yourself. And, it is: If you're willing to spend

13 enough money, there's plenty of wood. Do you agree

14 that's correct?" And, the transcript, I believe, says

15 "That's correct." Do you recall that exchange?

16 A. I do.

17 Q. Now, that question and simple answer that you gave,

18 "that's correct", really gets to this point. Since the

19 PPA was divulged and became public, that has become the

20 core issue on the biomass issue, has it not?

21 A. It is the core issue, is their ability to pay more than  
22 all so-called "competing" projects.

23 Q. Right. So, it's not, as you said before, in responding  
24 to a question from I think it was the Chairman, but,

1            anyway, it's not just the size of the plant, it's the  
2            economic muscle it may have to just elbow other  
3            existing users out of the way, is that correct?

4            A.     That's correct.

5                            MR. RODIER:    Thank you.

6                            CHAIRMAN BURACK:    Any follow-up  
7            questions on that redirect?

8                            MR. NEEDLEMAN:    No.

9                            CHAIRMAN BURACK:    Counsel for the  
10           Public, anything further on this?

11                           MR. BROOKS:    No.

12                           CHAIRMAN BURACK:    Members of the  
13           Subcommittee, any further questions for Mr. Liston?

14                           (No verbal response)

15                           CHAIRMAN BURACK:    Very well.    Mr.  
16           Liston, thank you very much.

17                           WITNESS LISTON:    Thank you.

18                           CHAIRMAN BURACK:    Appreciate your  
19           returning today.    Just going to go off the record here for  
20           just a moment here.

21                           (Off the record.)

22                           CHAIRMAN BURACK:    Before we turn to the  
23           next witness, I just want to get some clarification.

24           There were a number of requests that were made of various

1 parties at prior sessions for submittal of additional  
2 information. And, Attorney Needleman, do you have -- one  
3 of the items that had been requested was some calculations  
4 demonstrating the amount of fuel that might be used based  
5 upon different sets of assumptions. Do you have those  
6 prepared to be submitted to the Subcommittee today?

7 MR. NEEDLEMAN: I believe it was  
8 provided last time. I think that's Exhibit 69.

9 CHAIRMAN BURACK: Exhibit 69, okay.  
10 Just want to --

11 MR. HARRINGTON: Yeah, I'll take a look  
12 at it.

13 CHAIRMAN BURACK: Okay. Thank you.  
14 Thank you for that clarification for us. Okay. Very  
15 well. Now like to ask, Attorney Rodier, if you would  
16 please present your second witness? Did he step out for a  
17 moment?

18 MR. LISTON: Probably went to the men's  
19 room.

20 CHAIRMAN BURACK: Why don't we do this.  
21 Why don't we take a five minute break, and then we will  
22 resume with Mr. Gabler's testimony. So, we'll come back  
23 by about 10:15 by that clock, just a very quick break.

24 (Whereupon a recess was taken at 10:11

1 a.m. and the hearing resumed at 10:32  
2 a.m.)

3 CHAIRMAN BURACK: I'd like to resume our  
4 session. And, Attorney Rodier, I'd ask you if you would  
5 please present your next witness.

6 MR. RODIER: Yes. Thank you,  
7 Mr. Chairman. The next witness, CPD's only other witness,  
8 is William Gabler. And, I'd ask that he be sworn in.

9 (Whereupon William W. Gabler was duly  
10 sworn and cautioned by the Court  
11 Reporter.)

12 WILLIAM W. GABLER, SWORN

13 DIRECT EXAMINATION

14 BY MR. RODIER:

15 Q. Mr. Gabler, do you -- well, you are sponsoring prefiled  
16 Exhibit CPD 2, CPD 3, and CPD 3A, is that correct?

17 A. Correct.

18 Q. And, let me just ask you, let's just clarify, the  
19 difference between CPD 3, that's the unredacted,  
20 nonpublic version, and 3A is the redacted public  
21 version?

22 A. Correct.

23 Q. Okay. So, what I want to do here is, at this point, is  
24 ask you with respect to the prefiled testimony in CPD 2

1 and 3, did you prepare those yourself?

2 A. Yes, I did.

3 Q. And, that is -- those are based on your own knowledge  
4 and expertise?

5 A. Yes.

6 Q. And, as you're here today, do those exhibits still  
7 reflect, to the best of your information, knowledge and  
8 belief, what you want your testimony to the Committee  
9 be?

10 A. Yes.

11 Q. You don't have any changes, is that what you're saying?

12 A. No changes.

13 Q. Okay. So, what I want you to do, you know, time is a  
14 precious commodity at this point, and without doing  
15 any, you know, harm to the substance of your testimony,  
16 can you give a brief summary?

17 A. Yes. And, I made a few notes here, and so I'll  
18 reference that. Permitting the construction and  
19 operation of the proposed Laidlaw Berlin BioPower plant  
20 will clearly impact the orderly development of the  
21 region through the resulting imposition of minimum  
22 interconnection standards, otherwise known as "MIS", on  
23 the region. The System Impact Study done by ISO-New  
24 England, which was Laidlaw Exhibit 56, very -- it shows

1 very explicitly that operation of the Laidlaw Project  
2 will result in the curtailment and/or shutdown of the  
3 existing generation on the Coos Loop. In the base case  
4 assumed for the study, Berlin Hydro, Smith Hydro, and  
5 the Whitefield biomass plant would be shut down. In  
6 reality, it could be any generator, including LBB, that  
7 would be shut down on any given day. And, the  
8 resulting disorder to the region would bring a future  
9 of uncertainty and economic uncertainty, not only to  
10 operating power plants, but fuel suppliers for those  
11 projects.

12 The negative impact of the orderly  
13 development of the region could be avoided through a  
14 comprehensive upgrade of the transmission system, but  
15 Laidlaw has chosen not to provide that upgrade. As is  
16 indicated in the most recent version of the System  
17 Impact Study, Laidlaw anticipates spending  
18 \$3.06 million for the interconnection and minor  
19 upgrades to bring the system up to minimum  
20 interconnection standards.

21 The New Hampshire Public Utilities  
22 Commission and the North Country Transmission  
23 Commission have been studying this issue for about  
24 three years, and have heard testimony that a more



1 vibrant upgrade, which would allow operation of all  
2 projects, could be in the vicinity of \$100 million or  
3 possibly more. KEMA is currently working on a study of  
4 those cost allocations for the State of New Hampshire.  
5 That draft report was due out last week. It has been  
6 delayed and will be out shortly. However, given the  
7 sizable cost, Laidlaw has chosen not to pursue that  
8 avenue. They have clearly stated in letters to the  
9 Transmission Commission that the addition of such costs  
10 could well make their project economically unfeasible.

11 So, MIS was created as a transitory  
12 transitional model, to allow a plant to be built while  
13 the transmission upgrades were being done. It needs to  
14 be kept at that. In order for the stability and  
15 security of the region, the upgrades need to be done  
16 and included as part the Laidlaw Project, as is the  
17 normal protocol for the interconnection of all  
18 generators in ISO-New England.

19 Q. Does that conclude your summary?

20 MR. NEEDLEMAN: Mr. Chairman, I'm  
21 terribly sorry to interrupt.

22 MR. RODIER: Okay.

23 MR. NEEDLEMAN: May I approach for a  
24 minute, and you could as well, Jim.

1 MR. RODIER: Sure.

2 (Atty. Needleman and Atty. Rodier  
3 conferring with the Chairman and Mr.  
4 Iacopino.)

5 (Atty. Rodier conferring with Witness  
6 Gabler.)

7 MR. RODIER: So, he's available for  
8 cross-examination.

9 CHAIRMAN BURACK: Thank you. Attorney  
10 Needleman.

11 MR. NEEDLEMAN: Thank you.

12 CROSS-EXAMINATION

13 BY MR. NEEDLEMAN:

14 Q. Mr. Gabler, let me start with your prefiled testimony,  
15 on the bottom of Page 2.

16 CHAIRMAN BURACK: Could you tell us  
17 which exhibit you're in please? Which piece of his  
18 prefiled testimony?

19 MR. NEEDLEMAN: I think it's the  
20 non-redacted version.

21 CHAIRMAN BURACK: So, this is going to  
22 be --

23 WITNESS GABLER: So, Exhibit 3?

24 MR. NEEDLEMAN: I believe it's

1 Exhibit 3.

2 WITNESS GABLER: Okay.

3 CHAIRMAN BURACK: Okay. Just a moment  
4 here. Have we not --

5 MR. NEEDLEMAN: Okay. It's the full  
6 version, which I think maybe is number 2.

7 WITNESS GABLER: Okay.

8 CHAIRMAN BURACK: All right. So, we're  
9 on CPD Exhibit Number 2. Thank you.

10 BY MR. NEEDLEMAN:

11 Q. And, if I've got the right version, I'm looking at the  
12 very bottom of Page 2, Line 23. And, the paragraph  
13 begins by you generally laying out your concerns about  
14 the Project and the consequences you think it will have  
15 on the North Country. And, then, I'm looking at the  
16 sentence that begins at the very end of Line 23, that  
17 begins "Projects that are", do you see that one?

18 A. Okay. And, I'm sorry, I must have a different printer.  
19 So, I have a different line number. I'm trying to --

20 Q. Well, the sentence I'm looking at says "Projects that  
21 are fully permitted and ready to be built may well be  
22 brought to a standstill by the economic uncertainty  
23 brought on by MIS." Do you see that sentence?

24 A. Correct.

1 Q. When you say "Projects that are fully permitted and  
2 ready to be built", do you mean the CPD Berlin Project?

3 A. Or the Granite Reliable Wind Project or, if Laidlaw  
4 gets the permit, it could be the Laidlaw Project.

5 Q. Okay. And, when you talk about "the economic  
6 uncertainty brought on by MIS", you agree with me that  
7 imposition of MIS is an ISO decision, this Committee  
8 has no jurisdiction over that?

9 A. Oh, absolutely.

10 Q. Okay. Now, going further down in the next paragraph, I  
11 think it's on Line 5 in my version, you say "issuance  
12 of a permit for the construction of the Laidlaw Berlin  
13 BioPower Project will likely have a significant  
14 negative impact on the orderly development of the  
15 region." Do you see that?

16 A. Yes.

17 Q. I want to refer you to a number of exhibits. And, you  
18 can feel free to look at them, if you want, but, in the  
19 interest of time, I was going to skim through them.  
20 The first is Applicant's Exhibit 31 [32?], which is a  
21 letter from the Mayor of Berlin to the Committee, which  
22 we've marked as an exhibit. And, in that letter, the  
23 mayor says "In my view as Mayor of Berlin, Laidlaw  
24 Berlin BioPower is the most significantly positive new

1 economic development project for this area in over 30  
2 years." Have you had a chance to read this letter at  
3 some point?

4 A. I have read it.

5 Q. And, then, in Exhibit 32 [31?], that's a letter to the  
6 Committee from the Coos County Commissioners' Office,  
7 signed by Burnham A. Judd, the Chairman of the  
8 Committee. And, at the final line in there, the letter  
9 says "The Laidlaw BioPower Project most positively  
10 affect" -- "would most positively affect the orderly  
11 development of the region and return our forests to  
12 their historical use as working forests." Have you had  
13 an opportunity to look at that letter?

14 A. I have read that.

15 MR. RODIER: Mr. Chairman, these -- I  
16 hate to interrupt. These questions go to a legal term  
17 "what is the orderly development of the region?" And,  
18 that's really up for this Committee to decide. Mr. Gabler  
19 is here to talk about transmission, which is a very  
20 narrow, technical specific issue. He's not here to try to  
21 draw -- although, I will agree, I guess he did say that,  
22 the "orderly development of the region". What I'd like to  
23 do, though, is suggest to the Committee that we not take  
24 statements that have nothing to do with transmission and

1 ask him to comment on it. Thank you.

2 CHAIRMAN BURACK: Attorney Rodier, I  
3 hear your objection. I am going to allow the line of  
4 questioning to continue, at least for the moment. And, we  
5 will give it, and the questions that are -- or responses  
6 that are given such weight as we deem appropriate.

7 MR. RODIER: Okay.

8 CHAIRMAN BURACK: Thank you.

9 BY MR. NEEDLEMAN:

10 Q. Were you present in the room when the representative of  
11 the City testified that, in the City's official view,  
12 "the Project was consistent with the development --  
13 orderly development of the region"?

14 A. Yes.

15 Q. And, are you aware of the letter that the Androscoggin  
16 Valley Economic Recovery Corporation provided to the  
17 Committee recently, which also essentially says that  
18 "the Project is consistent with the orderly development  
19 of alternative energy industry in the region." Have  
20 you had a chance to look at that?

21 A. Yes.

22 Q. So, my question to you is, taking the views all of  
23 these different authorities, the City of Berlin, the  
24 Androscoggin Valley Economic Development Corporation,

1 and the Coos County Commissioners, is it your testimony  
2 that they are all wrong with respect to this being  
3 consistent with orderly development and you are right?

4 A. I would say I disagree with them.

5 Q. Okay.

6 A. As in all things, any groups of people may disagree  
7 over an issue. Based upon my experience as a state  
8 legislator, as a County Commissioner, and as selectman  
9 and chairman of a planning board, and working within  
10 Grafton County for a number of years in all those  
11 capacities, I have a different opinion.

12 Q. At the technical session in Berlin, I actually asked  
13 you specifically what you mean when you use the term  
14 "orderly regional development", because I wanted to be  
15 sure of your understanding. And, what you said to me  
16 was "protection of existing projects and economic  
17 interests." Do you remember that?

18 A. I remember the question. I don't remember it being  
19 exactly quoted as that, but --

20 Q. I wrote it down, because it was very important, I  
21 wanted to make sure I understood what you were talking  
22 about. Do you have Mr. Liston's testimony available?

23 A. I do not.

24 MR. NEEDLEMAN: Could we get a copy of

1 that?

2 MR. RODIER: He's got it.

3 WITNESS GABLER: Yes, I do. I forgot I  
4 had this here.

5 MR. NEEDLEMAN: I don't recall what  
6 exhibit this is.

7 MR. RODIER: One.

8 WITNESS GABLER: I think Exhibit 1.

9 MR. NEEDLEMAN: Exhibit 1.

10 CHAIRMAN BURACK: Are we referring to  
11 CPD Exhibit 1?

12 MR. NEEDLEMAN: That's correct. And,  
13 I'm looking at Page 17 of that testimony.

14 CHAIRMAN BURACK: So, it's Page 17 of  
15 37.

16 BY MR. NEEDLEMAN:

17 Q. And, beginning on Line 11 there, Mr. Liston says "the  
18 SEC must give thoughtful consideration to the many  
19 smaller industrial and municipal users of biomass as  
20 well as the numerous alternative proposals of various  
21 types that would also depend upon the same resource."  
22 Do you see that?

23 A. Yes.

24 Q. So, it seems to me that, when you look at what Mr.



1 Liston is arguing here, and you look at your definition  
2 of "orderly regional development" as "protection of  
3 existing projects and economic interests", aren't you  
4 really arguing that it's the Committee's job to insert  
5 itself into the free market and choose among competing  
6 projects?

7 A. No. And, reflecting upon what you say my quote was, I  
8 think that may well have been taken out of context.  
9 Because I don't think I would have limited myself to  
10 merely speaking of "existing projects". I may well  
11 have said that in the context of both protecting or  
12 taking in consideration for existing jobs and projects,  
13 as well as numerous other ones that may be coming into  
14 place. As I said in my testimony, my written  
15 testimony, that it includes existing projects and  
16 projects that may well be -- either are or may be  
17 permitted to build in the future. So, what I'm looking  
18 at is, "orderly economic development" is a  
19 broad-reaching term, in my opinion, which includes not  
20 a protectionist philosophy for perhaps antiquated or  
21 projects that have gone beyond their time or economic  
22 interests that have gone beyond the time, such as a  
23 horse-and-buggy operation, if you will, to catch that  
24 analogy. But, what I'm saying is, the Committee needs

1 to recognize that, in permitting the construction of  
2 this project, as we've heard testimony from a number of  
3 other power plant operators and interested parties,  
4 that permitting the operation of this project may well  
5 result in a shutdown of their existing, currently  
6 viable projects, because of the impact in rate orders,  
7 rate PPAs and wood price adjustments.

8 Q. You talked a moment ago about "antiquated" facilities.  
9 What do you mean by that?

10 A. Well, my example was that -- I'm trying to make an  
11 analogy that there could be industries that are beyond  
12 their time. Such as, at the turn of the 20th century,  
13 one could have argued that horse whip manufacturers  
14 were going out of style. And, so, it would be  
15 improper, in my estimation, to protect an industry  
16 who's past its time, such as a horse whip manufacturer.  
17 Just trying to really make an analogy, of where it  
18 would be inappropriate to consider the long-term  
19 viability of those projects -- those industries. But,  
20 a situation that we're talking about here, you have  
21 currently viable, operating industrial facilities, of  
22 the same technological basis as what is being proposed,  
23 and the Committee needs to recognize that, by allowing  
24 the construction of this facility and the 40 resulting

1 jobs, they may well doom as many as a half dozen other  
2 projects employing 100 people.

3 Q. I asked Mr. Liston this question, let me ask you as  
4 well. Do you have any third party studies or any  
5 reports of any type to support that assertion?

6 A. Other than listening to the testimony of the power  
7 plant operators from Bridgewater, Whitefield,  
8 Alexandria, power procurement agent for more plants  
9 beyond that, direct testimony, I think that would  
10 suffice as an answer.

11 Q. But you have no third party studies that have actually  
12 examined this issue and reached that conclusion?

13 A. Correct. Perhaps one is needed.

14 Q. And, are you aware of any studies that looked at the  
15 impact that Schiller had and did Schiller cause any of  
16 those effects when it was built?

17 A. No. But perhaps we should have one. I mean, maybe the  
18 Committee should call for such a study before moving  
19 forward on the Laidlaw Project.

20 Q. Mr. Rodier asked Mr. Liston a moment ago what his  
21 concerns were, and he identified "pricing", in  
22 particular, and used the phrase "economic muscle to  
23 elbow out existing users." Is that a concern you share  
24 as well?

1 A. I'm not sure how that has to do with transmission.

2 MR. RODIER: Mr. Chairman, I'm just  
3 going to renew my objection. That's got nothing to do  
4 with transmission that I can see.

5 MR. NEEDLEMAN: Well, it all relates to  
6 orderly regional development.

7 MR. RODIER: He's testifying on  
8 transmission issues. It was his opinion it's going to be  
9 "disorderly".

10 MR. NEEDLEMAN: That's what I'm asking  
11 about.

12 MR. RODIER: Transmission is going to be  
13 disorderly. Not Schiller, not the PPA, nothing else, but  
14 transmission.

15 MR. NEEDLEMAN: Well, will you stipulate  
16 that his opinion is purely limited only to orderly  
17 regional development as it pertains to transmission and  
18 nothing else?

19 MR. RODIER: What I would say, and I'm  
20 happy, you know, at this point, I think the record should  
21 stand. I think, from here on in, that I objected, you  
22 were allowed to proceed, he gave his answers. I'm sure  
23 he's happy with his answers. But I suggest that we stick  
24 to the effect that -- the transmission issues and their

1 effect on the big picture, rather than asking him to  
2 dissect Mr. Liston's testimony.

3 CHAIRMAN BURACK: Thank you, Attorney  
4 Rodier. Again, I'm going to allow this questioning to  
5 proceed. And, the witness will answer the questions as he  
6 can.

7 BY MR. NEEDLEMAN:

8 Q. Well, again, let me just repeat it, so it's clear. Mr.  
9 Liston expressed a moment ago about "pricing" and  
10 "economic muscle" having an effect on the orderly  
11 development of the region. Do you share that concern?

12 A. I do. Because I believe that the Power Purchase  
13 Agreement that has been proposed by the Applicant is  
14 inordinately -- places an inordinate burden on the  
15 ratepayers of the State of New Hampshire by obligating  
16 them to pay for Renewable Energy Credits, whether or  
17 not they have any value. To pay for a forward capacity  
18 market payment, whether or not it has any value in the  
19 auction. To adjust for fuel prices based on another  
20 region that is totally disoriented or, you know, from  
21 the actual region of operation. They have the ability  
22 to have a total unbridled bill for whatever fuel they  
23 want to -- they want to buy. That will create the  
24 economic muscle that will create unorderly economic

1 development, impacting not only renewable power  
2 generators in the region, but potential industries in  
3 the region who now have to pay higher prices for their  
4 energy to PSNH.

5 I recently met with some officials in  
6 Winchester who are interested in bringing a new project  
7 to their area, and they were quoted that PSNH would  
8 charge them 21 cents a kilowatt-hour for their rate;  
9 they wanted to get power directly from us because it  
10 would be a lot cheaper. Just as an example how the  
11 inordinately high rates of electrical power can have  
12 disorderly impact by dissuading new businesses from  
13 coming into a location.

14 So, yes, in a very broad-reaching  
15 statement, I think it will have a -- economic muscle  
16 will create disorderly impact.

17 Q. Well, let me give you a hypothetical. If you're not  
18 correct, and if, in fact, this facility ultimately has  
19 some type of incentive to ensure that it procures wood  
20 at the lowest price available, wouldn't that change  
21 your analysis dramatically?

22 A. No. Because they're still paying for -- the ratepayers  
23 are going to pay for Renewable Energy Credits whether  
24 or not they have any value. Even if they have got zero

1 value, ostensibly, Laidlaw will get \$60 a megawatt-hour  
2 for each of those RECs, because that's the current  
3 market price -- or, the current alternative compliance  
4 price. Additionally, the Forward Capacity Market  
5 payments will be dictated not by what their true market  
6 value is in the auction, but by what PSNH stipulates in  
7 the PPA. There are a number of factors in this that  
8 give all of the risk to the ratepayers and none to the  
9 Applicant.

10 Q. Aren't those policy arguments about whether or not the  
11 state's Renewable Portfolio Standard is a good idea?

12 A. Well, you asked what impact it would have, and I'm just  
13 citing an impact.

14 Q. Right. But, I'm asking now, aren't those policy  
15 arguments that are essentially criticizing the state's  
16 Renewable Portfolio Standard?

17 A. No, not at all. What I'm criticizing is the PPA, which  
18 creates an inordinately amount -- inordinate amount of  
19 risk on the ratepayers, and none on the supposed  
20 merchant generator that should be taking the risk.

21 Q. So, you're -- I'm sorry. Go on.

22 A. And, that's, you know, if and when a decision is ever  
23 made on a policy issue, then that should have impact on  
24 the PPA. That's what I'm trying to say.

1 Q. So, you're basically arguing that this plant will have  
2 some sort of favorable pricing model, and that's your  
3 concern?

4 A. That's what shows in the PPA. And, when you wanted to  
5 talk about the "broad economic impact", that's what I  
6 come down to, because it's about dollars. And, the  
7 dollars are reflected not so much in the wood or the  
8 biomass or the actual specifics of the transmission  
9 capacity and whether or not the cabling is 336 ACSR or  
10 795 ACSR, the real muscle impact is dollars, and  
11 dollars stem from the PPA. Therefore, the PPA has to  
12 be the point of discussion for economic impact.

13 Q. Are you familiar with this Committee's June 9th, 2010  
14 order on Clean Power Development's contested motion for  
15 a clarification and/or rehearing? I assume you had a  
16 chance to read that at some point?

17 A. I may have read it, but I don't -- I'm not familiar  
18 enough to discuss it.

19 Q. Okay. Well, I want to read you one or two lines from  
20 there, and then I can put it in front of you so you  
21 have it. One thing that the Committee said was "The  
22 fact that one electric producer may be able to command  
23 a better fuel price or develop a better output pricing  
24 model than another is not within the regulatory



1 authority of the Committee." Given that the Committee  
2 has expressed that issue, with respect to your motion  
3 and with respect to the PPA, does that alter your  
4 testimony at all?

5 A. No. Because the true discussion of the PPA will happen  
6 before the Public Utilities Commission. But this  
7 Committee needs to be aware of, obviously, since you  
8 submitted it as an exhibit, the Committee needs to be  
9 aware of the PPA and take those impacts into account in  
10 their decision. And, whether or not the -- if they  
11 issue a permit, may well be conditional on ultimate  
12 approval of the PPA. Therefore, to that extent, the  
13 PPA has to be a part of the discussion.

14 Q. There's another portion of this that said "The  
15 Committee has no authority to regulate competition or  
16 any of its components, such as pricing, that may exist  
17 between competing facilities." Isn't that, in fact,  
18 exactly what you're arguing for with respect to CPD?

19 A. Not at all. I'm not asking for any regulation. Asking  
20 for a clear evaluation of the public good, and what is  
21 the -- what is the -- in the interest of the economic  
22 development and the orderly development of the region,  
23 and taking that into account, not to regulate, but to  
24 oversee and work with the information to provide a

1 permit, or not provide a permit, based upon how they  
2 perceive that facility will impact the region. That's  
3 their job. That's not regulation. Or, it is  
4 regulation to an extent, but not regulation in the way  
5 that you choose to use the term here.

6 MR. NEEDLEMAN: Thank you. I have no  
7 other questions now.

8 CHAIRMAN BURACK: Thank you. Counsel  
9 for the Public.

10 MR. BROOKS: Thank you, Mr. Chairman.  
11 I'm just going to ask Mr. Rodier a brief question before I  
12 proceed.

13 (Atty. Brooks conferring with Atty.  
14 Rodier.)

15 MR. BROOKS: Thank you. Just a few  
16 questions.

17 BY MR. BROOKS:

18 Q. The first was based on your direct testimony, and you  
19 reiterated a statement about I believe the Smith Hydro  
20 plant and one or two more hydro facilities. Can you  
21 repeat that again, just so I make sure I understand  
22 what you were saying?

23 A. The lineup, distribution -- the generation distribution  
24 lineup that ISO-New England proposed for their base

1 case showed that, in order to allow Laidlaw to operate  
2 at 59 megawatts, and, by the way, I want to make an  
3 additional point here, that it's not just 59, it's 64,  
4 because they announced at the last hearings that they  
5 were going to add five to that. So, there's going to  
6 be an additional five megawatts beyond that shut down.  
7 But, in order to make the 59 megawatt shutdown that  
8 would be necessary to allow Laidlaw to operate, the  
9 base case model they used shut down Smith Hydro, Berlin  
10 Hydro, and the Whitefield biomass power plant. Now, my  
11 point being, that was their base model. It could be  
12 any plants, plant or plants that are shut down. That's  
13 just the ones they chose to shut down to do their  
14 analysis.

15 Q. Okay. Because we've heard testimony that, and correct  
16 me if I'm wrong, because my understanding may not be as  
17 good as yours, that a run-of-river facility, which I  
18 believe Smith Hydro is, and I'm not as familiar with  
19 Berlin, would get to bid zero into the market and,  
20 therefore, you would expect someone bidding zero would  
21 actually be allowed to run. Is that your understanding  
22 as well?

23 A. And, let me make -- there will be a bidding process  
24 under MIS. And, if all the plants bid zero, what they

1 will do then is prorated who can generate power. With  
2 Laidlaw on the lines, and the winds blowing hard for  
3 the Granite Reliable Wind Project, there will be  
4 approximately twice as much generation capacity on the  
5 loop as there is loop capacity. So, if all the plants  
6 bid zero, everybody will be allowed to operate at half  
7 capacity.

8 Q. When you say "all the plants", are you including  
9 Laidlaw and others are bidding zero in that?

10 A. Correct. And, I'm making a generalization so that you  
11 understand that it will become, under MIS, it will  
12 become a bit of a bidding war for who's allowed to run  
13 the next day. And, so, if all of the operating plants,  
14 Smith Hydro, Berlin Hydro, Pontook Hydro, the  
15 Brookfield -- other Brookfield Hydro assets, Lost  
16 Nation, Whitefield, Clean Power, and Laidlaw all come  
17 on line, and all bid zero, then the ISO protocol is  
18 that each plant will be prorated. Given the fact that  
19 the generation capacity will be approximately double  
20 that of the loop capacity, I conclude that every plant  
21 will then be limited to 50 percent production the  
22 following day. So, it's either -- you either shut down  
23 specific plants or, if everybody bids zero, everybody  
24 gets shutdowns to some extent.

1 Q. All right. If everyone bids the same amount, your  
2 understanding is that the actual generation will be  
3 prorated based on capacity?

4 A. Correct.

5 Q. Okay. But how could a plant, like, let's say,  
6 Whitefield or Laidlaw bid zero into that market?

7 A. They can choose to.

8 Q. They can choose to. Has that ever happened? And, I'm  
9 not trying to be disingenuous about this question, I  
10 really want to know if that actually occurred?

11 A. And, yes, it can occur. Because what happens is,  
12 bidding zero doesn't mean "you will get paid zero."  
13 Bidding zero means "I will take whatever the market  
14 rate is for that hour." And, so, they then become  
15 market takers, if you will. And, if the rate's only  
16 three cents a kilowatt-hour or \$30 a megawatt-hour one  
17 hour, they will take that. And, then, at 8:00 on an  
18 August evening, when everybody's got their air  
19 conditioners running at full blast and it's \$120 a  
20 megawatt-hour, they will take that, too. So, "zero"  
21 just means "I will take whatever you give me."

22 And, so, in a very real sense, as you  
23 heard from the Bridgewater -- the Bridgewater plant  
24 manager who was here earlier this morning, said that he

1 is currently on a take -- a rate taker. He's bidding  
2 zero into the market right now. Whitefield currently  
3 has a PPA, but, when that expires, they will be a price  
4 taker also.

5 A little bit of a long-winded answer,  
6 but, yes. "Zero" doesn't mean "I'm getting zero." It  
7 means "I'll take whatever you give me." So, yes,  
8 everybody can/will bid zero into the market.

9 Q. So, it's your understanding that there is nothing that  
10 would allow a run-of-river hydro facility to basically  
11 ensure a preference to run under the situation you're  
12 describing?

13 A. There is none. And, if you remember, Mr. Kusche had  
14 that statement in, but he then replaced it with a  
15 different statement, saying that, "in his experience,  
16 no hydro has ever been forced to shut down." And, I  
17 would argue that, maybe in his experience that's true.  
18 But, in other people's experiences, it's also true that  
19 they have been regulated or curtailed in operation  
20 under MIS.

21 Q. And, you have personal experience of a hydro plant  
22 being curtailed --

23 A. No. I have no personal experience.

24 Q. Okay.

1 A. What I'm saying is that, under the ISO protocols, there  
2 is no provision to require any of the hydros to  
3 operate. They will bid into the market just like any  
4 other project. When Mr. Kusche says "hydros are  
5 allowed to bid into the day-ahead market and set their  
6 own schedule", that's true of any generator. Any  
7 generator does that. And, so, the hydros are exactly  
8 on the same plane economically, in dispatch, and  
9 whatever other factor you want to consider, as any  
10 other power generator.

11 Q. Thank you. And, you used some numbers about  
12 transmission capacity and generation, saying that, in  
13 your assumption, there might be twice as much capacity  
14 as there was actual ability for transmission on the  
15 line. And, just to make sure, those numbers include  
16 the proposed CPD project?

17 A. Oh, yes. Yes.

18 Q. You talked about the fact that it's possible other  
19 existing facilities, and I'm assuming more likely  
20 biomass facilities, may have to shut down if the  
21 Laidlaw Project comes on line, is that accurate?

22 A. Given economic, it's probably more accurate, yes.

23 Q. I'll ask you the same question that I asked Mr. Liston,  
24 which is, is it necessarily bad, and you might have

1           specifics about why you believe it's bad here, and I'll  
2           let you follow up with that, but is it necessarily bad  
3           for a new project to displace existing projects?

4   A.    I'm going to give you a "it can be."

5   Q.    Well, how about if we start out with the -- because I  
6           want to give you chance to give the "it can be".

7   A.    Yes.

8   Q.    So, let's just start out with the "is it necessarily  
9           bad", and then I'll give you a chance to qualify?

10  A.    Necessarily, no.

11  Q.    Okay.

12  A.    Right.

13  Q.    Then, go ahead.

14  A.    But it can be.  And, what I'm really talking about is,  
15           you heard Mr. Berti this morning talk about how  
16           Laidlaw, operation of the Laidlaw plant would have  
17           moderate to severe impact on four operating plants, and  
18           minor impact on two others.  You heard testimony from  
19           other power plant plant managers saying it will impact  
20           their plant.  So, it can be, in the sense that, if  
21           Laidlaw -- if allowing Laidlaw to operate shuts down  
22           four projects, each one of them which employees 20 to  
23           25 people, you've now lost 80 to 100 jobs to garner 40.  
24           And, at a rate impact that is negative for all of PSNH



1 ratepayers, potentially, given the dynamics of the  
2 current PPA that's proposed. So, yes, it can be,  
3 because of the immediate impact to those four or five  
4 plants and those 80 to 100 jobs, and ratepayers.

5 Q. And, your opinion is not just "can it be", but, in this  
6 situation, it will be?

7 A. I hate to say "it will be", because I try to avoid  
8 absolutes. But I say it has a very significant  
9 probability to be.

10 Q. Is there any study that you know of that compares jobs  
11 to jobs, jobs potential versus jobs that might go away,  
12 if Laidlaw comes on line?

13 A. No. Again, other than the testimony of different plant  
14 managers.

15 Q. From that testimony, have you gleaned that more jobs  
16 will be lost than will be created?

17 A. That's my -- that's what I surmise from hearing their  
18 testimony, yes.

19 Q. Do you have any number that you can place with that?

20 A. Well, other than I just said, the four plants that were  
21 moderate to severe impact, and each one of those  
22 employs 20 to 25 people, that's where I came up with 80  
23 to 100.

24 Q. Okay. And, that assumes that "moderate to severe

1 impact" means a "shutdown" of that facility?

2 A. Yes. And, additionally, you heard Concord Steam, which  
3 currently is trying to build a 17 megawatt replacement  
4 unit, to make themselves economically viable in the  
5 long run, may well not be able to build that project  
6 going forward. And, if, in fact, wood chips become --  
7 the price of wood chips becomes untenable, they'll be  
8 forced to go back to oil, which will reduce the number  
9 of jobs there also.

10 Q. In part of your prefiled testimony, if I'm looking at  
11 the right one, when you look at the total capacity for  
12 the Coos Loop, my recollection is that there were some  
13 different numbers, some different iterations of numbers  
14 of what that -- the total transmission capacity  
15 actually were. It started off being somewhere around  
16 60 additional megawatts, --

17 A. Yes.

18 Q. -- then another study that said "well, if you sag the  
19 line, you get another 40, so you get up to 100."

20 A. Yes.

21 Q. Can you take me through the iterations of how those  
22 numbers came about?

23 A. Sure. And, this is something, I'm sorry, I may get a  
24 little engineer-anal on you, so if --

1 Q. That's okay. And, I might get a little glazed, so --

2 A. The current construction of the Coos Loop dates back to  
3 the 1940s. The southern portion of the line is ACSR  
4 795 cabling, which has an 80 megavolt amp capacity.  
5 The two northern segments are a combination of 336 and  
6 795 ACSR. Those are reduced to 60 megavolt amps, when  
7 you factor in -- when you bring in power factor and  
8 three-phase line systems and all that. What was  
9 concluded by the North Country Transmission Commission,  
10 which I've been a part of since its very inception,  
11 actually goes back to the Public Utilities Commission  
12 document in 2007, is that the current loop, as it -- as  
13 exists, has the ability to export about 60 megawatts of  
14 electricity.

15 Now, I should also point out that that  
16 conclusion is based upon the fact that the system that  
17 exists up north is generation neutral. Meaning that  
18 there's about the same amount of load as there is  
19 generation.

20 Q. Meaning no exports, for now?

21 A. Well, what is there right now is generation and load  
22 neutral. The generation about equals the load;  
23 nothing's going out. Yes. Therefore, the existing  
24 capacity to export is limited to 60 megawatts.

1                   But the important thing to take note of  
2 here is that that 2007 study is actually based on  
3 2005-2006 data, which was when the power -- the  
4 pulpmills were operating. And, some of that  
5 information goes back and includes the load of  
6 Groveton, Wausau, and Burgess pulpmills, which are now  
7 shut down, losing a significant amount of load. So,  
8 there may actually be, as an engineer, I would say  
9 there may actually be less than 60 megawatts of export  
10 capacity. But the PUC conclusion in 2007 was there was  
11 60 megawatts of export capacity.

12                   That would not allow the interconnection  
13 of the Noble or the Granite Reliable Wind Project. So,  
14 in order to allow the interconnection of the Granite  
15 Reliable Wind Project to export their full 99 megawatts  
16 capacity, they were tasked with the chore, with the job  
17 to resag and reconductor portions of the Loop. The  
18 reconductoring being a significant amount of the 336  
19 ACSR cabling. So, they resagged -- they're going to  
20 resag and reconductor that, the Loop. That will expand  
21 the capacity to at least 100 megawatts. And, based  
22 upon the information I've seen, it will expand it to  
23 somewhere around 125 megawatts, 130 megawatts, when  
24 they're all said and done. That then was part of the

1 basis or was involved in what we were looking at with  
2 our project, because that obviously provides full room  
3 for both the Granite Reliable Wind Project and the  
4 Clean Power Development Project to come on line and  
5 operate.

6 Now, further studies beyond that  
7 presented to the Commission by PSNH said "if you want  
8 to go anything beyond that, your best move is to build  
9 the capacity to a 400 megawatt capacity, which would  
10 cost somewhere between 150 and \$200 million. That has  
11 now been cut down to \$125 million, and taking -- by  
12 taking advantage of some other stuff in some more  
13 recent PSNH testimony. But the bottom line being that  
14 the more significant upgrading beyond that 125 megawatt  
15 capacity will require replacement of more conductors  
16 and a more -- more in-depth restructuring of --  
17 remanufacturing of the transmission infrastructure.

18 Q. Okay. Can you take a look at Page 8 of your testimony?

19 CHAIRMAN BURACK: Take a break for just  
20 a moment here.

21 MR. BROOKS: Sure.

22 (Off the record.)

23 CHAIRMAN BURACK: So, you are now on

24 Page 8 of --

1 MR. BROOKS: Yes.

2 CHAIRMAN BURACK: This is Exhibit 2?

3 MR. BROOKS: Exhibit 2.

4 CHAIRMAN BURACK: CPD's Exhibit 2.

5 MR. BROOKS: Correct.

6 CHAIRMAN BURACK: And, where are you on  
7 this page?

8 MR. BROOKS: Lines 11 and 12.

9 CHAIRMAN BURACK: Thank you.

10 BY MR. BROOKS:

11 Q. On those lines, there is some discussion about "minor  
12 upgrades", looks like done in a study by Siemens, for  
13 ISO-New England, where it says "available capacity [to  
14 be] between 120 and 140 megawatts", what is that  
15 talking about?

16 A. I've honed that down to 125 to 130.

17 Q. Okay.

18 A. So, that's --

19 Q. But is that the \$125 million investment you're talking  
20 about or is that something less than that?

21 A. No. That's something -- this is the completion of the  
22 -- and, what I said, it's approximately \$10 million,  
23 for Granite Reliable Wind Project to do the resag and  
24 reconductor. That \$10 million will increase the Coos

1 Loop's capacity to 125 to 130 megawatts.

2 Q. Okay. So, that's the "minor upgrade" that's being  
3 referred to here, is the resagging and the conductors?

4 A. Well, "minor", right. That's the Granite Reliable Wind  
5 Project one, yes.

6 Q. Okay. So, we have that total number. On Line 14, you  
7 have a parenthetical calculation that says "99+27+64",  
8 do you see that?

9 A. Yes.

10 Q. And, I believe that that refers, in order, to Granite  
11 Reliable 99?

12 A. Yes.

13 Q. Twenty-seven about, that's the CPD?

14 A. That's the net output, net output for Clean Power.

15 Q. Right. You're going to lose two and a half, right?

16 A. Yes.

17 Q. And, 64, which, again, net output for Laidlaw?

18 A. Correct.

19 Q. We heard testimony from Mr. Liston that, and granted it  
20 was qualified to say he's "going to wait till the end  
21 of the day", but that, if, essentially, if Laidlaw gets  
22 a green light, if we're done both the permitting  
23 process and the appeals process, Laidlaw is coming on  
24 board, then CPD is not going to be constructed and

1 operated. If that's the case, then we're never going  
2 to have a situation where all three of these numbers  
3 are going to be added up. Because, if the 64 is there,  
4 then the 27 is going to be gone, is that correct?

5 A. If we assume that, yes.

6 Q. Okay. So, if -- at that point, we're just dealing with  
7 99 megawatts represented by Granite Reliable and 64  
8 represented by Laidlaw Berlin, is that correct?

9 A. Yes.

10 Q. And, the capacity factor for the Granite Reliable  
11 Project is around a third of their total, so 33 or so.  
12 And, that's due to their nature as a wind project, is  
13 that right?

14 A. Yes.

15 Q. So, is it fair to say that much of the time the Granite  
16 Reliable Wind Project will not be operating at  
17 99 megawatts?

18 A. Oh. Clearly true.

19 Q. So, is it also fair to say that, under normal operating  
20 conditions, there is room on the transmission line for  
21 both the Granite Reliable Project and the Laidlaw  
22 Berlin BioPower Project?

23 A. If you assume CPD does not go forward, yes. There's  
24 room most of the time.



1 Q. Okay. Thank you. You mentioned some concerns for  
2 ratepayers, and I don't know if that goes a little bit  
3 beyond the transmission issues that you wanted to talk  
4 about, but, to the extent you're comfortable, I'll ask  
5 you a couple questions and you tell me what you know  
6 about the ratepayer concerns. First of all, is it -- I  
7 think you used the words that the "true discussion"  
8 will be before the PUC on whether the PPA is in the  
9 interest of the ratepayers. Is that accurate?

10 A. Yes.

11 Q. Is it -- well, let me ask you a question that will make  
12 everyone uncomfortable. Do you think that this  
13 Subcommittee has the expertise needed to review whether  
14 or not the PPA is in the best interest of the  
15 ratepayers? And, you have to look at them when you  
16 tell them.

17 A. Some do and some probably do not.

18 Q. Okay. Is it your understanding that the actual  
19 hearings before the PUC will just be pro forma, or that  
20 there actually will be an in-depth look at whether or  
21 not the ratepayers are being protected?

22 A. Oh, I absolutely believe there will be an in-depth  
23 analysis and discussion of the PPA at the PUC.

24 Q. So, why isn't it enough, let's say, for a condition of

1 the SEC certificate to say that something that was  
2 going to be true as a necessity, which is that "the PUC  
3 review and approval of the PPA is necessary before the  
4 Laidlaw Project can go forward"?

5 A. Oh. And, that may well be a condition it poses. And,  
6 I think I acknowledged that earlier in another  
7 question. That I would hope, at a minimum, that would  
8 be imposed as a requirement.

9 Q. And, is that enough protection with respect to  
10 ratepayers?

11 A. Yeah. Yes.

12 Q. Okay. You talked a little bit about the fact that  
13 PSNH, as far as you understand the PPA. Has to buy the  
14 RECs that are generated, even if those RECs have little  
15 or no value?

16 A. (Witness nodding in the affirmative).

17 Q. First of all, is the concern that you have spurred on  
18 in some way by the changes that Massachusetts recently  
19 made in its program? And, if so, tell me about that?

20 A. It is spurred on in part. The nexus of that discussion  
21 comes out of Massachusetts, yes. I know they're in the  
22 process. The new rules were due out the first of  
23 September, but they're now coming out the middle of  
24 September. And, it is anticipated that those rules

1 will require any biomass project, in order to get a  
2 Renewable Energy Credit, must be combined heat and  
3 power, with the minimum efficiency of 60 percent.

4 In my discussions in Boston as I  
5 participated, I was a speaker at the Northeast Regional  
6 Biomass Conference in Boston two weeks ago, three weeks  
7 ago. And, one of the discussions down there with DOER  
8 staff and personnel and other parties from around the  
9 region is that it is anticipated that Connecticut and  
10 Rhode Island may well follow suit with similar  
11 requirements in the not-too-distant future. This will  
12 result -- the analysis and the discussion around the  
13 tables that day was that that will result in a flooding  
14 of the market in New Hampshire if we don't change also.  
15 Because all of the generators who can no longer qualify  
16 for RECs in Connecticut, Rhode Island, or  
17 Massachusetts, will now flood the New Hampshire market,  
18 further depressing the value of Renewable Energy  
19 Credits in this state, which are currently in the teens  
20 of dollars, to in the single digit dollars, if not  
21 subdollar cents.

22 Additionally, I have been involved in  
23 some discussions that there is -- there may well be  
24 changes proposed to the New Hampshire Renewable

1 Portfolio Standards in the upcoming legislative  
2 session.

3 So, bringing all of those together, yes,  
4 I have some concerns that, in the -- in the  
5 not-too-distant future, the Renewable Energy Credit  
6 that Laidlaw Berlin BioPower would qualify for may well  
7 be meaningless, have no value. And, as I read the PPA,  
8 and as was stipulated by Mr. Bartoszek, PSNH will be  
9 required to pay full value, even if they have no value.

10 Q. That was my next question, and this is more because I  
11 don't have that section of the PPA in front of me, I  
12 know you had a redacted version. You said they "pay  
13 full value". What would "full value" be if the market  
14 price for RECs has dropped?

15 A. Well, and what I read on the PPA, what I remember  
16 reading, is that the -- it appeared to be a percentage,  
17 excuse me, a percentage of the alternative compliance  
18 payment that's written in the tables of the RSA. And,  
19 at this point, those values are \$55 or \$60 a  
20 megawatt-hour. And, so, if they're getting paid that  
21 or some significant percentage of that, when, in fact,  
22 the true market value is \$18, as it is today, or 50  
23 cents, as it is two years from now, then that would be  
24 a travesty on the ratepayers of New Hampshire.

1 Q. Under, as far as you know, though, now, under the  
2 current RPS programs as they exist in New Hampshire and  
3 the other states, these RECs do have value?

4 A. They have value. But far below the value of the  
5 alternative compliance payment.

6 Q. And, you just stated that the payment from PSNH is  
7 based on a percentage of that. And, just to make sure,  
8 the redacted version that you have, though, doesn't  
9 show you what the --

10 A. It doesn't show. I just -- I interpolated from the way  
11 the sentence -- of sentence structure, that it appears  
12 to be a percentage. That's just my supposition.

13 Q. Okay. And, so, you don't, for your testimony, you  
14 don't know whether that percentage is a high percentage  
15 or a low percentage?

16 A. I do not.

17 Q. Is it -- well, let's put it this way. Is there a  
18 danger that, in the upcoming legislative session, that  
19 the New Hampshire RPS program changes such that,  
20 essentially, the RECs go away in the New Hampshire  
21 program as well? Is there a danger of that happening  
22 in your estimation?

23 A. I think that there's little likelihood of that  
24 happening. I think there is a potential that the RPS

1 will be changed to perhaps model the Massachusetts  
2 requirement for efficiency, or some other step that  
3 will impact the value of those credits.

4 Q. Okay. If -- and, let's look at Massachusetts. So, if  
5 you're a generator in Massachusetts, and you want to  
6 have Massachusetts recognize the Renewable Energy  
7 Credit, you have to not just be, let's say, a biomass  
8 facility, you have to satisfy some other things, like  
9 cogeneration and that kind of thing?

10 A. (Witness nodding in the affirmative).

11 Q. In order to, under Massachusetts law, even generate  
12 what they would consider to be a REC?

13 A. Correct. That is -- that is what is anticipated to be  
14 in the new rules that come out next week.

15 Q. Okay. So, if New Hampshire made the same change,  
16 wouldn't that mean that the Laidlaw Project would be  
17 generating, creating fewer RECs?

18 A. I'm not sure fewer. They actually would not qualify  
19 for any RECs under that paradigm.

20 Q. Well, "fewer" is less than a whole bunch, right?

21 A. Yes. Yes.

22 Q. Okay. So, let's say "few or none", if they generate  
23 few or none, then PSNH doesn't have to buy any, right?

24 A. As I read the PPA, as I recall reading the PPA, it says

1 "the RECs generated or could have been generated."

2 And, I think that, even if they're no longer called  
3 "Renewable Energy Credits", if I recall the paragraph  
4 correctly, they would still get payments from PSNH for  
5 the RECs they might have potentially generated had they  
6 qualified for RECs.

7 Q. So, is it your understanding that that language "could  
8 have been generated" means "could have been generated  
9 if the laws were different" or "could have been  
10 generated if the operation of the plant were  
11 different"?

12 A. If the laws were different.

13 Q. Okay. As far as you know, is there any change in law  
14 provision in the PPA? And, again, I'm trying to  
15 remember the redacted one that you saw. So, I'm going  
16 to ask you to --

17 A. There is a "change in law" provision, I read it, but I  
18 couldn't quote it to you.

19 MR. BROOKS: Okay. I think that's all  
20 the questions that I have.

21 CHAIRMAN BURACK: Thank you, Attorney  
22 Brooks. Members of the Subcommittee have questions for  
23 Mr. Gabler? We'll allow you to start Mr. Harrington.

24 MR. HARRINGTON: I have a number of

1 questions, actually.

2 BY MR. HARRINGTON:

3 Q. Starting with the "base case" you spoke about, where,  
4 and I don't think, even though this is in a document  
5 that's marked "Critical Energy Infrastructure  
6 Information", I don't think this part of it classifies  
7 as that, you've already used these figures. You talked  
8 about the project dispatch of 59 megawatts, where it  
9 also shows Berlin, Smith Hydro, and Whitefield at zero,  
10 is that correct?

11 A. Correct.

12 Q. But isn't this, when something is done MIS, they  
13 basically zero out the other projects as the standard  
14 method of doing it? This doesn't imply necessarily  
15 that none of those other projects could run if the  
16 Laidlaw Project was running at 59 megawatts, it's just  
17 the method used when they do an MIS calculation, they  
18 basically zero out the other plants?

19 A. Under -- yes, under MIS, they're reflecting that  
20 59 megawatts will shut down. They just chose these  
21 three plants as their example.

22 Q. Okay.

23 A. They could well have put in Lost Nation or Pontook.  
24 Those are just the three they picked to model their



1 analysis out of.

2 Q. Okay. And, then, going onto the next table in there,  
3 4.3, where they talk about "2012 Generation Dispatch",  
4 and I know you probably might not have this in front of  
5 you, but I'll just tell you what's on the table. And,  
6 it lists "Biomass Project Queue 229" at "29" megawatts,  
7 which I believe is the Clean Power Development?

8 A. Yes, it is.

9 Q. And, "Biomass Project Queue 251", which I believe is  
10 Laidlaw. It shows, again, in this model, it shows in  
11 peak, shoulder, and light seasons, which is the load  
12 factor you were talking about, because, depending on  
13 the load, the output is going to change. It shows, in  
14 all of them, with Laidlaw running at "66", "66", and  
15 "66", that what you've identified as "Queue 229", which  
16 is the Clean Power one, running at "29", "29", and  
17 "29". So, the implication here is that, with the  
18 Laidlaw plant running, at least in this example, that  
19 the Clean Power Development plant could run at its full  
20 rated output?

21 A. Oh, very clearly. But you'll also notice two lines  
22 above that that it curtailed the Granite Reliable Wind  
23 Project by 57 megawatts.

24 Q. Well, I'm not sure if "curtail" would be the correct

1 term there. I think what they're doing is modeling the  
2 wind, and they're using an estimate of "63", "57", and  
3 "42".

4 A. No, no. This was not the model. This is the  
5 generation dispatch lineup.

6 Q. I guess my point is there that those numbers might be  
7 reflective of more reality based on wind, because it's  
8 not going to be 99 megawatts very often, as you stated  
9 earlier?

10 A. Oh, clearly, it won't. But --

11 Q. And, then, --

12 A. But, again, it reflects that there's a 57 megawatt  
13 curtailment.

14 Q. Okay.

15 A. And, if the wind is blowing on an April day, Granite  
16 Reliable will not be able to generate to their full  
17 capacity.

18 Q. And, going up that same chart a little bit further,  
19 where it shows "Whitefield" and "Berlin", as in the  
20 previous example, they're all "zeros" there?

21 A. Correct.

22 Q. Okay. So, if, as you stated, that Laidlaw was  
23 operational, and then Clean Power would not go forward,  
24 the 29 megawatts that were allocated on the capacity

1 output from the Clean Power Development could, in fact,  
2 be used to dispatch Berlin and Whitefield, which I  
3 think come to, at least to some extent, it's obviously  
4 more than 29, but they would be allowed to make up some  
5 of that?

6 A. Yes. But I'll also point out, if you go farther up,  
7 "Ashland", which is the interconnection point for the  
8 Bridgewater power plant, see, that shows Bridgewater  
9 being shut down. There are a number of other "zeros"  
10 there that go well beyond what you just articulated.

11 Q. Right. But, as far as, again, is Clean Power's  
12 concern, what this is showing, with Laidlaw operating  
13 at 66 megawatts, Clean Power would be able to operate  
14 at 29 megawatts?

15 A. Oh, clearly, we can, as long as those other plants shut  
16 down. So, again, it becomes -- it goes back to, under  
17 MIS, it becomes a bidding war, and somebody will shut  
18 down. They just postulated this lineup of shutdowns,  
19 which is curtailing the wind project, shutting down  
20 Whitefield, shutting down Berlin, shutting down --

21 Q. And, what we can't see from that, let's assume -- let's  
22 go a little bit through how the bidding strategy  
23 actually works. You had made a statement that "people  
24 would bid in zero and be price takers", I think you

1 referenced that to some of the existing biomass plants.

2 A. Uh-huh.

3 Q. But, in fact, what these plants did is their net  
4 going-forward cost is not zero. And, by that, I mean,  
5 if, let's just say, in a hypothetical, existing biomass  
6 plant has a net going-forward cost of \$5.00 a -- 5  
7 cents a kilowatt-hour. They are not going to bid in  
8 zero and take and risk the chance of getting -- only  
9 paid 2 cents per megawatt -- per kilowatt-hour, because  
10 they would then lose 3 cents a kilowatt-hour by  
11 operating. They would be better off not operating at  
12 all. So, wouldn't they bid their net going-forward  
13 cost of 4, and, if they don't clear, they don't clear?

14 A. As a matter of fact, I know a number of biomass plants,  
15 or I can name one specifically is Alexandria, I talked  
16 to the plant manager a week ago, he is bidding zero and  
17 taking whatever he gets. And, if he's losing money,  
18 he's losing money.

19 Q. Okay.

20 A. Whitefield operated like that for a while. That is how  
21 they operate.

22 Q. Okay. So, just so I'm clear on this. What you're  
23 saying is, rather than not operate and not lose money,  
24 but not make money, they would prefer to operate and

1           lose money?

2       A.    That's what they have been doing.

3       Q.    Okay.

4       A.    And, I cite, unequivocally, that was the conversation,  
5           because I had the same question of Mr. Chase.  And, he  
6           explained to me that, because they can make money at  
7           8:00 in the morning, they need to operate through the  
8           night and lose money, take -- bid zero all night, and  
9           take whatever they can get, to keep their plant up and  
10          running, so that they're ready to go and making money  
11          during the day, when, again, they bid zero.

12      Q.    Okay.  So, what you're saying is certain times of the  
13          day they're getting more than their net going-forward  
14          costs?

15      A.    Correct.  Correct.

16      Q.    Okay.

17      A.    Because, with a biomass plant, as you well know, you  
18          can't start it up and shut it down like you can with a  
19          combustion turbine.  You have to keep the boiler warm,  
20          you have to keep the fuel flowing.  And, so, they  
21          operate, at certain hours, certain times of the day, or  
22          certain days, they lose money.

23      Q.    But, overall, they must -- their bidding strategy must  
24          be to the point where they actually are making money or

1 they would be better off not running at all?

2 A. Absolutely.

3 Q. Okay. On the other hand, someone who would bid zero  
4 would be more typical of a hydro or a wind plant, where  
5 there is no net going-forward costs at all?

6 A. Very clearly. Those are traditional price takers.

7 Q. So, getting back to that chart we were talking about,  
8 when you said that noble would be curtailed by so many  
9 megawatts, talking about the Granite Wind Project. In  
10 effect, that was just for modeling purposes, because  
11 wouldn't Noble always bid in zero, since their fuel  
12 cost is zero?

13 A. They will always bid zero.

14 Q. So, if they're always going to bid zero, and, on  
15 average at least, the biomass plants are going to have  
16 a net going-forward cost above zero, because of fuel  
17 costs, that almost always then you're going to see a  
18 wind plant dispatched at 100 percent of its output,  
19 whatever that output happens to be that day?

20 A. That's up to how the plants bid and how ISO -- I mean,  
21 I don't think that's a question I can answer. That's  
22 up to the ISO process and how the plants bid.

23 Q. Well, you've made statements about how this if going to  
24 work, and I'm just trying to understand. It seems to

1 be based on the fact that a biomass plant would  
2 continually bid in a situation where they're losing  
3 money. And, they're going to have net forward -- net  
4 going-forward costs because of the cost of fuel. There  
5 are going to be days where a biomass plant may say  
6 "it's cheaper for us not to operate today, because we  
7 think the electric prices are going to be quite low",  
8 is that correct?

9 A. And, you and I would both conclude that. But, in my  
10 experience, having talked with plant managers of  
11 biomass plants, that's not what they're doing.

12 Q. So, again, your contention is that they operate to lose  
13 money?

14 A. Not to lose money in the long run. But they operate at  
15 full load, at zero, with the expectation that, in the  
16 long run, they will make money, even though they're  
17 losing it certain hours of the day.

18 Q. Well, I guess that's my point, what I'm trying to get  
19 across.

20 A. But they bid zero the whole time.

21 Q. You're saying they always bid zero --

22 A. Yes.

23 Q. -- regardless of what they predict the clearing price  
24 in the wholesale market will be?

1 A. Correct.

2 Q. I find that a very strange strategy, but let me move on  
3 to a couple of other things. On Page 9 and 10 of your  
4 testimony, I think it's the bottom of 9 and the top of  
5 10. It basically says, very top of 10, it says "Table  
6 4-2 reflects the dispatch lineup that was considered in  
7 the feasibility study. That table identifies 59  
8 megawatts of existing generation on the Coos Loop that  
9 ISO-New England anticipates would be called on to shut  
10 down when the Laidlaw Berlin [Biomass] operates at full  
11 power."

12 Now, that is, when you made that  
13 statement, what were you assuming for load conditions  
14 on the Coos Loop, as well as the output of the Granite  
15 Reliable Wind Project?

16 A. And, if you'll go back to the beginning, it reflects  
17 Table 4.2. That's where I was referencing.

18 Q. Okay. So, you're just saying --

19 A. My statement here, it says "Table 4.2 reflects the  
20 dispatch lineup", and then I say "That table identifies  
21 59".

22 Q. Okay. So, you're referring to that --

23 A. Which, again, I need to correct, and it should be "64",  
24 really, because they're going to add five to that.



1 Q. Well, getting on to the 64, though. Right now, all  
2 they're authorized by the ISO for is 59 megawatts?

3 A. Correct.

4 Q. Correct. And, if they were to go to 64, they would  
5 have to go back into the queue and go through the  
6 interconnection process over again, correct?

7 A. Correct.

8 Q. And, they would have to re-file that and go through the  
9 whole thing?

10 A. Correct.

11 Q. Okay. You made a statement that the "MIS is  
12 transitory". And, you know, I'm not an expert on  
13 tariff, the ISO tariff, but I don't remember seeing  
14 anything in there talking about the "MIS being a  
15 transitory" or "temporary" issue. It's simply a option  
16 that generators could take. And, in fact, aren't there  
17 many generators who take that option, and they're  
18 interconnected under MIS and stay that way for many  
19 years?

20 A. A generator, any generator can interconnect under MIS,  
21 you're absolutely right. And, I couldn't call the  
22 reference out to mind right now. But there is a  
23 reference, and it goes back to one of the Commission  
24 meetings, the meetings of the North Country

1 Transmission Commission, where MIS was discussed, and I  
2 think it might have even been in the PUC 2007 report,  
3 identifying that long-term operate -- that the goal of  
4 MIS was never intended to be long term. That it was --  
5 its anticipated use was for a transitory, to allow --  
6 allow a project to get the ability to interconnect  
7 under excessive generation situations, while the  
8 transmission infrastructure was being developed to  
9 allow their long-term operation under less than MIS.

10 Q. Okay. But, again, just so we get this clear then,  
11 there's nothing -- there is no requirement or rule or  
12 anything that says that MIS is transitory. You can  
13 stay connected under MIS as long as you'd like?

14 A. You can. What -- the world just needs to recognize  
15 that long-term operation under MIS requires a bidding  
16 situation, and will require, when generation capacity  
17 exceeds line capacity, plants are shut down or prorated  
18 on their generation.

19 Q. Okay.

20 A. And, that is not a desirable, from an economic  
21 development and stability standpoint, that's not a  
22 long-term -- desirable long-term situation.

23 Q. You mentioned "upgrades to the Coos Loop", and I think  
24 you used the terms, something to the effect that

1 "upgrades that Laidlaw chose not to do", meaning it  
2 would boost the whole overall thing of the Coos Loop.  
3 Is Clean Power Development going to choose to do those  
4 same upgrades when they interconnect or are they going  
5 to go with basically the minimum amount of costs  
6 required to interconnect?

7 A. There are no upgrades required beyond our  
8 interconnection.

9 Q. But you're not going to do any additional upgrades, so  
10 that, let's say, the other -- the existing biomass  
11 plants that you may displace when you operate would  
12 also be able to operate?

13 A. But we're not going to displace -- I mean, there is  
14 sufficient grid capacity for us to operate along with  
15 all of the other existing plants.

16 Q. And, Noble at 100 percent?

17 A. And, Noble at 100 percent.

18 Q. And, at a light load condition?

19 A. Yes.

20 Q. And, could you cite me the study that shows that?

21 A. I'd have to go back and find our study.

22 Q. Or maybe you could send us that then further on.  
23 Because actually what I'm looking for is, Clean Power  
24 at 29 megawatts, Noble at 99 megawatts, and all the

1 existing generation --

2 A. Yes.

3 Q. -- on the Loop at 100 percent, and light load  
4 conditions for the Coos Loop?

5 A. And, beyond that, we had a very lengthy discussion with  
6 ISO-New England regarding that, if there was not  
7 enough, that we could cycle with the wind project. So,  
8 we've already had all those discussions with ISO --

9 Q. But that's a different story. Now, you're talking  
10 about cycling with the wind project. You are talking  
11 voluntarily you would cycle with the wind project to  
12 allow the other plants to stay on?

13 A. Yes.

14 Q. So, you would reduce your output voluntarily to allow,  
15 let's say, the Whitefield facility to go at  
16 100 percent?

17 A. Yes. We had that, we had extensive discussions with  
18 ISO-New England regarding that the technology exists to  
19 monitor grid capacity, as well as wind and output of  
20 Granite Reliable. And, it's a comparatively simple  
21 technology to put a throttle control device on the  
22 turbine and throttle back if the wind picks up. If, in  
23 fact, ISO were to ever declare that we were a burden on  
24 the line.

1 Q. Okay. I'm just -- I'm getting a little confused here.  
2 Let's go onto what you just stated about the "throttle  
3 control device". If that is happening, I'm assuming,  
4 since the wind can change fairly instantaneously,  
5 you're talking about a steam dump, the residual heat in  
6 your boiler is not -- you can't just turn it off like  
7 you can, let's just say, a gas stove. You're going to  
8 continue to producing power for some time, so you would  
9 simply just dump the excess steam at that point, rather  
10 than running it to your generator?

11 A. No. There exists sufficient response technology to  
12 adjust to anticipated wind changes, and that's not a  
13 problem.

14 Q. So, you can basically load-follow almost  
15 instantaneously?

16 A. Well, not instantaneously, because the wind -- the  
17 ability to forecast wind development, wind speed, is  
18 very sophisticated. And, they can predict from 15  
19 minute intervals what the wind is going to do. And, as  
20 -- if, hypothetically, they were saying the wind's  
21 going to be up in 20 minutes, in a half hour, and we're  
22 approaching a grid capacity situation, we have time to  
23 respond to that.

24 Q. Okay. And, getting back to your original statement

1           which got me a little confused, I thought I heard you  
2           say that Clean Power Development, if the line was  
3           running towards max, and the wind was going to pick up,  
4           and, in fact, that was anticipated by Noble, because  
5           they would have had it bid in for that hour, --

6           A.    Uh-huh.

7           Q.    -- they bid in a higher amount.  So, let's just say, at  
8           1:00 in the afternoon Noble's output was expected to go  
9           up, and they had bid in, in fact, an additional  
10          20 megawatts based on a projection of increasing winds,  
11          that Clean Power Development is going to reduce their  
12          output by that amount to accommodate the wind?

13          A.    Uh-huh.  Yes.

14          Q.    And, also to allow the other plants, such as  
15          Whitefield, to stay at 100 percent?

16          A.    Yes.

17          Q.    So, again, what you're saying, so I got this clear,  
18          because this seems like a very strange way to run a  
19          business, you're going to voluntarily reduce your  
20          output so that one of your competitors can stay at  
21          100 percent output?

22          A.    Yes.  It's called "community and social  
23          responsibility".  And, we recognize that we're not the  
24          head of that train.  We're joining on as a participant

1 in the Coos Loop. So, it's ethically and socially  
2 responsible to take that action.

3 Q. And, is this agreement written down anywhere that  
4 you're going to operate your plant that way?

5 A. No, it turned out we didn't have to operate that way,  
6 because the System Impact Study said that it was not --  
7 by the way, all of these discussions occurred before  
8 the System Impact Study.

9 Q. Okay. But now you've confused me again. What you're  
10 saying is, again, let's have Laidlaw is running, the  
11 wind is running, the wind is going to pick up, the  
12 option is someone is going to have to cut back. Let's  
13 just say Laidlaw has bid in lower than you have, for  
14 whatever reason. So, they're going to clear, they're  
15 going to be dispatched. Now, the question comes in,  
16 who is going to be dispatched next? And, it would  
17 probably be the plant that bid in, you know, whoever  
18 made the lowest bid, is that correct?

19 A. Now, you've interjected Laidlaw. They weren't part of  
20 the previous discussion. So, I'm not sure what  
21 paradigm you're operating in now.

22 Q. Well, I'm trying to talk about, if there's a close to  
23 maximum amount of output from the Coos Loop. And,  
24 that's with, let's just say, Laidlaw running at full

1 power, everybody running at full power, but the wind is  
2 low enough to allow that. So, you're going to have all  
3 the existing generators, as well as the new -- two  
4 proposed new generators, Clean Power and Laidlaw, are  
5 running at 100 percent, because the wind, Noble Wind is  
6 putting up five megawatts.

7 A. Okay.

8 Q. Okay. There's a prediction for a cold front to come  
9 through, and the wind is going to increase quite a bit.  
10 And, Noble makes their estimate, this should happen  
11 easily by 1:00, they put in a zero bid for 1:00 at  
12 60 megawatts. Now, the line is going to be overloaded.  
13 All those plants cannot operate at that point. So,  
14 that's what I'm trying to figure out. What you're  
15 saying at that point is, even though you have a plant  
16 that could run and could be dispatched, because I'm  
17 assuming you're more efficient than the older plants,  
18 so you're bidding pretty lower, you're going to  
19 voluntarily curtail your output to allow your  
20 competitor to run and make more money. That's what I  
21 think I'm hearing.

22 A. And, that's a long hypothetical question, which I'm not  
23 at all sure how to answer.

24 Q. Well, I mean, see if I can make it clearer then,



1 because it's pretty straightforward. Here's the  
2 conditions: Everyone is running at 100 percent. Noble  
3 is running at zero, because it's dead calm. The Loop  
4 can hold that situation, is that correct?

5 A. Correct. But let's go back to what I tried to bring  
6 out. The reason the Noble Wind thing came up, you  
7 started talking about "could the Loop handle both us  
8 and Noble Wind, Granite Reliable Wind?" And, what I  
9 said was "Yes. The System Impact Study shows that."  
10 Before that, we even had a discussion that we would  
11 shut down or, you know, could curtail to match the  
12 wind. All of that went out the door, and we never  
13 pursued those discussions or taking that official  
14 position, when it was determined that, by the System  
15 Impact Study that it was unnecessary.

16 Q. It was unnecessary for Clean Power to curtail when  
17 Noble was running at 100 percent?

18 A. Correct.

19 Q. Okay. And, --

20 A. Now, when you add the Laidlaw Project, --

21 Q. Uh-huh.

22 A. -- if the Laidlaw Project were to take a similar  
23 position as to what we espoused and what we pursued,  
24 that they would curtail their operation, to allow both

1 us and Noble to operate at full power, just like we  
2 were prepared to say that we would do that to allow  
3 Whitefield to operate at full power, then I would say  
4 that's a very ethical discussion we should have.

5 Q. Okay. So, what you're basically, getting back to this  
6 now, like I said, the scenario I'm trying to say here  
7 is, everybody is running at full power, there's no  
8 wind. So, that's Clean Power is running at full,  
9 Laidlaw is running at full, Whitefield, all the others.  
10 The wind is going to pick up from zero megawatts to  
11 75 megawatts. There will be not enough room on the  
12 Coos Loop to handle all of that. Someone is going to  
13 have to cut back. That normally would be done under  
14 economic dispatch, whoever bid the highest -- or, the  
15 lowest -- the highest in that would be -- is going to  
16 reduce. What you're proposing is some alternative  
17 method, where the good guys decide "we'll cut back  
18 because we're good corporate citizens and allow the  
19 other companies to run." That's the scenario you're  
20 suggesting?

21 A. I'm not sure I proposed that, but --

22 Q. Okay.

23 A. I'm just saying, that's the type of decision that we  
24 made as Clean Power Development taking an appropriate

1 ethical position. And, if Laidlaw were to take a  
2 similar position, I would entertain those discussions.

3 Q. But you feel as though now, because the SIS study that  
4 was done for Clean Power showed that wasn't necessary,  
5 that you're no longer in that position?

6 A. Correct.

7 Q. Okay. Okay. So, I guess, just to be clear then, what  
8 you're saying is that, if you take Laidlaw out of the  
9 picture here, there is no circumstances where Clean  
10 Power running at full power could cause the other  
11 existing biomass plants to be curtailed due to economic  
12 dispatch, even if Noble is putting out 99 megawatts?

13 A. That's what I believe to be true.

14 Q. Okay. You mentioned something about "talking to people  
15 in the southern part of the state", and they were  
16 looking for cheaper power, I think it was -- is it a  
17 Winchester plant?

18 A. Winchester.

19 Q. Okay. And, you said that they -- they said "Public  
20 Service was going to charge them 21 cents a  
21 kilowatt-hour"?

22 A. Correct.

23 Q. Could you please quote me what rate that is, because  
24 I've never heard of a rate that high?

1 A. I never heard of it either. When I talked to the  
2 developer, he said "that's what they told me my power  
3 was going to cost me."

4 Q. Is it safe then to assume that that person is making a  
5 mistake?

6 A. I can only surmise. And, the exact number I think was  
7 irrelevant to what I was trying -- the point I was  
8 trying to make. The point I was trying to make is that  
9 the rates that people are charged by Public Service New  
10 Hampshire has an impact on whether or not there's going  
11 to be more economic development in a region. You can  
12 make that 17 cents or 15 cents or whatever the number  
13 is. But, if that number is high or escalates due to an  
14 inordinately burdensome PPA, then that will impact  
15 economic development. And, that's the point I was  
16 trying to make.

17 Q. Okay. You had said -- you made a lot of discussion  
18 about Noble and the resagging and reconductoring of the  
19 line. Are you familiar with the results of the -- I  
20 believe it was the August Reliability Committee  
21 meeting?

22 A. I've seen the minutes.

23 Q. In that, I had asked questions specifically about this,  
24 because that was the meeting where both Laidlaw and

1 Clean Power Development, where their interconnection  
2 agreements were approved by the Reliability Committee.

3 MR. RODIER: Excuse me, Mr. Chairman. I  
4 just wanted to mention one thing. I inquired of ISO-New  
5 England -- I inquired of Monica Gonzalez, one of the  
6 lawyers for ISO-New England, if we could discuss the  
7 results of that -- is this the meeting at Mount  
8 Washington?

9 MR. HARRINGTON: About Washington?

10 MR. RODIER: This was the meeting at  
11 Mount Washington Valley?

12 MR. HARRINGTON: Yes.

13 MR. RODIER: She said "No, you can't.  
14 It's protected."

15 MR. HARRINGTON: Well, I'm not going to  
16 discuss the specifics.

17 MR. RODIER: Okay. I just wanted to say  
18 that, and caution my witness as well. That we wanted to  
19 go beyond what was in the agenda in these hearings, and  
20 they said "no way." So, --

21 MR. HARRINGTON: Yes, I understand that  
22 there's some --

23 MR. RODIER: Okay. That's fine.

24 MR. HARRINGTON: -- to talk about

1       specifics, we can't do that. But I'm not going to be  
2       asking about a specific substation or circuit breaker or  
3       anything like that.

4                               MR. RODIER: Okay.

5 BY MR. HARRINGTON:

6 Q.    One of the questions I asked on that was, looking at  
7       what was being required of both Clean Power and  
8       Laidlaw, in order to interconnect, it struck me as  
9       strange, because I thought some of the stuff that was  
10      being done should have already been covered under the  
11      Noble upgrade. And, I was told that, in fact, on  
12      recalculation or whatever the word is, that a lot of  
13      the stuff that Noble had initially thought to be  
14      required to do, i.e. the resagging of the lines, was  
15      not necessary and, in fact, will not be done.

16 A.    Hmm.

17 Q.    Given that, because that seems to be the basis for a  
18      lot of your testimony and some of the figures here that  
19      you've put out. Do you think that all your figures are  
20      still accurate?

21 A.    You've just given me a new data point, so I would have  
22      to go back and analyze.

23 Q.    Okay. I would request that maybe you do look at -- go  
24      back and look at that and see what was actually

1 required of Noble, and see if that has an impact on  
2 some of the figures that you've come up with here.

3 A. Because all of that is based upon the Public Service  
4 testimony to, as you well know, the North Country  
5 Transmission Commission. And, what they have said and  
6 what was said, having been a full intervenor in the  
7 Granite Reliable Wind Project, I was privy to all of  
8 those discussions. And, it was always expected that it  
9 would be a full resag/reconductor, and, in fact, that  
10 was what was required under their system impact study.  
11 So, you've given me a new sentence 30 seconds ago --

12 Q. Okay. I don't expect a real answer on it then. Thank  
13 you. Just one last question then. On Page 3, you talk  
14 about the possibility of economic -- this is your  
15 testimony, CPD 3. "The possible impact of layoffs and  
16 lost employment in the plants, as well as forestry and  
17 trucking communities would be staggering." And, this  
18 is all kind of talking about the idea that "projects  
19 fully permitted and ready to be built being rolled back  
20 to a standstill by the economic uncertainty brought on  
21 by MIS." But MIS is an existing thing that's applied  
22 all over New England, is that correct?

23 A. Correct, on a short-term basis.

24 Q. Okay. Again, we get back to the "short-term basis".

1 Can you tell me where, in the ISO tariff, where it  
2 identifies the MIS as a "short-term" fix?

3 A. And, again, I can't do that off the top of my head. I  
4 will have to go find it.

5 Q. Okay. Because my understanding is that MIS is  
6 something that you can exist on for 50 years, if you  
7 want to?

8 A. Right. But the imposition of dispatch under -- you can  
9 interconnect MIS and be dispatched for 50 years. But  
10 the imposition of dispatch protocols under MIS, when  
11 generation capacity exceeds line capacity, is a whole  
12 different game. That's a different use of the term  
13 "MIS". It's the same term, but it has a very different  
14 meaning.

15 Q. And, could you explain that please?

16 A. Well, by interconnecting under Minimum Interconnection  
17 Standards, you're merely saying "I just want to do the  
18 basics to hook up. I don't need to or don't want to  
19 improve the grid, because it's not necessary. I'm  
20 fine." You know, we're looking at connecting under  
21 MIS, because no grid improvement is necessary.  
22 However, once, and I'll go find the ISO protocol to  
23 quote you, but, once the generation capacity exceeds  
24 line capacity, now MIS takes on a whole different



1 meaning, because now MIS invokes bidding curtailments  
2 and shutdown of plants, as soon as the generation  
3 capacity exceeds line capacity. So, it's -- even  
4 though the term is the same, they have two very  
5 different meanings.

6 Q. But every plant that is connected on the Coos Loop  
7 right now is interconnected under the MIS.

8 A. Could well be. I don't know that for a fact, but --

9 Q. And, these rules have been in effect for some time.  
10 So, they all knew that, as with Clean Power, you  
11 realize that, if you interconnect under MIS, there  
12 could be times when you are curtailed because of  
13 insufficient line capacity?

14 A. Correct. But, given the fact that's there's 60  
15 megawatts of excess capacity, those generators  
16 currently connected never worried about it. And, with  
17 what we had knowledge of, the anticipated Granite  
18 Reliable Wind Project upgrade, we were told we would  
19 never have to worry about it. So, we -- and everybody  
20 interconnects under MIS.

21 Q. You were told you "would never have to worry about it"  
22 by who? I mean, who told you you never had to worry  
23 about someone else --

24 A. Maybe I shouldn't have said "never have to worry about

1           it." We were told "it was not a problem to  
2           interconnect under MIS." We would not be curtailed.

3       Q.    Provided that everything stayed static with the  
4           interconnection of Clean Power?

5       A.    Sure. Yes. Because then the anticipated protocol is  
6           that the next interconnector who wants to come on will  
7           do the upgrades necessary to the grid to allow all of  
8           the parties to continue to generate.

9       Q.    The "anticipated protocol", where is that anticipated  
10          protocol written down?

11      A.    I couldn't quote it to you.

12      Q.    You're saying there is some protocol somewhere that  
13          says "the next generator coming on line has an  
14          obligation to upgrade the grid"?

15      A.    Not an obligation. It is anticipated the next  
16          generator coming on.

17      Q.    Anticipated by who?

18      A.    I'll have to go find the book for you.

19      Q.    Okay. Because my understanding of MIS is that, if you  
20          have 100 megawatts of capacity, you could connect up  
21          ten 100 megawatt plants here if you wanted to, and all  
22          of them would be modeled as "Let's model the one plant  
23          with the other nine shut down. Can you do it? Yes,  
24          you can." Is that correct?

1 A. Correct.

2 Q. So, there's really no anticipation of protocol that  
3 says "the tenth plant coming on should upgrade so all  
4 ten can run at 100 percent." It only says that "you're  
5 going to run based on economic dispatch on the capacity  
6 of the line."

7 A. (Witness nodding in the affirmative).

8 Q. So, it seems as if you're implying there's some  
9 obligation of somebody coming on to do something, and  
10 I'm trying to figure out where that comes from?

11 A. I'll have to get the book for you.

12 MR. HARRINGTON: All right. That's all  
13 I have, Mr. Chairman.

14 CHAIRMAN BURACK: Thank you, Mr.  
15 Harrington. Other questions for this witness? Mr. Kent  
16 -- Dr. Kent.

17 DR. KENT: Thank you. A couple of  
18 questions.

19 BY DR. KENT:

20 Q. Under a scenario of increased competition, where we're  
21 generating more capacity than we have line capacity, if  
22 everybody decided to bid zero, how would the price be  
23 set?

24 A. The price is then set by the market. ISO establishes

1           what the regional market price is for that hour. And,  
2           each of those participants would then get whatever ISO  
3           said the value of that is for that hour.

4    Q.    Would that market price be enough to keep facilities  
5           running or would it be too low to keep some facilities  
6           running?

7    A.    Yes. It could be either. And, my example being the  
8           Alexandria biomass plant, currently, that's currently  
9           how they operate. In some hours they lose money, in  
10          some hours they make money.

11   Q.    But, in the long run, they're making enough money to  
12          keep the plant going?

13   A.    Correct.

14   Q.    If competition was such and the market price was set as  
15          such, are we looking at a scenario where the less  
16          efficient plants are somehow booted out of the market  
17          because they can't live with the market price?

18   A.    I'm not sure that would be the case. Because it may  
19          not be so much efficiency as it is corporate backing or  
20          who wants to stay in the game long enough to drive the  
21          other guys out of business, in a gas war analogy, if  
22          you follow what I'm saying there. So, it may or may  
23          not result in less efficient shutdowns.

24   Q.    Just to paraphrase, so I make sure this is clear. So,

1 if you were a facility that was not breaking even at a  
2 minimum, but had backing, it would try to wait out the  
3 competition, and wait for somebody else with less deep  
4 pockets, backers, to go under, thereby reducing  
5 competition and allowing you to get the price you  
6 needed to keep going again?

7 A. Yes.

8 Q. Okay. This Massachusetts scenario you talked about  
9 with the potential for REC credits only going to  
10 combined heat and power and 60 percent efficiency, I've  
11 got that right, is that correct?

12 A. Yes.

13 Q. How many facilities operating in New Hampshire would  
14 satisfy that? Or, if you don't know specific numbers,  
15 are there facilities that would not qualify for RECs?

16 A. To my understanding or to my knowledge, none of the  
17 existing New Hampshire biomass plants will meet that  
18 criteria.

19 DR. KENT: Thank you.

20 CHAIRMAN BURACK: Other questions?

21 Mr. Janelle.

22 BY MR. JANELLE:

23 Q. A question, in your testimony, on Page 3, this is  
24 Exhibit 2, you talk about -- and you've talked about in

1           questioning here, the possible loss of jobs as a result  
2           of Laidlaw coming on line and effects on the other  
3           plants. In your testimony, you talk about the loss or  
4           the "impact" to the "forest and trucking communities  
5           could [also] be staggering." I mean, to me, you still  
6           need chips, if Laidlaw comes on line. Is there going  
7           to be less chips if Laidlaw were to come on line and  
8           the other plants were to come off line? Can you  
9           explain how that --

10        A.    Good question. And, here, I must admit I'm taking  
11           somewhat of a parochial view in the sense of New  
12           Hampshire impact. 700,000, 750,000 tons of chips is  
13           750,000 tons, and clearly employees loggers and  
14           truckers. My view here was that, whereas currently we  
15           have a diverse group of plants distributed around the  
16           state, all of 20 megawatts, give or take, and they take  
17           fuel from within discrete circles around the state.  
18           So, therefore, the loggers are, for the most part,  
19           employed locally. 750,000 megawatts [sic] we've heard  
20           is at least 100-mile circle, if not more, and will  
21           stretch into Massachusetts, Connecticut, Quebec,  
22           Vermont, Maine. So, a number of those, as a result,  
23           clearly, what I'm hearing there is that a number of  
24           those jobs will now be exported to Quebec,

1           Massachusetts, Connecticut, because the loggers will no  
2           longer be employed locally.

3       Q.    But wouldn't it still make more sense to get the chips  
4           closer to the plant, if possible?

5       A.    Oh, it would make more sense.

6       Q.    And, wouldn't it benefit a facility like Laidlaw to do  
7           that, get them as close to home as they can?

8       A.    It would be totally logical to get them as close to the  
9           home as they can.  But, by their own admission, they  
10          can't.  They have got to go to Quebec, Massachusetts,  
11          and Connecticut.  And, so, we're going to end up  
12          employing loggers there, to the detriment of New  
13          Hampshire loggers probably.

14                           MR. JANELLE:  Thank you.

15                           CHAIRMAN BURACK:  Dr. Kent.

16                           DR. KENT:  One more question.

17       BY DR. KENT:

18       Q.    In a scenario with increased competition, market price  
19           will be less than, I would imagine, in some  
20           circumstances less competitive bid pricing.  People are  
21           going to get less, if they have to live with market  
22           price, than if they -- whether it was the "look-forward  
23           cost" or something?

24       A.    Uh-huh.

1 Q. Okay. Is that going to be good for ratepayers?

2 A. Well, bear in mind, when I say "the market cost", the  
3 market cost is not established by the biomass plant or  
4 even Merrimack Station coal plant. 76 percent of  
5 percent of the time, the market price is established by  
6 the natural gas plants in southern New Hampshire and  
7 Massachusetts. On margin, 76 percent of the time,  
8 those gas plants establish what the market price will  
9 be for a given hour.

10 Q. So, it's not just within electricity, it's competing  
11 against other energy sources?

12 A. Absolutely. And, in the winter, that's why electric  
13 prices go up in the winter, is because of the  
14 competition for natural gas. That's why electric  
15 prices are depressed right now, because gas prices have  
16 gone from \$12 an MCF to \$8. And, in the winter, when  
17 there's heating demand, and natural gas prices go back  
18 up to 10, electric prices will follow. So, yes. Three  
19 quarters of the time, natural -- the price of natural  
20 gas, which is a fungible commodity, will determine what  
21 the electric market rate is on any given hour.

22 Q. Does that mean, as a ratepayer in New Hampshire, PSNH  
23 is not driving the cost of my energy?

24 A. Absolutely correct.



1 Q. So, how does the ratepayer win? This just got more  
2 complicated for me, because, you know, we kept pointing  
3 to PSNH passing along costs to ratepayers. But, if I  
4 just understood you, PSNH can't do that independent of  
5 the energy markets?

6 A. Oh, PSNH is in a different situation. PSNH is the only  
7 modified regulated -- unregulated utility in the United  
8 States. They, in the deregulated environment, continue  
9 to own their own generation, which provides most of  
10 their power. So, PSNH rates are not based upon, to the  
11 extent, are not based upon natural gas prices, they're  
12 based upon their cost of generation. Which is why PSNH  
13 rates, in general, have risen, while other utilities  
14 have fallen, because they're buying electricity off the  
15 market. And, with the decrease in natural gas prices,  
16 their rates have dropped. Where PSNH doesn't own a  
17 natural gas plant, they don't enjoy that. And, I  
18 should always say, this is my understanding of it. I'm  
19 not on the Commission. So, with a smile, I will say  
20 that's my understanding, is that those prices are  
21 different than what I just articulated earlier. That  
22 three quarters of the time the ISO market, the price of  
23 electricity is based upon the price of natural gas.

24 DR. KENT: Thank you.

1 CHAIRMAN BURACK: Commissioner Ignatius.

2 CMSR. IGNATIUS: Thank you.

3 BY CMSR. IGNATIUS:

4 Q. Most of my questions I think have been addressed, and I  
5 hesitate to go back into the MIS discussions, but I  
6 just want to be sure we're talking about the same  
7 thing. "MIS" is for "Minimum Interconnection  
8 Standards", correct?

9 A. Yes.

10 Q. And, that's a provision under which generators can pay  
11 the minimum to interconnect and still be able to  
12 operate, correct?

13 A. Correct.

14 Q. If one -- and that's optional for a generator?

15 A. Correct.

16 Q. If one chooses to go under MIS, is there any guarantee  
17 that they will be dispatched --

18 A. No.

19 Q. -- at any given time?

20 A. No.

21 Q. All right. And, so, there's a risk by doing MIS, that  
22 the trade-off is you spend less for interconnection,  
23 but you're at risk that you may not always be able to  
24 be dispatched?

1 A. Yes.

2 Q. All right. And, the dispatch decisions are what we  
3 call "economic dispatch", when there's more, as you  
4 say, more power coming on than line capacity?

5 A. Correct.

6 Q. So, the MIS decisions generators make are then impacted  
7 by the economic decisions -- economic dispatch  
8 decisions the ISO makes?

9 A. Correct.

10 Q. All right. For years then the generators who have been  
11 under MIS in New Hampshire have had a good deal,  
12 haven't they?

13 A. Yes, I guess you could say that.

14 Q. I mean, it's a good thing that they were able to pay  
15 the minimum?

16 A. Right.

17 Q. And, because of capacity being greater than the amount  
18 of power coming onto the lines, they were generally  
19 dispatched, correct?

20 A. Correct.

21 Q. As more generators come on, the risk grows that they  
22 will not always be dispatched?

23 A. Correct.

24 Q. When you use the phrase "shutdown" in your testimony, I

1 want to be sure I understand what you mean by  
2 "shutdown", because it has two very different senses to  
3 it. One is sort of a "shutdown and mothballing" of a  
4 plant, and one -- I think at times you used "shutdown"  
5 to mean "curtail"?

6 A. To mean "zero output", you know.

7 Q. Okay.

8 A. Or some curtailment of less than full power, perhaps as  
9 low as zero output.

10 Q. All right. So, you're really talking about, from time  
11 to time power may be cranked down, there may be less  
12 output that's dispatched, or none at all on particular  
13 times?

14 A. Correct.

15 Q. And, that is scheduled by the ISO on an hour-to-hour  
16 basis, correct?

17 A. Correct.

18 Q. So, you might be on for a number of hours, off for a  
19 number of hours?

20 A. Or, in the case of a biomass plant, where you can't  
21 start up and shut down from hour-to-hour, you may lose  
22 money for hours. All of which has a long-term economic  
23 impact on the operation, and could result in the plant  
24 being shut down and mothballed.

1 Q. In the true "shutdown/mothballed" sense?

2 A. Correct.

3 Q. Okay. When you first testified in the opening of your  
4 statement this morning, you said that the "Laidlaw  
5 plant has the potential for the shutdown of a number of  
6 existing generators." Did you mean "shutdown" in the  
7 hour-to-hour dispatch sense or "shutdown" in the  
8 mothball sense?

9 A. Both.

10 Q. Is it a realistic possibility you see that existing  
11 generators will be truly shut down and closed, if the  
12 Laidlaw plant goes on line?

13 A. I think it's a very real possibility. I think it's  
14 also a very real possibility that, as was admitted by  
15 Mr. Bartoszek in a letter to the North Country  
16 Transmission Commission, that, you know, they may or  
17 may not have the financial backing to operate, if the  
18 transmission -- with the necessary transmission  
19 upgrades, in order to avoid MIS and to do those things,  
20 they may not be able to be constructed. And, in fact,  
21 there was a discussion, and I think it was even --  
22 maybe Mr. Harrington made it, that it's, at the North  
23 Country Transmission, that operating under MIS, it  
24 would be difficult for anybody to get financing, if a

1 financier knew they were going to continue to operate  
2 under MIS.

3 Q. You keep saying "operating under MIS". Everyone's  
4 operating under MIS.

5 A. Dispatched, economic dispatch.

6 Q. Okay.

7 A. Under economic dispatch.

8 Q. Thank you.

9 A. Maybe that's a better way to separate the two, sorry.

10 Q. Okay. That helps. Thank you. I guess one other area  
11 I just wanted to get clear. Is you had described  
12 earlier this morning that, at times, you would have  
13 considered, if necessary, cycling on and off with wind  
14 to keep everybody going, and that you would be  
15 interested if Laidlaw were willing to consider a  
16 similar sort of arrangement?

17 A. I think it could or should be discussed.

18 Q. And, I just want to be sure I understand, compared to  
19 Mr. Liston's statement, that was reaffirmed today, that  
20 if the Laidlaw plant were certificated and operational,  
21 Clean Power would not develop in the Berlin area. Is  
22 that your view?

23 A. I'm not sure that was reaffirmed today, if somebody  
24 said that Mr. Liston said that. It's not my view.

1 Q. Okay. I think he said that was correct, but maybe I  
2 got it wrong.

3 A. I don't know either.

4 CMSR. IGNATIUS: All right. Thank you.

5 CHAIRMAN BURACK: Other questions? Go  
6 ahead, Mr. Harrington.

7 MR. HARRINGTON: This should just be one  
8 follow-up question.

9 BY MR. HARRINGTON:

10 Q. This is in response to what Dr. Kent had said. There  
11 was a discussion about whether the most efficient plant  
12 would be dispatched, and you had said something that,  
13 "if they had corporate backing, with deep pockets, that  
14 maybe they would run", presumably, I guess, at some  
15 type of a loss, "to drive some of the competition out"?

16 A. Yes.

17 Q. Okay. And, then, you made the statement that they  
18 could -- they could "drive the competition out and then  
19 that would cause the price to go back up." But, as you  
20 stated in response to another question, gas and  
21 sometimes oil almost always sets the price in the  
22 electric market in New England. So, in effect, driving  
23 somebody out of business, in this case, another biomass  
24 plant, would have no effect on the price. The price

1           wouldn't go back up. It would still be the price, the  
2           marginal clearing price would be what it is, based on  
3           gas or oil?

4    A.    Yes. And, I didn't mean the "price of the product  
5           would go up". Maybe I misunderstood the question. But  
6           what I meant was "the price of the biomass would go  
7           down", which would make the plant more economically  
8           viable.

9    Q.    Okay. Oh, meaning the "cost of fuel would go down"?

10   A.    Correct.

11   Q.    Okay. So, I just wanted to make sure I got that right.  
12           And, just a follow-up question on the load-following  
13           capability. You had stated that Clean Power  
14           Development has "load-following capability" to react to  
15           the changes in the output of, let's say, the Noble Wind  
16           Project. But, then, you stated that "biomass plants",  
17           and maybe this is unique, that capability is unique to  
18           Clean Power, "would have to bid in more hours,  
19           sometimes at a loss, because they couldn't react quick  
20           enough." So, I'm a little confused as to what you're  
21           getting at.

22   A.    No. What I said was, "some of the biomass plants  
23           continue to operate, even though they're losing money,  
24           rather than shut down", and cool the boiler off and go



1 into hot standby.

2 Q. Okay.

3 A. Because, then, the time to refire and come back up to  
4 temperature is too long.

5 Q. Okay.

6 A. So, it's not a response, as in a throttle thing, it's  
7 turning the engine off, is what I --

8 MR. HARRINGTON: Okay. That's all I  
9 had, Mr. Chairman.

10 CHAIRMAN BURACK: Okay. Thank you.

11 BY CHAIRMAN BURACK:

12 Q. Mr. Gabler, I just want to follow up on a set of  
13 questions that Dr. Kent asked you earlier, regarding  
14 the proposed regulatory scheme in Massachusetts that  
15 you referred to.

16 A. Yes.

17 Q. Involving combined heat and power and a requirement, as  
18 you've reported to us the rule -- well, maybe you could  
19 just summarize for us first what you understand  
20 Massachusetts to be considering as a rule change for  
21 eligibility in this program?

22 A. Somewhat of just a quick background, back eight months  
23 ago, the state took a -- decided to take a much more  
24 serious look at biomass power from a broad perspective.

1           They conducted a study, they hired the Manomet  
2           Research -- I forgot the official name, the Manomet  
3           group to do a study. That study came out, was  
4           released, as been discussed, I was in Massachusetts for  
5           several of those presentations and discussions. Led to  
6           the head of DOER, whose name I can't think of right  
7           now, to issue a letter a month ago, at the behest of  
8           Governor Patrick, calling upon DOER to write a new set  
9           of regulations, and gave them some general outline as  
10          to what those new rules should probably entail. One of  
11          those very clearly is that biomass in the future should  
12          only get -- be qualified as "renewable" if it is  
13          combined heat and power, with a minimum efficiency of  
14          60 percent.

15        Q.    Thank you. That's helpful. And, I believe you also  
16              told Dr. Kent that it is your opinion that "none of the  
17              existing biomass fired plants in New Hampshire would  
18              meet that standard"?

19        A.    I do not know of any in New Hampshire that meet that  
20              standard.

21        Q.    Would the Clean Power Development Project, as it's been  
22              proposed, would that project, if built, meet that  
23              standard?

24        A.    Yes, it would.

1 Q. So, if Massachusetts were to adopt that standard, and  
2 this plant were built here in New Hampshire, it could  
3 qualify for RECs under the Massachusetts standard, is  
4 that correct?

5 A. Yes. Correct.

6 Q. Likewise, if other states, Rhode Island or Connecticut,  
7 were to adopt similar standards to what you've  
8 described to us as Massachusetts is considering, and  
9 CPD were to build its plant here in New Hampshire, it  
10 could also qualify potentially for those RECs under  
11 Massachusetts -- under Rhode Island or Connecticut's  
12 revised standards, is that correct?

13 A. Assuming they follow a similar model to the  
14 Massachusetts, yes.

15 CHAIRMAN BURACK: Thank you.

16 Mr. Harrington -- I'm sorry. Mr. --

17 MR. HARRINGTON: I did have another  
18 question though.

19 (Laughter.)

20 CHAIRMAN BURACK: Mr. Iacopino.

21 MR. IACOPINO: I just have a couple of  
22 quick questions, Mr. Gabler.

23 BY MR. IACOPINO:

24 Q. If I understand your opinions correctly, well, tell if

1 I do, is your opinions are based upon a conclusion that  
2 you've made that Laidlaw -- the Laidlaw Project that is  
3 proposed coming on line essentially is the straw that  
4 breaks the camel's back on the Coos Loop, is that  
5 correct?

6 A. Correct.

7 Q. Okay. And, your opinions are based upon your review of  
8 the various system studies that have been done for both  
9 Clean Power Development, for Laidlaw, for Granite  
10 Reliable, and other generators that are in the queue,  
11 correct?

12 A. Actually, it goes back, if I may, eight years ago, when  
13 I was on the House Science Technology Energy Committee,  
14 and was involved in passage of a bill calling for the  
15 state's first energy policy to be written, and actually  
16 served on the executive board of that energy policy and  
17 helped form it, subsequently working around the state  
18 in a variety of energy capacities. Most recently, yes,  
19 I have been involved with the North Country  
20 Transmission Commission since its inception, have been  
21 involved in all the hearings. I've had several  
22 multiple meetings with KEMA, the organization that's  
23 doing the North Country study, including spending a day  
24 with them in their D.C. office discussing the issues.

1           So, I've had a pretty extensive, both political and  
2           variety, impact, as well as my background as an  
3           engineer and analyzing the reports.

4       Q.    But it's your familiarity with the queue that gives you  
5           the ability -- or, not the "queue", the existing  
6           generators that gives you the ability to say that "this  
7           particular proposed project is the one that will exceed  
8           what the capacity of the Loop will be, once Granite  
9           Reliable and Clean Power come on line", correct?

10     A.    Yes.

11     Q.    Okay. Now, they're not the only -- Laidlaw's not the  
12           only new producer in the queue, are they? There are  
13           other people behind them --

14     A.    Oh, correct.

15     Q.    -- that will be in the queue for the Coos Loop, isn't  
16           that correct?

17     A.    Correct.

18     Q.    Who else is out there?

19     A.    There's a number of them being discussed. There's a  
20           wind project, I forgot the name of it, 185 megawatt,  
21           from the northern Coos County. There's a small wind  
22           project been discussed for Dixville Notch. There was  
23           another small power generator being discussed for  
24           Colebrook. There have been a number of them discussed.

1 Q. And, they have been assigned queue numbers?

2 A. Well, the only one that's got a queue number right now  
3 is the wind project in Coos County, which I think is --

4 Q. North Country Wind?

5 A. North Country Wind.

6 Q. If I understand correctly, everybody who is on the Coos  
7 County Loop right now came in under Minimum  
8 Interconnection Standards, is that correct?

9 A. Correct.

10 Q. If Laidlaw didn't get a certificate, or for some other  
11 reason did not develop, the next person to come in on  
12 the queue would, I guess your -- is it true that your  
13 opinions about whether somebody else should come in on  
14 the queue would be the same for who's ever next?

15 A. My opinions would be the same. I will say, though,  
16 that I've talked with the developer for North Country  
17 Wind, and he does not anticipate coming on unless there  
18 are significant upgrades to allow everybody to operate.

19 Q. So, basically, I guess what undermines -- not  
20 "undermines", but underlies your opinion is that "well,  
21 we got into the queue before Laidlaw did, and,  
22 therefore, you know, the door's shut. And, now, it's  
23 up to Laidlaw to basically either revamp the entire  
24 loop or not come on line"?

1 A. That's the way the system operates.

2 Q. So that the door just shut after your project,  
3 basically? That's your opinion?

4 A. Yes.

5 MR. IACOPINO: I have no further  
6 questions.

7 CHAIRMAN BURACK: Dr. Kent.

8 BY DR. KENT:

9 Q. I want to make sure I heard you correctly earlier. You  
10 said, for 125 million, you could upgrade the line to  
11 400 megawatt?

12 A. The North Country Transmission Commission basis was  
13 400 megawatts. PSNH's original estimate of the cost to  
14 do that was 150. They have downgraded that to 125, and  
15 have said it could even be a little cheaper, maybe  
16 pushing 100. So, yes. But, I'm just trying to say  
17 it's -- 125 is the number today, but it has been a  
18 moving target in the history -- in the past, and could  
19 well move again.

20 Q. So, if we're using the 125 million number, that would  
21 be prohibitive for any single project you believe?

22 A. I would think so.

23 Q. Is there anything to prevent all the generators in the  
24 area tied to that line or potentially tied to that line

1 from pooling their resources and upgrading to  
2 400 megawatts?

3 A. And, that's exactly the point of the KEMA study that's  
4 currently going on. KEMA's charge or charter was  
5 specifically to look at cost allocation methods that  
6 would allow that 125 million to be distributed such  
7 that no single or no generator would be inhibited,  
8 would be prohibited from development.

9 Q. So, this is a matter of -- not a matter of "we've  
10 outstripped the capacity of the line, and that's it."  
11 It's "the line needs an upgrade to increase capacity,  
12 but that's feasible, if people want to pony up the  
13 money"?

14 A. Correct.

15 DR. KENT: Okay. Thank you.

16 MR. HARRINGTON: Just one quick --

17 CHAIRMAN BURACK: Yes. Mr. Harrington.

18 MR. HARRINGTON: Yes. Just a quick  
19 follow-up on two statements.

20 BY MR. HARRINGTON:

21 Q. You had said that, on the RECs, that, in Massachusetts,  
22 the combined heat and power would be a minimum of  
23 60 percent efficiency required under what you assume is  
24 going to come out of the rules. You said "CPD would



1 meet that 60 percent"?

2 A. Correct.

3 Q. And, that's -- it's not going to be on the power,  
4 obviously. So, it's going to be providing heat to --

5 A. The paper mill in Gorham, the -- used to be "Fraser",  
6 now "Great Wood" -- to be "Great North Woods Paper".

7 Q. And, is that a done deal? Is a contract signed that,  
8 if CPD is built, that that will, in fact, take place?

9 A. We have a -- we have such an agreement with Fraser.  
10 We're in the process of negotiating to transfer that  
11 agreement to North Woods Paper.

12 Q. And, I don't know, you might not want to even answer  
13 this question, but, since you've been here for the  
14 whole hearings, would you like to hazard a guess as to  
15 whether the Laidlaw plant would qualify for that  
16 minimum 60 percent efficiency?

17 A. It would not.

18 Q. Okay. You seem pretty confident of that?

19 A. As an engineer, it wouldn't, no.

20 Q. Okay. And, one, this last thing, you were responding  
21 to a question from Mr. Iacopino on his analogy on "the  
22 door is closing", and you said "well, that's the way  
23 the system operates", I think that's a direct quote.  
24 But, in fact, that's not the way the system operates.

1 Under MIS, anybody is allowed to come in as long they  
2 don't exceed -- their single plant doesn't exceed the  
3 capacity of the line, because they model it with  
4 everybody else at zero output.

5 A. I took Mr. Iacopino's question to be more a rhetorical  
6 or positional statement, as opposed to a hard-and-fast  
7 "Thou shall not build a plant after ours."

8 Q. Because there is nothing --

9 A. Because --

10 Q. -- in the system operational rules that prevents  
11 anybody from coming in under MIS the way Laidlaw is  
12 proposing?

13 A. Correct.

14 MR. HARRINGTON: Okay. Thank you.

15 CHAIRMAN BURACK: Mr. Iacopino.

16 MR. IACOPINO: I'm sorry, Mr. Chairman,  
17 I meant to ask this before.

18 BY MR. IACOPINO:

19 Q. But the other thing I wanted to clear up, make sure I  
20 understand, is that, on an average day, okay, not a day  
21 when the wind's blowing to generate 99 megawatts out of  
22 Granite Reliable, but, on an average day, if -- there  
23 is enough room on the Coos Loop for Granite Reliable,  
24 for Clean Power Development, and for the Laidlaw

1 Project, isn't that correct?

2 A. Adding the numbers in my head, yes.

3 Q. 33, 27, 57, is 117?

4 A. Yes. But, it's really -- remember, the "59" is really  
5 "64". So, --

6 Q. If they go back to ISO?

7 A. They have said they're going to. So, I'm -- yes. It  
8 will, on an average day, with 33 megawatts coming out  
9 of the Granite Reliable, if they were capped to that  
10 amount, yes.

11 MR. IACOPINO: Thank you.

12 CHAIRMAN BURACK: Are there any other  
13 questions from the parties for this witness? You do have  
14 some questions?

15 MR. NEEDLEMAN: Yes.

16 CHAIRMAN BURACK: All right.

17 (Court reporter interruption - brief  
18 off-the-record discussion ensued  
19 regarding a recess.)

20 CHAIRMAN BURACK: I just want to get a  
21 sense, before we do break, if I may, Steve. I just want  
22 to get a sense as to what -- how much more time do you  
23 think you need with this witness, Mr. Needleman?

24 MR. NEEDLEMAN: Five minutes.

1 CHAIRMAN BURACK: Five minutes. Mr.  
2 Rodier, do you have questions for this witness?

3 MR. RODIER: I do, but --

4 CHAIRMAN BURACK: How much more time do  
5 you need?

6 MR. RODIER: Maybe not more than five,  
7 certainly not more than ten.

8 CHAIRMAN BURACK: Okay.

9 MR. RODIER: I mean, I'm going to try to  
10 make it quick.

11 CHAIRMAN BURACK: That's fine. You  
12 don't think you have any further questions, Attorney  
13 Brooks?

14 MR. BROOKS: No.

15 CHAIRMAN BURACK: Okay. Here's what I'm  
16 going to propose that we do here. We will take a break  
17 for lunch here momentarily. When we return, we will  
18 complete the cross-examination of this witness. I will  
19 tell you that I have, in the break we took earlier, I have  
20 reviewed in camera on the material subject to the motion  
21 that the Applicant made this morning. And, for reasons  
22 that I will articulate in a written decision, I am going  
23 to grant that motion of the Applicant, to treat that  
24 document as a confidential document.

1                   Having said that, I am going to,  
2 following the completion of our questioning of Mr. Gabler,  
3 I will entertain a motion for us to enter into a  
4 confidential session pursuant to RSA 91-A, so that we can  
5 take testimony and ask questions about that particular  
6 confidential document. I do not expect that to be  
7 necessarily a very long confidential session. As soon as  
8 that has been completed, we will come back to our regular  
9 session, at which time I would entertain closing arguments  
10 from any parties who wish to make closing arguments. And,  
11 on the understanding that presumably those closing  
12 arguments would be 15 minutes or so in length per party?  
13 Is that about what, Attorney Needleman, that's about what  
14 you had in mind?

15                   MR. NEEDLEMAN: Yes.

16                   CHAIRMAN BURACK: Attorney Rodier, is  
17 that about what you had in mind?

18                   MR. RODIER: Yes.

19                   CHAIRMAN BURACK: Were you anticipating  
20 making any kind of a closing statement, Attorney Brooks?

21                   MR. BROOKS: No.

22                   CHAIRMAN BURACK: No closing statement  
23 at all? Okay. And, then, I just want to get confirmation  
24 that there are no other members of the public here who

1 would like to make public comment before the close? One  
2 person. Are there any others? Two who would like to make  
3 brief public comments before we close. Okay. We should  
4 be able to accomplish all of that in our time remaining  
5 together here.

6 Do parties think that we could keep  
7 ourselves to a 45-minute lunch break or do people need an  
8 hour?

9 UNIDENTIFIED SPEAKER: Yes.

10 CHAIRMAN BURACK: We can do this in 45  
11 minutes? Let us then please do everything we can to be  
12 back here by 1:15. And, I thank you all very much.

13 (Whereupon the Day 6 Morning Session  
14 recessed for lunch at 12:30 p.m. The  
15 Day 6 Afternoon Session to resume  
16 under separate cover so designated.)  
17  
18  
19  
20  
21  
22  
23  
24

**{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LAIDLAW BERLIN BIOPOWER, LLC**

	<b>96:10</b>	<b>185 (1)</b>	<b>111:11</b>	<b>6 (2)</b>
<b>\$</b>	<b>[sic] (1)</b>	133:20	<b>300,000 (1)</b>	142:13,15
	118:19	<b>1940s (1)</b>	24: 9	<b>6.1.2 (1)</b>
<b>\$1.75 (3)</b>	<b>[to (1)</b>	75: 3	<b>30-mile (3)</b>	32:10
24:10,14,14	78:13	<b>1987 (1)</b>	16: 4;35: 8;37:19	<b>60 (14)</b>
<b>\$10 (2)</b>	<b>1</b>	31: 8	<b>31 (1)</b>	74:16;75: 6,13,24;
78:22,24		<b>2</b>	52:20	76: 9,11;83: 3;104:12;
<b>\$100 (1)</b>			<b>31st (1)</b>	113:14;117:10;130:14;
49: 2	<b>1 (3)</b>	<b>2 (11)</b>	31:20	136:23;137: 1,16
<b>\$12 (1)</b>	56: 8, 9,11	46:16,24;50:15;51: 6,	<b>32 (1)</b>	<b>63 (1)</b>
120:16	<b>1.3 (1)</b>	9,12;78: 2, 3, 4;92: 9;	53: 5	90: 2
<b>\$120 (1)</b>	26: 2	117:24	<b>33 (3)</b>	<b>64 (8)</b>
69:19	<b>1:00 (3)</b>	<b>20 (9)</b>	80:11;139: 3, 8	67: 3;79:17;80: 3, 7;
<b>\$125 (2)</b>	102: 8;104:11,11	15: 9;31:13,17;37: 8;	<b>336 (3)</b>	96:23;97: 1, 4;139: 5
77:11;78:19	<b>1:15 (1)</b>	72:22;73:22;101:21;	64: 9;75: 5;76:18	<b>66 (4)</b>
<b>\$18 (1)</b>	142:12	102:10;118:16	<b>37 (1)</b>	89:14,14,15;91:13
84:22	<b>10 (5)</b>	<b>20,000 (1)</b>	56:15	<b>69 (2)</b>
<b>\$2 (1)</b>	27:18;96: 3, 5, 5;	31:10	<b>3A (2)</b>	45: 8, 9
20:12	120:18	<b>2005-2006 (1)</b>	46:16,20	<b>7</b>
<b>\$20 (1)</b>	<b>10:11 (1)</b>	76: 3	<b>4</b>	
28:22	45:24	<b>2007 (5)</b>		<b>70 (8)</b>
<b>\$200 (1)</b>	<b>10:15 (1)</b>	31:17;75:12;76: 2,10;	<b>4 (1)</b>	5: 7;15: 8;25: 6,24;
77:10	45:23	98: 2	92:13	32: 7;34:20;36:17;37: 5
<b>\$24 (1)</b>	<b>10:32 (1)</b>	<b>2009-02 (1)</b>	<b>4.2 (2)</b>	<b>700,000 (1)</b>
29: 2	46: 1	5: 5	96:17,19	118:12
<b>\$27 (2)</b>	<b>100 (22)</b>	<b>2010 (1)</b>	<b>4.3 (1)</b>	<b>74 (1)</b>
28:24;29: 1	31:14;32: 8;59: 2;	64:13	89: 3	10:20
<b>\$28 (2)</b>	72:23;73: 4,23;74:19;	<b>2012 (1)</b>	<b>40 (4)</b>	<b>75 (2)</b>
29: 1, 2	76:21;94:18;99:16,17;	89: 3	35: 4;58:24;72:23;	10:20;106:11
<b>\$29 (1)</b>	100: 3,16;102:15,21;	<b>20th (1)</b>	74:19	<b>750,000 (3)</b>
28:24	104: 5;105: 2,17;114:20,	58:12	<b>400 (4)</b>	118:12,13,19
<b>\$3.06 (1)</b>	21;115: 4;135:16	<b>21 (2)</b>	77: 9;135:11,13;	<b>76 (2)</b>
48:18	<b>100-mile (1)</b>	62: 8;107:20	136: 2	120: 4, 7
<b>\$30 (1)</b>	118:20	<b>229 (2)</b>	<b>42 (1)</b>	<b>795 (3)</b>
69:16	<b>11 (2)</b>	89: 6,15	90: 3	64:10;75: 4, 6
<b>\$35 (1)</b>	56:17;78: 8	<b>23 (2)</b>	<b>4-2 (1)</b>	<b>8</b>
26: 5	<b>117 (1)</b>	51:12,16	96: 6	
<b>\$40 (1)</b>	139: 3	<b>230,000 (1)</b>	<b>45 (2)</b>	<b>8 (2)</b>
26:24	<b>12 (2)</b>	31:11	35: 4;142:10	77:18,24
<b>\$45 (1)</b>	41:16;78: 8	<b>25 (9)</b>	<b>45,000 (1)</b>	<b>8:00 (2)</b>
26:24	<b>12:30 (1)</b>	17:16;20: 1;21:17;	17:22	69:17;93: 7
<b>\$5.00 (1)</b>	142:14	29: 9,20;37:22;38:21;	<b>45-minute (1)</b>	<b>80 (6)</b>
92: 6	<b>120 (1)</b>	72:23;73:22	142: 7	36:20;40:19;72:23;
<b>\$55 (1)</b>	78:14	<b>251 (1)</b>	<b>5</b>	73: 4,22;75: 4
84:19	<b>125 (9)</b>	89: 9		<b>80-megawatt (1)</b>
<b>\$6.00 (1)</b>	76:23;77:14;78:16;	<b>27 (2)</b>	<b>5 (3)</b>	40: 1
28:11	79: 1;135:10,14,17,20;	80: 4;139: 3	27:18;52:11;92: 6	<b>9</b>
<b>\$60 (2)</b>	136: 6	<b>29 (8)</b>	<b>50 (11)</b>	
63: 1;84:19	<b>130 (3)</b>	89: 6,16,16,17;90:24;	15:18;16: 5;27:17;	<b>9 (2)</b>
<b>\$7 (1)</b>	76:23;78:16;79: 1	91: 4,14;99:24	29: 6;36: 8;37: 8;42:12;	96: 3, 4
31:12	<b>130,000 (1)</b>	<b>3</b>	68:21;84:22;112: 6, 9	<b>91-A (2)</b>
<b>\$8 (1)</b>	31: 9		<b>56 (1)</b>	8:14;141: 4
120:16	<b>14 (1)</b>	<b>3 (9)</b>	47:24	<b>99 (8)</b>
<b>[</b>	79: 6	46:16,19;47: 1;50:23;	<b>57 (4)</b>	76:15;79:11;80: 7,17;
	<b>140 (1)</b>	51: 1;92:10;111:13,15;	89:23;90: 2,12;139: 3	90: 8;99:24;107:12;
	78:14	117:23	<b>59 (10)</b>	138:21
<b>[31] (1)</b>	<b>15 (6)</b>	<b>3:30 (1)</b>	67: 2, 3, 7;88: 8,16,20;	<b>99+27+64 (1)</b>
53: 5	31: 6,10;37:22;	11: 9	96: 7,21;97: 2;139: 4	79: 7
<b>[32] (1)</b>	101:18;108:12;141:12	<b>30 (9)</b>	<b>6</b>	<b>9th (1)</b>
52:20	<b>150 (2)</b>	15: 9;16:11;29: 9,20;		64:13
<b>[also] (1)</b>	77:10;135:14	35: 3,11;37: 8;53: 1;		
118: 5	<b>17 (4)</b>			
<b>[Biomass] (1)</b>	56:13,14;74: 3;108:12			

<p><b>A</b></p> <p><b>Aber (1)</b> 41: 7</p> <p><b>ability (15)</b> 10: 7;15: 5,24;32: 7; 34:24;35: 1;38:12; 43:21;61:21;71:14; 75:13;98: 6;101:17; 133: 5, 6</p> <p><b>able (13)</b> 5:21;25:11;33: 8; 64:22;74: 5;90:16; 91:13;99:12;122:11,23; 123:14;125:20;142: 4</p> <p><b>above (2)</b> 89:22;94:16</p> <p><b>absolute (1)</b> 36:24</p> <p><b>absolutely (6)</b> 52: 9;81:22;94: 2; 97:21;120:12,24</p> <p><b>absolutes (1)</b> 73: 8</p> <p><b>absorbs (1)</b> 27:14</p> <p><b>accommodate (1)</b> 102:12</p> <p><b>accomplish (1)</b> 142: 4</p> <p><b>account (2)</b> 65: 9,23</p> <p><b>accurate (4)</b> 71:21,22;81: 9;110:20</p> <p><b>acknowledged (1)</b> 82: 6</p> <p><b>acre (1)</b> 22: 6</p> <p><b>acres (1)</b> 17:22</p> <p><b>across (1)</b> 95:19</p> <p><b>ACSR (5)</b> 64: 9,10;75: 3, 6;76:19</p> <p><b>action (2)</b> 10:18;103: 2</p> <p><b>actively (1)</b> 36: 4</p> <p><b>actual (7)</b> 5:22;41: 3;61:21; 64: 8;69: 2;71:14;81:18</p> <p><b>actually (21)</b> 22:17;28: 3;43: 6; 55:12;59:11;67:21; 69:10;74:15;75:11; 76: 2, 8, 9;81:20;86:18; 88: 1;91:23;93:24; 99:23;110:24;132:12,15</p> <p><b>add (3)</b> 67: 5;96:24;105:20</p> <p><b>added (2)</b> 40: 2;80: 3</p>	<p><b>adding (2)</b> 22:15;139: 2</p> <p><b>addition (3)</b> 10:19;11:21;49: 9</p> <p><b>additional (11)</b> 11: 7;33:18,22,24; 37: 8;45: 1;67: 3, 6; 74:16;99: 9;102: 9</p> <p><b>additionally (4)</b> 38: 5;63: 4;74: 2; 83:22</p> <p><b>address (1)</b> 11:18</p> <p><b>addressed (3)</b> 6:15;10: 4;122: 4</p> <p><b>adequately (1)</b> 10: 7</p> <p><b>adjourn (1)</b> 11: 9</p> <p><b>adjust (2)</b> 61:19;101:12</p> <p><b>adjustment (1)</b> 32:11</p> <p><b>adjustments (1)</b> 58: 7</p> <p><b>admission (1)</b> 119: 9</p> <p><b>admit (2)</b> 18:15;118:10</p> <p><b>admitted (1)</b> 125:14</p> <p><b>adopt (2)</b> 131: 1, 7</p> <p><b>advantage (1)</b> 77:12</p> <p><b>advent (1)</b> 20: 3</p> <p><b>advisement (1)</b> 10:12</p> <p><b>affect (5)</b> 14:14;15: 4,24;53:10, 10</p> <p><b>affected (1)</b> 14:17</p> <p><b>affidavits (1)</b> 10:21</p> <p><b>affiliation (3)</b> 12:13,14;14: 3</p> <p><b>affirmative (3)</b> 82:16;86:10;115: 7</p> <p><b>afford (1)</b> 25:16</p> <p><b>affording (1)</b> 31: 3</p> <p><b>afternoon (2)</b> 102: 8;142:15</p> <p><b>again (30)</b> 13: 8,10;24:17,21; 26: 7;31: 1,23;34: 6; 61: 4, 8;66:21;73:13; 79:17;87:14;89:10; 90:12;91:11,16;93:11; 95:12;96:23;97: 6;</p>	<p>98:10;102:17;103: 9,10; 111:24;112: 3;117: 6; 135:19</p> <p><b>against (3)</b> 14:21;32:15;120:11</p> <p><b>age (3)</b> 22:12,13;23: 1</p> <p><b>agenda (1)</b> 109:19</p> <p><b>agent (1)</b> 59: 8</p> <p><b>ago (17)</b> 10:24;20: 1,24;21:17; 26: 3;38:21;39:24;58: 8; 59:20;61: 9;83: 6, 7; 92:16;111:11;129:23; 130: 7;132:12</p> <p><b>agree (4)</b> 35:14;43:13;52: 6; 53:21</p> <p><b>agreed (1)</b> 6:17</p> <p><b>agreement (13)</b> 6:11,16;8: 4,24;30:20; 31:16,18,22,24;61:13; 103: 3;137: 9,11</p> <p><b>agreements (3)</b> 19:11;23:18;109: 2</p> <p><b>ahead (2)</b> 72:13;127: 6</p> <p><b>air (1)</b> 69:18</p> <p><b>Alexandria (3)</b> 59: 8;92:15;116: 8</p> <p><b>allocated (1)</b> 90:24</p> <p><b>allocation (1)</b> 136: 5</p> <p><b>allocations (1)</b> 49: 4</p> <p><b>allow (27)</b> 15: 7,15;16:15;49: 1, 12;54: 3;61: 4;67: 1, 8; 70:10;76:12,14;87:23; 98: 5, 6, 9;100:12,14; 102:14;104: 2,19; 105:24;106: 2,18;114: 7; 134:18;136: 6</p> <p><b>allowed (8)</b> 20: 4;60:22;67:21; 68: 6,12;71: 5;91: 4; 138: 1</p> <p><b>allowing (4)</b> 15:19;58:23;72:21; 117: 5</p> <p><b>almost (5)</b> 26: 4;35:14;94:17; 101:14;127:21</p> <p><b>along (3)</b> 9:10;99:14;121: 3</p> <p><b>alter (1)</b> 65: 3</p> <p><b>alternative (6)</b></p>	<p>54:19;56:20;63: 3; 84:17;85: 5;106:16</p> <p><b>although (2)</b> 19:15;53:21</p> <p><b>always (10)</b> 94:11,13,14,17;95:21; 111: 8;121:18;122:23; 123:22;127:21</p> <p><b>amend (1)</b> 6:17</p> <p><b>amended (1)</b> 6:14</p> <p><b>amendment (4)</b> 6:18,21;8:17;10:20</p> <p><b>among (1)</b> 57: 5</p> <p><b>amongst (1)</b> 19:19</p> <p><b>amount (20)</b> 27:16;30: 6,12;35: 6; 37:23;40: 1;41: 4;45: 4; 63:18,18;69: 1;75:18; 76: 7,18;99: 5;102: 7,12; 103:23;123:17;139:10</p> <p><b>amp (1)</b> 75: 4</p> <p><b>amps (1)</b> 75: 6</p> <p><b>analogy (5)</b> 57:24;58:11,17; 116:21;137:21</p> <p><b>analysis (11)</b> 18: 3, 8;19:21;21: 7; 24:19;29: 5;62:21; 67:14;81:23;83:12;89: 1</p> <p><b>analyze (1)</b> 110:22</p> <p><b>analyzing (1)</b> 133: 3</p> <p><b>and/or (2)</b> 48: 2;64:15</p> <p><b>Androscoggin (2)</b> 54:15,24</p> <p><b>Anheuser-Busch (1)</b> 36:15</p> <p><b>announced (1)</b> 67: 4</p> <p><b>annual (4)</b> 22:11,14,15,19</p> <p><b>annually (1)</b> 31:11</p> <p><b>anticipate (1)</b> 134:17</p> <p><b>anticipated (12)</b> 82:24;83: 9;86:13; 98: 5;101:12;102: 4; 113:17;114: 5, 9, 9,15,17</p> <p><b>anticipates (2)</b> 48:17;96: 9</p> <p><b>anticipating (1)</b> 141:19</p> <p><b>anticipation (1)</b> 115: 2</p>	<p><b>antiquated (2)</b> 57:20;58: 8</p> <p><b>anymore (2)</b> 22: 6;28: 5</p> <p><b>apostrophe (1)</b> 31: 5</p> <p><b>appeals (1)</b> 79:23</p> <p><b>appeared (1)</b> 84:16</p> <p><b>appears (2)</b> 35:13;85:11</p> <p><b>Applicant (6)</b> 6: 1, 7;61:13;63: 9; 140:21,23</p> <p><b>Applicant's (1)</b> 52:20</p> <p><b>Application (1)</b> 5: 6</p> <p><b>applied (1)</b> 111:21</p> <p><b>appreciate (2)</b> 9:20;44:18</p> <p><b>approach (2)</b> 37:14;49:23</p> <p><b>approaching (2)</b> 36:17;101:22</p> <p><b>appropriate (5)</b> 11: 4;39:14;40:20; 54: 6;106:24</p> <p><b>approval (2)</b> 65:12;82: 3</p> <p><b>approved (1)</b> 109: 2</p> <p><b>approximately (5)</b> 5:18;31: 8;68: 4,19; 78:22</p> <p><b>April (1)</b> 90:15</p> <p><b>area (14)</b> 23: 7;25:24;29:12; 30:14;38:10,14,24; 40:19;43: 2;53: 1;62: 7; 126:10,21;135:24</p> <p><b>areas (4)</b> 15: 2;16: 3;19:18,19</p> <p><b>argue (1)</b> 70:17</p> <p><b>argued (1)</b> 58:13</p> <p><b>arguing (4)</b> 57: 1, 4;64: 1;65:18</p> <p><b>argument (1)</b> 10:12</p> <p><b>arguments (7)</b> 10:11;11: 8;63:10,15; 141: 9,10,12</p> <p><b>arm's (1)</b> 14: 1</p> <p><b>around (11)</b> 21:21;27:24;35: 3; 74:15;76:23;80:11; 83: 8,12;118:15,17;</p>
---	---	--	--	--



132:17 <b>arrangement (2)</b> 23:17;126:16 <b>arrangements (1)</b> 19: 7 <b>arranging (1)</b> 18: 2 <b>arrival (2)</b> 5:20;11:16 <b>arrived (1)</b> 5:23 <b>articulate (1)</b> 140:22 <b>articulated (2)</b> 91:10;121:21 <b>Ashland (1)</b> 91: 7 <b>assent (2)</b> 7:17,22 <b>assertion (1)</b> 59: 5 <b>assessing (1)</b> 19: 9 <b>assessments (1)</b> 42:11 <b>assets (1)</b> 68:15 <b>assigned (1)</b> 134: 1 <b>associated (1)</b> 14: 4 <b>Association (1)</b> 12: 3 <b>assume (7)</b> 36:23;64:15;80: 5,23; 91:21;108: 4;136:23 <b>assumed (1)</b> 48: 4 <b>assumes (1)</b> 73:24 <b>assuming (5)</b> 71:19;96:13;101: 3; 104:17;131:13 <b>assumption (2)</b> 14:13;71:13 <b>assumptions (1)</b> 45: 5 <b>attempts (1)</b> 23:14 <b>Attorney (17)</b> 6:24;9:16;10:15; 33:23;41:22;42:24; 45: 2,15;46: 4;50: 9; 54: 2;61: 3;87:21; 140:12;141:13,16,20 <b>Atty (5)</b> 50: 2, 2, 5;66:13,13 <b>auction (2)</b> 61:19;63: 6 <b>August (3)</b> 31:20;69:18;108:20 <b>authorities (1)</b> 54:23	<b>authority (3)</b> 31: 4;65: 1,15 <b>authorized (1)</b> 97: 2 <b>availability (10)</b> 8:18;14:18;24:24; 25:22;26:17;29: 6, 7; 30:19;40:17;43:10 <b>available (11)</b> 19:10;21:18;28: 5; 29:23;35: 7;40:18;41: 4; 50: 7;55:22;62:20;78:13 <b>avenue (1)</b> 49: 8 <b>average (5)</b> 22:11;94:15;138:20, 22;139: 8 <b>averages (1)</b> 24: 9 <b>avoid (3)</b> 38: 8;73: 7;125:19 <b>avoided (1)</b> 48:13 <b>awaiting (1)</b> 11:15 <b>aware (7)</b> 27: 7;42:10,17;54:15; 59:14;65: 7, 9 <b>away (3)</b> 35:17;73:11;85:20	84: 8;125:15 <b>base (5)</b> 48: 3;66:24;67: 9,11; 88: 3 <b>based (28)</b> 24:19;29: 7;32:13; 35: 6;40: 3;45: 4;47: 3; 55: 7;61:19;66: 1,18; 69: 3;75:16;76: 2,21; 85: 7;90: 7;95: 1; 102:10;111: 3;115: 5; 121:10,11,12,23;128: 2; 132: 1, 7 <b>basic (1)</b> 22: 3 <b>basically (20)</b> 16:15;17: 4;19: 7,18, 24;25: 8;34:21;35:10; 40:11;64: 1;70:10; 88:13,18;96: 5;99: 5; 101:14;106: 5;134:19, 23;135: 3 <b>basics (1)</b> 112:18 <b>basis (11)</b> 8:14;10: 1;22:11,19; 58:22;77: 1;110:17; 111:23,24;124:16; 135:12 <b>be] (1)</b> 78:14 <b>bear (1)</b> 120: 2 <b>became (1)</b> 43:19 <b>become (6)</b> 42: 5;43:19;68:11,12; 69:14;74: 6 <b>becomes (3)</b> 74: 7;91:16,17 <b>begin (1)</b> 14:12 <b>beginning (2)</b> 56:17;96:16 <b>begins (3)</b> 51:13,16,17 <b>behest (1)</b> 130: 7 <b>behind (1)</b> 133:13 <b>belief (1)</b> 47: 8 <b>below (1)</b> 85: 4 <b>benchmarked (1)</b> 32:15 <b>beneficial (1)</b> 21:15 <b>benefit (2)</b> 20: 7;119: 6 <b>benefits (3)</b> 20: 5;21:12;32:22 <b>Berlin (32)</b>	5: 6, 8;7:22;25: 4, 6, 18;26: 8,13;29:19; 30:14;35:20;47:19; 48: 4;52: 2,12,21,23,24; 54:23;55:12;67: 9,19; 68:14;80: 8,22;84: 6; 88: 9;90:19;91: 2,20; 96:10;126:21 <b>Berlin's (1)</b> 13:15 <b>BERTI (12)</b> 12:19,19;17: 3, 4, 9, 12,13;30: 4, 9,11,23; 72:15 <b>B-e-r-t-i (1)</b> 17:13 <b>besides (1)</b> 18: 1 <b>best (4)</b> 23:22;47: 7;77: 8; 81:14 <b>Bethlehem (5)</b> 18: 5, 5;25:10,13,13 <b>better (6)</b> 30:15;64:23,23;92:11; 94: 1;126: 9 <b>better-than-average (1)</b> 20:16 <b>beyond (15)</b> 8: 7;40:24;57:21,22; 58:11;59: 9;67: 6;77: 6, 8,14;81: 3;91:10;99: 7; 100: 5;109:19 <b>bid (33)</b> 67:19,24;68: 6,17; 69: 6;70: 8;71: 3, 5; 91:24;92: 7,12;93: 8,11; 94: 3,11,13,14,20,22; 95: 2,20,21;102: 5, 7, 9; 103:13,17,18;104:11; 106:14;115:22;119:20; 128:18 <b>bidding (14)</b> 67:20,23;68: 9,12; 69:12,13;70: 1;91:17,22; 92:16;93:23;98:15; 104:18;113: 1 <b>bids (2)</b> 68:23;69: 1 <b>big (3)</b> 15: 8,12;61: 1 <b>bill (2)</b> 61:22;132:14 <b>biomass (43)</b> 5: 7;19:23;20: 3; 21:12;23: 4;25:17; 28:16;36: 1,23;40: 3,12; 43:20;48: 5;56:19;64: 8; 67:10;71:20;83: 1, 6; 86: 7;89: 6, 9;92: 1, 5, 14;93:17;94:15;95: 1, 5, 11;99:10;107:11;116: 8; 117:17;120: 3;124:20;	127:23;128: 6,16,22; 129:24;130:11,17 <b>BioPower (7)</b> 5: 6;47:19;52:13,24; 53: 9;80:22;84: 6 <b>bit (10)</b> 6: 5;18:17;19:22; 68:12;70: 5;81: 2;82:12; 90:18;91:22;104: 9 <b>black (1)</b> 38:18 <b>blast (1)</b> 69:19 <b>blowing (3)</b> 68: 2;90:15;138:21 <b>board (3)</b> 55: 9;79:24;132:16 <b>boards (1)</b> 17:21 <b>boiler (3)</b> 93:19;101: 6;128:24 <b>bolewood (2)</b> 25: 8,15 <b>book (2)</b> 114:18;115:11 <b>boost (1)</b> 99: 2 <b>booted (1)</b> 116:16 <b>borne (1)</b> 32:14 <b>Boston (2)</b> 83: 4, 6 <b>both (16)</b> 10:21;17:23;24: 4; 26: 8;57:11;77: 3;79:22; 80:21;95: 9;105: 7,24; 108:24;110: 7;125: 9; 132: 8;133: 1 <b>bottom (4)</b> 50:15;51:12;77:13; 96: 4 <b>bought (2)</b> 25:20;27:16 <b>break (7)</b> 45:21,23;77:19; 139:21;140:16,19;142: 7 <b>breaker (1)</b> 110: 2 <b>breaking (1)</b> 117: 1 <b>breaks (1)</b> 132: 4 <b>Bridgewater (12)</b> 13: 1, 4;18: 5, 6;31: 6, 6, 7;59: 7;69:23,23; 91: 8, 8 <b>brief (8)</b> 11:12,19;13:10;14: 1; 47:16;66:11;139:17; 142: 3 <b>bring (9)</b> 15: 1;16:22;38:23;
	<b>B</b>			
	<b>back (43)</b> 27: 7, 7,10,10,12; 29: 6;35:11;38:21; 39:20;43: 6;45:22;74: 8; 75: 2,11;76: 5;91:16; 94: 7;96:16;97: 5,23; 99:21;100:22;101:24; 103:12;105: 5;106: 5,13, 17;110:22,24;111:19,24; 120:17;122: 5;127:19; 128: 1;129: 3,22;132: 4, 12;139: 6;141: 8;142:12 <b>backers (1)</b> 117: 4 <b>background (5)</b> 6: 6;17:17;19:22; 129:22;133: 2 <b>backing (4)</b> 116:19;117: 2;125:17; 127:13 <b>backstop (1)</b> 32:17 <b>backyard (1)</b> 15: 1 <b>bad (4)</b> 71:24;72: 1, 2, 9 <b>bark (8)</b> 25: 9;26:16,17,18,19, 23;27:10;28: 1 <b>Bartoszek (2)</b>	<b>became (1)</b> 43:19 <b>become (6)</b> 42: 5;43:19;68:11,12; 69:14;74: 6 <b>becomes (3)</b> 74: 7;91:16,17 <b>begin (1)</b> 14:12 <b>beginning (2)</b> 56:17;96:16 <b>begins (3)</b> 51:13,16,17 <b>behest (1)</b> 130: 7 <b>behind (1)</b> 133:13 <b>belief (1)</b> 47: 8 <b>below (1)</b> 85: 4 <b>benchmarked (1)</b> 32:15 <b>beneficial (1)</b> 21:15 <b>benefit (2)</b> 20: 7;119: 6 <b>benefits (3)</b> 20: 5;21:12;32:22 <b>Berlin (32)</b>		

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

<p>40: 8;41: 9;48: 8,19; 75: 7;105: 5 <b>bringing (3)</b> 16: 2;62: 6;84: 3 <b>broad (2)</b> 64: 5;129:24 <b>broad-reaching (2)</b> 57:19;62:14 <b>brokers (3)</b> 18: 2;19: 5;21: 1 <b>Brookfield (2)</b> 68:15,15 <b>BROOKS (19)</b> 7:19;33:20;44:11; 66:10,13,15,17;77:21; 78: 1, 3, 5, 8,10;87:19, 22;140:13,14;141:20,21 <b>brought (4)</b> 51:22,23;52: 6;111:20 <b>build (9)</b> 29: 9,10,20;57:17; 74: 3, 5;77: 8;131: 9; 138: 7 <b>building (2)</b> 29:14;36: 1 <b>built (12)</b> 30:14,17;37:13,15; 49:12;51:21;52: 2; 59:16;111:19;130:22; 131: 2;137: 8 <b>bunch (1)</b> 86:20 <b>BURACK (93)</b> 5: 2,10;6:24;7: 8,13, 16,20;8: 1;9:15,19; 10:10;11: 1,14;12:12,17, 22;13: 2, 5;17: 1, 7,10; 30: 4,10,22;33: 2, 6,12, 21;34: 2, 8,13;39: 6,10, 13,17,20,23;41:11,18, 21;42:24;44: 6, 9,12,15, 18,22;45: 9,13,20;46: 3; 50: 9,16,21;51: 3, 8; 54: 2, 8;56:10,14;61: 3; 66: 8;77:19,23;78: 2, 4, 6, 9;87:21;115:14; 117:20;119:15;122: 1; 127: 5;129:10,11; 131:15,20;135: 7; 136:17;138:15;139:12, 16,20;140: 1, 4, 8,11,15; 141:16,19,22;142:10 <b>burden (2)</b> 61:14;100:23 <b>burdensome (1)</b> 108:14 <b>Burgess (1)</b> 76: 6 <b>Burlington (5)</b> 23:19;24: 4, 6, 8;42:16 <b>burn (1)</b> 31:10 <b>Burnham (1)</b></p>	<p>53: 7 <b>burning (1)</b> 36: 8 <b>business (8)</b> 14: 3;17:16;20:10,19; 32:19;102:19;116:21; 127:23 <b>businesses (1)</b> 62:12 <b>buy (12)</b> 16: 3, 9;24:20;25:14, 15;26:15,18;28: 9,12; 61:23;82:13;86:23 <b>buyer (2)</b> 15:15,17 <b>buying (6)</b> 20:21;25:13,18,19; 28:20;121:14 <b>buys (1)</b> 18:22</p> <p style="text-align: center;"><b>C</b></p> <p><b>cabing (3)</b> 64: 9;75: 4;76:19 <b>calculation (2)</b> 79: 7;88:17 <b>calculations (1)</b> 45: 3 <b>call (8)</b> 5: 3;17: 2;23: 6;25: 7; 30:23;59:18;97:21; 123: 3 <b>called (4)</b> 17:22;87: 2;96: 9; 102:22 <b>calling (2)</b> 130: 8;132:14 <b>calm (1)</b> 105: 3 <b>came (8)</b> 27:10,12;29: 6;73:22; 74:22;105: 6;130: 3; 134: 7 <b>camel's (1)</b> 132: 4 <b>camera (2)</b> 10:13;140:20 <b>can (67)</b> 8:10;9: 6, 9;16:10; 21:14;22:10;29:10,22; 30:14;37:15;38: 8,11; 41: 9,13;47:16;52:18; 60: 4;61: 6;62:11;64:20; 66:20;68: 1;69: 7, 8,11; 72: 4, 6,14,20;73: 2, 5, 19;74:21;77:18;82: 4; 83:15;91:15;92:15; 93: 6, 9,18;94:21;97:20; 98:12,14;101: 4, 7,14, 18;102:20;104:24; 105: 4;108: 6,11;112: 1, 6, 8;114:23,24;115: 4;</p>	<p>118: 8;119: 7, 9;122:10; 141: 4;142:10,11 <b>can/will (1)</b> 70: 8 <b>Canada (1)</b> 28: 2 <b>capability (5)</b> 36: 8;40:19;128:13, 14,17 <b>capable (1)</b> 20:23 <b>capacities (2)</b> 55:11;132:18 <b>capacity (54)</b> 5:11;31: 9;40: 2, 3; 61:17;63: 4;64: 9;68: 4, 5, 7,19,20;69: 3;71:12, 13;74:11,14;75: 4,24; 76:10,11,16,21;77: 9, 9, 15;78:13;79: 1;80:10; 90:17,24;98:16,17; 99:14;100:19;101:22; 112:11,11,23,24;113: 3, 3,13,15;114:20;115: 5, 21,21;123: 4,17;133: 8; 136:10,11;138: 3 <b>Cape (1)</b> 27: 3 <b>capital (2)</b> 20: 8,11 <b>capped (1)</b> 139: 9 <b>cardboard (1)</b> 25: 9 <b>carefully (1)</b> 16:13 <b>case (8)</b> 48: 3;67: 1, 9;80: 1; 88: 3;116:18;124:20; 127:23 <b>catch (1)</b> 57:23 <b>cause (6)</b> 26:22;37: 5,12;59:15; 107:10;127:19 <b>caution (1)</b> 109:18 <b>cautioned (1)</b> 46:10 <b>central (2)</b> 14:15;29: 1 <b>cents (10)</b> 62: 8;69:16;83:21; 84:23;92: 7, 9,10; 107:20;108:12,12 <b>century (1)</b> 58:12 <b>certain (9)</b> 23: 1, 1,22;26:23; 93:12,21,21,22;95:17 <b>certainly (3)</b> 20: 6;29:14;140: 7 <b>certainty (1)</b></p>	<p>32:20 <b>Certificate (3)</b> 5: 7;82: 1;134:10 <b>certificated (1)</b> 126:20 <b>chainsaw (1)</b> 20: 2 <b>Chair (5)</b> 5:10;6: 2;9:17;13:17; 39: 8 <b>CHAIRMAN (108)</b> 5: 2;6:24;7: 8,13,16, 20;8: 1;9:15,19;10:10; 11: 1,14;12:12,17,22; 13: 2, 5;17: 1, 7,10;30: 4, 10,22;31: 2;33: 2, 6,12, 21;34: 2, 8,13;39: 5, 6, 10,12,13,17,20,23;41:11, 18,21;42:24;43:24;44: 6, 9,12,15,18,22;45: 9,13, 20;46: 3, 7;49:20;50: 3, 9,16,21;51: 3, 8;53: 7, 15;54: 2, 8;55: 9;56:10, 14;60: 2;61: 3;66: 8,10; 77:19,23;78: 2, 4, 6, 9; 87:21;109: 3;115:13,14; 117:20;119:15;122: 1; 127: 5;129: 9,10,11; 131:15,20;135: 7; 136:17;138:15,16; 139:12,16,20;140: 1, 4, 8,11,15;141:16,19,22; 142:10 <b>chance (6)</b> 53: 2;54:20;64:16; 72: 6, 9;92: 8 <b>change (8)</b> 62:20;83:14;86:15; 87:13,17;89:13;101: 4; 129:20 <b>changed (1)</b> 86: 1 <b>changes (7)</b> 47:11,12;82:18;83:24; 85:19;101:12;128:15 <b>charge (3)</b> 62: 8;107:20;136: 4 <b>charged (1)</b> 108: 9 <b>chart (2)</b> 90:18;94: 7 <b>charter (1)</b> 136: 4 <b>Chase (1)</b> 93: 5 <b>chasing (1)</b> 16: 9 <b>cheaper (4)</b> 62:10;95: 6;107:16; 135:15 <b>Cheshire (2)</b> 37:18,19 <b>chipped (1)</b></p>	<p>25: 9 <b>chips (19)</b> 25: 7,17,17,19;27:12, 17,17,21,22;28:20,23; 29:12;31:11;74: 6, 7; 118: 6, 7,12;119: 3 <b>choose (5)</b> 57: 5;66: 5;69: 7, 8; 99: 3 <b>chooses (1)</b> 122:16 <b>chore (1)</b> 76:16 <b>chose (3)</b> 67:13;88:20;99: 1 <b>chosen (2)</b> 48:15;49: 7 <b>circle (2)</b> 38: 1;118:20 <b>circles (1)</b> 118:17 <b>circuit (1)</b> 110: 2 <b>circumstances (3)</b> 35:16;107: 9;119:20 <b>cite (2)</b> 93: 4;99:20 <b>citing (1)</b> 63:13 <b>citizens (1)</b> 106:18 <b>City (6)</b> 7:22;13:14,22;17:24; 54:11,23 <b>City's (1)</b> 54:11 <b>clarification (3)</b> 44:23;45:14;64:15 <b>clarify (2)</b> 14: 5;46:18 <b>classifies (1)</b> 88: 6 <b>Clean (39)</b> 14: 4;29: 4;33:16; 35:23;36: 7;37: 7,17; 64:14;68:16;77: 4; 79:14;89: 7,16,19;90:23; 91: 1,11,13;99: 3,23; 102: 2,11;104: 4;105:16; 106: 8,24;107: 4, 9; 109: 1;110: 7;113:10; 114: 4;126:21;128:13, 18;130:21;132: 9; 133: 9;138:24 <b>clear (12)</b> 61: 8;65:20;92:13,13, 22;98:10;102:17; 103:14;107: 7;116:24; 126:11;138:19 <b>clearer (1)</b> 104:24 <b>clearing (5)</b> 27: 8,12,15;95:23;</p>
---	--	---	--	--

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

128: 2	6:20;7: 5	<b>complete (2)</b> 30:15;140:18	<b>conferring (3)</b> 50: 3, 5;66:13	<b>contains (1)</b> 7: 5
<b>clearly (10)</b> 47:20;49: 8;80:18; 89:21;90:10;91:15; 94: 6;118:13,23;130:11	<b>Commission (14)</b> 48:22,23;49: 9;65: 6; 75: 9,11;77: 7;97:23; 98: 1;111: 5;121:19; 125:16;132:20;135:12	<b>completed (2)</b> 11:10;141: 8	<b>confident (1)</b> 137:18	<b>contaminate (2)</b> 26:20,21
<b>client (2)</b> 10: 1, 7	<b>Commissioner (3)</b> 5:11;55: 8;122: 1	<b>completion (2)</b> 78:21;141: 2	<b>confidential (12)</b> 6: 4,21;7: 3, 5;8:14,23; 10: 1, 6;140:24;141: 4, 6, 7	<b>contention (1)</b> 95:12
<b>clients (1)</b> 17:23	<b>Commissioners (1)</b> 55: 1	<b>compliance (3)</b> 63: 3;84:17;85: 5	<b>confirmation (1)</b> 141:23	<b>contested (1)</b> 64:14
<b>client's (1)</b> 8: 2	<b>Commissioners' (1)</b> 53: 6	<b>complicated (1)</b> 121: 2	<b>confused (4)</b> 101: 1;102: 1;103: 9; 128:20	<b>context (2)</b> 57: 8,11
<b>clock (1)</b> 45:23	<b>Committee (41)</b> 5: 5,11,14;6:19;7: 3; 8:20;10: 9,18;11: 2; 13:18;24:23;30:13,15; 31: 3;33:13,22;39: 7, 9; 41:13,14,16;47: 8;52: 7, 21;53: 6, 8,18,23;54:17; 57:24;58:23;59:18; 64:21;65: 1, 1, 7, 8,15; 108:20;109: 2;132:13	<b>component (1)</b> 6:16	<b>connected (3)</b> 98:13;113: 6,16	<b>continually (1)</b> 95: 2
<b>close (8)</b> 16: 6;37:11;41: 8; 103:22;119: 7, 8;142: 1, 3	<b>Committee's (3)</b> 6:23;57: 4;64:13	<b>components (1)</b> 65:16	<b>connect (1)</b> 114:20	<b>continuation (2)</b> 5: 4,21
<b>closed (1)</b> 125:11	<b>Commodities (1)</b> 31:19	<b>comprehensive (2)</b> 30:18;48:14	<b>connected (3)</b> 98:13;113: 6,16	<b>continue (10)</b> 15:22;21: 9;22: 4; 36:14;54: 4;101: 8; 114: 8;121: 8;126: 1; 128:23
<b>closer (1)</b> 119: 4	<b>Commodity (2)</b> 47:14;120:20	<b>concern (9)</b> 14: 6,22;15: 3;19:17; 59:23;61:11;64: 3; 82:17;91:12	<b>Connecticut (9)</b> 18: 7;27: 2,11;83: 9, 16;118:21;119: 1,11; 131: 6	<b>Contract (8)</b> 6:17;9:23;10: 2;14:24; 15:19;31:19;32: 9; 137: 7
<b>closing (7)</b> 11: 8;137:22;141: 9, 10,11,20,22	<b>Communities (2)</b> 111:17;118: 4	<b>concerns (10)</b> 6:15;9:21;10: 5;18:14; 19:21;51:13;59:21; 81: 1, 6;84: 4	<b>Connecticut's (1)</b> 131:11	<b>contracts (3)</b> 18: 2;19: 5,11
<b>CMSR (3)</b> 122: 2, 3;127: 4	<b>Community (1)</b> 102:22	<b>concise (1)</b> 9:11	<b>connecting (1)</b> 112:20	<b>control (4)</b> 15:17;23:24;100:21; 101: 3
<b>coal (1)</b> 120: 4	<b>companies (4)</b> 18: 4;19: 8,16;106:19	<b>conclude (3)</b> 49:19;68:20;95: 9	<b>consented (1)</b> 8:10	<b>controls (1)</b> 23:23
<b>cogeneration (1)</b> 86: 9	<b>company (13)</b> 12:21;13: 1, 2, 4; 17:15,21;18: 1,11,21; 19:15;31: 6,16;38:22	<b>concluded (3)</b> 28:21;29:18;75: 9	<b>consequences (1)</b> 51:14	<b>conversation (1)</b> 93: 4
<b>cold (1)</b> 104: 8	<b>comparatively (1)</b> 100:20	<b>conclusion (5)</b> 6: 6;59:12;75:16; 76:10;132: 1	<b>consider (6)</b> 14:12;16:13;58:18; 71: 9;86:12;126:15	<b>convoluted (1)</b> 28:13
<b>Colebrook (1)</b> 133:24	<b>compared (2)</b> 25:12;126:18	<b>conclusions (1)</b> 24:22	<b>considerable (3)</b> 30: 6,12;38:23	<b>cool (1)</b> 128:24
<b>color (1)</b> 28: 4	<b>compares (1)</b> 73:10	<b>Concord (7)</b> 12:15;13:20;14: 4; 16:11;17:24;19: 3;74: 2	<b>consideration (3)</b> 16:24;56:18;57:12	<b>Coos (22)</b> 5: 8;48: 3;53: 6;55: 1; 74:12;75: 2;78:24;96: 8, 14;98:23;99: 2;100: 4; 103: 1,23;106:12;113: 6; 132: 4;133:15,21;134: 3, 6;138:23
<b>colorization (1)</b> 27:22	<b>comparison (1)</b> 25: 3	<b>concurrences (1)</b> 9:12	<b>considered (3)</b> 23:10;96: 6;126:13	<b>copies (4)</b> 10:22,24;17: 8, 9
<b>combination (1)</b> 75: 5	<b>compete (2)</b> 26: 6, 7	<b>concur (1)</b> 40:22	<b>considering (2)</b> 129:20;131: 8	<b>copy (7)</b> 7: 9,10;8: 4, 4, 5; 41:12;55:24
<b>combined (5)</b> 83: 2;117:10;129:17; 130:13;136:22	<b>competing (5)</b> 26: 9;43:22;57: 5; 65:17;120:10	<b>condition (7)</b> 6: 9,12,14;10:19; 81:24;82: 5;99:18	<b>consistent (4)</b> 6:22;54:12,18;55: 3	<b>core (2)</b> 43:20,21
<b>combustion (1)</b> 93:19	<b>competition (10)</b> 29: 8;65:15;115:20; 116:14;117: 3, 5;119:18; 120:14;127:15,18	<b>conditional (1)</b> 65:11	<b>constant (1)</b> 43:10	<b>corner (1)</b> 37:21
<b>comfortable (1)</b> 81: 4	<b>competitively (1)</b> 16: 8	<b>conditioners (1)</b> 69:19	<b>Constellation (2)</b> 31:18,19	<b>corporate (3)</b> 106:18;116:19;127:13
<b>coming (16)</b> 28: 1;57:13;62:13; 79:23;82:23;114:13,16; 115: 3, 9;118: 2;123: 4, 18;132: 3;134:17; 138:11;139: 8	<b>competitor (2)</b> 8:17;104:20	<b>conditions (4)</b> 80:20;96:13;100: 4; 105: 2	<b>constructed (3)</b> 42:19;79:24;125:20	<b>Corporation (4)</b> 12:16;13:21;54:16,24
<b>command (1)</b> 64:22	<b>competitors (1)</b> 102:20	<b>conducted (1)</b> 130: 1	<b>construction (7)</b> 32: 6;42:12;47:18; 52:12;58: 1,24;75: 2	<b>correctly (4)</b> 87: 4;131:24;134: 6; 135: 9
<b>comment (10)</b> 11: 8,13,17;12: 1, 5; 17:11;21:10;33: 8;54: 1; 142: 1		<b>conductors (2)</b> 77:15;79: 3	<b>construed (1)</b> 9: 8	<b>cost (27)</b> 23:24;24: 9,11,15,21; 26:18;28:11,22;29:15; 49: 4, 7;77:10;92: 4, 6,
<b>comments (4)</b> 11:19;13:10;19:19; 142: 3		<b>Conference (1)</b> 83: 6	<b>consultants (1)</b> 18: 9	
<b>commercial (2)</b>		<b>conferred (1)</b> 7:21	<b>consulted (1)</b> 19:16	
			<b>consume (4)</b> 34:20,23;35: 3, 5	
			<b>consumption (2)</b> 25: 4;36:18	

13;94:12,16;95: 4; 108: 3;119:23;120: 2, 3, 23;121:12;128: 9; 135:13;136: 5	<b>criteria (1)</b> 117:18	93:22;95: 5	<b>describing (1)</b> 70:12	<b>directly (3)</b> 20:19;31:13;62: 9
<b>costs (10)</b> 24:10,18;25: 1;49: 9; 93:14;94: 5,17;95: 4; 99: 5;121: 3	<b>Critical (1)</b> 88: 5	<b>DC (1)</b> 132:24	<b>description (1)</b> 8: 7	<b>dirty (1)</b> 25: 7
<b>Counsel (7)</b> 6: 7,11;7:17;13:15; 33:18;44: 9;66: 8	<b>criticizing (2)</b> 63:15,17	<b>dead (1)</b> 105: 3	<b>designated (1)</b> 142:16	<b>disagree (3)</b> 35:15;55: 4, 6
<b>Counsel's (1)</b> 6:15	<b>cross (1)</b> 28:14	<b>deal (4)</b> 6:18;20:19;123:11; 137: 7	<b>desirable (2)</b> 98:20,22	<b>disclosed (1)</b> 8:15
<b>Country (16)</b> 12:20;17:14;25:10; 48:22;51:15;75: 9; 97:24;111: 4;125:15,23; 132:19,23;134: 4, 5,16; 135:12	<b>cross-examination (7)</b> 9:11;33:15;39:18; 41:23;50: 8,12;140:18	<b>dealing (1)</b> 80: 6	<b>detail (1)</b> 18:16	<b>disclosure (1)</b> 7: 4
<b>County (10)</b> 5: 8;37:18,20;53: 6; 55: 1, 8,10;133:21; 134: 3, 7	<b>current (8)</b> 28:23;29:12;63: 2, 3; 73: 2;75: 2,12;85: 2	<b>decide (3)</b> 9: 6;53:18;106:17	<b>determine (1)</b> 120:20	<b>discrete (1)</b> 118:17
<b>couple (5)</b> 34:17;81: 5;96: 3; 115:17;131:21	<b>currently (13)</b> 32: 2;49: 3;58: 5,21; 70: 1, 2;74: 3;83:19; 113:16;116: 8, 8;118:14; 136: 4	<b>decided (2)</b> 115:22;129:23	<b>determined (1)</b> 105:14	<b>discuss (4)</b> 6: 8;64:18;109: 6,16
<b>course (1)</b> 12: 6	<b>curtail (6)</b> 89:24;104:19;105:11, 16,24;124: 5	<b>decision (6)</b> 10: 8;52: 7;63:22; 65:10;106:23;140:22	<b>detriment (1)</b> 119:12	<b>discussed (8)</b> 35:12;98: 1;126:17; 130: 4;133:19,22,23,24
<b>court (3)</b> 13: 9;46:10;139:17	<b>curtailed (7)</b> 70:19,22;89:22;94: 8; 107:11;113:12;114: 2	<b>decisions (4)</b> 123: 2, 6, 7, 8	<b>develop (4)</b> 20: 4;64:23;126:21; 134:11	<b>discussing (1)</b> 132:24
<b>Cousineau (8)</b> 6:17;8: 4,24;9:22; 14:24;15:20;16: 1, 7	<b>curtailing (1)</b> 91:19	<b>declare (1)</b> 100:23	<b>developed (1)</b> 98: 8	<b>discussion (20)</b> 6:10;26:16;28: 6; 34:18;64:12;65: 5,13; 78:11;81: 7,23;82:20; 83:12;100: 5;103:20; 105:10;106: 4;108:17; 125:21;127:11;139:18
<b>cover (1)</b> 142:16	<b>curtailment (3)</b> 48: 2;90:13;124: 8	<b>decrease (1)</b> 121:15	<b>development (41)</b> 14: 4;35: 2;47:20; 48:13;52:14;53: 1,11,17, 22;54:12,13,18,24;55: 3, 14;57: 2,18;60: 6,17; 61:11;62: 1;65:22,22; 77: 4;89: 7,19;91: 1; 98:21;99: 3;101:17; 102: 2,11;106:24; 108:11,15;109: 1; 128:14;130:21;132: 9; 136: 8;138:24	<b>discussions (12)</b> 27: 6;83: 4, 7,23; 100: 8,17;103: 7;105:13; 107: 2;111: 8;122: 5; 130: 5
<b>covered (1)</b> 110:10	<b>curtailments (1)</b> 113: 1	<b>deep (2)</b> 117: 3;127:13	<b>Development's (2)</b> 33:16;64:14	<b>disingenuous (1)</b> 69: 9
<b>CPD (18)</b> 9:13;46:16,16,16,19, 24;51: 9;52: 2;56:11; 65:18;71:16;79:13,24; 80:23;111:15;131: 9; 136:24;137: 8	<b>cut (10)</b> 22: 5,10,14,16,18; 23: 3;77:11;103:12; 106:13,17	<b>defined (1)</b> 22: 9	<b>device (2)</b> 100:21;101: 3	<b>disorder (1)</b> 48: 8
<b>CPD's (2)</b> 46: 7;78: 4	<b>cutting (4)</b> 23: 1,11,11;24:13	<b>definition (2)</b> 22: 9;57: 1	<b>dictated (1)</b> 63: 5	<b>disorderly (4)</b> 60: 9,13;62:12,16
<b>cranked (1)</b> 124:11	<b>cycle (2)</b> 100: 7,11	<b>degrees (1)</b> 17:19	<b>difference (1)</b> 46:19	<b>disoriented (1)</b> 61:20
<b>create (7)</b> 15:14,21;16: 8,14; 61:23,24;62:16	<b>cyclling (2)</b> 100:10;126:13	<b>delayed (2)</b> 5:17;49: 6	<b>different (26)</b> 18:15;19: 6;20:22; 21: 5;35:12;45: 5;51:18, 19;54:23;55:11;70:15; 73:13;74:13,13;87: 9,11, 12;100: 9;112:12,12,13, 24;113: 5;121: 6,21; 124: 2	<b>dispatch (18)</b> 71: 8;88: 8;89: 3; 90: 5;91: 2;96: 6,20; 106:14;107:12;112: 8, 10;115: 5;123: 2, 3, 7; 125: 7;126: 5, 7
<b>created (3)</b> 15: 7;49:11;73:16	<b>damage (3)</b> 21:18,19,19	<b>deliveries (1)</b> 19: 8	<b>difficult (3)</b> 23: 7;26:15;125:24	<b>dispatched (12)</b> 94:18;103:15,16; 104:16;112: 9;122:17, 24;123:19,22;124:12; 126: 5;127:12
<b>creates (1)</b> 63:18	<b>danger (2)</b> 85:18,21	<b>delivering (1)</b> 28:20	<b>difficulty (1)</b> 16: 8	<b>displace (3)</b> 72: 3;99:11,13
<b>creating (2)</b> 16:15;86:17	<b>data (2)</b> 76: 3;110:21	<b>demand (1)</b> 120:17	<b>digit (1)</b> 83:20	<b>disruption (3)</b> 37: 6,10,10
<b>Credit (3)</b> 83: 2;84: 5;86: 7	<b>dated (1)</b> 7:10	<b>demonstrate (1)</b> 42: 3	<b>direct (8)</b> 19:11;21: 4, 4;39:18; 46:13;59: 9;66:18; 137:23	<b>dissect (1)</b> 61: 2
<b>Credits (6)</b> 61:16;62:23;83:19; 86: 3;87: 3;117: 9	<b>dates (1)</b> 75: 2	<b>demonstrating (1)</b> 45: 4		<b>dissuading (1)</b> 62:12
	<b>day (18)</b> 48: 7;68:13,22;79:21; 83:13;90:15;93:11,13, 21;94:19;95:17;132:23; 138:20,20,22;139: 8; 142:13,15	<b>Department (1)</b> 5:12		<b>distributed (3)</b> 38: 3;118:15;136: 6
	<b>day-ahead (1)</b> 71: 5	<b>depend (1)</b> 56:21		<b>distribution (2)</b> 66:23,23
	<b>days (2)</b>	<b>dependent (2)</b> 27:16;40:21		<b>district (2)</b>
		<b>depending (1)</b> 89:12		
		<b>depressed (1)</b> 120:15		
		<b>depressing (1)</b> 83:18		
		<b>depth (2)</b> 24:18,22		
		<b>deregulated (1)</b> 121: 8		
		<b>described (2)</b> 126:11;131: 8		

<p>13:21;19: 3  <b>disturbing (1)</b>  18:19  <b>diverse (1)</b>  118:15  <b>divulged (1)</b>  43:19  <b>Dixville (1)</b>  133:22  <b>Docket (1)</b>  5: 5  <b>document (8)</b>  6: 4;8:21;10:13;75:12;  88: 4;140:24,24;141: 6  <b>DOER (4)</b>  24: 5;83: 7;130: 6, 8  <b>dollars (7)</b>  25:12;64: 6, 7,10,11;  83:20,20  <b>done (23)</b>  9: 9;18: 3, 6;20: 2;  23:15,16;28: 8;38:24;  42: 7,11;47:23;49:13,15;  76:24;78:12;79:22;  88:12;106:13;107: 4;  110:10,15;132: 8;137: 7  <b>doom (1)</b>  59: 1  <b>door (3)</b>  105:12;135: 2;137:22  <b>doors (1)</b>  32: 4  <b>door's (1)</b>  134:22  <b>double (1)</b>  68:19  <b>down (44)</b>  23: 4;24: 5;27: 1,11,  18;28: 1;48: 5, 7;52:10;  55:20;64: 6;67: 6, 9,12,  13;68:22;70:16;71:20;  72:21;76: 7;77:11;  78:16;83: 7;88:20;91: 9,  16,18,19,20,20;93:18;  96:10;98:17;103: 3;  105:11;114:10,23;  124:11,21,24;125:11;  128: 7, 9,24  <b>downgraded (1)</b>  135:14  <b>dozen (1)</b>  59: 1  <b>Dr (15)</b>  42: 2;115:16,17,19;  117:19;119:15,16,17;  121:24;127:10;129:13;  130:16;135: 7, 8;136:15  <b>draft (1)</b>  49: 5  <b>dramatically (1)</b>  62:21  <b>draw (3)</b>  8:13;37:17;53:21</p>	<p><b>drawing (1)</b>  41: 2  <b>drive (4)</b>  35:19;116:20;127:15,  18  <b>driving (2)</b>  120:23;127:22  <b>dropped (2)</b>  84:14;121:16  <b>due (7)</b>  5:17;35:11;49: 5;  80:12;82:22;107:11;  108:13  <b>duly (1)</b>  46: 9  <b>dump (2)</b>  101: 5, 9  <b>during (2)</b>  27: 4;93:11  <b>dynamics (1)</b>  73: 1</p>	<p>9:22  <b>eight (2)</b>  129:22;132:12  <b>either (7)</b>  57:16;68:22,22;  108: 1;116: 7;127: 3;  134:23  <b>elbow (2)</b>  44: 2;59:23  <b>Electric (12)</b>  23:19;24: 4, 6, 8;  42:17;64:22;95: 7;  120:12,14,18,21;127:22  <b>electrical (3)</b>  30:19;40: 2;62:11  <b>electricity (5)</b>  29:22;75:14;120:10;  121:14,23  <b>eligibility (1)</b>  129:21  <b>else (7)</b>  60:13,18;113:23;  117: 3;133:18;134:13;  138: 4  <b>else's (1)</b>  28:14  <b>e-mail (1)</b>  11:24  <b>employ (1)</b>  31:13  <b>employed (2)</b>  118:19;119: 2  <b>employee (1)</b>  31:14  <b>employees (2)</b>  72:22;118:13  <b>employing (2)</b>  59: 2;119:12  <b>employment (1)</b>  111:16  <b>employs (1)</b>  73:22  <b>end (3)</b>  51:16;79:20;119:11  <b>ended (1)</b>  31:20  <b>energy (22)</b>  5: 8;18: 9;29: 4;31:19,  20;54:19;61:16;62: 4,  23;83: 2,18;84: 5;86: 6;  87: 3;88: 5;120:11,23;  121: 5;132:13,15,16,18  <b>engine (1)</b>  129: 7  <b>engineer (3)</b>  76: 8;133: 3;137:19  <b>engineer-anal (1)</b>  74:24  <b>England (16)</b>  19:17;27:20;28: 4;  32: 2;36: 3;47:24;49:18;  66:24;78:13;96: 9;  100: 6,18;109: 5, 6;</p>	<p>111:22;127:22  <b>enjoy (1)</b>  121:17  <b>enough (19)</b>  14:20;25:24;31: 9;  34: 4;37: 2,13,15;43:13;  64:18;81:24;82: 9;  100: 7;104: 2;106:11;  116: 4,11,20;128:20;  138:23  <b>ensued (1)</b>  139:18  <b>ensure (2)</b>  62:19;70:11  <b>entail (1)</b>  130:10  <b>enter (3)</b>  31:21,24;141: 3  <b>entered (1)</b>  31:17  <b>entertain (6)</b>  5:24;11:17;33: 1;  107: 2;141: 3, 9  <b>entire (2)</b>  14: 2;134:23  <b>entities (1)</b>  20:22  <b>environment (1)</b>  121: 8  <b>Environmental (1)</b>  5:12  <b>equals (1)</b>  75:22  <b>equate (1)</b>  20:15  <b>equated (1)</b>  25:21  <b>equipment (1)</b>  20: 9  <b>erosion (1)</b>  23:23  <b>escalates (1)</b>  108:13  <b>espoused (1)</b>  105:23  <b>essentially (8)</b>  14:24;15: 6,14;54:17;  63:15;79:21;85:20;  132: 3  <b>establish (1)</b>  120: 8  <b>established (2)</b>  120: 3, 5  <b>establishes (1)</b>  115:24  <b>estimate (3)</b>  90: 2;104:10;135:13  <b>estimation (2)</b>  58:15;85:22  <b>ethical (2)</b>  106: 4;107: 1  <b>ethically (1)</b>  103: 1</p>	<p><b>Evaluation (2)</b>  5: 5;65:20  <b>even (19)</b>  28: 2;62:24;82:14;  84: 9;86:11;87: 2;88: 4;  95:16;98: 2;104:15;  105:10;107:12;113: 3;  117: 1;120: 4;125:21;  128:23;135:15;137:12  <b>evening (1)</b>  69:18  <b>event (1)</b>  9: 4  <b>everybody (12)</b>  68: 6,23,23;70: 8;  104: 1;106: 7;113:19;  115:22;126:14;134: 6,  18;138: 4  <b>everybody's (1)</b>  69:18  <b>entertain (4)</b>  10:23;69: 1;81:12;  105: 2  <b>Everyone's (1)</b>  126: 3  <b>exact (1)</b>  108: 6  <b>exactly (5)</b>  40:10;55:19;65:18;  71: 7;136: 3  <b>examination (3)</b>  5:22;43: 3;46:13  <b>examined (1)</b>  59:12  <b>example (7)</b>  23: 3;58:10;62:10;  88:21;89:18;90:20;  116: 7  <b>exceed (4)</b>  20:12;133: 7;138: 2, 2  <b>exceeded (1)</b>  26:11  <b>exceeds (4)</b>  98:17;112:11,23;  113: 3  <b>excellent (1)</b>  20:14  <b>excess (2)</b>  101: 9;113:15  <b>excessive (1)</b>  98: 7  <b>exchange (2)</b>  43: 6,15  <b>Excuse (3)</b>  39:12;84:17;109: 3  <b>executive (1)</b>  132:16  <b>exempt (1)</b>  7: 4  <b>exercise (1)</b>  8:19  <b>exhibit (23)</b>  6:12;41:14,16;45: 8,</p>
	<b>E</b>			
	<p><b>earlier (10)</b>  13:19;14: 7;69:24;  82: 6;90: 9;121:21;  126:12;129:13;135: 9;  140:19  <b>easily (1)</b>  104:11  <b>economic (34)</b>  44: 2;48: 9;51:22;  52: 5;53: 1;54:16,24;  55:16;57: 3,18,21;59:22;  61:10,24,24;62:15;64: 5,  12;65:21;71:22;98:20;  106:14;107:11;108:11,  15;111:14,20;115: 5;  123: 3, 7, 7;124:22;  126: 5, 7  <b>economically (4)</b>  49:10;71: 8;74: 4;  128: 7  <b>economy (2)</b>  27: 9;31:12  <b>effect (12)</b>  6:13;14: 9;34:19;  37: 9;60:24;61: 1,10;  94:10;98:24;113: 9;  127:22,24  <b>effectively (1)</b>  15:16  <b>effects (2)</b>  59:16;118: 2  <b>efficiency (7)</b>  83: 3;86: 2;116:19;  117:10;130:13;136:23;  137:16  <b>efficient (4)</b>  104:17;116:16,23;  127:11  <b>effort (1)</b></p>			

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LAILAW BERLIN BIOPOWER, LLC

<p>9;46:16;47:24;50:17; 23;51: 1, 9;52:20,22; 53: 5;56: 6, 8, 9,11; 65: 8;78: 2, 3, 4;117:24</p> <p><b>exhibits (3)</b> 10:20;47: 6;52:17</p> <p><b>exist (6)</b> 20: 1;26: 9;29:18; 65:16;85: 2;112: 6</p> <p><b>existed (4)</b> 20:24;25: 4;26: 9,10</p> <p><b>existing (35)</b> 26:14;29:16,24;32:20, 20,21;37: 6,12;40: 2; 44: 3;48: 3;55:16;57: 3, 10,12,15;58: 5;59:23; 71:19;72: 3;75:23;92: 1, 5;96: 8;99:10,15;100: 1; 104: 3;107:11;111:21; 117:17;125: 6,10; 130:17;133: 5</p> <p><b>exists (5)</b> 30:20;75:13,17; 100:18;101:11</p> <p><b>expand (2)</b> 76:20,22</p> <p><b>expect (5)</b> 5:17;13:15;67:20; 111:12;141: 6</p> <p><b>expectation (1)</b> 95:15</p> <p><b>expected (3)</b> 42: 4;102: 8;111: 8</p> <p><b>expensive (1)</b> 29:15</p> <p><b>experience (8)</b> 28: 7,12;55: 7;70:15, 17,21,23;95:10</p> <p><b>experiences (1)</b> 70:18</p> <p><b>expert (1)</b> 97:12</p> <p><b>expertise (2)</b> 47: 4;81:13</p> <p><b>experts (1)</b> 43:11</p> <p><b>expires (1)</b> 70: 3</p> <p><b>explain (2)</b> 112:15;118: 9</p> <p><b>explained (1)</b> 93: 6</p> <p><b>explanation (1)</b> 6: 6</p> <p><b>explicitly (1)</b> 48: 1</p> <p><b>export (5)</b> 75:13,24;76: 9,11,15</p> <p><b>exported (1)</b> 118:24</p> <p><b>exports (1)</b> 75:20</p> <p><b>expressed (2)</b></p>	<p>61: 9;65: 2</p> <p><b>extensive (2)</b> 100:17;133: 1</p> <p><b>extent (7)</b> 35:13;65:12;66: 4; 68:24;81: 4;91: 3; 121:11</p> <p><b>extremely (2)</b> 21:13,15</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>faces (1)</b> 5:13</p> <p><b>facilities (22)</b> 18:22,23;19: 1;25:21; 27:20;32:20,22;35:20, 23;36:15;37:12,13;58: 8, 21;65:17;66:20;71:19, 20;116: 4, 5;117:13,15</p> <p><b>Facility (28)</b> 5: 7, 8;14:21;16: 7; 21: 5;31: 7,13,15,22; 32: 1, 6,10,14,16,17; 35:21;42:17,18;58:24; 62:18;66: 2;67:17; 70:10;74: 1;86: 8; 100:15;117: 1;119: 6</p> <p><b>facing (1)</b> 38:22</p> <p><b>fact (26)</b> 14: 7;62:18;64:22; 65:17;68:18;71:18; 74: 6;75:16;82:12; 84:21;91: 1;92: 3,14; 95: 1;97:16;100:23; 102: 4, 9;110:11,15; 111: 9;113: 8,14;125:20; 137: 8,24</p> <p><b>factor (5)</b> 71: 9;75: 7, 7;80:10; 89:12</p> <p><b>factors (1)</b> 63: 7</p> <p><b>fair (3)</b> 8:16;80:15,19</p> <p><b>fairly (4)</b> 37:16;40:11,11;101: 4</p> <p><b>fallen (1)</b> 121:14</p> <p><b>familiar (4)</b> 64:13,17;67:18; 108:19</p> <p><b>familiarity (1)</b> 133: 4</p> <p><b>far (8)</b> 26:11;35:17;36:18; 82:13;85: 1, 4;87:13; 91:11</p> <p><b>farther (1)</b> 91: 6</p> <p><b>favorable (2)</b> 39: 2;64: 2</p>	<p><b>feasibility (1)</b> 96: 7</p> <p><b>feasible (1)</b> 136:12</p> <p><b>fee (1)</b> 28:15</p> <p><b>feed (2)</b> 38: 9,24</p> <p><b>feel (4)</b> 19:10;30:11;52:18; 107: 3</p> <p><b>few (7)</b> 5:13;10:23;38:17; 47:17;66:15;86:22,23</p> <p><b>fewer (3)</b> 86:17,18,20</p> <p><b>fight (1)</b> 14:12</p> <p><b>figure (2)</b> 104:14;115:10</p> <p><b>figures (4)</b> 88: 7;110:18,19; 111: 2</p> <p><b>file (2)</b> 12: 5;17:11</p> <p><b>final (1)</b> 53: 8</p> <p><b>financial (2)</b> 7: 5;125:17</p> <p><b>financier (1)</b> 126: 1</p> <p><b>financing (1)</b> 125:24</p> <p><b>find (7)</b> 21: 2;24:21;96: 2; 99:21;112: 4,22;114:18</p> <p><b>fine (3)</b> 109:23;112:20;140:11</p> <p><b>fire (1)</b> 26:22</p> <p><b>fired (1)</b> 130:17</p> <p><b>firm (4)</b> 18:11;19: 4,15;26: 1</p> <p><b>firms (1)</b> 19:16</p> <p><b>First (13)</b> 25: 3;26:19;33:16; 35:21;42: 5;52:20; 66:18;81: 6;82:17,22; 125: 3;129:19;132:15</p> <p><b>Fish (1)</b> 24:12</p> <p><b>five (14)</b> 18:22;19: 1;23: 5; 25:11;28:17;45:21; 67: 5, 6;73: 3;96:24; 104: 6;139:24;140: 1, 6</p> <p><b>fix (1)</b> 112: 2</p> <p><b>flawed (1)</b> 25: 1</p> <p><b>flood (1)</b></p>	<p>83:17</p> <p><b>flooding (1)</b> 83:13</p> <p><b>floor (1)</b> 21:18</p> <p><b>flowing (1)</b> 93:20</p> <p><b>folks (1)</b> 16:13</p> <p><b>follow (8)</b> 17: 6;23:22;72: 2; 83:10;116:22;120:18; 129:12;131:13</p> <p><b>following (3)</b> 42: 2;68:22;141: 2</p> <p><b>follows (1)</b> 43: 5</p> <p><b>follow-up (6)</b> 24: 2;39: 9;44: 6; 127: 8;128:12;136:19</p> <p><b>footprint (3)</b> 36:19;40: 5,13</p> <p><b>force (1)</b> 32:19</p> <p><b>forced (2)</b> 70:16;74: 8</p> <p><b>forecast (1)</b> 101:17</p> <p><b>FORECO (1)</b> 17:22</p> <p><b>forest (15)</b> 19:19,20,22;21: 8,11, 18,19;22: 7,13,14,16,17; 23: 3,22;118: 4</p> <p><b>Forester (5)</b> 6: 8;17:17,21;18:20; 21:13</p> <p><b>foresters (3)</b> 21:24;22:24;24: 3</p> <p><b>forestry (1)</b> 111:16</p> <p><b>forests (5)</b> 16:19;21:14;23:11; 53:11,12</p> <p><b>forgot (4)</b> 41: 9;56: 3;130: 2; 133:20</p> <p><b>form (1)</b> 132:17</p> <p><b>forma (1)</b> 81:19</p> <p><b>forth (1)</b> 29:15</p> <p><b>forward (15)</b> 13: 8;15: 7,15;16:16, 23;30:24;35: 2;59:19; 61:17;63: 4;74: 6;80:23; 82: 4;90:23;95: 3</p> <p><b>found (1)</b> 28:10</p> <p><b>four (8)</b> 19:18,19;21:23,24; 72:17,22;73: 3,20</p>	<p><b>fourth (1)</b> 36:11</p> <p><b>Fraser (2)</b> 137: 5, 9</p> <p><b>free (2)</b> 52:18;57: 5</p> <p><b>front (5)</b> 7:10;64:20;84:11; 89: 4;104: 8</p> <p><b>fuel (44)</b> 12:21;13:23;14:11,18; 15: 1, 5;17:14;18: 2, 3, 7, 19;19: 5,11;24:20;25:17, 19,24;26: 3, 4,19;27:17; 28: 9;29:16;32: 8,10,11, 12,12,13,16,18;40:21; 41: 2;45: 4;48:10;61:19, 22;64:23;93:20;94:11, 16;95: 4;118:17;128: 9</p> <p><b>fueled (2)</b> 5: 8;26: 5</p> <p><b>fuelwood (2)</b> 19:23;23: 4</p> <p><b>full (22)</b> 51: 5;69:19;76:15; 77: 2;84: 9,13,13;89:19; 90:16;95:15;96:10; 103:24;104: 1;106: 1, 3, 7, 8, 9;107:10;111: 6, 9, 124: 8</p> <p><b>fully (3)</b> 51:21;52: 1;111:19</p> <p><b>fungible (1)</b> 120:20</p> <p><b>further (13)</b> 32: 6, 9;39:21;42:22; 44:10,13;52:10;77: 6; 83:18;90:18;99:22; 135: 5;140:12</p> <p><b>future (5)</b> 48: 8;57:17;83:11; 84: 5;130:11</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>Gabler (16)</b> 46: 8, 9,12,15;50: 6, 14,23;51: 2, 7;53:18; 56: 3, 8;87:23;129:12; 131:22;141: 2</p> <p><b>Gabler's (1)</b> 45:22</p> <p><b>Game (3)</b> 24:12;112:12;116:20</p> <p><b>garner (1)</b> 72:23</p> <p><b>gas (14)</b> 101: 7;116:21;120: 6, 8,14,15,17,20;121:11, 15,17,23;127:20;128: 3</p> <p><b>gave (4)</b> 34:19;43:17;60:22; 130: 9</p>
---	---	---	---	---

<p><b>general (8)</b> 8: 7;12:15;13: 1,20; 22:24;31: 5;121:13; 130: 9</p> <p><b>generalization (1)</b> 68:10</p> <p><b>generally (9)</b> 8: 8;16: 5;20:20; 23:22;24: 1;25:11,14; 51:13;123:18</p> <p><b>generate (7)</b> 31: 8;68: 1;86:11,22; 90:16;114: 8;138:21</p> <p><b>generated (7)</b> 82:14;87: 1, 1, 5, 8, 8, 10</p> <p><b>generating (2)</b> 86:17;115:21</p> <p><b>generation (23)</b> 38:18;48: 3;66:23; 68: 4,19;69: 2;71:12; 75:17,19,21,22;89: 3; 90: 5;96: 8;98: 7,16,18; 100: 1;112:11,23;113: 2; 121: 9,12</p> <p><b>generator (14)</b> 48: 6;63:20;71: 6, 7, 10;86: 5;97:20,20; 101:10;114:13,16; 122:14;133:23;136: 7</p> <p><b>generators (17)</b> 49:18;62: 2;83:15; 97:16,17;104: 3, 4; 113:15;122:10;123: 6, 10,21;125: 6,11;132:10; 133: 6;135:23</p> <p><b>gentlemen (1)</b> 13: 6</p> <p><b>geographically (1)</b> 38: 4</p> <p><b>gets (5)</b> 43:18;52: 4;68:24; 79:21;92:17</p> <p><b>given (18)</b> 8: 8;17:16;30: 5; 43:11;48: 7;49: 6;54: 6; 65: 1;68:18;71:22;73: 1; 110:17,21;111:11; 113:14;120: 9,21;122:19</p> <p><b>gives (2)</b> 133: 4, 6</p> <p><b>glazed (1)</b> 75: 1</p> <p><b>gleaned (2)</b> 18:14;73:15</p> <p><b>goal (2)</b> 11: 8;98: 3</p> <p><b>goes (17)</b> 8:17;9: 5;26:24;27: 1, 1, 2, 2, 3;29:24;43: 6; 75:11;76: 5;81: 2;91:16; 97:23;125:12;132:12</p> <p><b>going-forward (7)</b> 92: 4, 6,12;93:13; 94: 5,16;95: 4</p> <p><b>Gonzalez (1)</b> 109: 5</p> <p><b>Good (18)</b> 5: 2;13: 5;16: 4,17,18, 19;22: 1;26:18;39:19; 63:11;65:20;67:17; 106:17,18;118:10; 120: 1;123:11,14</p> <p><b>Gorham (1)</b> 137: 5</p> <p><b>Governor (1)</b> 130: 8</p> <p><b>Grafton (1)</b> 55:10</p> <p><b>Granite (25)</b> 52: 3;68: 3;76:13,14; 77: 3;78:23;79: 4,10; 80: 7,10,15,21;89:22; 90:15;94: 9;96:14; 100:20;105: 8;111: 7; 113:17;132: 9;133: 8; 138:22,23;139: 9</p> <p><b>grant (1)</b> 140:23</p> <p><b>granted (1)</b> 79:19</p> <p><b>grasp (1)</b> 23: 8</p> <p><b>great (5)</b> 15: 3;21:15;27: 9; 137: 6, 6</p> <p><b>greater (1)</b> 123:17</p> <p><b>greatly (2)</b> 14: 8;32: 8</p> <p><b>Green (2)</b> 18: 9;79:22</p> <p><b>grew (1)</b> 20: 7</p> <p><b>grid (7)</b> 99:14;100:19;101:22; 112:19,21;114: 7,14</p> <p><b>Group (3)</b> 31:19;118:15;130: 3</p> <p><b>groups (1)</b> 55: 6</p> <p><b>Groveton (5)</b> 25: 4, 6;26: 8;36:13; 76: 6</p> <p><b>grow (2)</b> 22: 4;23: 2</p> <p><b>growing (4)</b> 22: 7, 8,18;40:14</p> <p><b>grown (1)</b> 41: 4</p> <p><b>grows (1)</b> 123:21</p> <p><b>growth (5)</b> 22:11,14,15,16,20</p> <p><b>guarantee (2)</b> 16:10;122:16</p> <p><b>guess (11)</b> 37: 3;53:21;90: 6; 95:18;107: 7;123:13; 126:10;127:14;134:12, 19;137:14</p> <p><b>guns (1)</b> 27: 9</p> <p><b>guys (2)</b> 106:17;116:21</p>	<p style="text-align: center;"><b>H</b></p> <p><b>half (7)</b> 5:18;26: 3;37:24; 59: 1;68: 6;79:15; 101:21</p> <p><b>Hampshire (56)</b> 5: 5, 9;12: 2;15:19; 16:18;17:18,20,23;18: 5, 6,24;27: 3;28: 2,24; 29: 1;30:21;31:17;36: 2, 4, 9,19;37: 7,23;38:16; 40: 6, 7, 9,13,15,20,21; 41: 2, 4;48:21;49: 4; 61:15;83:14,17,24; 84:24;85: 2,19,20;86:15; 108:10;117:13,17; 118:12;119:13;120: 6, 22;123:11;130:17,19; 131: 2, 9</p> <p><b>hand (1)</b> 94: 3</p> <p><b>handle (2)</b> 105: 7;106:12</p> <p><b>handled (1)</b> 9: 2</p> <p><b>hands (1)</b> 12: 9</p> <p><b>happen (3)</b> 14:18;65: 5;104:10</p> <p><b>happened (4)</b> 24:13;27:13,19;69: 8</p> <p><b>happening (3)</b> 85:21,24;101: 3</p> <p><b>happens (3)</b> 29:13;69:11;94:19</p> <p><b>happy (5)</b> 11:20;32:24;33: 4; 60:20,23</p> <p><b>hard (1)</b> 68: 2</p> <p><b>hard-and-fast (1)</b> 138: 6</p> <p><b>harm (1)</b> 47:15</p> <p><b>Harrington (30)</b> 34: 2,14,16;39: 4; 43: 7, 9;45:11;87:23,24; 88: 2;109: 9,12,15,21, 24;110: 5;115:12,15; 125:22;127: 6, 7, 9; 129: 8;131:16,17; 136:16,17,18,20;138:14</p>	<p><b>Harrington's (1)</b> 43: 5</p> <p><b>harvesting (9)</b> 19:24;20: 2, 3, 5; 21:12;23: 7,15;24: 7, 8</p> <p><b>hate (2)</b> 53:16;73: 7</p> <p><b>haul (1)</b> 27: 7</p> <p><b>hauling (2)</b> 27: 7;35:11</p> <p><b>hauls (1)</b> 27:10</p> <p><b>hazard (1)</b> 137:14</p> <p><b>head (4)</b> 102:24;112: 3;130: 6; 139: 2</p> <p><b>hear (1)</b> 54: 3</p> <p><b>heard (23)</b> 14:23;18:18;21:21; 22:22;23:14;24:20; 27: 6;28: 6;35: 9;43:10; 48:24;58: 2;67:15; 69:23;72:15,18;74: 2; 79:19;102: 1;107:24; 108: 1;118:19;135: 9</p> <p><b>hearing (11)</b> 5: 3, 4;6: 7;11: 9; 12: 2;24: 5;37: 4;46: 1; 73:17;104:21;118:23</p> <p><b>hearings (7)</b> 9: 9;14: 7;67: 4;81:19; 109:19;132:21;137:14</p> <p><b>heart (1)</b> 9: 5</p> <p><b>heat (7)</b> 83: 2;101: 5;117:10; 129:17;130:13;136:22; 137: 4</p> <p><b>heating (2)</b> 13:21;120:17</p> <p><b>heavily (1)</b> 23:11</p> <p><b>helped (1)</b> 132:17</p> <p><b>helpful (1)</b> 130:15</p> <p><b>helps (1)</b> 126:10</p> <p><b>Here's (2)</b> 105: 1;140:15</p> <p><b>hesitate (1)</b> 122: 5</p> <p><b>high (6)</b> 16:10;26: 5;62:11; 85:14;107:24;108:13</p> <p><b>higher (6)</b> 23: 2;29: 9,11;32:18; 62: 3;102: 7</p> <p><b>highest (2)</b> 106:14,15</p>	<p><b>highly (1)</b> 9:23</p> <p><b>hired (2)</b> 18:12;130: 1</p> <p><b>historical (1)</b> 53:12</p> <p><b>history (1)</b> 135:18</p> <p><b>Hmm (1)</b> 110:16</p> <p><b>hold (2)</b> 17:18;105: 4</p> <p><b>hole (1)</b> 38:19</p> <p><b>home (2)</b> 119: 7, 9</p> <p><b>homes (1)</b> 31:10</p> <p><b>honed (1)</b> 78:16</p> <p><b>honestly (1)</b> 14: 5</p> <p><b>hook (1)</b> 112:18</p> <p><b>hope (2)</b> 5:21;82: 7</p> <p><b>horse (2)</b> 58:13,16</p> <p><b>horse-and-buggy (1)</b> 57:23</p> <p><b>hot (1)</b> 129: 1</p> <p><b>hour (10)</b> 5:18;69:14,17;101:21; 102: 5;116: 1, 3;120: 9, 21;142: 8</p> <p><b>hours (8)</b> 93:21;95:17;116: 9, 10;124:18,19,22;128:18</p> <p><b>hour-to-hour (3)</b> 124:15,21;125: 7</p> <p><b>House (1)</b> 132:13</p> <p><b>hydro (17)</b> 38:17;48: 4, 4;66:19, 20;67: 9,10,18;68:14,14, 14,15;70:10,16,21;88: 9; 94: 4</p> <p><b>hydros (3)</b> 71: 2, 4, 7</p> <p><b>hypothetical (3)</b> 62:17;92: 5;104:22</p> <p><b>hypothetically (1)</b> 101:20</p> <p style="text-align: center;"><b>I</b></p> <p><b>Iacopino (10)</b> 50: 4;131:20,21,23; 135: 5;137:21;138:15, 16,18;139:11</p> <p><b>Iacopino's (1)</b> 138: 5</p>
---	---	--	--

<p><b>idea (3)</b> 26:18;63:11;111:18</p> <p><b>identified (2)</b> 59:21;89:15</p> <p><b>identifies (3)</b> 96: 7,20;112: 2</p> <p><b>identifying (1)</b> 98: 3</p> <p><b>ie (1)</b> 110:14</p> <p><b>Ignatius (4)</b> 122: 1, 2, 3;127: 4</p> <p><b>imagine (1)</b> 119:19</p> <p><b>immediate (1)</b> 73: 3</p> <p><b>impact (41)</b> 30: 1;32: 9;42: 4, 4; 47:20,23;48:12,17; 52:14;58: 6;59:15; 62:12,16;63:12,13,23; 64: 5,10,12;66: 2;72:17, 18,19,24;73: 3,21;74: 1; 86: 3;103: 6, 8;105: 9, 15;108:10,14;111: 1,10, 15;118: 4,12;124:23; 133: 2</p> <p><b>impacted (1)</b> 123: 6</p> <p><b>impacting (1)</b> 62: 1</p> <p><b>impacts (5)</b> 29:24;30: 3;42:13,19; 65: 9</p> <p><b>implication (1)</b> 89:17</p> <p><b>implications (1)</b> 34:23</p> <p><b>imply (1)</b> 88:14</p> <p><b>implying (1)</b> 115: 8</p> <p><b>important (3)</b> 38: 5;55:20;76: 1</p> <p><b>imposed (1)</b> 82: 8</p> <p><b>imposition (4)</b> 47:21;52: 7;112: 8,10</p> <p><b>impossible (1)</b> 26: 4</p> <p><b>improper (1)</b> 58:15</p> <p><b>improve (1)</b> 112:19</p> <p><b>improvement (1)</b> 112:21</p> <p><b>inappropriate (1)</b> 58:18</p> <p><b>incentive (1)</b> 62:19</p> <p><b>inception (2)</b> 75:10;132:20</p> <p><b>include (3)</b> 18: 4;24:11;71:15</p> <p><b>included (3)</b> 12: 4;41:14;49:16</p> <p><b>includes (3)</b> 57:15,19;76: 5</p> <p><b>including (4)</b> 34:18;48: 6;68: 8; 132:23</p> <p><b>inconsistent (1)</b> 10: 8</p> <p><b>increase (5)</b> 20: 8;28:22;78:24; 104: 9;136:11</p> <p><b>increased (3)</b> 20: 6;115:20;119:18</p> <p><b>increasing (1)</b> 102:10</p> <p><b>incremental (1)</b> 37: 9</p> <p><b>independent (1)</b> 121: 4</p> <p><b>in-depth (3)</b> 77:16;81:20,22</p> <p><b>index (1)</b> 32:15</p> <p><b>indicated (1)</b> 48:16</p> <p><b>indirectly (1)</b> 31:13</p> <p><b>individual (3)</b> 23:12,13,13</p> <p><b>individuals (3)</b> 12: 9;20: 9,18</p> <p><b>industrial (2)</b> 56:19;58:21</p> <p><b>industries (4)</b> 20:16;58:11,19;62: 2</p> <p><b>industry (15)</b> 19:20,23,24;20: 1, 4, 6,11,14;21: 3, 8,13; 36:22;37: 6;54:19;58:15</p> <p><b>information (16)</b> 6:20;7: 2, 3, 6;8:15; 9:24;18:14,17,18;30:12; 45: 2;47: 7;65:24;76: 5, 22;88: 6</p> <p><b>informed (1)</b> 13:15</p> <p><b>infrastructure (3)</b> 77:17;88: 5;98: 8</p> <p><b>inhibited (1)</b> 136: 7</p> <p><b>initially (1)</b> 110:13</p> <p><b>inordinate (2)</b> 61:14;63:18</p> <p><b>inordinately (4)</b> 61:14;62:11;63:18; 108:14</p> <p><b>inquire (2)</b> 33:13,17</p> <p><b>inquired (2)</b> 109: 4, 5</p> <p><b>insert (1)</b> 57: 4</p> <p><b>installing (1)</b> 38:11</p> <p><b>instance (1)</b> 37:18</p> <p><b>instantaneously (3)</b> 101: 4,15,16</p> <p><b>insufficient (1)</b> 113:13</p> <p><b>intended (1)</b> 98: 4</p> <p><b>intensive (1)</b> 28:19</p> <p><b>interconnect (9)</b> 97:20;98: 6;99: 4, 6; 110: 8;112: 9;113:11; 114: 2;122:11</p> <p><b>interconnected (2)</b> 97:18;113: 7</p> <p><b>interconnecting (1)</b> 112:16</p> <p><b>interconnection (15)</b> 47:22;48:18,20;49:17; 76:12,14;91: 7;97: 6; 99: 8;109: 1;112:16; 114: 4;122: 7,22;134: 8</p> <p><b>interconnector (1)</b> 114: 6</p> <p><b>interconnects (1)</b> 113:20</p> <p><b>interest (6)</b> 8:21;30:17;52:19; 65:21;81: 9,14</p> <p><b>interested (3)</b> 58: 3;62: 6;126:15</p> <p><b>interests (5)</b> 16: 1;38: 7;55:17; 57: 3,22</p> <p><b>interjected (1)</b> 103:19</p> <p><b>interpolated (1)</b> 85:10</p> <p><b>interrupt (2)</b> 49:21;53:16</p> <p><b>interruption (1)</b> 139:17</p> <p><b>intervals (1)</b> 101:19</p> <p><b>intervenor (1)</b> 111: 6</p> <p><b>into (25)</b> 22:17;23: 3;28: 9; 31:21,24;32: 2;38: 9,13; 57: 5,13;62:13;65: 9,23; 67:19;69: 6;70: 2, 8; 71: 3, 5;97: 5;118:21; 122: 5;129: 1;134:21; 141: 3</p> <p><b>introduce (2)</b> 5:15;13: 8</p> <p><b>introduced (1)</b> 13: 7</p> <p><b>inventory (1)</b> 26:21</p> <p><b>investment (2)</b> 20: 9;78:19</p> <p><b>investments (1)</b> 20:12</p> <p><b>invokes (1)</b> 113: 1</p> <p><b>involved (8)</b> 9:24;14:20;23:18; 77: 1;83:22;132:14,19, 21</p> <p><b>Involving (1)</b> 129:17</p> <p><b>irrelevant (1)</b> 108: 7</p> <p><b>Island (7)</b> 18: 7;27: 2,11;83:10, 16;131: 6,11</p> <p><b>ISO (18)</b> 32: 3;52: 7;68:17; 71: 1;94:20,22;97: 2,13; 100: 8,23;112: 1,22; 115:24;116: 2;121:22; 123: 8;124:15;139: 6</p> <p><b>ISO-New (11)</b> 32: 2;36: 3;47:23; 49:18;66:24;78:13; 96: 9;100: 6,18;109: 4, 6</p> <p><b>issuance (1)</b> 52:11</p> <p><b>issue (20)</b> 6:18;8:18,19;15:13; 16:14;21:11;23: 9; 27:19;43:20,20,21; 48:23;53:20;55: 7; 59:12;63:23;65: 2,11; 97:15;130: 7</p> <p><b>issues (11)</b> 5:17,20;8:20;16:23; 24: 7;37: 1;39: 3;60: 8, 24;81: 3;132:24</p> <p><b>item (1)</b> 27:13</p> <p><b>items (1)</b> 45: 3</p> <p><b>iterations (2)</b> 74:13,21</p>	<p><b>insert (1)</b> 57: 4</p> <p><b>installing (1)</b> 38:11</p> <p><b>instance (1)</b> 37:18</p> <p><b>instantaneously (3)</b> 101: 4,15,16</p> <p><b>insufficient (1)</b> 113:13</p> <p><b>intended (1)</b> 98: 4</p> <p><b>intensive (1)</b> 28:19</p> <p><b>interconnect (9)</b> 97:20;98: 6;99: 4, 6; 110: 8;112: 9;113:11; 114: 2;122:11</p> <p><b>interconnected (2)</b> 97:18;113: 7</p> <p><b>interconnecting (1)</b> 112:16</p> <p><b>interconnection (15)</b> 47:22;48:18,20;49:17; 76:12,14;91: 7;97: 6; 99: 8;109: 1;112:16; 114: 4;122: 7,22;134: 8</p> <p><b>interconnector (1)</b> 114: 6</p> <p><b>interconnects (1)</b> 113:20</p> <p><b>interest (6)</b> 8:21;30:17;52:19; 65:21;81: 9,14</p> <p><b>interested (3)</b> 58: 3;62: 6;126:15</p> <p><b>interests (5)</b> 16: 1;38: 7;55:17; 57: 3,22</p> <p><b>interjected (1)</b> 103:19</p> <p><b>interpolated (1)</b> 85:10</p> <p><b>interrupt (2)</b> 49:21;53:16</p> <p><b>interruption (1)</b> 139:17</p> <p><b>intervals (1)</b> 101:19</p> <p><b>intervenor (1)</b> 111: 6</p> <p><b>into (25)</b> 22:17;23: 3;28: 9; 31:21,24;32: 2;38: 9,13; 57: 5,13;62:13;65: 9,23; 67:19;69: 6;70: 2, 8; 71: 3, 5;97: 5;118:21; 122: 5;129: 1;134:21; 141: 3</p> <p><b>introduce (2)</b> 5:15;13: 8</p> <p><b>introduced (1)</b> 13: 7</p>	<p><b>inventory (1)</b> 26:21</p> <p><b>investment (2)</b> 20: 9;78:19</p> <p><b>investments (1)</b> 20:12</p> <p><b>invokes (1)</b> 113: 1</p> <p><b>involved (8)</b> 9:24;14:20;23:18; 77: 1;83:22;132:14,19, 21</p> <p><b>Involving (1)</b> 129:17</p> <p><b>irrelevant (1)</b> 108: 7</p> <p><b>Island (7)</b> 18: 7;27: 2,11;83:10, 16;131: 6,11</p> <p><b>ISO (18)</b> 32: 3;52: 7;68:17; 71: 1;94:20,22;97: 2,13; 100: 8,23;112: 1,22; 115:24;116: 2;121:22; 123: 8;124:15;139: 6</p> <p><b>ISO-New (11)</b> 32: 2;36: 3;47:23; 49:18;66:24;78:13; 96: 9;100: 6,18;109: 4, 6</p> <p><b>issuance (1)</b> 52:11</p> <p><b>issue (20)</b> 6:18;8:18,19;15:13; 16:14;21:11;23: 9; 27:19;43:20,20,21; 48:23;53:20;55: 7; 59:12;63:23;65: 2,11; 97:15;130: 7</p> <p><b>issues (11)</b> 5:17,20;8:20;16:23; 24: 7;37: 1;39: 3;60: 8, 24;81: 3;132:24</p> <p><b>item (1)</b> 27:13</p> <p><b>items (1)</b> 45: 3</p> <p><b>iterations (2)</b> 74:13,21</p>	<p>59: 1;72:23;73: 4,10,11, 11,11,15;74: 9;118: 1,24</p> <p><b>joining (1)</b> 102:24</p> <p><b>Judd (1)</b> 53: 7</p> <p><b>July (1)</b> 27: 5</p> <p><b>June (1)</b> 64:13</p> <p><b>jurisdiction (1)</b> 52: 8</p>
<b>K</b>			
<p><b>Keene (1)</b> 38:16</p> <p><b>keep (20)</b> 9:10;11:19;13:10; 14: 1;22:15;26: 4;31:22; 32: 1, 4;37: 4;93: 9,19, 20;116: 4, 5,12;117: 6; 126: 3,14;142: 6</p> <p><b>keeping (1)</b> 22: 3</p> <p><b>KEMA (3)</b> 49: 3;132:22;136: 3</p> <p><b>KEMA's (1)</b> 136: 4</p> <p><b>Kent (16)</b> 42: 2;115:15,16,17,19; 117:19;119:15,16,17; 121:24;127:10;129:13; 130:16;135: 7, 8;136:15</p> <p><b>kept (2)</b> 49:14;121: 2</p> <p><b>kilowatt-hour (6)</b> 62: 8;69:16;92: 7, 9, 10;107:21</p> <p><b>kind (6)</b> 21: 7;27:23;34: 3; 86: 9;111:18;141:20</p> <p><b>knew (2)</b> 113:10;126: 1</p> <p><b>knowing (2)</b> 17:12;29:21</p> <p><b>knowledge (4)</b> 47: 3, 7;113:17; 117:16</p> <p><b>known (1)</b> 47:22</p> <p><b>Kusche (3)</b> 10:21;70:13;71: 4</p>	<p><b>Keene (1)</b> 38:16</p> <p><b>keep (20)</b> 9:10;11:19;13:10; 14: 1;22:15;26: 4;31:22; 32: 1, 4;37: 4;93: 9,19, 20;116: 4, 5,12;117: 6; 126: 3,14;142: 6</p> <p><b>keeping (1)</b> 22: 3</p> <p><b>KEMA (3)</b> 49: 3;132:22;136: 3</p> <p><b>KEMA's (1)</b> 136: 4</p> <p><b>Kent (16)</b> 42: 2;115:15,16,17,19; 117:19;119:15,16,17; 121:24;127:10;129:13; 130:16;135: 7, 8;136:15</p> <p><b>kept (2)</b> 49:14;121: 2</p> <p><b>kilowatt-hour (6)</b> 62: 8;69:16;92: 7, 9, 10;107:21</p> <p><b>kind (6)</b> 21: 7;27:23;34: 3; 86: 9;111:18;141:20</p> <p><b>knew (2)</b> 113:10;126: 1</p> <p><b>knowing (2)</b> 17:12;29:21</p> <p><b>knowledge (4)</b> 47: 3, 7;113:17; 117:16</p> <p><b>known (1)</b> 47:22</p> <p><b>Kusche (3)</b> 10:21;70:13;71: 4</p>	<p style="text-align: center;"><b>J</b></p> <p><b>Janelle (3)</b> 117:21,22;119:14</p> <p><b>January (1)</b> 27: 4</p> <p><b>Jasen (1)</b> 12: 2</p> <p><b>Jim (1)</b> 49:24</p> <p><b>job (3)</b> 57: 4;66: 3;76:16</p> <p><b>jobs (15)</b> 32:20,21,23;57:12;</p>	<p style="text-align: center;"><b>L</b></p> <p><b>lacking (1)</b> 24:22</p> <p><b>Laidlaw (83)</b> 5: 6;15:16;29:23; 30:20;32: 6,15;34:20; 35: 4;36:18;37: 5;42: 5; 43:11;47:19,24;48: 1,15,</p>



{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

<p>17;49: 7,16;52: 3, 4,12, 23;53: 9;59:19;63: 1; 67: 1, 8;68: 2, 9,16; 69: 6;71:21;72:16,16,21, 21;73:12;79:17,21,23; 80: 8,21;82: 4;84: 6; 86:16;88:16;89:10,14, 18;90:22;91:12;96:10; 99: 1;103:10,13,19,24; 104: 4;105:20,22;106: 9; 107: 1, 8;108:24;110: 8; 118: 2, 6, 7;119: 6; 125: 4,12;126:15,20; 132: 2, 2, 9;134:10,21, 23;137:15;138:11,24</p> <p><b>Laidlaw's (1)</b> 133:11</p> <p><b>land (6)</b> 17:22;22: 4, 6;27: 8, 12,14</p> <p><b>landscape (1)</b> 22:13</p> <p><b>language (1)</b> 87: 7</p> <p><b>large (1)</b> 22:13</p> <p><b>last (12)</b> 6: 7;12: 1;33:14;40: 8; 41: 6;42: 1;43: 8;45: 8; 49: 5;67: 4;111:13; 137:20</p> <p><b>later (1)</b> 10:14</p> <p><b>Laughter (1)</b> 131:19</p> <p><b>Law (4)</b> 7: 4;86:11;87:13,17</p> <p><b>laws (2)</b> 87: 9,12</p> <p><b>lawyers (2)</b> 21:23;109: 6</p> <p><b>laying (1)</b> 51:13</p> <p><b>layoffs (1)</b> 111:15</p> <p><b>LBB (1)</b> 48: 6</p> <p><b>L-e-a-r-y (1)</b> 31: 5</p> <p><b>least (11)</b> 15: 5;16:16;19:18; 35:13,24;54: 4;76:21; 89:18;91: 3;94:15; 118:20</p> <p><b>Led (1)</b> 130: 5</p> <p><b>left (2)</b> 23: 2;26:22</p> <p><b>legal (1)</b> 53:16</p> <p><b>legislative (2)</b> 84: 1;85:18</p> <p><b>legislator (1)</b></p>	<p>55: 8</p> <p><b>length (2)</b> 14: 2;141:12</p> <p><b>lengthy (1)</b> 100: 5</p> <p><b>less (17)</b> 21:18;22:16;35: 4; 76: 9;78:20;86:20;98: 9; 116:15,23;117: 3;118: 7; 119:19,20,21;122:22; 124: 8,11</p> <p><b>letter (9)</b> 52:21,22;53: 2, 5, 8, 13;54:15;125:15;130: 7</p> <p><b>letters (1)</b> 49: 8</p> <p><b>level (2)</b> 22: 2, 3</p> <p><b>licensed (2)</b> 17:17,18</p> <p><b>light (5)</b> 5:11;79:22;89:11; 99:18;100: 3</p> <p><b>likelihood (1)</b> 85:23</p> <p><b>likely (3)</b> 32:19;52:13;71:19</p> <p><b>Likewise (1)</b> 131: 6</p> <p><b>limit (1)</b> 40: 1</p> <p><b>limited (5)</b> 35:11;57: 9;60:16; 68:21;75:24</p> <p><b>limits (1)</b> 32:11</p> <p><b>line (46)</b> 8:13;51:12,16,19; 52:11;53: 8;54: 3;56:17; 68:17;71:15,21;73:12; 74:19;75: 3, 8;77: 4,13; 79: 6;80:20;98:17; 100:24;102: 2;104:12; 108:19;112:11,24; 113: 3,13;114:13;115: 6, 21;118: 2, 6, 7, 8;123: 4; 125:12;132: 3;133: 9; 134:24;135:10,24,24; 136:10,11;138: 3</p> <p><b>lines (9)</b> 38:13,23;64:19;68: 2; 78: 8,11;89:21;110:14; 123:18</p> <p><b>lineup (6)</b> 66:23,24;90: 5;91:18; 96: 6,20</p> <p><b>link (1)</b> 21: 5</p> <p><b>listening (1)</b> 59: 6</p> <p><b>Liston (26)</b> 33:16,19,23,24;34: 3, 7,10,15,17;39:11,24;</p>	<p>42: 1;43: 7, 8;44:13,16, 17;45:18;56:17;57: 1; 59: 3,20;61: 9;71:23; 79:19;126:24</p> <p><b>Liston's (3)</b> 55:22;61: 2;126:19</p> <p><b>lists (1)</b> 89: 6</p> <p><b>litigate (1)</b> 8:19</p> <p><b>little (15)</b> 19:22;35: 3;70: 5; 74:24;75: 1;81: 2;82:12, 14;85:23;90:18;91:22; 101: 1;102: 1;128:20; 135:15</p> <p><b>live (3)</b> 37:15;116:17;119:21</p> <p><b>LLC (1)</b> 5: 6</p> <p><b>load (11)</b> 75:18,21,22;76: 5, 7; 89:11,13;95:15;96:13; 99:18;100: 3</p> <p><b>load-follow (1)</b> 101:14</p> <p><b>load-following (2)</b> 128:12,14</p> <p><b>local (2)</b> 13:21;37:16</p> <p><b>localities (1)</b> 41: 3</p> <p><b>locally (2)</b> 118:19;119: 2</p> <p><b>locate (2)</b> 38: 7;40:20</p> <p><b>located (4)</b> 12:21;17:15;31: 7; 39: 2</p> <p><b>location (3)</b> 38:11,20;62:13</p> <p><b>locations (1)</b> 36:13</p> <p><b>logger (2)</b> 19:12;21: 4</p> <p><b>loggers (5)</b> 118:13,18;119: 1,12, 13</p> <p><b>logical (1)</b> 119: 8</p> <p><b>long (16)</b> 22: 6;26:22;37:13,14; 74: 5;91:15;95:14,16; 98: 4,13;104:22;116:11, 20;129: 4;138: 1;141: 7</p> <p><b>longer (4)</b> 83:15;87: 2;107: 5; 119: 2</p> <p><b>long-term (8)</b> 31:15;58:18;98: 3, 9, 15,22,22;124:22</p> <p><b>long-winded (1)</b> 70: 5</p>	<p><b>look (16)</b> 36:14;45:11;52:18; 53:13;54:20;56:24; 57: 1;74:11;77:18; 81:15,20;86: 4;110:23, 24;129:24;136: 5</p> <p><b>looked (1)</b> 59:14</p> <p><b>look-forward (1)</b> 119:22</p> <p><b>looking (16)</b> 36:13;37:20;38: 1; 40:12;51:11,15,20; 56:13;57:17;74:10; 77: 1;99:23;107:16; 110: 6;112:20;116:15</p> <p><b>looks (1)</b> 78:12</p> <p><b>Loop (27)</b> 48: 3;68: 5, 5,20; 74:12;75: 2,12;76:17,20; 96: 8,14;98:23;99: 2; 100: 3, 4;103: 1,2,3; 105: 3, 7;106:12;113: 6; 132: 4;133: 8,15;134: 7, 24;138:23</p> <p><b>Loop's (1)</b> 79: 1</p> <p><b>lose (10)</b> 79:15;92:10,23;93: 1, 8,22;95:12,14;116: 9; 124:21</p> <p><b>losing (6)</b> 76: 7;92:17,18;95: 2, 17;128:23</p> <p><b>loss (4)</b> 118: 1, 3;127:15; 128:19</p> <p><b>lost (6)</b> 32:22;68:15;72:23; 73:16;88:23;111:16</p> <p><b>lot (13)</b> 9:11;21:21;23: 8; 25:16;27:20,20;28: 7; 34:18;35: 9;62:10; 108:17;110:12,18</p> <p><b>low (6)</b> 22: 2;85:15;95: 7; 104: 2;116: 5;124: 9</p> <p><b>lower (2)</b> 103:13;104:18</p> <p><b>lowest (3)</b> 62:20;103:18;106:15</p> <p><b>low-grade (2)</b> 21:16;40:12</p> <p><b>lunch (3)</b> 140:17;142: 7,14</p>	<p>104:10;123: 8</p> <p><b>making (6)</b> 68:10;93:10,24; 108: 4;116:11;141:20</p> <p><b>malls (1)</b> 27:24</p> <p><b>manage (2)</b> 19: 5;26: 4</p> <p><b>management (3)</b> 12:21;17:15;23:23</p> <p><b>Manager (7)</b> 12:15;13: 1,20;18:19; 31: 5;69:24;92:16</p> <p><b>managers (4)</b> 19: 9;72:19;73:14; 95:10</p> <p><b>manages (2)</b> 17:22;26: 2</p> <p><b>manner (1)</b> 23:16</p> <p><b>Manomet (2)</b> 130: 1, 2</p> <p><b>manufacturer (1)</b> 58:16</p> <p><b>manufacturers (1)</b> 58:13</p> <p><b>many (10)</b> 20:10,13;32: 1, 1; 56:18;59: 1;94: 8;97:17, 18;117:13</p> <p><b>map (1)</b> 24: 1</p> <p><b>margin (1)</b> 120: 7</p> <p><b>marginal (1)</b> 128: 2</p> <p><b>Mark (4)</b> 12:11,12;13:18;41:13</p> <p><b>marked (3)</b> 11: 4;52:22;88: 5</p> <p><b>market (45)</b> 6:20;16:12;26: 6, 8; 27: 4, 8;32: 3, 9;35:10, 14,22;57: 5;61:18;63: 3, 4, 5;67:19;69: 6,13,15; 70: 2, 8;71: 3, 5;83:14, 17;84:13,22;95:24; 115:24;116: 1, 4,14,16, 17;119:18,21;120: 2, 3, 5, 8,21;121:15,22; 127:22</p> <p><b>marketplace (2)</b> 15:18;28:23</p> <p><b>markets (3)</b> 26:10;32: 3;121: 5</p> <p><b>Massachusetts (30)</b> 15: 2;17:19;18:24; 24: 6;27: 1,11;28:18; 38: 1;82:18,21;83:17; 86: 1, 4, 5, 6,11;117: 8; 118:21;119: 1,10;120: 7; 129:14,20;130: 4;131: 1, 3, 8,11,14;136:21</p>
<b>M</b>				
			<p><b>Maine (2)</b> 26:10;118:22</p> <p><b>makes (2)</b></p>	

<p><b>massive (2)</b> 37: 5,10</p> <p><b>match (1)</b> 105:11</p> <p><b>material (7)</b> 25: 5,12;27:10,24; 28: 3, 5;140:20</p> <p><b>materials (1)</b> 21:16</p> <p><b>matter (5)</b> 8: 7;12: 5;92:14; 136: 9, 9</p> <p><b>matters (2)</b> 9: 5;10:16</p> <p><b>matures (1)</b> 22:17</p> <p><b>max (1)</b> 102: 3</p> <p><b>maximization (2)</b> 36:24;37:14</p> <p><b>maximum (1)</b> 103:23</p> <p><b>may (49)</b> 9:17,19;13: 6;16: 4; 17: 5;22:17,23;25:19; 36:20;38:24;44: 2; 49:23;51:21;55: 6;57: 8, 10,13,16,16;58: 4;59: 1; 64:17,22;65:11,16; 67:16;71:20;74: 5,23; 76: 8, 9;82: 5;83:10,23; 84: 6;95: 5;99:11; 116:18,22,22;122:23; 124:11,11,21;125:16,17, 20;132:12;139:21</p> <p><b>maybe (18)</b> 27:17;37: 9,24;51: 6; 59:17;70:17;99:22; 110:23;113:24;125:22; 126: 9;127: 1,14;128: 5, 17;129:18;135:15; 140: 6</p> <p><b>Mayor (3)</b> 52:21,23,23</p> <p><b>MCF (1)</b> 120:16</p> <p><b>mean (24)</b> 8:12;22:10;41: 1; 52: 2;55:13;58: 9;59:17; 69:12;70: 6;86:16;92: 4; 94:20;99:13;104:24; 113:22;118: 5;120:22; 123:14;124: 1, 5, 6; 125: 6;128: 4;140: 9</p> <p><b>Meaning (6)</b> 75:17,20;99: 1; 112:14;113: 1;128: 9</p> <p><b>meaningless (1)</b> 84: 7</p> <p><b>meanings (1)</b> 113: 5</p> <p><b>means (7)</b> 22: 3;25: 8;69:13,21;</p>	<p>70: 7;74: 1;87: 8</p> <p><b>meant (3)</b> 19:24;128: 6;138:17</p> <p><b>measure (1)</b> 22: 2</p> <p><b>mechanization (1)</b> 20: 7</p> <p><b>meet (5)</b> 117:17;130:18,19,22; 137: 1</p> <p><b>meeting (4)</b> 108:21,24;109: 7,10</p> <p><b>meetings (3)</b> 97:24,24;132:22</p> <p><b>megavolt (2)</b> 75: 4, 6</p> <p><b>megawatt (18)</b> 5: 7;15: 9, 9;25: 6,24; 29: 6;31: 6;32: 7;42:12; 67: 7;74: 3;77: 9,14; 90:12;92: 9;114:21; 133:20;135:11</p> <p><b>megawatt-hour (4)</b> 63: 1;69:16,20;84:20</p> <p><b>megawatt-hours (1)</b> 31: 9</p> <p><b>megawatts (54)</b> 15: 8;34:20;35: 3; 36: 6, 8,17;37: 5;38: 3; 40:17,19;41: 2;67: 2, 6; 74:16;75:13,24;76: 9,11, 15,21,23,23;78:14;79: 1; 80: 7,17;88: 8,16,20; 89: 6,23;90: 8,24;91:13, 14;94: 9;96: 8;97: 2; 99:24,24;102:10;104: 6, 12;106:10,11;107:12; 113:15;114:20;118:16, 19;135:13;136: 2; 138:21;139: 8</p> <p><b>megawatts' (1)</b> 36:20</p> <p><b>megs (2)</b> 29: 9,20</p> <p><b>Melvin (2)</b> 34:10,15</p> <p><b>member (3)</b> 5:20,23;12:18</p> <p><b>members (14)</b> 5:14,16;11:11,16,18; 12: 6;13:18;31: 2;33: 7, 22;39: 7;44:12;87:22; 141:24</p> <p><b>men's (1)</b> 45:18</p> <p><b>mention (1)</b> 109: 4</p> <p><b>mentioned (12)</b> 19: 4,14,17;20:23; 24:17;29: 4;39:24;40: 5; 41: 7;81: 1;98:23; 107:14</p> <p><b>merchant (1)</b></p>	<p>63:20</p> <p><b>merely (2)</b> 57:10;112:17</p> <p><b>Merrimack (1)</b> 120: 4</p> <p><b>met (2)</b> 6: 7;62: 5</p> <p><b>method (3)</b> 88:14,17;106:17</p> <p><b>methods (1)</b> 136: 5</p> <p><b>Michael (2)</b> 12:24;31: 4</p> <p><b>microphone (1)</b> 13:13</p> <p><b>middle (1)</b> 82:23</p> <p><b>might (14)</b> 13:12;21: 5;37:24; 45: 4;71:13,24;73:11; 75: 1;87: 5;89: 4;90: 6; 98: 2;124:18;137:12</p> <p><b>miles (2)</b> 32: 8;35:11</p> <p><b>mill (2)</b> 23:13;137: 5</p> <p><b>million (13)</b> 20:12;26: 2;31:12; 48:18;49: 2;77:10,11; 78:19,22,24;135:10,20; 136: 6</p> <p><b>mind (5)</b> 37: 4;97:22;120: 2; 141:14,17</p> <p><b>minimal (1)</b> 27:14</p> <p><b>minimum (14)</b> 47:21;48:19;82: 7; 83: 3;99: 5;112:16; 117: 2;122: 7,11;123:15; 130:13;134: 7;136:22; 137:16</p> <p><b>minor (5)</b> 48:18;72:18;78:11; 79: 2, 4</p> <p><b>minute (3)</b> 45:21;49:24;101:19</p> <p><b>minutes (7)</b> 10:24;101:21;108:22; 139:24;140: 1;141:12; 142:11</p> <p><b>MIS (50)</b> 47:22;49:11;51:23; 52: 6, 7;67:24;68:11; 70:20;88:12,17,19; 91:17;97:11,14,18,20; 98: 1, 4, 9,12,13,15; 111:21,21;112: 2, 5, 9, 10,13,21,24;113: 1, 7,11, 20;114: 2,19;122: 5, 7, 16,21;123: 6,11;125:19, 23;126: 2, 3, 4;138: 1,11</p> <p><b>misleading (1)</b></p>	<p>24:23</p> <p><b>missing (1)</b> 5:20</p> <p><b>mistake (1)</b> 108: 5</p> <p><b>misunderstood (1)</b> 128: 5</p> <p><b>model (12)</b> 49:12;64: 2,24;67: 9, 11;86: 1;88:24;89:10; 90: 4;114:22;131:13; 138: 3</p> <p><b>modeled (1)</b> 114:22</p> <p><b>modeling (2)</b> 90: 1;94:10</p> <p><b>moderate (5)</b> 30: 2, 3;72:17;73:21, 24</p> <p><b>modified (1)</b> 121: 7</p> <p><b>moment (9)</b> 39:24;44:20;45:17; 51: 3;54: 4;58: 8;59:20; 61: 9;77:20</p> <p><b>momentarily (1)</b> 140:17</p> <p><b>money (22)</b> 43:13;92:17,18,23,24; 93: 1, 6, 8,10,22,24; 95: 3,13,14,16;104:20; 116: 9,10,11;124:22; 128:23;136:13</p> <p><b>Monica (1)</b> 109: 5</p> <p><b>monitor (2)</b> 24:12;100:19</p> <p><b>monitoring (1)</b> 23:15</p> <p><b>monkey (1)</b> 15:20</p> <p><b>monopoly (1)</b> 16:15</p> <p><b>month (1)</b> 130: 7</p> <p><b>months (7)</b> 27: 4;28: 8,10,21; 31:21,24;129:22</p> <p><b>more (52)</b> 22: 9,18;25:12,16,23; 28:11;29:14,20;31:21, 23;35: 1,14;38:13;41: 1; 43:21;48:24;49: 3;59: 8; 66:20;71:19,22;73:15; 77:12,14,15,16,16; 84:10;90: 7;91: 4;93:13; 94: 4;104:17,20;108:11; 115:21;118:20;119: 3, 5, 16;121: 1;123: 3, 4,21; 128: 7,18;129:23;138: 5; 139:22;140: 4, 6, 7</p> <p><b>morning (11)</b> 5: 2;6: 5;7:10;11:22;</p>	<p>69:24;72:15;93: 7; 125: 4;126:12;140:21; 142:13</p> <p><b>most (13)</b> 15:10;16: 6;20: 1; 48:16;52:24;53: 9,10; 80:24;118:18;121: 9; 122: 4;127:11;132:18</p> <p><b>mostly (1)</b> 14:14</p> <p><b>mothball (1)</b> 125: 8</p> <p><b>mothballed (1)</b> 124:24</p> <p><b>mothballing (1)</b> 124: 3</p> <p><b>motion (12)</b> 6: 1, 3;7: 9,12;8: 2; 10:11,14;64:14;65: 2; 140:20,23;141: 3</p> <p><b>motions (1)</b> 8:11</p> <p><b>Mount (2)</b> 109: 7,11</p> <p><b>move (3)</b> 77: 8;96: 2;135:19</p> <p><b>moving (4)</b> 9:10;22:20;59:18; 135:18</p> <p><b>much (29)</b> 11: 1;17: 1;21: 1; 25:15;26:17;27:17; 28:12;30:22;31: 3;33: 2, 9;34:21,23,24;36:15,20; 37:24;40:14,18;44:16; 64: 7;68: 4;71:13;80:15; 116:19;129:23;139:22; 140: 4;142:12</p> <p><b>mulch (2)</b> 27: 1,23</p> <p><b>multiple (1)</b> 132:22</p> <p><b>municipal (1)</b> 56:19</p> <p><b>muscle (6)</b> 44: 2;59:22;61:10,24; 62:15;64:10</p> <p><b>must (8)</b> 23:10;37: 9;51:18; 56:18;83: 2;93:23,23; 118:10</p> <p><b>myself (2)</b> 14: 1;57: 9</p>
<b>N</b>				
<p><b>name (13)</b> 5:10;12:19;13: 9,18; 17:12;31: 1, 4;40:10; 41: 8;92:15;130: 2, 6; 133:20</p> <p><b>names (1)</b> 12:10</p>				

<p><b>narrow (2)</b> 10: 5;53:20</p> <p><b>Nation (2)</b> 68:16;88:23</p> <p><b>natural (9)</b> 120: 6,14,17,19,19; 121:11,15,17,23</p> <p><b>nature (1)</b> 80:12</p> <p><b>necessarily (7)</b> 35:10;71:24;72: 2, 8, 10;88:14;141: 7</p> <p><b>necessary (10)</b> 34: 5;67: 8;82: 3; 107: 4;110:15;112:19, 21;114: 7;125:18; 126:13</p> <p><b>necessity (1)</b> 82: 2</p> <p><b>need (12)</b> 11: 4;20:20;30:18; 38:12;49:15;93: 7; 96:23;112:18;118: 6; 139:23;140: 5;142: 7</p> <p><b>needed (4)</b> 14:19;59:13;81:13; 117: 6</p> <p><b>Needleman (46)</b> 6: 1, 2;7: 1, 7,12,15, 24;9:17,20;10:15,17; 33:23;34: 1;39: 8;41:22, 24;42:22;44: 8;45: 2, 7; 49:20,23;50: 2,10,11,13, 19,24;51: 5,10;54: 9; 55:24;56: 5, 9,12,16; 60: 5,10,15;61: 7;66: 6; 139:15,23,24;141:13,15</p> <p><b>needs (8)</b> 30:19;49:13;57:24; 58:23;65: 7, 8;98:14; 136:11</p> <p><b>negative (6)</b> 42: 4,13,19;48:12; 52:14;72:24</p> <p><b>negotiating (1)</b> 137:10</p> <p><b>neighborhood (1)</b> 40:24</p> <p><b>net (11)</b> 79:14,14,17;92: 3, 6, 12;93:13;94: 5,16;95: 3, 3</p> <p><b>network (1)</b> 20:24</p> <p><b>neutral (2)</b> 75:17,22</p> <p><b>New (78)</b> 5: 4, 8,13;12: 2;15:18; 16:17;17:18,20,23;18: 5, 6,23;19:16;20: 4;27: 3, 20;28: 2, 4,24;29: 1,14; 30:21;31:16,22;36: 1, 4, 9,19;37: 7,23;38:15;</p>	<p>40: 6, 6, 9,13,15,20,21; 41: 2, 4;48:21;49: 4; 52:24;61:15;62: 6,12; 72: 3;82:22;83:14,17,24; 84:24;85: 2,19,20;86:14, 15;104: 3, 4;108: 9; 110:21;111:11,22; 117:13,17;118:11; 119:12;120: 6,22; 123:11;127:22;130: 8, 10,17,19;131: 2, 9; 133:12</p> <p><b>next (16)</b> 5:18;12:18;44:23; 46: 5, 7;52:10;68:13; 84:10;86:14;89: 2; 103:16;114: 6,13,15; 134:11,14</p> <p><b>nexus (1)</b> 82:20</p> <p><b>nickel (1)</b> 18:12</p> <p><b>night (2)</b> 93: 8, 8</p> <p><b>nine (2)</b> 18:23;114:23</p> <p><b>Noble (20)</b> 76:13;94: 8,11;99:16, 17,24;102: 4;104: 5,10; 105: 2, 6, 8,17;106: 1; 107:12;108:18;110:11, 13;111: 1;128:15</p> <p><b>Noble's (1)</b> 102: 8</p> <p><b>nodding (3)</b> 82:16;86:10;115: 7</p> <p><b>none (10)</b> 33:12;63: 8,19;70:13; 86:22,23;88:15;117:16; 124:12;130:16</p> <p><b>nonpublic (1)</b> 46:20</p> <p><b>non-redacted (1)</b> 50:20</p> <p><b>nor (1)</b> 10: 7</p> <p><b>normal (2)</b> 49:17;80:19</p> <p><b>normally (1)</b> 106:13</p> <p><b>North (20)</b> 12:20;14:14;17:14; 25:10;48:22;51:15; 75: 9,17;97:24;111: 4; 125:15,22;132:19,23; 134: 4, 5,16;135:12; 137: 6,11</p> <p><b>Northeast (2)</b> 21: 1;83: 5</p> <p><b>northern (5)</b> 14: 9;28: 2,24;75: 5; 133:21</p> <p><b>Notch (1)</b></p>	<p>133:22</p> <p><b>note (5)</b> 5:16;10:18;11:23; 13:14;76: 1</p> <p><b>notes (2)</b> 41: 6;47:17</p> <p><b>nothing's (1)</b> 75:23</p> <p><b>notice (1)</b> 89:21</p> <p><b>not-too-distant (2)</b> 83:11;84: 5</p> <p><b>Number (32)</b> 5: 5,19;8:10;27:18; 32:21;44:24;51: 6, 9,19; 52:17;55:10;58: 2;63: 7; 73:19;74: 8;79: 6;87:24; 91: 9;92:14;108: 6,12, 13;118:22,23;124:18,19; 125: 5;133:19,24;134: 2; 135:17,20</p> <p><b>numbers (10)</b> 71:11,15;74:13,13,22; 80: 2;90: 6;117:14; 134: 1;139: 2</p> <p><b>numerous (2)</b> 56:20;57:13</p>	<p>53: 6;132:24</p> <p><b>official (3)</b> 54:11;105:13;130: 2</p> <p><b>officials (1)</b> 62: 5</p> <p><b>off-takers (1)</b> 32: 1</p> <p><b>off-the-record (1)</b> 139:18</p> <p><b>often (1)</b> 90: 8</p> <p><b>oil (3)</b> 74: 8;127:21;128: 3</p> <p><b>older (1)</b> 104:17</p> <p><b>O'Leary (9)</b> 12:24,24;13: 4;30:23; 31: 2, 4;33: 3, 5,10</p> <p><b>oligarch (1)</b> 16:16</p> <p><b>Once (5)</b> 22: 5;42:19;112:22, 23;133: 8</p> <p><b>one (69)</b> 5:16,20;6:16,19;8:12, 19;9: 5;10:21,21;11:14, 16,24;12:10;15:15,16; 17:23;18:13;19: 2, 3; 21: 4;24: 9,17;27: 8; 28:17;32:21;34:21; 36: 3;39:15;43: 2,10; 45: 2;51:17;56: 7;58:13; 59:13,17;64:19,21,22; 66:20;69:16;72:22; 73:21;74:11;79: 5;83: 7; 87:15;89:16;92:15; 97:23;102:20;109: 4, 5; 110: 6;111:13;114:22; 119:16;122:14,16; 124: 3, 4;126:10;127: 7; 130:10;133: 7;134: 2; 136:16;137:20;142: 1</p> <p><b>one-of-a-kind (1)</b> 35: 1</p> <p><b>one-page (1)</b> 24: 1</p> <p><b>ones (2)</b> 57:13;67:13</p> <p><b>only (18)</b> 9:22;10:18;18:19; 24:17;46: 7;48: 9;60:16; 62: 1;69:15;92: 8; 108: 6;115: 4;117: 9; 121: 6;130:12;133:11, 12;134: 2</p> <p><b>onto (3)</b> 89: 2;101: 2;123:18</p> <p><b>open (1)</b> 32: 4</p> <p><b>opening (3)</b> 16: 2, 7;125: 3</p> <p><b>operate (31)</b> 32: 7;67: 1, 8;68: 6;</p>	<p>71: 3;72:21;77: 5;91:13; 92:21,23,24;93: 7,21; 95: 6,12,14;98: 3;99:11, 12,14;103: 4, 5;104:13; 106: 1, 3;116: 9;122:12; 125:17;126: 1;128:23; 134:18</p> <p><b>operated (2)</b> 80: 1;92:20</p> <p><b>operates (6)</b> 14:24;16:12;96:10; 135: 1;137:23,24</p> <p><b>operating (16)</b> 14:13;48:10;58:21; 68:13;72:17;76: 4; 80:16,19;91:12;92:11, 11;103:21;117:13; 125:23;126: 3, 4</p> <p><b>operation (14)</b> 31: 8;47:19;48: 1; 49: 1;57:23;58: 4;61:21; 70:19;72:16;87:10; 98: 9,15;105:24;124:23</p> <p><b>operational (4)</b> 42: 5;90:23;126:20; 138:10</p> <p><b>operators (3)</b> 20:10;58: 3;59: 7</p> <p><b>opinion (11)</b> 21:23;24:21;40:23; 55:11;57:19;60: 8,16; 73: 5;130:16;134:20; 135: 3</p> <p><b>opinions (5)</b> 131:24;132: 1, 7; 134:13,15</p> <p><b>opportunity (2)</b> 11:12;53:13</p> <p><b>oppose (1)</b> 15:11</p> <p><b>opposed (1)</b> 138: 6</p> <p><b>option (3)</b> 97:15,17;103:12</p> <p><b>optional (1)</b> 122:14</p> <p><b>oral (1)</b> 11:21</p> <p><b>orangy (1)</b> 27:24</p> <p><b>order (12)</b> 5: 3;13: 7;49:14; 64:14;67: 1, 7;76:14; 79:10;83: 1;86:11; 110: 8;125:19</p> <p><b>orderly (16)</b> 47:20;48:12;52:14; 53:10,17,22;54:13,18; 55: 3,14;57: 2,18;60: 6, 16;61:10;65:22</p> <p><b>orders (1)</b> 58: 6</p> <p><b>organization (1)</b></p>
--	--	--	--	--

**O**

**oath (1)**  
34: 5

**object (2)**  
8:13;9: 3

**objected (1)**  
60:21

**objection (2)**  
54: 3;60: 3

**objections (1)**  
34:22

**objects (1)**  
9:14

**obligating (1)**  
61:15

**obligation (3)**  
114:14,15;115: 9

**obstructionists (1)**  
9: 8

**obviously (4)**  
65: 7;77: 2;91: 3;  
137: 4

**occur (1)**  
69:11

**occurred (2)**  
69:10;103: 7

**off (18)**  
5:21;22: 5;27:12;  
37:15;44:19,21;74:15;  
77:22;92:11;94: 1;  
101: 6;112: 3;118: 8;  
121:14;124:18;126:13;  
128:24;129: 7

**Office (2)**

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

132:22 <b>original (2)</b> 101:24;135:13 <b>originally (4)</b> 10: 2;13:24;14: 1; 29: 5 <b>ostensibly (1)</b> 63: 1 <b>others (4)</b> 68: 9;72:18;106: 9; 142: 2 <b>Otherwise (2)</b> 9: 2;47:22 <b>ours (1)</b> 138: 7 <b>ourselves (1)</b> 142: 7 <b>out (49)</b> 8:24;9:21;16: 5;20:11; 23: 4, 4,16;24:12;32:19; 44: 3,45;16;49: 5, 6; 51:13;57: 8;58:14; 59:23;72: 5, 8;75:15;23; 82:21,22,23;86:14; 88:13,18;89: 1;91: 6; 97:22;103: 5;104:14; 105: 6,12;107: 8,12; 110:19;115:10;116:16, 21;117: 2;127:15,18,23; 130: 3;133:18;136:24; 138:21;139: 8 <b>outcome (1)</b> 6:10 <b>outgrowth (1)</b> 6:10 <b>outlet (1)</b> 21:15 <b>outline (4)</b> 17: 5,17;18: 4;130: 9 <b>outlined (1)</b> 18: 3 <b>outlines (1)</b> 32:10 <b>output (23)</b> 64:23;79:14,14,17; 89:13,20;91: 1,94;18,19; 96:14;100:14,19;102: 8, 12,20,21;103:23;104:19; 124: 6, 9,12;128:15; 138: 4 <b>outstripped (1)</b> 136:10 <b>over (8)</b> 15:17;16: 2;32: 8; 52: 8;53: 1;55: 7;97: 6; 111:22 <b>overall (2)</b> 93:23;99: 2 <b>overcutting (1)</b> 23:24 <b>overloaded (1)</b> 104:12 <b>oversee (1)</b>	65:24 <b>oversight (1)</b> 24:10 <b>own (11)</b> 17:21;18:12,13;24: 7; 40:23;47: 3;71: 6; 119: 9;121: 9, 9,16 <b>Owners (2)</b> 12: 3;32:11  <b>P</b>  <b>Page (10)</b> 50:15;51:12;56:13,14; 77:18,24;78: 7;96: 3; 111:13;117:23 <b>paid (4)</b> 29:17;69:12;84:20; 92: 9 <b>paper (3)</b> 137: 5, 6,11 <b>paradigm (2)</b> 86:19;103:21 <b>paragraph (3)</b> 51:12;52:10;87: 3 <b>parameters (1)</b> 40:15 <b>paraphrase (1)</b> 116:24 <b>parenthetical (1)</b> 79: 7 <b>parochial (1)</b> 118:11 <b>part (22)</b> 12: 5;14: 6,15,15; 15: 1, 3, 4;17:11;18:17; 28: 2,35;19;38:15; 49:16;65:13;74:10; 75:10;76:24;82:20; 88: 6;103:19;107:15; 118:18 <b>participant (1)</b> 102:24 <b>participants (1)</b> 116: 2 <b>participated (1)</b> 83: 5 <b>particular (7)</b> 6: 4,18;10:14;59:22; 124:12;133: 7;141: 5 <b>Particularly (1)</b> 9:10 <b>parties (12)</b> 7:11;10:11;11: 3; 23:18;33:13;45: 1;58: 3; 83: 8;114: 8;139:13; 141:10;142: 6 <b>partner (1)</b> 14: 3 <b>party (7)</b> 8:16,17;42:10,18; 59: 4,11;141:12 <b>passage (1)</b>	132:14 <b>passing (1)</b> 121: 3 <b>past (2)</b> 58:16;135:18 <b>Patrick (1)</b> 130: 8 <b>pave (1)</b> 22: 5 <b>pay (16)</b> 25:11;26:12;28:14; 29:10,23;34:24;35: 1; 43:21;61:16,17;62: 3,23; 84: 9,12;122:10;123:14 <b>paying (5)</b> 26: 5,11;29:12;35:21; 62:22 <b>payment (4)</b> 61:18;84:18;85: 5, 6 <b>payments (3)</b> 29:15;63: 5;87: 4 <b>peak (1)</b> 89:11 <b>pellet (1)</b> 36:22 <b>people (22)</b> 12: 1;20:13,15;22:10, 22;23: 8;24:12;31:13, 14;34:18;35:17;55: 6; 59: 2;72:23;73:22; 91:23;107:14;108: 9; 119:20;133:13;136:12; 142: 7 <b>people's (1)</b> 70:18 <b>per (5)</b> 24:14;31: 9;92: 9, 9; 141:12 <b>perceive (1)</b> 66: 2 <b>percent (26)</b> 15:18;27:17,18;35: 4; 37:22;68:21;83: 3; 94:18;99:16,17;100: 3, 16;102:15,21;104: 5; 105: 2,17;115: 4;117:10; 120: 4, 5, 7;130:14; 136:23;137: 1,16 <b>percentage (8)</b> 84:16,17,21;85: 7,12, 14,14,15 <b>perhaps (5)</b> 57:20;59:13,17;86: 1; 124: 8 <b>permit (7)</b> 23:20;39:15;52: 4,12; 65:11;66: 1, 1 <b>permitted (4)</b> 51:21;52: 1;57:17; 111:19 <b>Permitting (4)</b> 47:18;58: 1, 4;79:22 <b>person (3)</b>	108: 4;134:11;142: 2 <b>personal (2)</b> 70:21,23 <b>personnel (1)</b> 83: 8 <b>perspective (1)</b> 129:24 <b>pertains (3)</b> 6: 3,19;60:17 <b>philosophy (1)</b> 57:20 <b>phrase (2)</b> 59:22;123:24 <b>pick (3)</b> 102: 3;103:11;106:10 <b>picked (1)</b> 88:24 <b>picks (1)</b> 100:22 <b>picture (2)</b> 61: 1;107: 9 <b>piece (1)</b> 50:17 <b>pile (1)</b> 26:22 <b>piles (2)</b> 26:20,21 <b>pine (1)</b> 26:23 <b>Pinetree-Tamworth (1)</b> 38:19 <b>place (4)</b> 38: 7;57:14;73:19; 137: 8 <b>places (2)</b> 36:14;61:14 <b>plan (3)</b> 5:18;11: 6;23:20 <b>plane (1)</b> 71: 8 <b>planning (4)</b> 35:24,24;36:12;55: 9 <b>plans (1)</b> 24:13 <b>plant (84)</b> 19: 9,12,13;25:24; 26:13,24;29: 6, 9,14,18; 30:13,17;32: 7,13,15; 34:20,22;36: 1, 5,12; 38: 7,11;39: 2;42:12; 44: 1;47:19;48: 5;49:12; 58: 3;59: 7;64: 1;66:20; 67:10,12;68:18,20;69: 5, 23;70:21;72:16,19,19, 20;73:13;87:10;89:18, 19;91: 8;92: 6,16;93: 9, 17;94: 4,18;95: 1, 5,10; 103: 4,17;104:15; 107:17;113: 6;114:22; 115: 3;116: 8,12;119: 4; 120: 3, 4;121:17;124: 4, 20,23;125: 5,12;126:20; 127:11,24;128: 7;131: 2,	9;137:15;138: 2, 7 <b>plants (68)</b> 14:14;15:17;19: 1, 2, 6, 6, 8, 9;20:20;21:16; 24:14;25:14;26: 3, 5,12, 14;27:15;29: 8,16,22,24; 30: 1, 2;37: 7,11;48:10; 59: 8;67:12,12,24;68: 5, 8,13,23;72:17;73: 4,20, 88:18,21;91:15;92: 1, 3, 14;94:15,20,22;95:11; 98:17;99:11,15;100:12; 102:14;104:13,17; 107:11;111:16;113: 2; 114:21;116:16;117:17; 118: 3, 8,15;120: 6, 8, 128:16,22;130:17 <b>please (18)</b> 11:19;12: 9;13: 8, 9, 10,16;30: 5,24;31: 1, 34: 4,13;41:15;45:16; 46: 5;50:17;107:23; 112:15;142:11 <b>plenty (1)</b> 43:13 <b>plus (1)</b> 24:15 <b>pm (1)</b> 142:14 <b>pockets (2)</b> 117: 4;127:13 <b>point (30)</b> 9:21;11:20;37:14; 39: 1,16;43:18;46:23; 47:14;53: 3;60:20; 64:12,16;67: 3,11;75:15; 80: 6;84:19;90: 6;91: 6, 7;93:24;95:18;101: 9; 104:13,15;108: 7, 8,15; 110:21;136: 3 <b>pointing (1)</b> 121: 2 <b>policy (5)</b> 63:10,14,23;132:15,16 <b>political (1)</b> 133: 1 <b>Pontook (2)</b> 68:14;88:23 <b>pony (1)</b> 136:12 <b>pooling (1)</b> 136: 1 <b>Portfolio (3)</b> 63:11,16;84: 1 <b>portion (4)</b> 25:15;42: 6;65:14; 75: 3 <b>portions (2)</b> 9:22;76:17 <b>poses (1)</b> 82: 5 <b>position (7)</b> 7: 1;8: 2;105:14,23;
---	---	--	---	--

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

<p>107: 1, 2, 5 <b>positional (1)</b> 138: 6 <b>positive (3)</b> 20: 5;21:13;52:24 <b>positively (2)</b> 53: 9,10 <b>possibility (4)</b> 111:14;125:10,13,14 <b>possible (4)</b> 71:18;111:15;118: 1; 119: 4 <b>possibly (1)</b> 49: 3 <b>postulated (1)</b> 91:18 <b>potential (8)</b> 36:21,21;40:12;62: 2; 73:11;85:24;117: 9; 125: 5 <b>potentially (4)</b> 73: 1;87: 5;131:10; 135:24 <b>Power (105)</b> 13: 1, 4;14: 4,10;18: 5, 6, 9;19: 1, 6,12;20:20; 21:16;23:19;24: 4; 25:10,14;26:12,13;29: 4; 31: 6,16,18,22,24;32: 3, 3,33;16;35:23;36: 7; 37: 6, 7,17;38: 7,10,13, 19;48:10;58: 3;59: 6, 8; 61:12;62: 1, 9,11;64:14; 67:10;68: 1,16;71:10; 72:19;75: 7;76: 3;77: 4; 79:14;83: 3;89: 7,16,19; 90:23;91: 1, 8,13;96:11; 99: 3,23;101: 8;102: 2, 11;104: 1, 1, 4;105:16; 106: 1, 3, 7, 8,24;107: 4, 10,10,16;108: 2;109: 1; 110: 7;113:10;114: 4; 117:10;121:10;123: 4, 18;124: 8,11;126:21; 128:13,18;129:17,24; 130:13,21;132: 9;133: 9, 23;136:22;137: 3; 138:24 <b>Power's (1)</b> 91:11 <b>PPA (27)</b> 43:19;60:13;63: 7,17, 24;64: 4,11,11;65: 3, 5, 9,12,13;70: 3;73: 2; 81: 8,14,23;82: 3,13; 84: 7,11,15;86:24,24; 87:14;108:14 <b>PPAs (1)</b> 58: 7 <b>practices (2)</b> 23:22,23 <b>precious (1)</b> 47:14</p>	<p><b>precisely (1)</b> 10: 3 <b>Pre-commercial (1)</b> 21:16 <b>predict (2)</b> 95:23;101:18 <b>prediction (1)</b> 104: 8 <b>prefer (1)</b> 92:24 <b>preference (1)</b> 70:11 <b>prefiled (5)</b> 46:15,24;50:14,18; 74:10 <b>prepare (1)</b> 47: 1 <b>prepared (2)</b> 45: 6;106: 2 <b>present (8)</b> 5:15;13:16;18:22; 29:22;33: 7;45:16;46: 5; 54:10 <b>presentations (1)</b> 130: 5 <b>presented (2)</b> 30:13;77: 7 <b>Presently (2)</b> 18:21;38:10 <b>President (6)</b> 12:15,20;13:20;14: 3; 17:14;18:22 <b>pressure (1)</b> 32:18 <b>presumably (2)</b> 127:14;141:11 <b>presume (1)</b> 35:20 <b>pretty (8)</b> 16: 3;21: 1;26:18; 41: 8;104:18;105: 1; 133: 1;137:18 <b>prevent (1)</b> 135:23 <b>prevents (1)</b> 138:10 <b>previous (2)</b> 90:20;103:20 <b>previously (3)</b> 8:22;34:11,15 <b>price (48)</b> 14:18;15: 6;16: 9, 9; 26:10,11;29: 7,10,22; 32:12,12,16;35: 7,22; 37:11;58: 7;62:20;63: 3, 4;64:23;70: 3;74: 7; 84:14;91:24;94: 6; 95:23;115:22,24;116: 1, 4,14,17;117: 5;119:18, 22;120: 5, 8,19;121:22, 23;127:19,21,24,24; 128: 1, 2, 4, 6 <b>prices (14)</b></p>	<p>19:10;32: 3,18;61:19; 62: 3;95: 7;120:13,15, 15,17,18;121:11,15,20 <b>pricing (9)</b> 29: 5;30:19;31:12; 59:21;61: 9;64: 2,23; 65:16;119:20 <b>principal (1)</b> 28:16 <b>printer (1)</b> 51:18 <b>prior (5)</b> 5:20;6:23;10: 8;38:19; 45: 1 <b>priority (1)</b> 32:21 <b>privy (1)</b> 111: 7 <b>pro (1)</b> 81:19 <b>probability (1)</b> 73: 9 <b>probably (10)</b> 20:15;24:16;37:22; 45:18;71:22;81:17; 89: 4;103:17;119:13; 130:10 <b>problem (2)</b> 101:13;114: 1 <b>problems (2)</b> 15:21;37:12 <b>procedural (2)</b> 5:19;10:16 <b>proceed (5)</b> 13:16;34:13;60:22; 61: 5;66:12 <b>proceeding (6)</b> 7:11;8: 9,16;9: 6; 17:11;33: 9 <b>process (8)</b> 5: 4;67:23;79:23,23; 82:22;94:22;97: 6; 137:10 <b>procure (1)</b> 31:10 <b>Procurement (7)</b> 12:20;17:14;18:21; 19:20,21;24:18;59: 8 <b>procures (1)</b> 62:19 <b>procuring (1)</b> 31:14 <b>produced (1)</b> 28: 3 <b>producer (4)</b> 19:12;21: 4;64:22; 133:12 <b>producers (2)</b> 14:10;27:21 <b>produces (1)</b> 13:22 <b>producing (2)</b> 28:19;101: 8</p>	<p><b>product (10)</b> 22: 8;23: 1,12;25: 7, 13,22;28:12;31:15; 35:17;128: 4 <b>production (3)</b> 20: 6;24:24;68:21 <b>products (1)</b> 26: 9 <b>professional (1)</b> 30:18 <b>Professor (1)</b> 41: 7 <b>professor's (1)</b> 40:10 <b>program (4)</b> 82:19;85:19,21; 129:21 <b>programs (1)</b> 85: 2 <b>prohibited (1)</b> 136: 8 <b>prohibitive (1)</b> 135:21 <b>project (76)</b> 14: 2;15: 7, 8, 9,11; 25: 6;28:17;29:24; 37:17,19;38:20;42:10; 48: 1;49:10,16;51:14; 52: 2, 3, 4,13;53: 1, 9; 54:12,18;58: 2, 4;59:19; 62: 6;68: 3;71: 4,16,21; 72: 3;74: 5;76:13,15; 77: 2, 3, 4;78:23;79: 5; 80:11,12,16,21,22;82: 4; 83: 1;86:16;88: 8,16; 89: 6, 9,23;91:19;94: 9; 96:15;98: 6;100: 7,10, 11;105:20,22;111: 7; 113:18;128:16;130:21, 22;132: 2;133: 7,20,22; 134: 3;135: 2,21;139: 1 <b>projection (1)</b> 102:10 <b>projects (24)</b> 18: 6;38:17;43:22; 48:11;49: 2;51:17,20; 52: 1;55:16;57: 3, 6,10, 12,15,16,21;58: 6,19; 59: 2;72: 3,22;88:13,15; 111:18 <b>project's (1)</b> 15:12 <b>proposals (1)</b> 56:20 <b>propose (1)</b> 140:16 <b>proposed (16)</b> 6: 9;25: 6;32: 9;47:19; 58:22;61:13;66:24; 71:16;73: 2;83:24; 104: 4;106:21;129:14; 130:22;132: 3;133: 7 <b>proposing (3)</b></p>	<p>36: 7;106:16;138:12 <b>prorate (1)</b> 68: 1 <b>prorated (3)</b> 68:18;69: 3;98:17 <b>protect (3)</b> 8:14;15:24;58:15 <b>protected (2)</b> 81:21;109:14 <b>protecting (1)</b> 57:11 <b>protection (3)</b> 55:16;57: 2;82: 9 <b>protectionist (1)</b> 57:20 <b>protocol (8)</b> 49:17;68:17;112:22; 114: 5, 9,10,12;115: 2 <b>protocols (2)</b> 71: 1;112:10 <b>provision (6)</b> 9:24;11: 2;41:12; 48:15;65:24;66: 1 <b>provided (8)</b> 10:18,20;11: 3;12: 1; 18:16;45: 8;54:16; 114: 3 <b>provides (2)</b> 77: 2;121: 9 <b>providing (1)</b> 137: 4 <b>provision (7)</b> 6:17;10: 2, 6;71: 2; 87:14,17;122:10 <b>PSNH (21)</b> 15:16;42: 9;62: 4, 7; 63: 6;72:24;77: 7,13; 82:13;84: 8;85: 6;86:23; 87: 4;120:22;121: 3, 4, 6, 6,10,12,16 <b>PSNH's (2)</b> 16:20;135:13 <b>Public (37)</b> 6: 7,11,15;7: 4,17; 8:15;11: 8,11,12,17,18; 12: 1, 5,18;17:11;22:24; 30:20;31:16;33: 7, 8,18; 34:19;38:22;43:19; 44:10;46:20;48:21; 65: 6,20;66: 9;75:11; 107:19;108: 9;111: 3; 141:24;142: 1, 3 <b>PUC (6)</b> 76:10;81: 8,19,23; 82: 2;98: 2 <b>pulpmills (3)</b> 20:19;76: 4, 6 <b>pulpwood (8)</b> 23: 6;25: 8,15,16,18; 26: 6, 7,11 <b>purchase (8)</b> 15: 5, 5;26: 2;31:16, 18,22,24;61:12</p>
---	--	--	---	---

<p><b>purchases (1)</b> 26: 1</p> <p><b>purely (1)</b> 60:16</p> <p><b>purposes (1)</b> 94:10</p> <p><b>pursuant (2)</b> 6:22;141: 4</p> <p><b>pursue (1)</b> 49: 7</p> <p><b>pursued (2)</b> 105:13,23</p> <p><b>pushing (1)</b> 135:16</p> <p><b>put (9)</b> 5:21;23:14;28: 4; 64:20;85:17;88:23; 100:21;104:11;110:19</p> <p><b>putting (3)</b> 27:22;104: 6;107:12</p>	<p>28: 7, 7, 8</p> <p><b>raised (2)</b> 12: 9;14: 6</p> <p><b>rate (11)</b> 15:22;32:13;58: 6, 7; 62: 8;69:14;70: 1;72:24; 107:23,24;120:21</p> <p><b>rated (1)</b> 89:20</p> <p><b>ratepayer (4)</b> 19:21;81: 6;120:22; 121: 1</p> <p><b>ratepayers (20)</b> 15:23;16:20,20,21; 29:13;32:14;61:15; 62:22;63: 8,19;73: 1, 4; 81: 2, 9,15,21;82:10; 84:24;120: 1;121: 3</p> <p><b>rates (5)</b> 62:11;108: 9;121:10, 13,16</p> <p><b>rate's (1)</b> 69:15</p> <p><b>rather (4)</b> 61: 1;92:23;101: 9; 128:24</p> <p><b>reach (2)</b> 16: 5;32: 8</p> <p><b>reached (2)</b> 6:10;59:12</p> <p><b>reaching (1)</b> 36:24</p> <p><b>react (2)</b> 128:14,19</p> <p><b>read (15)</b> 14: 6;18:16,18;24:18; 25:23;53: 2, 4,14;64:16, 17,19;84: 7,15;86:24; 87:17</p> <p><b>reading (2)</b> 84:16;86:24</p> <p><b>ready (4)</b> 51:21;52: 2;93:10; 111:19</p> <p><b>reaffirmed (2)</b> 126:19,23</p> <p><b>real (8)</b> 15:21;16: 8,14;64:10; 69:22;111:12;125:13,14</p> <p><b>realistic (1)</b> 125:10</p> <p><b>reality (2)</b> 48: 6;90: 7</p> <p><b>realize (1)</b> 113:11</p> <p><b>really (28)</b> 8: 6, 6;9: 1, 3;14: 6,12, 19,21;19:17;22: 1,12,20; 23: 9,10;27: 9;28: 1; 30:16;43:18;53:18; 57: 4;58:17;69:10; 72:14;96:24;115: 2; 124:10;139: 4, 4</p>	<p><b>real-time (2)</b> 32: 2, 3</p> <p><b>reason (5)</b> 10: 4;25: 1;103:14; 105: 6;134:11</p> <p><b>reasonable (3)</b> 15: 6,22;35: 7</p> <p><b>reasonably (1)</b> 16: 6</p> <p><b>reasons (3)</b> 9:13;18:13;140:21</p> <p><b>REC (2)</b> 86:12;117: 9</p> <p><b>recalculation (1)</b> 110:12</p> <p><b>recall (5)</b> 42: 7;43:15;56: 5; 86:24;87: 3</p> <p><b>recalled (1)</b> 34:10</p> <p><b>receive (3)</b> 11:20,24;33: 4</p> <p><b>recent (3)</b> 40:11;48:16;77:13</p> <p><b>recently (4)</b> 54:17;62: 5;82:18; 132:18</p> <p><b>recess (2)</b> 45:24;139:19</p> <p><b>recessed (1)</b> 142:14</p> <p><b>recognize (7)</b> 18:10;21: 3;58: 1,2,3; 86: 6;98:14;102:23</p> <p><b>recollection (1)</b> 74:12</p> <p><b>recommended (2)</b> 29: 8,19</p> <p><b>reconductor (3)</b> 76:17,20;78:24</p> <p><b>reconducting (2)</b> 76:18;108:18</p> <p><b>record (9)</b> 11:23;13:14;20:17; 41:12,17;44:19,21; 60:20;77:22</p> <p><b>records (1)</b> 20:14</p> <p><b>Recovery (1)</b> 54:16</p> <p><b>RECs (16)</b> 63: 2;82:14,14;83:16; 84:14;85: 3,20;86:17,19; 87: 1, 5, 6;117:15; 131: 3,10;136:21</p> <p><b>redact (1)</b> 9:22</p> <p><b>redacted (6)</b> 8: 5;10: 3;46:20; 84:12;85: 8;87:15</p> <p><b>reddish (1)</b> 27:24</p> <p><b>redirect (5)</b> 39:15,21;43: 1, 3;44: 7</p>	<p><b>reduce (5)</b> 74: 8;100:14;102:11, 19;106:16</p> <p><b>reduced (2)</b> 21:20;75: 6</p> <p><b>reducing (1)</b> 117: 4</p> <p><b>refer (1)</b> 52:17</p> <p><b>reference (3)</b> 47:18;97:22,23</p> <p><b>referenced (1)</b> 92: 1</p> <p><b>referencing (1)</b> 96:17</p> <p><b>referred (3)</b> 40:18;79: 3;129:15</p> <p><b>referring (2)</b> 56:10;96:22</p> <p><b>refers (1)</b> 79:10</p> <p><b>re-file (1)</b> 97: 8</p> <p><b>refire (1)</b> 129: 3</p> <p><b>reflect (2)</b> 41: 7;47: 7</p> <p><b>reflected (1)</b> 64: 7</p> <p><b>reflecting (3)</b> 40:17;57: 7;88:19</p> <p><b>reflective (1)</b> 90: 7</p> <p><b>reflects (4)</b> 90:12;96: 6,16,19</p> <p><b>regarding (5)</b> 6:11;100: 6,18; 129:13;139:19</p> <p><b>regardless (1)</b> 95:23</p> <p><b>region (22)</b> 14: 9;42: 4;47:21,23; 48: 8,13;49:15;52:15; 53:11,17,22;54:13,19; 61:11,20,21;62: 2, 3; 65:22;66: 2;83: 9; 108:11</p> <p><b>regional (6)</b> 55:14;57: 2;60: 6,17; 83: 5;116: 1</p> <p><b>regular (1)</b> 141: 8</p> <p><b>regulate (2)</b> 65:15,23</p> <p><b>regulated (2)</b> 70:19;121: 7</p> <p><b>regulation (4)</b> 65:19;66: 3, 4, 4</p> <p><b>regulations (1)</b> 130: 9</p> <p><b>regulatory (2)</b> 64:24;129:14</p>	<p><b>rehearing (1)</b> 64:15</p> <p><b>reiterated (1)</b> 66:19</p> <p><b>relates (1)</b> 60: 5</p> <p><b>relationship (1)</b> 21: 3</p> <p><b>released (1)</b> 130: 4</p> <p><b>Reliability (2)</b> 108:20;109: 2</p> <p><b>Reliable (24)</b> 52: 3;68: 3;76:13,15; 77: 3;78:23;79: 4,11; 80: 7,10,16,21;89:22; 90:16;96:15;100:20; 105: 8;111: 7;113:18; 132:10;133: 9;138:22, 23;139: 9</p> <p><b>relief (2)</b> 7:18,22</p> <p><b>remainder (1)</b> 30: 8</p> <p><b>remaining (3)</b> 11: 7;21:20;142: 4</p> <p><b>remains (1)</b> 22: 7</p> <p><b>remanufacturing (1)</b> 77:17</p> <p><b>remember (9)</b> 40:10;55:17,18,18; 70:13;84:15;87:15; 97:13;139: 4</p> <p><b>renew (1)</b> 60: 3</p> <p><b>Renewable (12)</b> 61:16;62: 1,23;63:11, 16;83: 2,18,24;84: 5; 86: 6;87: 3;130:12</p> <p><b>repeat (2)</b> 61: 8;66:21</p> <p><b>replaced (1)</b> 70:14</p> <p><b>replacement (2)</b> 74: 3;77:15</p> <p><b>report (2)</b> 49: 5;98: 2</p> <p><b>reported (1)</b> 129:18</p> <p><b>reporter (3)</b> 13: 9;46:11;139:17</p> <p><b>reports (3)</b> 42:17;59: 5;133: 3</p> <p><b>represent (1)</b> 10: 7</p> <p><b>representative (1)</b> 54:10</p> <p><b>represented (2)</b> 80: 7, 8</p> <p><b>representing (3)</b> 7:21;18:11;19:15</p> <p><b>request (4)</b></p>
<b>Q</b>				
<p><b>qualified (3)</b> 79:20;87: 6;130:12</p> <p><b>qualify (8)</b> 72: 9;83:15;84: 6; 86:18;117:15;131: 3,10; 137:15</p> <p><b>quarters (2)</b> 120:19;121:22</p> <p><b>Quebec (3)</b> 118:21,24;119:10</p> <p><b>queue (15)</b> 36: 3;89: 6, 9,15;97: 5; 132:10;133: 4, 5,12,15; 134: 1, 2,12,14,21</p> <p><b>quick (8)</b> 21: 7;45:23;128:19; 129:22;131:22;136:16, 18;140:10</p> <p><b>quickly (3)</b> 30: 7, 9;41:12</p> <p><b>quite (6)</b> 14: 5,11;18:17,18; 95: 7;104: 9</p> <p><b>quote (6)</b> 57: 7;87:18;107:23; 112:23;114:11;137:23</p> <p><b>quoted (2)</b> 55:19;62: 7</p>				
<b>R</b>				
<p><b>radius (3)</b> 16: 4;35: 8;37:19</p> <p><b>rail (2)</b> 28:19,20</p> <p><b>railroad (1)</b> 28: 9</p> <p><b>railroads (1)</b> 28:13</p> <p><b>rails (3)</b></p>				

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

<p>6: 3;41:11,17;110:23 <b>requested (2)</b> 29: 5;45: 3 <b>requests (1)</b> 44:24 <b>require (4)</b> 71: 2;77:15;83: 1; 98:16 <b>required (9)</b> 28:18;84: 9;99: 6, 7; 110: 7,14;111: 1,10; 136:23 <b>requirement (4)</b> 82: 8;86: 2;98:11; 129:17 <b>requirements (1)</b> 83:11 <b>requires (4)</b> 6: 5;10:17;23:20; 98:15 <b>resag (3)</b> 76:17,20;78:23 <b>resag/reconductor (1)</b> 111: 9 <b>resagged (1)</b> 76:19 <b>resagging (3)</b> 79: 3;108:18;110:14 <b>Research (1)</b> 130: 2 <b>reselling (1)</b> 20:22 <b>reserved (1)</b> 41:16 <b>residual (2)</b> 21:19;101: 5 <b>resource (4)</b> 18: 3;19:20;21:11; 56:21 <b>resources (2)</b> 40:21;136: 1 <b>respect (8)</b> 42: 9,16;46:24;55: 2; 65: 2, 3,18;82: 9 <b>respectfully (1)</b> 9:13 <b>respond (2)</b> 9:18;101:23 <b>responding (2)</b> 43:23;137:20 <b>response (8)</b> 33:11;41:20;42: 6; 44:14;101:11;127:10, 20;129: 6 <b>responses (1)</b> 54: 5 <b>responsibility (1)</b> 102:23 <b>responsible (1)</b> 103: 2 <b>rest (1)</b> 10: 1 <b>restructuring (1)</b></p>	<p>77:16 <b>result (8)</b> 48: 2;58: 5;83:12,13; 116:23;118: 1,22;124:23 <b>resulting (3)</b> 47:21;48: 8;58:24 <b>results (3)</b> 21:14;108:19;109: 7 <b>resume (3)</b> 45:22;46: 3;142:15 <b>resumed (1)</b> 46: 1 <b>return (3)</b> 34: 4;53:11;140:17 <b>returning (2)</b> 34: 9;44:19 <b>revamp (1)</b> 134:23 <b>review (5)</b> 10:12;24:13;81:13; 82: 3;132: 7 <b>reviewed (1)</b> 140:20 <b>revised (1)</b> 131:12 <b>rhetorical (1)</b> 138: 5 <b>Rhode (7)</b> 18: 7;27: 2,11;83:10, 16;131: 6,11 <b>Richmond (1)</b> 10:22 <b>rid (1)</b> 35:17 <b>Right (42)</b> 7: 4;8:19;9: 4;13:13, 13;39: 4;43:23;51: 8,11; 55: 3;63:14;69: 1;70: 2; 72:12;74:11;75:21; 79: 4,15,15;80:13;86:20, 23;91:11;97: 1,21,22; 112: 8;113: 7;115:12; 117:11;120:15;122:21; 123: 2,10,16;124:10; 127: 4;128:11;130: 6; 134: 2, 7;139:16 <b>risen (1)</b> 121:13 <b>risk (10)</b> 32:11,14,16;63: 8,19, 20;92: 8;122:21,23; 123:21 <b>Robert (3)</b> 12:19;17: 2,13 <b>Rodier (45)</b> 8: 2, 3;9:16;10: 1; 39:12,14,19;43: 1, 2, 4; 44: 5;45:15;46: 4, 6,14; 49:22;50: 1, 2, 5, 7; 53:15;54: 2, 7;56: 2, 7; 59:20;60: 2, 7,12,19; 61: 4;66:11,14;109: 3, 10,13,17,23;110: 4;</p>	<p>140: 2, 3, 6, 9;141:16,18 <b>Rodier's (1)</b> 9:21 <b>rolled (1)</b> 111:19 <b>room (8)</b> 5:13;45:19;54:10; 77: 2;80:20,24;106:11; 138:23 <b>RPS (3)</b> 85: 2,19,24 <b>RSA (2)</b> 84:18;141: 4 <b>rule (3)</b> 98:11;129:18,20 <b>rules (7)</b> 82:22,24;86:14; 113: 9;130:10;136:24; 138:10 <b>ruling (1)</b> 10:14 <b>rulings (1)</b> 6:23 <b>Rumney (2)</b> 12:21;17:15 <b>run (16)</b> 67:21;68:12;70:11; 74: 5;88:15;89:19; 95:14,16;102:18;104:16, 20;106:19;115: 4, 5; 116:11;127:14 <b>running (23)</b> 69:19;88:16;89:14,16, 18;93:10;94: 1;101:10; 102: 3;103:10,11,24; 104: 1, 5;105: 2, 3,17; 106: 7, 8, 9;107:10; 116: 5, 6 <b>run-of-river (2)</b> 67:17;70:10 <b>Russell (1)</b> 28:16 <b>Ryegate (3)</b> 23:19;24: 4;28: 9</p>	<p>93: 5;99: 4;112:13; 113: 4;122: 6;134:14,15 <b>satisfy (2)</b> 86: 8;117:14 <b>save (1)</b> 38:11 <b>saw (1)</b> 87:15 <b>sawlog (1)</b> 23: 6 <b>sawmills (1)</b> 20:19 <b>saying (23)</b> 9: 7;38: 2;47:11; 57:24;66:22;70:15; 71: 1,12;72:19;92:23; 93:12;95:21;96:18; 101:20;102:17;103:10; 104:15;106:23;107: 8; 112:17;114:12;116:22; 126: 3 <b>scenario (6)</b> 106: 6,19;115:20; 116:15;117: 8;119:18 <b>schedule (1)</b> 71: 6 <b>scheduled (1)</b> 124:15 <b>scheme (1)</b> 129:14 <b>Schiller (9)</b> 18: 8;27:13,14;32:12, 13;42: 9;59:15,15;60:13 <b>school (1)</b> 19: 3 <b>Science (1)</b> 132:13 <b>search (1)</b> 40: 8 <b>seasons (1)</b> 89:11 <b>SEC (2)</b> 56:18;82: 1 <b>second (3)</b> 21:10;27:13;45:16 <b>seconds (1)</b> 111:11 <b>Section (2)</b> 32:10;84:11 <b>security (1)</b> 49:15 <b>Seeing (2)</b> 33:12;97:13 <b>seeking (1)</b> 7: 2 <b>seem (1)</b> 137:18 <b>seems (8)</b> 32:19;34:17;43: 9; 56:24;94:24;102:18; 110:17;115: 8 <b>segments (1)</b> 75: 5</p>	<p><b>selectman (1)</b> 55: 8 <b>sell (1)</b> 27:21 <b>selling (3)</b> 21: 5;27:23;32: 2 <b>send (1)</b> 99:22 <b>sense (12)</b> 11:10;22:15;69:22; 72:20;118:11;119: 3, 5; 125: 1, 7, 8;139:21,22 <b>senses (1)</b> 124: 2 <b>sensitive (2)</b> 6:20;9:23 <b>sentence (6)</b> 51:16,20,23;85:11,11, 111:11 <b>separate (2)</b> 126: 9;142:16 <b>Scenario (2)</b> 82:23,24 <b>serious (1)</b> 129:24 <b>serve (1)</b> 5:10 <b>served (3)</b> 17:20;30:17;132:16 <b>Service (6)</b> 30:20;31:16;38:22; 107:20;108: 9;111: 3 <b>Services (1)</b> 5:12 <b>session (11)</b> 8:23;33:14;46: 4; 55:12;84: 2;85:18; 141: 4, 7, 9;142:13,15 <b>sessions (1)</b> 45: 1 <b>set (7)</b> 19: 5;71: 5;115:23,24; 116:14;129:12;130: 8 <b>sets (2)</b> 45: 5;127:21 <b>seven (1)</b> 25:11 <b>several (9)</b> 17:20;18:14;19:16; 24:22;25:10;27:15; 36:13;130: 5;132:21 <b>severe (5)</b> 30: 1, 2;72:17;73:21, 24 <b>severely (2)</b> 15: 4,24 <b>shall (1)</b> 138: 7 <b>share (2)</b> 59:23;61:11 <b>shared (3)</b> 7: 9,10;12: 6 <b>shortly (2)</b></p>
---	--	---	---	---

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

<p>10:24;49: 6  <b>short-term (3)</b>  111:23,24;112: 2  <b>shoulder (1)</b>  89:11  <b>show (3)</b>  42:11;85: 9,10  <b>showed (3)</b>  42:18;67: 1;107: 4  <b>showing (1)</b>  91:12  <b>shows (10)</b>  47:24;64: 4;88: 9;  89:10,10,13;90:19;91: 8;  99:20;105: 9  <b>shut (25)</b>  48: 5, 7;67: 6, 9,12,13;  68:22;70:16;71:20;  76: 7;88:20;91: 9,15,17;  93:18;96: 9;98:17;  105:11;114:23;124:21,  24;125:11;128:24;  134:22;135: 2  <b>shutdown (12)</b>  48: 2;58: 5;67: 7;  74: 1;113: 2;123:24;  124: 2, 3, 4;125: 5, 6, 7  <b>shutdown/mothballed (1)</b>  125: 1  <b>shutdowns (3)</b>  68:24;91:18;116:23  <b>shuts (1)</b>  72:21  <b>shutting (3)</b>  91:19,20,20  <b>shy (1)</b>  36:24  <b>Siemens (1)</b>  78:12  <b>signed (3)</b>  10:23;53: 7;137: 7  <b>significant (10)</b>  20: 7;27: 9,16;52:13;  73: 8;76: 7,18;77:14;  84:21;134:18  <b>significantly (1)</b>  52:24  <b>silvicultural (1)</b>  21:11  <b>similar (7)</b>  37:23;83:10;105:22;  107: 2;126:16;131: 7,13  <b>simple (2)</b>  43:17;100:20  <b>simplified (1)</b>  23:20  <b>simply (2)</b>  97:15;101: 9  <b>single (4)</b>  83:20;135:21;136: 7;  138: 2  <b>single-point (1)</b>  15:12</p>	<p><b>SIS (1)</b>  107: 3  <b>sit (1)</b>  13:13  <b>Site (2)</b>  5: 5, 7  <b>sitting (2)</b>  15:10,11  <b>situation (12)</b>  22:18;36:15;58:20;  70:11;73: 6;80: 2;95: 2;  98:16,22;101:22;105: 4;  121: 6  <b>situations (1)</b>  98: 7  <b>six (6)</b>  19: 1;28: 8,10,21;  31:21,24  <b>sizable (1)</b>  49: 7  <b>size (2)</b>  36: 5;44: 1  <b>sizing (1)</b>  35: 6  <b>skidders (1)</b>  20: 3  <b>skim (1)</b>  52:19  <b>slight (2)</b>  6: 5;30: 2  <b>small (5)</b>  24: 1;37:13,15;  133:21,23  <b>smaller (2)</b>  36:15;56:19  <b>smile (1)</b>  121:19  <b>Smith (6)</b>  48: 4;66:19;67: 9,18;  68:14;88: 9  <b>so-called (1)</b>  43:22  <b>social (1)</b>  102:22  <b>socially (1)</b>  103: 1  <b>sold (2)</b>  25:20;31:15  <b>solved (1)</b>  39: 3  <b>somebody (7)</b>  28:14;91:17;115: 9;  117: 3;126:23;127:23;  134:13  <b>somehow (1)</b>  116:16  <b>someone (7)</b>  20:21;23: 3;67:20;  94: 3;103:12;106:12;  113:23  <b>sometimes (4)</b>  35:16;37: 2;127:21;  128:19</p>	<p><b>somewhat (3)</b>  14:18;118:11;129:22  <b>somewhere (7)</b>  35: 3;36:24;40:24;  74:15;76:23;77:10;  114:12  <b>soon (2)</b>  113: 2;141: 7  <b>sooner (1)</b>  11: 9  <b>sophisticated (1)</b>  101:18  <b>sorry (7)</b>  49:21;51:18;63:21;  74:23;126: 9;131:16;  138:16  <b>sort (5)</b>  42:13,19;64: 2;124: 3;  126:16  <b>sought (2)</b>  7:18,23  <b>source (3)</b>  13:23;14:11;41: 5  <b>sources (1)</b>  120:11  <b>south (1)</b>  29: 2  <b>southern (12)</b>  14:15;15: 1, 3;27: 3,  20;28: 3, 4;35:18;36: 1;  75: 3;107:15;120: 6  <b>southwestern (2)</b>  37:21;38:15  <b>speak (2)</b>  31: 4;40:14  <b>speaker (2)</b>  83: 5;142: 9  <b>speaking (4)</b>  8: 9;16: 5;35:23;57:10  <b>specific (5)</b>  38:11;53:20;68:23;  110: 2;117:14  <b>specifically (4)</b>  55:13;92:15;108:23;  136: 5  <b>specifics (4)</b>  64: 8;72: 1;109:16;  110: 1  <b>speculative (1)</b>  32:23  <b>speed (1)</b>  101:17  <b>spell (2)</b>  13: 8;31: 1  <b>spelled (2)</b>  13:19;17:13  <b>spend (2)</b>  43:12;122:22  <b>spending (2)</b>  48:17;132:23  <b>spent (1)</b>  28: 8  <b>spoke (1)</b></p>	<p>88: 3  <b>sponsoring (1)</b>  46:15  <b>spot (1)</b>  39: 3  <b>spruce (1)</b>  26:23  <b>spurred (2)</b>  82:17,20  <b>spurs (1)</b>  39:21  <b>stability (2)</b>  49:14;98:21  <b>staff (1)</b>  83: 8  <b>stages (2)</b>  35:24;36:12  <b>staggering (2)</b>  111:17;118: 5  <b>stand (2)</b>  34:11;60:21  <b>Standard (8)</b>  63:11,16;88:13;  130:18,20,23;131: 1, 3  <b>standards (8)</b>  47:22;48:20;84: 1;  112:17;122: 8;131: 7,12;  134: 8  <b>standby (1)</b>  129: 1  <b>standpoint (1)</b>  98:21  <b>standstill (2)</b>  51:22;111:20  <b>start (7)</b>  36:17;50:14;72: 5, 8;  87:23;93:18;124:21  <b>started (3)</b>  20:16;74:15;105: 7  <b>Starting (1)</b>  88: 3  <b>State (28)</b>  5: 4;6: 8;14:15,16;  15: 2, 3;16:20;17:18,21;  22: 4;24: 3,11,15;28:18;  31: 1;35:19;37:21;40: 3,  6;49: 4;55: 7;61:15;  83:19;107:15;118:16,  17;129:23;132:17  <b>stated (9)</b>  13:19;49: 8;85: 6;  90: 8,22;101: 2;127:20;  128:13,16  <b>statement (19)</b>  12: 4;24:16;25: 2;  33: 3;62:15;66:19;  70:14,15;91:23;96:13,  19;97:11;101:24;125: 4;  126:19;127:17;138: 6;  141:20,22  <b>statements (6)</b>  11:21,21;34:19;53:24;  94:23;136:19</p>	<p><b>states (6)</b>  18:23;24: 8;41: 3;  85: 3;121: 8;131: 6  <b>State's (4)</b>  5:12;63:11,15;132:15  <b>statewide (1)</b>  35:14  <b>static (1)</b>  114: 3  <b>Station (7)</b>  18: 8;27:13,14;28:10;  32:13,13;120: 4  <b>statute (1)</b>  6:22  <b>stay (6)</b>  97:18;98:13;100:12;  102:15,20;116:20  <b>stayed (1)</b>  114: 3  <b>staying (1)</b>  16: 4  <b>Steam (9)</b>  12:16;13:20,22;14: 4;  16:11;19: 3;74: 2;101: 5,  9  <b>stem (1)</b>  64:11  <b>step (2)</b>  45:16;86: 2  <b>Steve (1)</b>  139:21  <b>stick (1)</b>  60:23  <b>still (9)</b>  11:15;47: 6;62:22;  87: 4;110:20;118: 5;  119: 3;122:11;128: 1  <b>stipulate (1)</b>  60:15  <b>stipulated (1)</b>  84: 8  <b>stipulates (1)</b>  63: 6  <b>stipulation (1)</b>  6:13  <b>Stock (1)</b>  12: 2  <b>stop (1)</b>  37: 1  <b>story (1)</b>  100: 9  <b>stove (1)</b>  101: 7  <b>straight (1)</b>  37: 3  <b>straightforward (1)</b>  105: 1  <b>strange (3)</b>  96: 2;102:18;110: 9  <b>strategy (3)</b>  91:22;93:23;96: 2  <b>straw (1)</b>  132: 3</p>
---	--	---	--	--



<b>stretch (1)</b> 118:21	<b>suit (1)</b> 83:10	81: 3;89: 3;103:22; 109:24;111:13;117:24; 118: 3	46:24;47: 8,15;48:24; 50:14,18;55: 1,22;56:13; 57:14,15;58: 2,59: 6, 9; 61: 2;65: 4;66:18;67:15; 72:18;73:13,15,18; 74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>timber (7)</b> 19: 8,12;20: 1, 5, 6; 21: 4;24: 7
<b>strong (1)</b> 27: 4	<b>summarize (3)</b> 30: 7, 9;129:19	<b>talked (10)</b> 58: 8;71:18;82:12; 88: 7;92:15;95:10; 108: 1;117: 8,24;134:16	61: 2;65: 4;66:18;67:15; 72:18;73:13,15,18; 74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>Timberland (1)</b> 12: 2
<b>struck (1)</b> 110: 8	<b>summary (2)</b> 47:16;49:19	<b>talking (20)</b> 38: 6;42:13,20;55:21; 58:20;72:14;78:15,19; 89:12;94: 7, 9;97:14; 100: 9,10;101: 5;105: 7; 107:14;111:18;122: 6; 124:10	72:18;73:13,15,18; 74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>times (8)</b> 22:12;26:23;93:12,21; 113:12;124: 4,13;126:12
<b>structure (2)</b> 29: 7;85:11	<b>suppliers (1)</b> 48:10	<b>Tamworth (1)</b> 38:20	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>today (20)</b> 5:13;10:14;11: 6,11; 13:16;15:10,11;16:13; 18:10,12;21:10;33: 7; 44:19;45: 6;47: 6;84:22; 95: 6;126:19,23;135:17
<b>studies (12)</b> 18: 3;28: 8,21;40:23; 42: 3,10,18;59: 4,11,14; 77: 6;132: 8	<b>supplies (1)</b> 37:16	<b>target (2)</b> 22:20;135:18	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>today's (2)</b> 5: 3;31:12
<b>study (31)</b> 28:19;29: 4;30:18; 40: 7, 9,11,16;42: 7; 47:23;48: 4,17;49: 3; 59:18;73:10;74:18; 76: 2;78:12;96: 7;99:20, 21;103: 6, 8;105: 9,15; 107: 3;111:10;130: 1, 3, 3;132:23;136: 3	<b>supply (9)</b> 6:18;14: 9;15: 1,12,13, 18,22;32:18;37: 2	<b>targeted (1)</b> 9:11	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>together (2)</b> 84: 3;142: 5
<b>studying (1)</b> 48:23	<b>support (2)</b> 14:20;59: 5	<b>tariff (3)</b> 97:13,13;112: 1	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>told (7)</b> 108: 2;110:11;113:18, 21,22;114: 1;130:16
<b>stuff (3)</b> 77:12;110: 9,13	<b>supposed (1)</b> 63:19	<b>tasked (1)</b> 76:16	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>Tom (1)</b> 5:10
<b>style (1)</b> 58:14	<b>supposition (1)</b> 85:12	<b>technical (2)</b> 53:20;55:12	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>ton (11)</b> 24:10,14,14;25:12; 26: 5,24;28:11,22,24; 29: 1, 2
<b>Subcommittee (9)</b> 5:15;11:16,19;12: 7; 41:19;44:13;45: 6; 81:13;87:22	<b>sure (29)</b> 11: 3;23:17;26:12; 29:13;50: 1;55:15,21; 60: 1,22;66:21;71:15; 74:23;77:21;85: 7; 86:18;89:24;103:20; 104:23;106:21;114: 5; 116:18,24;122: 6;124: 1; 126:18,23;128:11; 135: 9;138:19	<b>technological (1)</b> 58:22	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>tons (5)</b> 24: 9;26: 2;31:11; 118:12,13
<b>subdollar (1)</b> 83:21	<b>surmise (2)</b> 73:17;108: 6	<b>technology (4)</b> 100:18,21;101:11; 132:13	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>took (4)</b> 25: 8;129:23;138: 5; 140:19
<b>subject (3)</b> 8: 7;16: 1;140:20	<b>surveyor (1)</b> 17:18	<b>teens (1)</b> 83:19	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>top (4)</b> 25:14;96: 4, 5;112: 3
<b>submit (1)</b> 12: 3	<b>sustainability (14)</b> 6: 9,14;8:18;10:19; 14: 8;21:22,24;22: 2, 3, 10,19,23;23:21;30:16	<b>telling (1)</b> 16:13	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>total (7)</b> 38: 2;40:18;61:22; 74:11,14;79: 6;80:11
<b>submittal (1)</b> 45: 1	<b>sustainable (5)</b> 22: 6, 8,16;23: 7,16	<b>temperature (1)</b> 129: 4	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>totally (2)</b> 61:20;119: 8
<b>submittals (1)</b> 13:11	<b>sworn (5)</b> 34:12,15;46: 8,10,12	<b>temporary (1)</b> 97:15	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>towards (1)</b> 102: 3
<b>submitted (5)</b> 6: 5,12,13;45: 6;65: 8	<b>system (16)</b> 28: 9;47:23;48:14,16, 19;75:16;103: 6, 8; 105: 9,14;111:10;132: 8; 135: 1;137:23,24;138:10	<b>ten (5)</b> 22: 1;23: 5;114:21; 115: 4;140: 7	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>track (3)</b> 20:14,16;28:14
<b>subsequently (1)</b> 132:17	<b>systems (2)</b> 28:19;75: 8	<b>tenth (1)</b> 115: 3	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>traded (1)</b> 32:22
<b>substance (1)</b> 47:15		<b>term (10)</b> 22:19;53:16;55:13; 57:19;66: 5;90: 1;98: 4; 112:12,13;113: 4	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>trade-off (1)</b> 122:22
<b>substantial (2)</b> 8:20;20: 8	<b>T</b>	<b>terms (1)</b> 98:24	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>traditional (1)</b> 94: 6
<b>substantially (2)</b> 21:20;29:11	<b>table (9)</b> 13:13;34: 4;89: 2, 5; 96: 5, 7,17,19,20	<b>terrible (1)</b> 26:19	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>train (1)</b> 102:24
<b>substation (1)</b> 110: 2	<b>tables (2)</b> 83:13;84:18	<b>terribly (1)</b> 49:21	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>transcript (1)</b> 43:14
<b>successful (1)</b> 20:23	<b>taker (2)</b> 70: 1, 4	<b>testified (2)</b> 54:11;125: 3	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>transfer (1)</b> 137:10
<b>suffice (1)</b> 59:10	<b>takers (3)</b> 69:15;91:24;94: 6	<b>testifying (2)</b> 42: 1;60: 7	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>transitional (1)</b> 49:12
<b>sufficient (2)</b> 99:14;101:11	<b>talk (14)</b> 22:22;23:21;40: 7; 52: 5;53:19;64: 5;72:15;	<b>testimony (50)</b> 5:22;11: 7;12: 3;14: 6; 17: 5;18:15;21:21; 24:18;30: 6, 8;33:15; 35: 9;41: 6;43: 9;45:22;	74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>transitory (5)</b> 49:11;97:12,15;98: 5, 12
<b>suggest (2)</b> 53:23;60:23			74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	<b>transmission (34)</b> 38: 8,13,23;39: 3;
<b>suggesting (1)</b> 106:20			74:10;77:13,18;79:19; 85:13;96: 4;110:18; 111: 4,15;117:23;118: 3; 123:24;141: 5	

{SEC 2009-02}(DAY 6 AM - PUBLIC) - September 10, 2010  
LIDLAW BERLIN BIOPOWER, LLC

48:14,22;49: 9,13;53:19, 24;60: 1, 4, 8,12,14,17, 24;64: 8;71:12,14; 74:14;75: 9;77:17; 80:20;81: 3;98: 1, 8; 111: 5;125:16,18,18,23; 132:20;135:12	<b>twice (2)</b> 68: 4;71:13	<b>UNH (1)</b> 41: 7	13:22;14:10;22: 5; 23:13;53:12;55:13; 66: 5;98: 5;112:12; 123:24	<b>view (7)</b> 9: 1;52:23;54:11; 118:11,14;126:22,24
<b>travel (1)</b> 5:17	<b>two (24)</b> 8:19;10:20;11:14; 15:17;19: 1;26: 3;29:24; 30: 1, 2;33:17;64:19; 66:20;72:18;75: 5; 79:15;83: 6;84:23; 89:21;104: 3;113: 4; 124: 2;126: 9;136:19; 142: 2	<b>UNIDENTIFIED (1)</b> 142: 9	<b>used (15)</b> 25: 5;27:21;36:22; 40:15;45: 4;59:22;67: 9; 71:11;81: 7;88: 7,17; 91: 2;98:24;124: 4; 137: 5	<b>views (1)</b> 54:22
<b>travesty (1)</b> 84:24	<b>type (8)</b> 23:15;24:20;25: 5,12; 59: 5;62:19;106:23; 127:15	<b>unique (2)</b> 128:17,17	<b>users (4)</b> 36:22;44: 3;56:19; 59:23	<b>violence (1)</b> 10: 6
<b>treat (1)</b> 140:23	<b>types (1)</b> 56:21	<b>unit (1)</b> 74: 4	<b>using (5)</b> 13:22;14:16;25: 7; 90: 2;135:20	<b>volume (2)</b> 25:20;27: 9
<b>treated (2)</b> 6:21;7: 2	<b>typical (1)</b> 94: 4	<b>United (1)</b> 121: 7	<b>Utilities (4)</b> 48:21;65: 6;75:11; 121:13	<b>voluntarily (4)</b> 100:11,14;102:19; 104:19
<b>treating (1)</b> 10: 5	<b>typically (1)</b> 16: 3	<b>University (4)</b> 17:19,20;40: 6, 9	<b>utility (4)</b> 13:21;38: 6,12;121: 7	<b>W</b>
<b>treatment (2)</b> 6: 3, 4	<b>U</b>	<b>unless (1)</b> 134:17	<b>Valley (3)</b> 54:16,24;109:11	<b>wait (3)</b> 79:20;117: 2, 3
<b>tree (9)</b> 19:23;21:12;23: 4, 6, 6;24: 8;25:14,16;27:17	<b>ultimate (1)</b> 65:11	<b>unnecessary (2)</b> 105:15,16	<b>value (21)</b> 23: 2;26:23;31:11; 61:17,18;62:24;63: 1, 6; 82:15;83:18;84: 7, 9, 9, 13,13,22;85: 3, 4, 4; 86: 3;116: 3	<b>wants (2)</b> 114: 6;116:20
<b>trees (5)</b> 21:20;22: 4, 7;23: 1,12	<b>ultimately (1)</b> 62:18	<b>unorderly (1)</b> 61:24	<b>values (1)</b> 84:19	<b>war (3)</b> 68:12;91:17;116:21
<b>tried (6)</b> 8: 9;14: 1;29: 3;31:20, 23;105: 5	<b>unavailable (1)</b> 21:17	<b>unredacted (1)</b> 46:19	<b>variety (2)</b> 132:18;133: 2	<b>warm (1)</b> 93:19
<b>troubling (1)</b> 14:11	<b>unbridled (1)</b> 61:22	<b>unregulated (1)</b> 121: 7	<b>various (3)</b> 44:24;56:20;132: 8	<b>Washington (3)</b> 109: 8, 9,11
<b>truckers (1)</b> 118:14	<b>uncertainty (6)</b> 30:12;48: 9, 9;51:22; 52: 6;111:20	<b>unsuccessfully (1)</b> 31:21	<b>VAUGHN (1)</b> 7:14	<b>Wausau (1)</b> 76: 6
<b>trucking (2)</b> 111:17;118: 4	<b>uncomfortable (1)</b> 81:12	<b>untenable (1)</b> 74: 7	<b>variety (2)</b> 132:18;133: 2	<b>way (22)</b> 10: 8;13:14;15: 8,12; 35:18;44: 3;66: 4;67: 2; 82:18;85:10,17;97:18; 102:18;103: 4, 5, 7; 109:20;126: 9;135: 1; 137:22,24;138:11
<b>true (13)</b> 22:12;63: 5;65: 5; 70:17,18;71: 6;80:18; 81: 7;82: 2;84:22; 107:13;125: 1;134:12	<b>under (52)</b> 7: 4;10:12;14:13; 31:15;67:24;68:11; 70:11,20;71: 1;80:19; 85: 1, 1;86:11,19;88:19; 19:91;16;97:18,20;98: 7, 9,13,15;106:13;110:10; 111:10;112: 8,10,16,20; 113: 7,11,20;114: 2; 115:20;117: 4;122:10, 16;123:11;125:23; 126: 2, 3, 4, 7;131: 3,10, 11;134: 7;136:23;138: 1, 11;142:16	<b>up (43)</b> 14: 9,10,14;33:14; 37:11;43: 5;48:19; 53:18;72: 2;73:22; 74:19;75:17;80: 3; 90:18;91: 4, 6;93: 9,18; 94:20,22;100:22; 101:21;102: 3, 9;103:11; 104: 6;105: 6;106:10; 111: 2;112:18;114:20; 119:11;120:13,18; 124:21;127:19;128: 1, 5; 129: 3,12;134:23; 136:12;138:19	<b>values (1)</b> 84:19	<b>week (4)</b> 6: 7;49: 5;86:14;92:16
<b>truly (2)</b> 9:23;125:11	<b>underlies (1)</b> 134:20	<b>upcoming (2)</b> 84: 1;85:18	<b>variety (2)</b> 132:18;133: 2	<b>weeks (2)</b> 83: 6, 6
<b>try (8)</b> 5:19;9:10;13:24; 22:20;53:20;73: 7; 117: 2;140: 9	<b>undermine (1)</b> 32: 7	<b>upgrade (11)</b> 38:13;48:14,15;49: 1; 79: 2;110:11;113:18; 114:14;115: 3;135:10; 136:11	<b>various (3)</b> 44:24;56:20;132: 8	<b>weight (1)</b> 54: 6
<b>trying (21)</b> 9: 8;28: 9;37: 3;51:19; 58:10,17;63:24;69: 9; 74: 3;87:14;94:24; 95:18;103:22;104:14; 106: 6;108: 7, 8, 8,16; 115:10;135:16	<b>undermines (2)</b> 134:19,20	<b>upgrades (14)</b> 38: 9,23;48:19;49:13, 15;78:12;98:23;99: 1, 4, 7, 9;114: 7;125:19; 134:18	<b>VAUGHN (1)</b> 7:14	<b>welcome (1)</b> 13:11
<b>turbine (2)</b> 93:19;100:22	<b>understood (2)</b> 55:21;121: 4	<b>upgrading (2)</b> 77:14;136: 1	<b>verbal (3)</b> 33:11;41:20;44:14	<b>were'n't (1)</b> 103:19
<b>turn (3)</b> 44:22;58:12;101: 6	<b>unequivocally (1)</b> 93: 4	<b>upon (19)</b> 17: 2;30:23;35: 6; 40:21;45: 5;55: 7;56:21; 57: 7;66: 1;75:16;76:22; 111: 3;121:10,11,12,23; 130: 8;132: 1, 7	<b>Vermont (10)</b> 17:23;18:24;24: 3,11, 15;28: 2, 9;37:24;38: 6; 118:22	<b>what's (3)</b> 29:23;36: 5;89: 5
<b>turned (1)</b> 103: 5	<b>unfeasible (1)</b> 49:10	<b>upward (1)</b> 27:21	<b>version (9)</b> 46:20,21;48:16;50:20; 51: 6,11;52:11;84:12; 85: 8	<b>whereas (1)</b> 118:14
<b>turning (1)</b> 129: 7		<b>use (10)</b>	<b>versus (2)</b> 40:17;73:11	<b>whereby (1)</b> 35:16
<b>Twenty (1)</b> 36: 6			<b>viability (1)</b> 58:19	<b>Whereupon (4)</b> 34:10;45:24;46: 9; 142:13
<b>Twenty-seven (1)</b> 79:13			<b>viable (6)</b> 31:23;32: 1;58: 6,21; 74: 4;128: 8	<b>whip (2)</b> 58:13,16
			<b>vibrant (1)</b> 49: 1	<b>Whitefield (15)</b> 48: 5;59: 7;67:10; 68:16;69: 6;70: 2;88: 9; 90:19;91: 2,20;92:20; 100:15;102:15;106: 3, 9
			<b>Vice (2)</b> 12:15;13:20	<b>whole (13)</b> 19:23;20: 4;21:12; 24: 8;27:16;38:15;
			<b>vicinity (1)</b> 49: 2	

<p>86:20;95:20;97: 9;99: 2; 112:11,24;137:14 <b>wholesale (1)</b> 95:24 <b>who's (4)</b> 30:16;58:16;68:12; 134:14 <b>whose (1)</b> 130: 6 <b>William (3)</b> 46: 8, 9,12 <b>willing (2)</b> 43:12;126:15 <b>win (1)</b> 121: 1 <b>Winchester (5)</b> 36: 4;37:18;62: 6; 107:17,18 <b>Wind (53)</b> 52: 3;68: 3;76:13,15; 77: 3;78:23;79: 4;80:12, 16;89:22;90: 2, 7,15; 91:19;94: 4, 9,18;96:15; 100: 7,10,11,19,22; 101: 4,12,16,17,17,19; 102: 3,12;103:11,11; 104: 1, 5, 5, 9;105: 6, 8, 8,12;106: 8,10;111: 7; 113:18;126:13;128:15; 133:20,21;134: 3, 4, 5,17 <b>winds (2)</b> 68: 2;102:10 <b>wind's (2)</b> 101:20;138:21 <b>wings (1)</b> 36:12 <b>winter (3)</b> 120:12,13,16 <b>wish (4)</b> 11:18;17: 5;21:10; 141:10 <b>within (9)</b> 5:18;16: 4;35: 7; 36:19;37:19;55: 9; 64:24;118:17;120:10 <b>without (2)</b> 16: 9;47:14 <b>witness (25)</b> 34: 4;39:22;41:19; 44:17,23;45:16;46: 5, 7, 7;50: 5,23;51: 2, 7; 56: 3, 8;61: 5;82:16; 86:10;109:18;115: 7,15; 139:13,23;140: 2,18 <b>witnesses (2)</b> 5:22;33:17 <b>wood (44)</b> 13:23;14: 8,11,16; 15:12,13,18,22;16: 2, 3, 6, 9,12;18: 7,19;19: 5, 11;20:21;24:24;25: 3,20, 24;26:15,20;34:21,23; 35: 4, 6,10;36: 8,18;</p>	<p>37: 6,11,16,22;40:18; 43:10,13;58: 7;62:19; 64: 7;74: 6, 7;137: 6 <b>wood-fired (1)</b> 42:12 <b>woods (3)</b> 31:14;137: 6,11 <b>wood-to-energy (1)</b> 31: 7 <b>woodyard (1)</b> 16: 2 <b>word (1)</b> 110:12 <b>words (3)</b> 38: 9;40:13;81: 7 <b>work (8)</b> 11: 9;18: 1,23;19: 9; 24: 3,12;65:24;94:24 <b>worked (3)</b> 8:24;18: 8;25: 9 <b>working (5)</b> 28:13;49: 3;53:12; 55: 9;132:17 <b>works (2)</b> 15:20;91:23 <b>world (1)</b> 98:14 <b>worried (1)</b> 113:16 <b>worry (4)</b> 113:19,21,22,24 <b>worth (2)</b> 25:16;36:20 <b>wrapping (1)</b> 33:14 <b>wrench (1)</b> 15:20 <b>write (1)</b> 130: 8 <b>written (13)</b> 7: 9;11:20;12: 3, 4; 13:11;30: 5;33: 3;57:14; 84:18;103: 3;114:10; 132:15;140:22 <b>wrong (5)</b> 22:23;23:12;55: 2; 67:16;127: 2 <b>wrote (1)</b> 55:20</p>	<p><b>yesterday (1)</b> 11:24 <b>young (1)</b> 22:14</p> <p style="text-align: center;"><b>Z</b></p> <p><b>zero (42)</b> 62:24;67:19,20,24; 68: 6, 9,17,23;69: 6,12, 12,13,20;70: 2, 6, 6, 8; 88: 9,13,18;91:24;92: 4, 8,16;93: 8,11;94: 3,11, 12,13,14,16;95:15,20, 21;104:11;105: 3; 106:10;115:22;124: 6, 9; 138: 4 <b>zeros (2)</b> 90:20;91: 9</p>		
	<p style="text-align: center;"><b>Y</b></p> <p><b>yard (1)</b> 16: 7 <b>year (5)</b> 24: 9;26: 3,24;31: 9,20 <b>years (21)</b> 16:11;17:16;20: 1,24; 21:17;23: 5, 5;25:10; 26: 3;28:17;31:17; 38:21;48:24;53: 2; 55:10;84:23;97:19; 112: 6, 9;123:10;132:12</p>			