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October 15, 2010

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

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

Dear Chairman Burack:

I enclose for filing with the Committee the Applicant's Expedited Motion for Limited Release of Confidential Transcripts to New Hampshire Public Utilities Commission Docket Number 10-195. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Needleman", written in a cursive style.

Barry Needleman

Enclosure

cc: Service List

STATE OF NEW HAMPSHIRE
BEFORE THE
ENERGY FACILITY SITE EVALUATION COMMITTEE

APPLICATION OF LAIDLAW BERLIN BIOPOWER, LLC FOR A CERTIFICATE OF SITE
AND FACILITY

DOCKET NO. SEC 2009-02

**APPLICANT LAIDLAW BERLIN BIOPOWER, LLC'S EXPEDITED MOTION FOR
LIMITED RELEASE OF CONFIDENTIAL TRANSCRIPTS TO NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION DOCKET NUMBER 10-195**

Applicant Laidlaw Berlin BioPower, LLC ("LBB"), respectfully submits this Motion for Limited Release of Confidential Transcripts to the New Hampshire Public Utilities Commission Docket Number 10-195 and states as follows:

1. LBB moved for and received confidential treatment pursuant to RSA 91-A:5, IV of certain confidential, business documents during the course of these proceedings. *See e.g.* Exhibits 38, 38A, 39, 40, 41, 42, 43, 56, 61, 62, 63, 66, and 76A. The confidential exhibits were discussed only during confidential non-public sessions of the adjudicatory hearing pursuant to RSA 91-A:3. Transcripts of the non-public sessions of the hearing are being treated as confidential and were sealed pursuant to RSA 91-A:3, III and have only been released to the Subcommittee and the parties who were permitted to view the confidential documents.

2. LBB now requests that the New Hampshire Public Utilities Commission staff assigned to Docket Number 10-195 as well as the PUC Commissioners and the Office of the Consumer Advocate be permitted access to the confidential transcripts of the Site Evaluation Committee's non-public sessions. The PUC is charged with evaluating the Power Purchase Agreement entered into between Public Service Company of New Hampshire and LBB. The SEC's review of the PPA and the other confidential documents may be relevant to the PUC's

evaluation of the PPA. Accordingly, LBB now moves for the limited release of those transcripts to the PUC staff, Commissioners and Office of Consumer Advocate.

3. LBB requests that this Motion be considered on an expedited basis because the PUC is considering the PPA on an expedited schedule. Data requests are currently being served and answered and therefore the PUC staff, the Commissioners and Office of the Consumer Advocate will benefit from viewing the transcripts as soon as possible. LBB is filing a Motion for Confidential Treatment of the Transcripts of Nonpublic Sessions before the Site Evaluation Committee with the PUC.

WHEREFORE, LBB respectfully requests that the Committee:

- A. Rule on this Motion on an expedited basis;
- B. Issue an order releasing the confidential transcripts to the PUC staff, Commissioners and Office of the Consumer Advocate in relation to PUC Docket Number 10-195; and
- C. Grant such other and further relief as may be just and equitable.


Respectfully submitted,

LIDLAW BERLIN BIOPOWER, LLC

By Its Attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: October 15, 2010

By: 
Barry Needleman
Gregory H. Smith
Cathryn E. Vaughn
Eleven South Main Street
Concord, NH 03301
Telephone (603) 226-0400

Certificate of Service

A copy of this Expedited Motion for Limited Release of Confidential Transcripts has been served in hand or by electronic mail this 15th day of October, 2010 to each of the parties on the attached service list.



Barry Needleman