



October 14, 2009

VIA HAND DELIVERY

The Honorable Kimberly D. Bose, Secretary
The Honorable Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
Room 1A-East, First Floor
888 First Street, N.E.
Washington, D.C. 20426

Re: ISO New England Inc. and New England Power Pool, Docket No. ER10-____-000, Revisions to FCM Rules Related to Financial Assurance; Expedited Consideration Requested

Dear Ms. Bose and Mr. Davis:

Pursuant to Section 205 of the Federal Power Act (“FPA”),¹ ISO New England Inc. (the “ISO”) and the New England Power Pool Participants Committee (“NEPOOL”) (together, the “Filing Parties”) hereby submit to the Federal Energy Regulatory Commission (“FERC” or “Commission”) revisions to the Forward Capacity Market (“FCM”)² rules. **As explained herein, the Filing Parties respectfully request expedited consideration of these revisions, with an effective date of November 13, 2009.**

The revisions filed here are limited to two changes, both of which conform the FCM rules to changes being made to the ISO New England Financial Assurance Policy (the “Financial Assurance Policy”) and ISO New England Billing Policy (the “Billing Policy” and, together with the Financial Assurance Policy, the “Policies”). One of the revisions to the FCM rules tendered in the instant filing relates to the billing and collection of the Qualification Process Cost Reimbursement Deposit (“QPCRD”) that is required in the FCM. Those revisions (the “QPCRD Changes”) are consistent with the amendments to the Policies that were filed on September 18, 2009 in Docket No. ER09-1721-000 (the “September 18 Filing”).³ The other revision in the

¹ 16 U.S.C. § 824d (2000).

² Capitalized terms used but not otherwise defined in this filing have the meanings ascribed thereto in the ISO’s Transmission, Markets and Services Tariff (FERC Electric Tariff No. 3) (the “Tariff”). Section III of the Tariff is Market Rule 1.

³ Comments on the September 18 Filing were due on October 9, 2009 and none were filed.

instant filing conforms the FCM rules to changes to the Financial Assurance Policy being made concurrently in a separate filing by the Filing Parties to the rules regarding the return of a New Demand Resource's FCM-related Financial Assurance.

I. DESCRIPTION OF THE FILING PARTIES AND COMMUNICATIONS

The ISO is the private, non-profit entity that serves as the regional transmission organization ("RTO") for New England. The ISO operates the New England bulk power system and administers New England's organized wholesale electricity market pursuant to the ISO New England Transmission, Markets and Services Tariff and the Transmission Operating Agreement with the New England Participating Transmission Owners. In its capacity as an RTO, the ISO has the responsibility to protect the short-term reliability of the New England Control Area and to operate the system according to reliability standards established by the Northeast Power Coordinating Council ("NPCC") and the North American Electric Reliability Council ("NERC").

NEPOOL is a voluntary association organized in 1971 pursuant to the New England Power Pool Agreement, and it has grown to include more than 410 members. The participants include all of the electric utilities rendering or receiving service under the Tariff, as well as independent power generators, marketers, load aggregators, brokers, consumer-owned utility systems, end users, developers, demand resource providers, and a merchant transmission provider. Pursuant to revised governance provisions accepted by the Commission,⁴ the participants act through the NEPOOL Participants Committee. The Participants Committee is authorized by Section 6.1 of the Second Restated NEPOOL Agreement and Section 8.1.3(c) of the Participants Agreement to represent NEPOOL in proceedings before the Commission. Pursuant to Section 2.2 of the Participants Agreement, "NEPOOL provide[s] the sole Participant Processes for advisory voting on ISO matters and the selection of ISO Board members, except for input from state regulatory authorities and as otherwise may be provided in the Tariff, TOA and the Market Participant Services Agreement included in the Tariff."

Correspondence and communications in this proceeding should be addressed to:

⁴ *ISO New England Inc. et al.*, 109 FERC ¶ 61,147 (2004).

ISO NEW ENGLAND INC.

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NEW ENGLAND POWER POOL
PARTICIPANTS COMMITTEE

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II. STANDARD OF REVIEW

The ISO submits these revisions pursuant to Section 205 of the FPA, which “gives a utility the right to file rates and terms for services rendered with its assets.”⁶ Under Section 205, the Commission “plays ‘an essentially passive and reactive’ role”⁷ whereby it “can reject [a filing] only if it finds that the changes proposed by the public utility are not ‘just and reasonable.’”⁸ The Commission limits this inquiry “into whether the rates proposed by a utility

⁵ Due to the joint nature of this filing, the Filing Parties respectfully request a waiver of Section 385.203(b)(3) of the Commission’s regulations to allow the inclusion of more than two persons on the service list in this proceeding.

⁶ *Atlantic City Elec. Co. v. FERC*, 295 F.3d 1, 9 (D.C. Cir. 2002).

⁷ *Id.* at 10 (*quoting City of Winnfield v. FERC*, 744 F.2d 871, 876 (D.C. Cir. 1984)).

⁸ *Id.* at 9.

are reasonable – and [this inquiry does not] extend to determining whether a proposed rate schedule is more or less reasonable than alternative rate designs.”⁹ The changes filed herein “need not be the only reasonable methodology, or even the most accurate.”¹⁰ As a result, even if an intervenor or the Commission develops an alternate proposal, the Commission must accept this Section 205 filing if it is just and reasonable.¹¹

III. DISCUSSION OF FCM RULE CHANGES

A. Qualification Process Cost Reimbursement Deposit

In the September 18 Filing, the Filing Parties submitted to the Commission amendments to the Policies related to the invoice and collection of the QPCRD. Under those amendments, the QPCRD will be invoiced and collected in the ISO’s regular billing and collection process.¹² In the instant filing, the Filing Parties are aligning the language in the FCM rules with the amendments to the Policies in the September 18 Filing. Specifically, Section III.13.1.9.3 of Market Rule 1 has been revised to state that some of the terms regarding collection of the QPCRD will be governed by the Billing Policy.

B. Return of Financial Assurance for New Demand Resources

Concurrently with the instant filing, the Filing Parties are submitting to the Commission further amendments to the Financial Assurance Policy that, among other things, change when and how a New Demand Resource’s FCM-related Financial Assurance is returned. As explained in that separate filing, the amendments provide for a New Demand Resource’s Financial Assurance associated with Non-Commercial Capacity to be returned as portions of its Resource are declared commercial and tests are verified by the ISO. Accordingly, Section III.13.1.9.2.2.1, which provided a yearly review and release of financial assurance for New Demand Resources based on milestones, has been deleted from Market Rule 1.

⁹ *Cities of Bethany, Bushnell et al. v. FERC*, 727 F.2d 1131, 1136 (D.C. Cir.), *cert. denied*, 469 U.S. 917 (1984) (“*Cities of Bethany*”); *see also ISO New England Inc.*, 114 FERC ¶ 61,315 at P 33 and n.35 (2005), citing *Pub. Serv. Co. of New Mexico v. FERC*, 832 F.2d 1201, 1211 (10th Cir. 1987) and *Cities of Bethany* at 1136.

¹⁰ *Oxy USA, Inc. v. FERC*, 64 F.3d 679, 692 (D.C. Cir. 1995) (citing *Cities of Bethany* at 1136).

¹¹ *Cf. Southern California Edison Co., et al.*, 73 FERC ¶ 61,219 at 61,608 n.73 (1995) (“Having found the Plan to be just and reasonable, there is no need to consider in any detail the alternative plans proposed by the Joint Protesters.”) (citing *Cities of Bethany* at 1136).

¹² As explained in the transmittal letter to the September 18 Filing, previously, invoices for the QPCRD were sent to the principal market-related contact for the Market Participants providing QPCRDs, rather than the billing contact for those Market Participants. Since those market-related contacts were not always familiar with the timeframes and processes for paying ISO invoices, some of those Market Participants were unsuccessful in providing the QPCRDs by the payment deadline, resulting in confusion and requests for waivers of those deadlines. The amendments to the Policies minimize potential confusion by including the QPCRDs in the regular monthly Invoices for Non-Hourly Charges that are sent to the billing contacts for the Market Participants. *See* September 18 Filing, Transmittal Letter at p. 4.

IV. STAKEHOLDER PROCESS

At its October 5, 2009 meeting, the Markets Committee voted unanimously (with one abstention within the Transmission Sector and two abstentions within the End User Sector) to recommend Participants Committee approval of the Rule Changes. The Participants Committee voted unanimously at its October 9, 2009 meeting to support the Rule Changes.

V. REQUESTED EFFECTIVE DATE; REQUEST FOR WAIVER

In the September 18 Filing, the Filing Parties informed the Commission that the QPCRD Changes to Market Rule 1 would be submitted with the same requested effective date as the amendments to the Policies submitted in the September 18 Filing.¹³ Accordingly, the Filing Parties request expedited consideration of the Rule Changes so they will become effective November 13, 2009. In order to achieve that deadline, the Filing Parties request that the Commission waive, as necessary, the 60-day notice requirement that will begin to run once the Rule Changes are filed with the Commission. No party will be adversely affected by the waiver requested in these circumstances.

VI. ADDITIONAL SUPPORTING INFORMATION

Section 35.13 of the Commission's regulations generally requires public utilities to file certain cost and other information related to an examination of traditional cost-of-service rates.¹⁴ However, the Rule Changes are associated with the FCM and are not traditional "rates." Further, the Filing Parties are not traditional investor-owned utilities. Therefore, to the extent necessary, the Filing Parties request waiver of Section 35.13 of the Commission's regulations. Notwithstanding their request for waiver, the Filing Parties submit the additional information enumerated below in substantial compliance with relevant provisions of Section 35.13.

35.13(b)(1) – Materials included herewith are as follows:

- ◆ This transmittal letter;
- ◆ Attachment 1: Tariff sheets reflecting in blackline the changes reflected in this filing;
- ◆ Attachment 2: Clean Tariff sheets incorporating the changes reflected in this filing;
- ◆
- ◆ Attachment 3: Testimony of Janine Dombrowski, sponsored solely by the ISO; and
- ◆ Attachment 4: List of governors and utility regulatory agencies in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont to which a copy of this filing has been sent.

¹³ See September 18 Filing, Transmittal Letter at p. 4.

¹⁴ 18 C.F.R. § 35.13 (2009).

35.13(b)(2) – As noted above, the Filing Parties request that the modifications of the Tariff submitted with this filing become effective on November 13, 2009.

35.13(b)(3) - Pursuant to Section 17.11(e) of the Participants Agreement, Governance Participants are being served electronically rather than by paper copy. The names and addresses of the Governance Participants are posted on the ISO’s website at http://www.iso-ne.com/regulatory/ferc/nepool/gov_prtcpts_eserved.pdf. A paper copy of this transmittal letter and the accompanying materials have also been sent to the governors and electric utility regulatory agencies for the six New England states that comprise the New England Control Area, and to the New England Conference of Public Utility Commissioners (“NECPUC”). The names and addresses of these governors and regulatory agencies are shown in Attachment 4. In accordance with Commission rules and practice, there is no need for the Governance Participants or the entities identified on Attachment 4 to be included on the Commission’s official service list in the captioned proceeding unless such entities become intervenors in this proceeding.

35.13(b)(4) - A description of the materials submitted pursuant to this filing is contained in this transmittal letter.

35.13(b)(5) - The reasons for this filing are discussed in this transmittal letter.

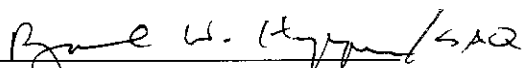
35.13(b)(6) - The ISO’s approval of these changes is evidenced by this filing. These changes reflect the results of the Participant Processes required by the Participants Agreement and reflect the approval and support of the Participants Committee.

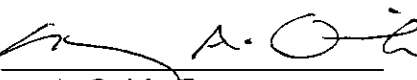
35.13(b)(7) - The Filing Parties have no knowledge of any relevant expenses or costs of service that have been alleged or judged in any administrative or judicial proceeding to be illegal, duplicative, or unnecessary costs that are demonstrably the product of discriminatory employment practices.

VII. CONCLUSION

For the foregoing reasons, the Filing Parties respectfully request that the Commission approve the changes to the FCM rules described herein, to become effective on November 13, 2009, without condition or change.

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Its Attorneys

Dated: October 14, 2009

ATTACHMENT 1

Blacklined Tariff Sheets

III.13.1.4.8	Demand Resource Operable Capacity Analysis.....	7312S.10
III.13.1.4.8.1	Existing Active Demand Resources.....	7312S.10
III.13.1.4.8.2	New Active Demand Resources.....	7312S.12
III.13.1.4.8.3	Demand Resource Operable Capacity Analysis Results	7312S.13
III.13.1.5	Offers Composed of Separate Resources.....	7312S.14
III.13.1.5.A.	Notification of FCA Qualified Capacity	7312T.01
III.13.1.6	Self-Supplied FCA Resources	7312T.01
III.13.1.6.1	Self-Supplied FCA Resource Eligibility	7312U
III.13.1.6.2	Locational Requirement for Self-Supplied FCA Resources	7312V
III.13.1.7	Internal Market Monitoring Unit Review of Offers and Bids	7312V
III.13.1.8	Publication of Offer and Bid Information.....	7312W
III.13.1.9	Financial Assurance	7312X
III.13.1.9.1	Financial Assurance for New Generating Capacity Resources and New Demand Resources Participating in the Forward Capacity Auction	7312X
III.13.1.9.2	Financial Assurance for New Generating Capacity Resources and New Demand Resources Clearing in a Forward Capacity Auction	7312Y
III.13.1.9.2.1	Failure to Provide Financial Assurance or to Meet Milestone.....	7312Y
III.13.1.9.2.2	Release of Financial Assurance.....	7312Z
III.13.1.9.2.2.1	[Reserved.] Release of Financial Assurance for New Demand Resources On-line Prior to the Relevant Capacity Commitment Period	7313
III.13.1.9.2.3	Forfeit of Financial Assurance	7313A
III.13.1.9.2.4	Financial Assurance for New Import Capacity Resources.....	7313A
III.13.1.9.3	Qualification Process Cost Reimbursement Deposit	7313A

III.13.1.9.2.2.1. [Reserved.] Release of Financial Assurance for New Demand Resources On-line Prior to the Relevant Capacity Commitment Period. The release of financial assurance for New Demand Resources that come on-line prior to the relevant Capacity Commitment Period shall be subject to the following provisions: (i) five weeks prior to the first and second annual Forward Capacity Auctions after the Forward Capacity Auctions in which the Demand Resource Project Sponsor's capacity award was made, the Demand Resource Project Sponsor shall submit to the ISO documentation to demonstrate the Percent of Total Demand Reduction Value Complete; (ii) the ISO shall review the Demand Resource Project Sponsor's claim of the Percent of Total Demand Reduction Value Complete; and (iii) financial assurance for the appropriate amount of total Demand Reduction Value complete as approved by the ISO shall be released pursuant to the Financial Assurance Policy.

the purposes of qualifying for either a Forward Capacity Auction or reconfiguration auction, the Project Sponsor must submit to the ISO a refundable deposit in the amount shown in the table below (“Qualification Process Cost Reimbursement Deposit”). For each Forward Capacity Auction after the first Forward Capacity Auction, the Qualification Process Cost Reimbursement Deposit must be received in accordance with the ISO’s Billing Policy~~by the ISO no later than ten Business Days after the date the ISO issues an invoice for the Qualification Process Cost Reimbursement Deposit~~. Such deposit shall be used for costs incurred by the ISO and its consultants, including the documented and reasonably-incurred costs of the affected Transmission Owners, associated with the qualification process described in Section III.13.1 and with the critical path schedule monitoring described in Section III.13.3. An additional Qualification Process Cost Reimbursement Deposit is not required if: (i) the Project Sponsor is actively seeking qualification for another Forward Capacity Auction or annual reconfiguration auction, or is having the project’s critical path schedule monitored pursuant to Section III.13.3; and (ii) the costs already incurred in the qualification process and critical path schedule monitoring for that resource do not exceed 90 percent of the amount of the previously-submitted Qualification Process Cost Reimbursement Deposit(s). Annually, the ISO shall provide the Project Sponsor with an itemized statement in writing of the costs incurred by the ISO and its consultants, including the documented and reasonably-incurred costs of the affected Transmission Owner(s), associated with the qualification process and critical path schedule monitoring for each resource. Coincident with the issuance of the annual statement, for those projects that have incurred costs that are equal to or greater than 90 percent of the Qualification Process Cost Reimbursement Deposit(s) previously submitted for that project, the ISO will issue an invoice in the amount of the initial Qualification Process Cost Reimbursement Deposit paid by the Project Sponsor, or in the amount of the costs associated with the

qualification process and critical path schedule monitoring that have been incurred by the ISO and its consultants to date, whichever is greater. Payment on the invoice must be received in accordance with the ISO's Billing Policy ~~by the ISO no later than 10 Business Days after the issuance date of the invoice~~. If the Project Sponsor fails to pay the amount due by the stated due date, the ISO will consider the project withdrawn by the Project Sponsor. Such a withdrawal shall be irrevocable, and payment on the invoice after the due date will not remedy the failure to pay or the withdrawal.

III.13.1.9.3.1. Partial Waiver Of Deposit. A portion of the deposit shall be waived for a project that has an active Interconnection Request and an executed Feasibility Study Agreement or System Impact Study Agreement under Schedule 22 or 23 of the Transmission, Markets and Services Tariff or is performing a modification that does not require a revision to the Interconnection Agreement.

Likewise, a portion of the deposit shall be waived for a New Demand Resource that will expand upon an Existing Demand Resource with no material changes to the resource. A material change may include, but is not limited to the following: (i) a change in the designation of the Demand Resource type; (ii) a change in the Project Sponsor, subject to review by the ISO of the capability and experience of the new Project Sponsor; (iii) a change in the Load Zone within which the project is located, and beginning with the Forward Capacity Auction for the Capacity Commitment Period starting June 1, 2013, a change in the Dispatch Zone within which the Real-Time Demand Response Resource and a Real-Time Emergency Generation Resource is located; (iv) a change in the type of measures being implemented; or (v) a change to its most recently approved Measurement and Verification Plan. The deposit for such resources shall be \$500.

ATTACHMENT 2

Clean Tariff Sheets

III.13.1.4.8	Demand Resource Operable Capacity Analysis.....	7312S.10
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III.13.1.9	Financial Assurance	7312X
III.13.1.9.1	Financial Assurance for New Generating Capacity Resources and New Demand Resources Participating in the Forward Capacity Auction	7312X
III.13.1.9.2	Financial Assurance for New Generating Capacity Resources and New Demand Resources Clearing in a Forward Capacity Auction	7312Y
III.13.1.9.2.1	Failure to Provide Financial Assurance or to Meet Milestone.....	7312Y
III.13.1.9.2.2	Release of Financial Assurance.....	7312Z
III.13.1.9.2.2.1	[Reserved.]	7313
III.13.1.9.2.3	Forfeit of Financial Assurance	7313A
III.13.1.9.2.4	Financial Assurance for New Import Capacity Resources.....	7313A
III.13.1.9.3	Qualification Process Cost Reimbursement Deposit	7313A

III.13.1.9.2.2.1. [Reserved.]

the purposes of qualifying for either a Forward Capacity Auction or reconfiguration auction, the Project Sponsor must submit to the ISO a refundable deposit in the amount shown in the table below (“Qualification Process Cost Reimbursement Deposit”). For each Forward Capacity Auction after the first Forward Capacity Auction, the Qualification Process Cost Reimbursement Deposit must be received in accordance with the ISO’s Billing Policy. Such deposit shall be used for costs incurred by the ISO and its consultants, including the documented and reasonably-incurred costs of the affected Transmission Owners, associated with the qualification process described in Section III.13.1 and with the critical path schedule monitoring described in Section III.13.3. An additional Qualification Process Cost Reimbursement Deposit is not required if: (i) the Project Sponsor is actively seeking qualification for another Forward Capacity Auction or annual reconfiguration auction, or is having the project’s critical path schedule monitored pursuant to Section III.13.3; and (ii) the costs already incurred in the qualification process and critical path schedule monitoring for that resource do not exceed 90 percent of the amount of the previously-submitted Qualification Process Cost Reimbursement Deposit(s). Annually, the ISO shall provide the Project Sponsor with an itemized statement in writing of the costs incurred by the ISO and its consultants, including the documented and reasonably-incurred costs of the affected Transmission Owner(s), associated with the qualification process and critical path schedule monitoring for each resource. Coincident with the issuance of the annual statement, for those projects that have incurred costs that are equal to or greater than 90 percent of the Qualification Process Cost Reimbursement Deposit(s) previously submitted for that project, the ISO will issue an invoice in the amount of the initial Qualification Process Cost Reimbursement Deposit paid by the Project Sponsor, or in the amount of the costs associated with the

qualification process and critical path schedule monitoring that have been incurred by the ISO and its consultants to date, whichever is greater. Payment on the invoice must be received in accordance with the ISO's Billing Policy. If the Project Sponsor fails to pay the amount due by the stated due date, the ISO will consider the project withdrawn by the Project Sponsor. Such a withdrawal shall be irrevocable, and payment on the invoice after the due date will not remedy the failure to pay or the withdrawal.

III.13.1.9.3.1. Partial Waiver Of Deposit. A portion of the deposit shall be waived for a project that has an active Interconnection Request and an executed Feasibility Study Agreement or System Impact Study Agreement under Schedule 22 or 23 of the Transmission, Markets and Services Tariff or is performing a modification that does not require a revision to the Interconnection Agreement.

Likewise, a portion of the deposit shall be waived for a New Demand Resource that will expand upon an Existing Demand Resource with no material changes to the resource. A material change may include, but is not limited to the following: (i) a change in the designation of the Demand Resource type; (ii) a change in the Project Sponsor, subject to review by the ISO of the capability and experience of the new Project Sponsor; (iii) a change in the Load Zone within which the project is located, and beginning with the Forward Capacity Auction for the Capacity Commitment Period starting June 1, 2013, a change in the Dispatch Zone within which the Real-Time Demand Response Resource and a Real-Time Emergency Generation Resource is located; (iv) a change in the type of measures being implemented; or (v) a change to its most recently approved Measurement and Verification Plan. The deposit for such resources shall be \$500.

ATTACHMENT 3

Testimony of Ms. Janine Dombrowski

1 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**
2 **PROCEEDING?**

3 A: The purpose of this testimony is to explain the two proposed changes to the rules
4 governing the FCM submitted in this filing, which I will refer to as Rule Changes.

5
6 **Q: WHAT ARE THE PROPOSED CHANGES TO THE MARKET RULES?**

7 A: The first Rule Change aligns the FCM rules with amendments that were filed to
8 the ISO Financial Assurance and Billing Policies on September 18, 2009. Under
9 this change, some of the terms regarding collection of the Qualification Process
10 Cost Reimbursement Deposit will be governed by the Billing Policy. The second
11 Rule Change aligns the FCM Rules with another amendment to the ISO Financial
12 Assurance Policy that is being submitted today in a separate filing. Pursuant to
13 that amendment to the Financial Assurance Policy, a New Demand Resource's
14 Financial Assurance associated with Non-Commercial Capacity will be returned
15 as portions of its Resource are declared commercial and tests are verified by the
16 ISO. Accordingly, Section III.13.1.9.2.2.1, which provided a yearly review and
17 release of financial assurance for New Demand Resources based on milestones,
18 has been deleted from Market Rule 1.

19
20 **Q: WHY ARE YOU PROPOSING THESE CHANGES?**

21 A: The Rules Changes are being proposed to align the FCM rules with the revisions
22 to the ISO Financial Assurance and Billing Policies.

23

1 Q: DOES THIS CONCLUDE YOUR TESTIMONY AT THIS TIME?

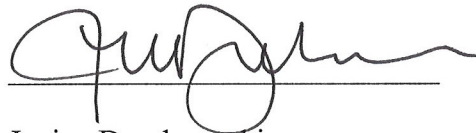
2 A: Yes.

3

4 Signed under the pains and penalties of perjury this 13th day of October, 2009.

5

6 Executed on October 13, 2009


Janine Dombrowski

7

8

9 Commonwealth of Massachusetts

10 Hampden, ss

11

12 On this 13th day of October, 2009, before me, the undersigned notary public, personally
13 appeared Janine Dombrowski, proved to me through satisfactory evidence of
14 identification, which was personal knowledge of identify, to be the person who signed the
15 preceding document in my presence, and who sowl or affirmed to me that the contents
16 of the document are truthful and accurate to the best of her knowledge and belief.

17

18 

19 Linda M. Morrison, Notary Public

20 My Commission Expires: January 28, 2011

ATTACHMENT 4

List of Governors and Utility Regulatory Agencies
in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont

The Honorable M. Jodi Rell
State Capitol
210 Capitol Ave.
Hartford, CT 06106

Connecticut Dept. of Public Utility Control
10 Franklin Square
New Britain, CT 06051-2605

Maine Public Utilities Commission
State House, Station 18
242 State Street
Augusta, ME 04333-0018

The Honorable John E. Baldacci
One State House Station
Rm. 236
Augusta, ME 04333-0001

The Honorable Deval Patrick
Office of the Governor
Rm. 360 State House
Boston, MA 02133

Massachusetts Dept. of Public Utilities
One South Station
Boston, MA 02110

The Honorable John H. Lynch
State House
25 Capitol Street
Concord, NH 03301

New Hampshire Public Utilities Commission
21 South Fruit Street
Ste. 10
Concord, NH 03301-2429

The Honorable Donald L. Carcieri
State House Room 115
Providence, RI 02903

Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

The Honorable James H. Douglas
109 State Street, Pavilion
Montpelier, VT 05609

Vermont Public Service Board
112 State Street, Drawer 20
Montpelier, VT 05620-2701

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Counsel for New England Conference
Of Public Utilities Commissioners, Inc.
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Washington, DC 20036-3816

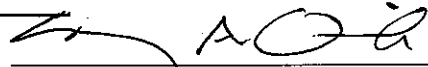
William M. Nugent, Executive Director
New England Conference of Public
Utilities Commissioners
50 Forest Falls Drive, Suite 6
Yarmouth, ME 04096-6937

John Shea
Power Planning Committee
New England Governors' Conference Inc.
76 Summer Street, 2nd floor
Boston, MA 02110-1226

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document and attachments upon each person identified in Attachment 4 of the attached transmittal letter, in the manner specified in the transmittal letter.

Dated at Washington, D.C., this 14th day of October, 2009.



Sherry A. Quirk