

TO: MEMBERS AND ALTERNATES OF THE NEPOOL PARTICIPANTS COMMITTEE

RE: Legal Notice re NHPUC Data Request

DATE: April 5, 2011

ISO New England Inc. (the "ISO") is providing notice, pursuant to Section 3.3 of the ISO New England Information Policy (the "Information Policy"), that the ISO has received a request for "Confidential Market Information" from the New Hampshire Public Utilities Commission ("NHPUC") dated April 5, 2011. The NHPUC is requesting information relating to Market Participants that had load obligations within the New Hampshire Load Zone during 2009 and 2010 (the "Affected Governance Participants"). Specifically, the NHPUC is requesting:

1. The list of entities located in the New Hampshire load zone that purchased wholesale load within the New England wholesale market and the total annual load purchased by each of these entities in 2009 and 2010. If possible, please indicate which customers use such load for station service or parasitic load, and;
2. The list of load serving entities providing load to customers located in the New Hampshire load zone and the annual load provided by each in 2009 and 2010.

The NHPUC states that is seeking the requested information to verify distributed load data reported by New Hampshire utilities as required under New Hampshire's Renewable Portfolio Standard ("RPS") program. The NHPUC request is posted on the ISO website at <http://www.iso-ne.com/regulatory/lglnotice/index.html>.

The NHPUC is an Authorized Commission within the meaning of the Information Policy and a copy of its required certification was submitted to the Federal Energy Regulatory Commission on April 5, 2011. A list of NHPUC's Authorized Persons is posted on the ISO Web Site at http://www.iso-ne.com/regulatory/tariff/attach_d/. Pursuant to the requirements of Section 3.3 of the Information Policy, the ISO intends to provide the requested information to the NHPUC no earlier than April 12th. The NHPUC has stated that the requested information will be treated as confidential materials in accordance with the NHPUC's administrative rules and will be available only to Authorized Persons who have signed a non-disclosure agreement under the provisions of the ISO New England Information Policy.

The purpose of this notice is, in part, to provide Affected Governance Participants that object to the disclosure of the Confidential Market Information to request a conference with the NHPUC pursuant to Section 3.3(b)(iii)(3) of the Information Policy to resolve differences concerning the scope or timing of the request, or to take such other actions as the Affected Governance Participant deems appropriate.

If you have any questions about this matter, please contact James Douglass, Senior Regulatory Counsel, at (413) 540-4559.