

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

21 S. FRUIT ST., SUITE 10  
CONCORD, N.H. 03301-2429

DANIEL C. GOLDNER  
CHAIRMAN

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ANDREW E. BIEMER  
ADMINISTRATOR

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April 19, 2024

**Via Email and First-Class Mail**

Carol J. Holahan, Esq.  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210

Mark Dean, Esq.  
Bernstein, Shur, Sawyer & Nelson, PA  
Jefferson Mill Building  
670 North Commercial Street, Suite 108  
Manchester, NH 03101

Re: Berlin Station, LLC – Joint petition for administrative approval of a change of ownership, etc., dated April 10, 2024.

Dear Attorney Holahan & Attorney Dean:

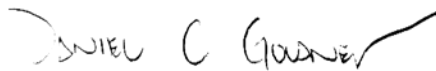
The Site Evaluation Committee (the “Committee”) has received your clients’ joint petition for administrative approval of a change of ownership or the transfer of a certificate of site and facility issued to Berlin Station, LLC, to North Country Generation Holdings, LLC (“NCGH”) dated April 10, 2024 (the “Joint Petition”).

Per RSA 162-H:7, VI (Supp. 2023), and N.H. Admin. R., Site 301.10(e), the Committee has up to sixty (60) days after receipt of a filing to determine whether it is administratively complete and accepted for review. Upon being deemed administratively complete and accepted for review, you will be informed of the Committee’s acceptance, and the matter will be docketed. The Committee then has up

to ninety (90) days to render its decision on the change of ownership and the transfer of certificate of site and facility. *See* RSA 162-H:8, VI (Supp. 2023).

To assist the Committee in its determination of whether the Joint Petition is administratively complete, no later than ten (10) days after the date of this letter, please respond to us with your clients' reasonings why the Committee should not reject the Joint Petition as (i) barred by the automatic stay under 11 U.S.C. § 362, including 11 U.S.C. § 362(a)(3), because of Berlin Station's ongoing Chapter 11 cases; (ii) incomplete due to the Joint Petition's lack of evidence sufficient for NCGH to satisfy the requirements of N.H. Admin. R., Site 301.03(c)(6); (iii) incomplete or untimely because Berlin Station, LLC has no authority to transfer or to contract to transfer the Berlin Facility and its certificate to NCGH; (iv) incomplete or untimely because any sale or disposition of the Berlin Facility is subject to Berlin Station, LLC's Chapter 11 plan, which is not scheduled for a confirmation hearing until May 24, 2024.

Sincerely,



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Daniel C. Goldner  
Chairman, Site Evaluation Committee