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Via Electronic Mail

August 10, 2017

New Hampshire Site Evaluation Committee
Pamela G. Monroe, Administrator
21 South Fruit Street, Suite 10
Concord, NH 03301

**Re: SEC Docket No. 2015-04: Public Service Company of New Hampshire d/b/a
Eversource Energy for a New 115 kV Transmission Line from Madbury Substation
to Portsmouth Substation - Applicant's Motion to Postpone Final Adjudicative
Hearings**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find the Applicant's Motion to Postpone Final Adjudicative Hearings.

Please contact me directly should you have any questions.

Sincerely,


Adam M. Dumville for Adam Dumville

AMD:
Enclosure

cc: Distribution List

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STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

SEC DOCKET NO. 2015-04

**APPLICATION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
FOR A CERTIFICATE OF SITE AND FACILITY**

APPLICANT'S MOTION TO POSTPONE FINAL ADJUDICATIVE HEARINGS

NOW COMES Public Service Company of New Hampshire d/b/a Eversource Energy ("PSNH") (the "Applicant"), by and through its attorneys, McLane Middleton, Professional Association, and respectfully requests that the Site Evaluation Committee ("SEC" or the "Committee") postpone the final adjudicative hearing dates set in the Presiding Officer's Order of June 20, 2017, until after the New Hampshire Department of Environmental Services ("NHDES" or "Department") indicates that its concerns have been addressed by the Applicant and that it is prepared to move forward with submission of its final permits and recommended conditions in this proceeding.

1. On April 12, 2016, PSNH filed with the SEC an Application for a Certificate of Site and Facility to construct a new 12.9 mile 115 kV transmission line and associated facilities from the Madbury Substation in Madbury through the Towns of Durham and Newington to the Portsmouth Substation in Portsmouth (the "Project"). The Committee accepted the Application on June 13, 2016.

2. The Presiding Officer most recently issued a Revised Procedural Schedule on June 20, 2017 establishing, among others, dates for final adjudicative hearings and deliberations

for October 16, 17, 19, 20, 26, 27, 31 and November 7, 2017. The Order also provided that State agencies shall issue final permits and conditions on or before August 1, 2017.¹

3. At a technical session on June 7, 2017, the Applicant informed the parties in this docket that the Applicant would be submitting additional information relating to Little Bay, namely, an updated suspended sediment modeling report for Little Bay prepared by RPS ASA.

4. On June 30, 2017, the Applicant submitted the updated suspended sediment modeling report, along with additional information related to Little Bay, to all the parties and to NHDES for review and consideration as part of its regulatory authority pursuant to RSA 162-H:7, VI-c.

5. On August 1, 2017, NHDES sent a letter to the Committee informing the SEC that NHDES could not meet its deadline. The letter specifically stated that

In accordance with RSA 482-A, RSA 485-A and RSA 162-H:7, this letter is to notify you that the NH Department of Environmental Services (NHDES) has been continually reviewing information submitted by the applicant and interested parties relative to the subject project. As a result of the amount of additional information submitted after June 30, 2017 the DES is unable to complete its final review of the project at this time.

Letter from NHDES, Rene Pelletier to SEC Administrator, Pamela Monroe at 1 (Aug. 1, 2017), available at https://www.nhsec.nh.gov/projects/2015-04/letters-memos-correspondance/2015-04_2017-08-01_des_ltr_4.pdf. The letter also provided a “detailed description of items requiring additional response / information from the applicant and subsequent review by the NHDES Wetlands Bureau and Watershed Management Bureau.” *Id.*

6. The NHDES further stated that additional information “is needed by [the Agency] to better understand the potential impacts of the proposed submarine cable crossing across Little

¹ NHDES previously requested that the Committee grant an extension of time until August 1, 2017 to submit final conditions, which was approved by the Presiding Officer on May 22, 2017. See *Order on Agency Requests to Suspend Certain Statutory Deadlines and Revised Procedural Schedule*, Docket 2015-04 (May 22, 2017).

Bay on surface water quality, and to determine appropriate project operation and monitoring conditions” *Id.* at 3.

7. The Applicant is committed to working with NHDES to resolve its outstanding concerns and to fully demonstrate that the proposed Project will not have unreasonable adverse effects on water quality and the natural environment. To facilitate this effort and to respect the schedules of the Committee and all parties to this proceeding, the Applicant respectfully requests that the SEC postpone the final adjudicative hearing dates until the concerns raised by NHDES have been appropriately addressed.

8. The Applicant proposes that the SEC issue an Order regarding the schedule for final adjudicative hearings in this proceeding that will:

- a. Postpone the final adjudicative hearing dates currently scheduled for October 16, 17, 18, 20, 26, 27, 31 and November 7, 2017; and
- b. Re-establish final adjudicative hearing dates upon confirmation by NHDES that its concerns have been addressed by the Applicant and that it is prepared to move forward with the issuance of its final permits and recommended conditions.

9. The following parties have assented to the motion: The Town of Newington, the Little Bay / Durham Point Abutters, and Mr. Frizzell. The other parties to this docket did not respond to a request for their positions on this motion.

WHEREFORE, the Applicant respectfully requests that the Committee:

- A. Grant the Applicant's request to postpone the final adjudicative hearing dates previously established for this docket until confirmation by NHDES that its concerns have been addressed by the Applicant and that it is prepared to move forward with issuing its final permits and recommended conditions.
- B. Grant such other further relief as is deemed just and appropriate.

Respectfully Submitted,


Public Service Company of New Hampshire d/b/a
Eversource Energy

By its attorneys,

McLANE MIDDLETON
PROFESSIONAL ASSOCIATION

Dated: August 10, 2017


By:

 for Adam Dumville

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Certificate of Service

I hereby certify that on the 10th day of August, 2017, an electronic copy of this Motion was filed with the Site Evaluation Committee and an electronic copy was sent to the Distribution List.

 for Adam Dumville
Adam Dumville