

MCLANE MIDDLETON

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VIA ELECTRONIC MAIL

July 8, 2016

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

**Re: SEC Docket No. 2015-05: Public Service Company of New Hampshire d/b/a
Eversource Energy and New England Power Company d/b/a National Grid:
Applicants' Objection To Intervenor Huard's Motion To Request Site Visit**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find the Applicants' Objection to Intervenor Huard's Motion to Request Site Visit.

Please contact me directly should you have any questions.

Sincerely,



Barry Needleman

BN:smc
Enclosure

cc: Distribution List

THE STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

SEC DOCKET NO. 2015-05

**JOINT APPLICATION OF NEW ENGLAND POWER COMPANY
D/B/A NATIONAL GRID &
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
FOR A CERTIFICATE OF SITE AND FACILITY**

**APPLICANTS' OBJECTION TO INTERVENOR HUARD'S
MOTION TO REQUEST SITE VISIT**

NOW COME New England Power Company d/b/a National Grid ("NEP") and Public Service Company of New Hampshire d/b/a Eversource Energy ("PSNH") (collectively the "Applicants") by and through their attorneys, McLane Middleton, Professional Association, and Object to Intervenor Margaret Huard's Motion to Request Site Visit.

1. On June 13 and 14, 2016, the Site Evaluation Committee held an adjudicatory hearing pursuant to Site 202.01 during which time the Committee received testimony and evidence from both the Applicants and from Intervenor Margaret Huard. Following completion of the hearing and the admission of all exhibits, the record was closed pursuant to Site 202.26(a) and the Committee initiated deliberations. The Committee has already deliberated on many of the required findings for the Committee to issue a Certificate of Site and Facility pursuant to Site 202.28 (requiring the Committee to make a finding regarding the criteria stated in RSA 162-H:16, IV, and Site 301.13 through 301.17). The Committee is set to resume deliberations on July 11, 2016 at 9:00 AM.

2. The record is clearly closed, and therefore, the Committee should not entertain Ms. Huard's request. *See* Site 202.27. Moreover, Ms. Huard has not presented any new relevant, material and non-duplicative testimony, evidence, or arguments. *See* Site 202.27(a).

Indeed, Ms. Huard continues to make all of the same arguments as previously made in her pre-filed testimony and as advanced throughout the adjudicative hearing during cross-examination of the Applicants' witnesses and during Ms. Huard's closing arguments. Ms. Huard had a full and fair opportunity to ask questions of the Applicants' witnesses relating to all of the topics and issues raised in her Motion to Request Site Visit. In addition, the Application contains voluminous information and numerous sets of photographs, photosimulations, and evidence that address Ms. Huard's concerns in the Motion. *See e.g.*, Application, Appendix E (Existing Conditions Mapping); Appendix AB (Visual Impact Assessment). Therefore, even if Ms. Huard had requested the Committee to reopen the record, her request does not meet the necessary standard in Site 202.27.

3. The Applicants' filed their request for a Certificate of Site and Facility on August 5, 2015 and the Application has been proceeding since that time. Ms. Huard's motion to intervene was granted on November 30, 2015. Ms. Huard has participated in this docket since its inception by providing written comments, oral comments at the public information sessions and pre-filed testimony. Ms. Huard also submitted numerous motions in this docket. Ms. Huard had ample time to request a site visit and chose not to do so. Moreover, Ms. Huard has failed to explain or demonstrate why this motion could not have been made earlier, when the proceeding was still open.

4. Ms. Huard's intervention was premised on the fact that she would respect the Committee's process and that it would not impair the orderly and prompt conduct of the proceedings. *See* Presiding Officer's Order on Motion to Intervene, at p. 5, Docket 2015-05, November 30, 2015. Granting Ms. Huard's untimely request at this late juncture would unquestionably impair the orderly and prompt conduct of the proceedings. *See* RSA 541-A: 32,

I(c); Site 202.11(b)(3). In fact, the extent of Ms. Huard's participation at the adjudicative hearings has already arguably prolonged these proceedings. As such, a much needed reliability project has already been delayed. Any further delay in reaching a resolution of this matter simply to accommodate Ms. Huard's untimely motion would be unfair to the Applicants and to its customers who depend on reliable power supply and delivery.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

- A. Deny Intervenor Huard's Motion to Request Site Visit; and
- B. Grant such further relief as requested herein and as deemed appropriate.

Respectfully Submitted,

New England Power Company and

Public Service Company of New Hampshire

By its attorneys,

McLANE MIDDLETON
PROFESSIONAL ASSOCIATION

Dated: July 8, 2016

By: 

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Certificate of Service

I hereby certify that on the 8th day of July, 2016 this Motion was sent electronically to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the SEC Distribution List.


Barry Needleman