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March 28, 2016

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

Re: Joint Application of the Northern Pass Transmission, LLC and
Public Service Company of New Hampshire d/b/a Eversource Energy for
a Certificate of Site and Facility

Dear Administrator Monroe:

Enclosed for filing in the above captioned proceeding please find the *Response and Partial Objection of Intervenor Grafton County, individually and as temporary spokesperson to the group consisting of Grafton County and Rick Samson, Coos County Commissioner, to the SEC's March 18, 2016 Order (Objection to Subgroup Consolidation)* as well as our *Motion to Support the Proposed Procedural Schedule of the Society for the Protection of New Hampshire Forests*.

Copies of this letter and the above noted documents have been forwarded via email to the parties on the SEC Distribution List.

Sincerely,

Lara Saffo
CC: Grafton County Commissioners
Coos County Commissioner Rick Samson

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket 2015-06

Joint Application of the Northern Pass Transmission, LLC.
And Public Service Company of New Hampshire
d/b/a Eversource Energy
for a Certificate of Site and Facility

Response and Partial Objection of Intervenor, Grafton County, individually
and as temporary spokesperson to the group consisting of Grafton County and
Rick Samson, Coos County Commissioner
to the SEC's March 18, 2016 Order
(and Objection to Subgroup Consolidation)

NOW COMES Grafton County, individually and, if deemed necessary, as the spokesperson for the Intervenor group Grafton County and Coos County Commissioner for District Three and hereby responds to the Site Evaluation Committee (SEC)'s March 18, 2016 Order on Petition to Intervene ("Order") as follows:

1. Grafton County, New Hampshire and the Coos County Commissioner for District Three, New Hampshire petitioned (separately) to intervene on this docket.
2. In its Order the SEC granted both intervenor status. Grafton County and the Coos County Commissioner for District Three appreciate being granted intervenor status, and obviously do not contest that portion of the Order.
3. However the SEC then consolidated them into a subgroup of county entities. Order at 11-12.
4. They were consolidated in order to ensure the "prompt and orderly development of the proceedings." *Id.*
5. The Order further states that "Each of the organizations may file testimony, but the group shall designate a spokesperson/attorney for the purpose of filing pleadings, conducting discovery and the examination of witnesses at evidentiary hearings."
6. This Order was issued on Friday, March 18th, 2016. The following Tuesday was the Pretrial conference.
7. Grafton County and the Coos County Commissioner for District Three representatives sat together at the Pretrial Conference. All intervenors, including Grafton County and the Coos County Commissioner for District Three, were then told to identify a temporary spokesperson for the Pretrial Conference. They appointed the Grafton County Attorney, with the explicit understanding that, the

Coos County Commissioner could speak on behalf of his District if he disagreed with any action of the spokesperson.

8. The Parties were then told that they had until Monday, March 28, 2016 to contest the March 18th, 2016 order.
9. Grafton County and Rick Samson, the Coos County Commissioner for District Three object to the grouping.
10. The Grafton County Attorney, a person elected to represent the interests of Grafton County, and currently assigned as counsel for Grafton County, is not comfortable representing the interests of Coos County. It is an inherent conflict of interest. All are concerned that a spokesperson will be viewed as counsel for Rick Samson, the Commissioner for Coos County, District Three which would be misleading to the public.
11. Grafton County and the Coos County Commissioner for District three completely appreciate the need for an orderly proceeding.
12. Grafton County and Rick Samson both agree to cooperate and coordinate with any of the intervenors to ensure that Grafton County and Rick Samson coordinate testimony and does not present duplicative testimony, or ask duplicative questions.
13. But the representatives present for both Grafton County and the Coos County Commissioner for District three object to Grafton County and the Coos County Commissioner for district three being treated as a single party. Grafton County and District Three of Coos County may share some interests, but they also have very different interests as well. They also may prioritize different concerns differently.
14. Both Grafton and Coos County are over 1,700 square miles. Both have the Northern Pass going through numerous towns in their county.
15. Moreover, Grafton County and the Coos County Commissioner are governed by different sets of elected officials.
16. Accordingly, Grafton County and the Coos County Commissioner for District Three hereby object to being treated as a single party with a single spokesperson.
17. Grafton County and the Coos County Commissioner for District three notes a recommendation of the Intervenor the Appalachian Mountain Club (AMC), the Conservation Law Foundation (CLF) and the Ammonoosuc Conservation Trust (ACT) in their pleading. In the alternative, they would ask the SEC to include similar conditions for the Grafton County Commissioners and Coos County Commissioner Rick Samson Group. Specifically in its pleading the AMC, CLF and ACT notes

“To both achieve the SEC’s interest in an orderly and efficient proceeding, and to address each of your organizations’ right to protect and advance its interests, including through counsel, we request flexibility in the manner in which our consolidated group conducts itself, including as follows:

- a. The group consents to designating two points of contact (one from each of the organizations), for purposes of service list and otherwise receiving communications from SEC and from other parties.
- b. The group should not be required to designate a single spokesperson/attorney for the purpose of filing pleadings. Rather, the group should be provided flexibility with respect to which organization and which attorney/spokesperson files a given pleading. While the parties will work in good faith to file joint pleadings through the designated points of contact, and expect that to be the norm, it is essential that we also have the flexibility, particularly in the event of disagreement on a matter, to file separate pleadings. We also must have the flexibility to submit pleadings on behalf of some, but not all, members of the group in the event one or more organization elects to abstain from joining a particular pleading.
- c. The group should not be required to designate an attorney/spokesperson for the purposes of propounding data requests, participating in technical sessions, or the cross-examination of witnesses. Again, we intent to work in good faith to coordinate and to avoid duplication. However, we object to limitations that require a single attorney/spokesperson for the group. We are especially concerned with the limitation that one only attorney cross examine a given witness, particularly where a single witness may address more than one substantive area, implicating different areas of expertise of our different organizations. As our group is not large, this flexibility will not result in duplication or otherwise inhibit the efficiency of proceedings.
- d. With specific regard to discovery, we request that our group be provided flexibility to propound more than fifty data requests, with maximum of one hundred. In light of the number and complexity of issues in this proceeding, and as well as the varied interests of our group’s organization, allowing our collective group to propound up to one hundred data requests is fair, reasonable and will be not unduly burdensome to the process. Moreover, given the fact intensive nature of this proceeding efficiency considerations cannot and should not unfairly limit the ability of our organizations to obtain necessary information, through discovery, to enable effective participation.

18. To be clear, it is the strong preference for Grafton County and the Coos County Commissioner for District Three not to be consolidated. As noted above, the two counties are governed by different sets of elected officials, and the interests of the two entities are vary. For this reason, we hesitate to even suggest the alternative noted above. It is being noted in an abundance of caution, due to the virtual impossibility of a single spokesperson for two counties with such varying interests.

WHEREFORE Grafton County and Coos County request that the SEC:

- A. Un-consolidate our counties and let us proceed individually; or, in the alternative, or, in the alternative,
- B. Grant the Grafton County Commissioners and the Coos County Commissioner Rick Samson the flexibility to proceed, as noted above in paragraph 17.

March 28, 2016

Respectfully Submitted,
STATE OF NEW HAMPSHIRE



Lara Saffo,
Grafton County Attorney
On behalf of Grafton County



Rick Samson
Coos County Commissioner, District 3
On behalf of District 3

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has this day been forwarded via email to the entities in the SEC distribution list.

March 28, 2016

Respectfully Submitted,



Lara Joan Saffo, Esq.
Grafton County Attorney's Office
On behalf of Grafton County



Rick Samson
Coos County Commissioner
On behalf of Coos County, District 3

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket 2015-06

Joint Application of the Northern Pass Transmission, LLC.
And Public Service Company of New Hampshire
d/b/a Eversource Energy
for a Certificate of Site and Facility

Request of Intervenor, Grafton County, individually
and as spokesperson to the group consisting of Grafton County and Rick
Samson, Coos County Commissioner,
for the SEC to adopt the Proposed Procedural Schedule of The Society for the
Protection of New Hampshire Forests

NOW COMES Grafton County, individually and as the temporary spokesperson for the Intervenor group Grafton and Rick Samson, Coos County Commissioner, and hereby requests the Site Evaluation Committee (SEC) to adopt the Proposed Procedural Schedule of the Society for the Protection of New Hampshire Forests. This would require the SEC to exercise its authority to temporarily suspend its time framework in the interests of the public. See NH RSA 162-H:14.

The breath of this project, which is unprecedented, merits this request. The scope of this project as well as the high volume of impacted parties and the complexity of the substantive issues, justifies this request be made in the public interest.

WHEREFORE, Grafton County and Rick Samson the Coos County Commissioner respectfully requests that the SEC adopt the Proposed Procedural Schedule of the Society for the Protection of New Hampshire Forests.

Respectfully Submitted,

March 28, 2016



Lara Joan Saffo, Esq.
On behalf of the Grafton County
Commissioners



Rick Samson
Coos County Commissioner
District Three