

MCLANE
MIDDLETON

THOMAS B. GETZ
Direct Dial: 603.230.4403
Email: thomas.getz@mcLane.com
Admitted in NH
11 South Main Street, Suite 500
Concord, NH 03301
T 603.226.0400
F 603.230.4448

October 7, 2016

Via Electronic Mail & Hand Delivery

Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

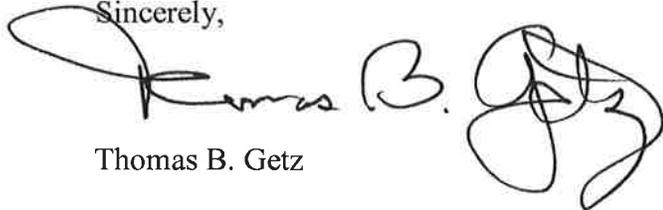
**Re: Site Evaluation Committee Docket No. 2015-06
Joint Application of Northern Pass Transmission LLC and Public Service Company
of New Hampshire d/b/a Eversource Energy (the "Applicants") for a Certificate of
Site and Facility
Motion Re Treatment of Material Produced Inadvertently**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of a
Motion Re Treatment of Material Produced Inadvertently.

Please contact me directly should you have any questions.

Sincerely,



Thomas B. Getz

TBG:slb

cc: SEC Distribution List

Enclosure

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

SEC DOCKET NO. 2015-06

**JOINT APPLICATION OF NORTHERN PASS TRANSMISSION LLC &
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
FOR A CERTIFICATE OF SITE AND FACILITY**

MOTION RE TREATMENT OF MATERIAL PRODUCED INADVERTENTLY

NOW COME Northern Pass Transmission LLC (“NPT”) 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 respectfully submit this Motion Re Treatment of Material Produced Inadvertently (“Motion”).

Pursuant to orders of the Presiding Officer issued September 22, 2016, the Applicants are required to file supplemental responses to numerous data requests by October 7, 2016, which include, among other things, a large volume of internal documents and emails that have been identified electronically through the use of search terms consistent with standard civil trial practice. In light of the number of the documents that the Applicants have been required to identify and produce in such a limited time, the Applicants seek an order from the Presiding Officer governing the treatment of any document or information that is inadvertently provided to a party to this proceeding that contains personal, confidential, or otherwise privileged information, including work product information.

Such an order would provide that inadvertent production shall not be deemed a waiver of the attorney-client privilege or work product doctrine. The Applicants also request that the order make clear that inadvertent production shall not be deemed a waiver of any argument that the documents or information should be treated confidentially, or be deemed a waiver of any

arguments the Applicants may make with respect to the relevance or materiality of the documents or information.

If the Applicants inadvertently produce such information, they may make a written request to the receiving party within seven days after discovery of the inadvertent production to obtain the return of the inadvertently produced documents or information. In the event that a receiving party determines that disclosed materials constituting or containing attorney-client privileged or work product information have been inadvertently produced, the receiving party shall promptly notify the Applicants and shall not examine the disclosed materials. The receiving party shall then await instructions from the Applicants regarding such disclosed materials. Within ten days of receiving such a request to return such disclosed materials, a receiving party must return such materials and provide written assurance that any and all copies of such materials have been returned, destroyed, or deleted. If a receiving party had provided any inadvertently disclosed materials to third parties, the receiving party shall take all reasonably necessary steps to retrieve the disclosed materials.

The Applicants shall be required to retain any such disclosed materials returned to it until the parties have resolved any dispute concerning such materials and shall provide such materials to the Presiding Officer for *in camera* review if requested. Each party shall have the right to challenge the disclosure as other than inadvertent. If any such challenge is successful, the Applicants shall have an obligation to produce again the disclosed materials originally produced.

The International Brotherhood of Electrical Workers assent to the Motion. No other party responded to the Applicants' request for positions.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

A. Grant this Motion; and

B. Grant such further relief as is deemed just and appropriate.

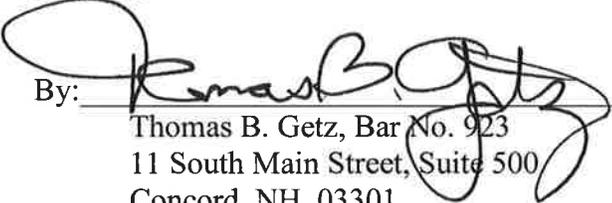
Respectfully submitted,

Northern Pass Transmission LLC and Public
Service Company of New Hampshire d/b/a
Eversource Energy

By Its Attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

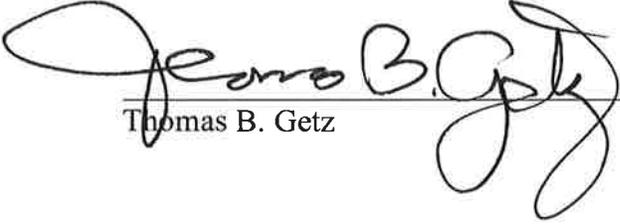
Dated: October 7, 2016

By: 

Thomas B. Getz, Bar No. 923
11 South Main Street, Suite 500
Concord, NH 03301
(603) 226-0400
thomas.getz@mclane.com

Certificate of Service

I hereby certify that on the 7th of October, 2016, an original and one copy of the foregoing Motion was hand-delivered to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the Distribution List.


Thomas B. Getz