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November 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

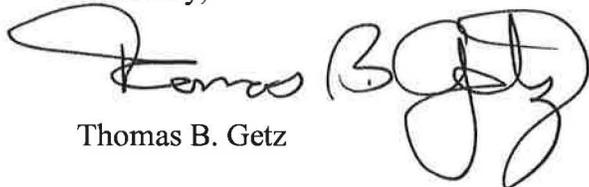
**Re: Site Evaluation Committee Docket No. 2015-06  
Joint Application of Northern Pass Transmission LLC and Public Service Company  
of New Hampshire d/b/a Eversource Energy (the “Applicants”) for a Certificate of  
Site and Facility  
Objection to Lagaspence Realty Motion for Rehearing**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of Applicant’s Objection to Lagaspence Realty Motion for Rehearing of October 28, 2016 Order.

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**

**APPLICANTS' OBJECTION TO LAGASPENCE REALTY  
MOTION FOR REHEARING OF OCTOBER 28, 2016 ORDER**

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 object to Kevin Spencer and Mark Lagasse d/b/a Lagaspence Realty’s (“Lagaspence” or “Petitioner”) Motion for Reconsideration of the Chair’s October 28, 2016 Order Denying the Kevin Spencer and Mark Lagasse d/b/a Lagaspence Realty, LLC Motion to Compel Responses to Data Requests Directed to Applicants’ Expert Julia Frayer (“Motion for Rehearing”) filed on November 4, 2016. The crux of the Lagaspence Motion for Rehearing does not concern the production of documents but is instead an untimely and misplaced argument about the confidential nature of a particular document.

1. On October 6, 2016, the Petitioner submitted a motion requesting that the Chairman of the Site Evaluation Committee (“SEC” or “Committee”) issue an order that, among other things, would ostensibly compel production of a spreadsheet underlying the calculation of retail cost savings. The motion to compel was filed with respect to responses made as a follow-up to requests made at a technical session held on September 16, 2016. Lagaspence erroneously claimed that the Applicants, in responses filed on September 29, 2016, had refused to disclose calculations relating to retail cost savings.

2. The Applicants objected to the Petitioner's motion to compel on October 14, 2016, pointing out, among other things, that the information at issue would be provided to any party that signed a confidentiality agreement.

3. On October 28, 2016, the Presiding Officer denied the Petitioner's motion to compel production, noting, at p. 5, that the Applicants were "willing to provide the requested confidential documents subject to the terms of a Protective Agreement, but Lagaspence Realty has not chosen to execute such an agreement."

4. The Petitioner argues at p. 2 of its Motion for Rehearing that Chairman Honigberg's ruling is "based on a misapprehension of the nature of the evidence sought" and contends that the spreadsheet underlying the calculations of retail cost savings should not be confidential.

5. The original motion to compel production of information confuses arguments about production with arguments that the information should be publicly disclosed. Lagaspence argued at p. 4 of its October 6, 2016 motion that disclosure of the retail cost savings calculations must be done on the record and must be subject to cross-examination before the Subcommittee; both of which will, of course, occur.

6. The Petitioner does not provide a good reason for rehearing; rather, it simply asks for a different result. Moreover, Lagaspence does not appear to want the information produced as part of discovery so much as it does not want to sign a confidentiality agreement to receive the information. Finally, inasmuch as the Presiding Officer did not overlook or mistakenly conceive anything in his original decision, the Motion for Rehearing should be denied. See, *Dumais v. State*, 118 N.H. 309, 311 (1978).

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

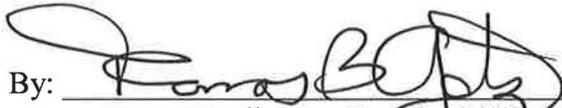
- a. Deny Petitioner's Motion and
- b. Grant such further relief as it deems appropriate.

Respectfully submitted,

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

By Their Attorneys,  
McLANE MIDDLETON,  
PROFESSIONAL ASSOCIATION

Dated: November 7, 2016

By: 

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Certificate of Service

I hereby certify that on the 7<sup>th</sup> day of November, 2016 the foregoing Objection was electronically served upon the SEC Distribution List and an original and one copy will be hand delivered to the NH Site Evaluation Committee.

  
Thomas B. Getz