



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

December 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 for Additional Time to File Supplemental Responses Provided to DES**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of a Motion for Additional Time to File Supplemental Responses Provided to the Department of Environmental Services.

Please contact me directly should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas B. Getz", with a stylized flourish at the end.

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 FOR ADDITIONAL TIME TO FILE  
SUPPLEMENTAL RESPONSES PROVIDED TO THE  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

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, respectfully submit this motion for additional time to file supplemental information provided to the New Hampshire Department of Environmental Services ("DES") regarding the wetlands impacts of stormwater designs for four locations ("Motion"), which represents a small portion of the information due by December 15, 2016. As detailed below, good cause exists to grant the request because additional time was needed to conduct geotechnical subsurface survey work for these few locations and to analyze the resulting data. In support of this Motion, the Applicants state as follows.

1. On May 16, 2016, DES filed a progress report, pursuant to RSA 162-H:7, VI-b, which included requests for additional information and data from the Applicants. The Applicants completed responses to all but three of DES's 52 requests on July 12, 15, and 29, and August 11, 2016. The three remaining items include (1) stormwater redesign based on detailed subsurface data that required geotechnical borings, (2) a wetlands permit modification to address stream crossings along certain access roads, and (3) final baseline data reports for the mitigation parcels.

2. On August 12, 2016, DES filed a request asking to suspend the statutory deadline for its review of the parts of the NPT Application subject to DES review, which was granted on August 29, 2016. On September 22, 2016, the Presiding Officer issued an Order on Requests to Amend Procedural Order that, among other things, directed the Applicants to file the remaining responses to DES requests, as part of discovery in this proceeding, by December 15, 2016.

3. The Applicants will be submitting the supplemental responses to DES for the three remaining subject areas by December 15<sup>th</sup>, with the exception of a portion of the responses related to item number 1 above, which pertain to stormwater treatment design for four of the nine locations, namely, the Deerfield Substation, the Franklin Converter Terminal, and Transition Stations #1 and #5. The questions asked by DES concerning the stormwater designs for these locations required additional geotechnical subsurface data gathering, which required geotechnical boring work, which, in turn, required DES Shoreland and Wetlands permits. The Applicants seek additional time, until January 25, 2017, to complete the necessary work and analysis associated with responding to this discrete subset of responses.

4. The Applicants acted diligently to obtain the geotechnical information requested by DES. The Applicants requested expedited review by DES of the wetland permit applications for these locations so they could timely complete the geotechnical subsurface survey work necessary for the additional stormwater analysis. DES agreed to expedite the processing of these applications on August 31, 2016, and the permits were issued on October 18, October 19, 2016, and October 20, 2016. The Applicants immediately proceeded with the geotechnical boring work, which was completed on November 18, 2016. The Applicants ask for additional time to analyze the data and complete any necessary redesign of the stormwater treatment measures for these locations. The Applicants have expedited the engineering review, but the engineering

design drawings cannot in all likelihood be completed until January 25, 2017. It is expected that the design changes will be small and will not alter the type or the intent of stormwater best management practices being proposed at each station.

5. Allowing additional time to submit this limited information will not delay the proceedings or prejudice any party. Among other things, DES has indicated to the Applicants that receiving the engineering documents for these four locations by January 25, 2017 will not impede the issuance of its final report to the SEC by March 1, 2017.

6. Furthermore, the Procedural Schedule can accommodate the limited nature of this request as suggested below. Counsel for the Public and the Intervenors are currently required to submit pre-filed testimony on the Applicants' response to the DES requests by December 30, 2016. The Applicants propose February 9, 2017, as the deadline for Counsel for the Public and the Intervenors to submit pre-filed testimony with respect to the supplemental DES responses provided on January 25, 2017, which provides the same amount of preparation time for this small piece as the current procedural schedule provides for the larger whole. In addition, the Applicants are prepared to forego the opportunity to propound data requests addressing any pre-filed testimony regarding these remaining few responses to DES.

7. Finally, in the event that Counsel for the Public and any Intervenors elect to submit testimony with respect to the discrete issues of the four stormwater designs, such testimony can be prepared independently of other testimony on issues related to the December 15, 2016 submittals. Because these issues are separate and distinct, there is no need to delay filing other testimony due December 30, 2016, whether related to the DES responses in particular or natural resources generally.

8. The International Brotherhood of Electrical Workers concurs with the Motion, while the following parties object:

- a. Grafton County Commissioners
- b. McKenna's Purchase Unit Association
- c. Society for the Protection of New Hampshire Forests
- d. Abutting Property Owners: Dummer, Stark, and Northumberland
- e. Town of Bethlehem
- f. Town of Bristol
- g. Town of Easton
- h. Town of Franconia
- i. Town of Northumberland
- j. Town of Plymouth
- k. Town of Sugar Hill
- l. Town of Whitefield
- m. Town of Bridgewater
- n. Town of New Hampton
- o. Town of Woodstock
- p. Town of Littleton
- q. Town of Pembroke
- r. Town of Deerfield
- s. Ashland Water and Sewer Commission
- t. Deerfield Abutters
- u. Combined Abutters and Non-Abutters: Pittsburg, Clarksville, and Stewartstown
- v. Municipal Group 3 South
- w. Pemigewasset River Local Advisory Committee
- x. Southern (Ashland to Deerfield) Non-Abutters Intervenor Group

WHEREFORE, the Applicants respectfully request that the SEC:

- A. Grant the Applicants' request for additional time to file the responses provided to DES's requests for more information on the stormwater design at the four named locations; 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: December 7, 2016

By: 

Barry Needleman, Bar No. 9446  
Thomas B. Getz, Bar No. 923  
Adam Dumville, Bar No. 20715  
11 South Main Street, Suite 500  
Concord, NH 03301  
(603) 226-0400  
[barry.needleman@mclane.com](mailto:barry.needleman@mclane.com)  
[thomas.getz@mclane.com](mailto:thomas.getz@mclane.com)  
[adam.dumville@mclane.com](mailto:adam.dumville@mclane.com)

**Certificate of Service**

I hereby certify that on the 7<sup>th</sup> of December, 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