1	STATE OF NEW HAMPSHIRE
2	SITE EVALUATION COMMITTEE
3	February 1, 2018 - 1:50 p.m. DELIBERATIONS
4	49 Donovan Street Concord, New Hampshire DAY 3
5	Afternoon Session Only
6	{Electronically filed with SEC on 02-02-18}
7	
8	IN RE: SEC DOCKET NO. 2015-06 Joint Application of Northern
9	Pass Transmission, LLC, and Public Service Company of
10	New Hampshire d/b/a Eversource Energy for a Certificate
11	of Site and Facility. (Deliberations)
12	PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:
13	Chrmn. Martin P. Honigberg Public Utilities Comm. (Presiding as Presiding Officer)
14	Cmsr. Kathryn M. Bailey Public Utilities Comm.
15	Dir. Craig Wright, Designee Dept. of Environ. Serv. Christopher Way, Designee Dept. of Business &
16	Economic Affairs William Oldenburg, Designee Dept. of Transportation
17	Patricia WeathersbyPublic MemberRachel DandeneauAlternate Public Member
18	
19	ALSO PRESENT FOR THE SEC:
20	Michael J. Iacopino, Esq., Counsel for SEC
21	Iryna Dore, Esq., Counsel for SEC (Brennan, Lenehan, Iacopino & Hickey)
22	Pamela G. Monroe, SEC Administrator
23	(No Appearances Taken)
2 4	COURT REPORTER: Steven E. Patnaude, LCR No. 052

PA	GE NO
MOTION BY CMSR. BAILEY to deny the	3
Application for a Certificate of Site	
and Facility SECOND BY MS. DANDENEAU	4
DISCUSSION ON THE MOTION	4
VOTE ON THE MOTION	15
MOTION BY CMSR. BAILEY to reconsider the vote	22
SECOND BY MR. WAY	22
VOTE ON THE MOTION	22
MOTION BY CMSR. BAILEY to end deliberations	23
SECOND BY MR. WAY	23
VOTE ON THE MOTION	23
MOTION BY CMSR. BAILEY that the Applicant	24
has failed by a preponderance of the evidence	
to demonstrate that the Site and Facility, the	
Project, will not unduly interfere with the	
orderly development of the region SECOND BY MS. DANDENEAU	25
VOTE ON THE MOTION	25
	
MOTION BY CMSR. BAILEY to deny the	25
Application for a Certificate of Site and Facility, because the Applicant has failed	
to prove by a preponderance of the evidence	
that the Site and Facility, the Project, will	
not unduly interfere with the orderly	
development of the region	
SECOND BY MS. WEATHERSBY	26
VOTE ON THE MOTION	26
	0.7
MOTION BY MR. WAY to adjourn	27

PROCEEDING 1 (Before commencement of the 2 Afternoon Session the Committee 3 4 members met in a non-meeting 5 with SEC Counsel at 1:50 p.m.) (Deliberations resumed at 2:29 p.m.) 6 7 CHAIRMAN HONIGBERG: Sorry for the delay, folks. We needed some help from our 8 9 lawyer. 10 Am I recognizing you, Commissioner 11 Bailey? 12 CMSR. BAILEY: Yes. Thank you. 13 Chairman, I move at this time that we deny the 14 Application for a Certificate of Site and 15 Facility, because the Applicant has failed to 16 prove by a preponderance of the evidence that 17 the site and facility, the Project, will not 18 unduly interfere with the orderly development 19 of the region, with due consideration having 20 been given to the views of municipal and 21 regional planning commissions and municipal 22 governing bodies. 23 CHAIRMAN HONIGBERG: Is there a 24 second for Commissioner Bailey's motion?

1	MS. DANDENEAU: I'll second that.
2	CHAIRMAN HONIGBERG: Commissioner
3	Bailey, are you interested in speaking to your
4	motion?
5	CMSR. BAILEY: Yes. By statute, we
6	have to make findings, we have to make four
7	findings in order to grant the Certificate. I
8	think the conversation that we had earlier this
9	morning, it was clear that we can't make one of
10	those findings. And I know that there are pros
11	and cons of proceeding with our deliberations
12	on the rest of the considerations that we have
13	to make. But, at this point, I don't think we
14	are able to grant the Certificate. And I think
15	that there are some some risks in continuing
16	the deliberations, and well, let me say it
17	this way. I think, let's keep it simple.
18	We've reached a point where we know we can't
19	grant the certificate, if everybody votes the
20	way that we articulated on orderly development.
21	So, for a number of reasons, and we
22	know that this is going to be appealed, it may
23	be better for us just to stop now. And I just
24	want to have an open conversation about that,

1	and we have not discussed this amongst
2	ourselves back in the room. You know, we
3	talked about I asked about what the
4	procedure could be.
5	And, so, I'd like to hear everybody's
6	thoughts on this.
7	CHAIRMAN HONIGBERG: Anyone like to
8	offer some additional thoughts? Ms. Dandeneau,
9	you seconded the motion. What is your thinking
10	on this?
11	MS. DANDENEAU: I will say that I
12	agree with Commissioner Bailey, in that, at
13	this point, based on our conversations earlier
14	today, that it would seem to me that we can't
15	grant a Certificate.
16	I do have a concern about doing
17	diligence to the rest of the information that
18	we've had presented before us over the course
19	of 70 days of hearings. But, on the other
20	hand, like you said, Commissioner Bailey, is
21	that beyond the point right now, if we know
22	that we can't grant the Certificate?
23	So, I'll say that for now.
24	CHAIRMAN HONIGBERG: Other thoughts?

1 Anyone? Mr. Way.

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This morning's straw vote MR. WAY: was revealing to me. In that I was sort of somewhat surprised of the amount of agreement that we had amongst each other. I was also a little surprised that each time I heard from our different disciplines, I found that I agreed more and more on certain things that even I wish I had said. And, so, I guess my point is, on orderly development, it's not even close, doesn't seem close to me. That it's not something where we're going to be able to come back and walk out of it. It seems like that -that today was sort of a decision point, and it would be hard to go somewhere from here. And it would be hard -- I agree, I don't see how you could issue a Certificate, given our decision, even though it was a straw decision, of this morning.

CHAIRMAN HONIGBERG: Ms. Weathersby.

MS. WEATHERSBY: I'd love to be done.

I think everyone here would love to have

this -- a final decision on this. But the

lawyer in me says we should be sure to dot all

our i's and cross all our t's -- dot our t's and cross our i's.

And we have heard a lot of information over the past 70 days, we've read a ton of reports, we've got everybody's briefs.

There's been a lot of work. And I think it's worth considering all of the different arguments on all of the different factors.

I think that this Committee can do a good and thorough job. And we've made good progress in deliberations. It's gone quicker than I think, I know, more quickly than I thought it would go. And that, if -- I don't know what -- if expediency is at all a rationale for stopping now, I think that without too many more days we can be done and have addressed all of the topics.

I think there is some risk in not addressing them that we should consider, if, for some reason, I can't imagine how, but if we ever got reversed on an appeal, that we would then need to consider everything. And with the passage of time, our memories perhaps would fade, or we may have different members of the

1	Committee. And I think that that's a pretty
2	big risk.
3	CHAIRMAN HONIGBERG: Commissioner
4	Bailey.
5	CMSR. BAILEY: Just by way of
6	conversation, I think I'm coming at it from an
7	engineering perspective, you're coming at it
8	from a legal perspective. And I appreciate the
9	difference, I really do.
10	But, as an engineer, I look at things
11	from a more practical matter than from a legal
12	matter. And I'm worried that, if we continue
13	with our deliberations, we will really need to
14	figure out what conditions we would impose on a
15	lot of things. And that's not that's not
16	going to be simple and it's not going to be
17	fast. And there's going to be a lot more
18	things to appeal. And I think we have a pretty
19	good record right now.
20	So, because I'm not a lawyer, I lean
21	a little bit more toward let's just keep it
22	simple and stop here.
23	CHAIRMAN HONIGBERG: Mr. Wright.
2 4	DIR. WRIGHT: Thank you. I'm really,

really conflicted on this, to be honest with you. On one hand, I can hear Bill Belichick telling me to "do my job and finish what you started".

But, also, I'm an engineer, too. I'm a realist. We essentially have a four-legged stool, instead of the proverbial three-legged stool, and we know, as of this morning, I think we all know how we feel on at least one of those legs. And you need four legs to stand up in this case.

And I guess I'm really conflicted right now by the two of those things. But I would love to hear further discussion.

CHAIRMAN HONIGBERG: Ms. Dandeneau.

MS. DANDENEAU: So, I guess I have a question. Because I'm thinking about the amount of time that we've all put into this, and over the length of time that we've all been involved so far. And I'm not a lawyer, so I don't fully comprehend the different steps that would be taken after today, should we choose not to grant the Certificate.

I understand some of them. But, on a

1	longer time scale, is there a chance that the
2	Subcommittee for this could change, if the same
3	body of information had to be heard again. And
4	if that happens, would they have the same
5	length of time that we've had?
6	I guess that's my question.
7	CHAIRMAN HONIGBERG: I guess I'm
8	going to ask Mr. Iacopino to try to address
9	that, if you can.
10	MR. IACOPINO: It's really a very
11	difficult question to answer, so many variables
12	in terms of what might happen in the future.
13	Traditionally, once the Site
14	Evaluation Committee makes a decision, they
15	issue a written decision. Within 30 days, the
16	parties have 30 days to file a motion for
17	rehearing, trying to point out to the Site
18	Evaluation Committee what they overlooked or
19	misapprehended.
20	One, if the motion for rehearing is
21	denied, there is then a 30-day window to appeal
22	to the New Hampshire Supreme Court, where the
23	Appellant has to demonstrate that the action of
24	the Committee was unreasonable or unlawful.

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1	And from there, it's the Supreme Court's
2	decision and it's the Supreme Court's
3	timeframe.
4	MS. DANDENEAU: Okay.
5	MR. IACOPINO: And it could be short,
6	it could be long. There are certain cases that
7	are supposed to take precedence on the Court's
8	docket. I don't believe that ours is the type
9	of case that does, you know, fits in that
10	category.
11	MS. DANDENEAU: Okay.
12	MR. IACOPINO: But I can't tell how
13	long it would be. And I certainly can't tell
14	you what the make-up of the Site Evaluation
15	Committee would be at any point after 2:40
16	today.
17	So, that's there's just too many
18	variables to give you a solid answer on what
19	would happen.
20	CHAIRMAN HONIGBERG: But can you put
21	up a bound on one of those variables or at
22	least an educated guess as to the length of
23	time, just assume a shortest case and a longest
24	case in the Supreme Court for this type of

1	appeal?
2	I mean, I have opinions on that, but
3	I'm not sitting here as a lawyer right now.
4	MR. IACOPINO: We have pending before
5	the Supreme Court right now the Antrim Wind
6	appeal, which was just argued last week.
7	There's not been a decision on that. And
8	ADMIN. MONROE: It was in July, I
9	believe, when the case was accepted.
10	CHAIRMAN HONIGBERG: When was the
11	decision made in Antrim Wind?
12	ADMIN. MONROE: The final written
13	decision of the Committee was issued, I
14	believe, on Saint Patrick's Day, March 17th.
15	CHAIRMAN HONIGBERG: Of 2017?
16	ADMIN. MONROE: Correct. And the
17	appeal was accepted the end of July.
18	MR. IACOPINO: And there was a
19	motion, if my recollection is correct, there
20	was a Motion for Expedited Treatment of that.
21	So, expedited treatment meant they had their
22	oral arguments last week,
23	ADMIN. MONROE: Correct.
24	MR. IACOPINO: from March. And

when the Supreme Court will issue a decision in that case, I don't know. But I would tell you, Mr. Chairman, that, in my opinion, that's the short end of the range. And the long -- and the more common, at least in my experience, and some of my experience comes from my criminal defense practice, is that a typical appeal takes about a year from the time that it's accepted by the Supreme Court.

But that's -- and quite frankly, I think a lot of the criminal cases that I have are of a different nature and different level of complication than these types of issues.

CHAIRMAN HONIGBERG: Thank you, Mr. Iacopino.

I'll offer up that I am of two minds on this. As a lawyer, I understand and fully agree with Ms. Weathersby's view that the best time to do something is when it's freshest in your mind to go through all of the issues.

There's another part, another part of the lawyer in me, however, that recognizes the simplicity or complexity of this appeal is affected by how long the decision is and how

many decisions have been made. I'm fairly confident that there will be litigants who are happy with some aspects of whatever decision will be made and are unhappy with others. So, there will be cross appeals on top of the appeal, the main appeal, on every issue. And that will increase the complexity, increase the length of time, increase the briefs, the briefing lengths, the consideration of the issues that the Supreme Court will have to engage in.

Just dealing with the issue as it stands right now, that's a much simpler case to bring to the Supreme Court. But it does -- it does run the risk of, if there's a reversal, having to do a lot of things when it's not -- when they're not fresh in our minds.

I mean, that said, I have a lot of confidence in the work that the Subcommittee has done, the care with which it reviewed the record, considered the submissions of all the Parties, the evidence, and the record we have. But I don't get a vote at the Supreme Court.

Other thoughts on this?

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1
                         [No indication given.]
                    CHAIRMAN HONIGBERG: Are you ready to
 2
 3
         vote on Commissioner Bailey's motion?
                         [Multiple members nodding in the
 4
 5
                         affirmative.
 6
                    CHAIRMAN HONIGBERG: All right.
                                                      Ιf
 7
         you are in favor of Commissioner Bailey's
         motion to deny the Application for the reasons
 8
         she stated, you'll vote "aye". If you're
9
         opposed, you'll vote "no".
10
                    Is everybody ready for the vote?
11
12
                         [Multiple members nodding in the
13
                         affirmative.
14
                    CHAIRMAN HONIGBERG: All in favor say
          "aye"?
15
16
                         [Multiple members indicating
                         "aye".]
17
18
                    CHAIRMAN HONIGBERG: Can I see hands
19
         please?
20
                         [Indication given.]
                    CHAIRMAN HONIGBERG: All right.
21
22
         That's five.
23
                    All opposed?
24
                         [Indication given.]
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CHAIRMAN HONIGBERG: That's two. The motion carries five to two.

Before I entertain a motion to adjourn, there's a number of people I want to thank for all the hard work they have done on this.

I want to thank our Administrator,

Pam Monroe, for all the work she put into this,

and all the time she spent with the Parties,

the Applicant, Counsel for the Public, all the

intervenors, all the members of the public,

everyone she interacted with, and the

professional manner in which she did that.

I want to thank our lawyers, Mike

Iacopino, Iryna Dore, and all the people at

their office, who provided tremendous support

to us in facilitating our work, making sure

that it went as smoothly as possible. When

things didn't go smoothly in hearing, it was

usually my fault, not the fault of those who

prepared us or helped get all this put in

place.

I want to thank all the folks who worked in this facility, making it a good place

to hold a hearing. The folks in the back,
Mr. Wagner, and all the folks he worked with.
The folks from Eversource, who put in a
tremendous amount of time to get this all put
in place. I want to thank again Sandie
Merrigan, from Primmer, and Dawn Gagnon, from
McLane, who kept all the records for all the
Parties, cooperated with each other, and with
everyone who needed help from them, with good
humor.

I never questioned the competence or the diligence of any of the people who were advocating for their positions in this. The lawyers, the nonlawyers, some of whom could have gone to law school and done just fine. Some of the lawyers could take a lesson from the simplicity and the directness with which some of the nonlawyers pursued their cases.

I want to recognize the diligence and enthusiasm of the members of the public who came to public -- public hearings, public comment opportunities. This was a robust process by any standard.

(Chairman Honigberg conferring

1	with Atty. Iacopino, and then
2	conferring with Ms. Weathersby
3	as well.)
4	CHAIRMAN HONIGBERG: What we're
5	talking about up here, and thanks to Mike, is
6	to make sure that we have a correct set of
7	decisions that have been made so that the
8	decision of the Subcommittee is clear.
9	I got so fixated on something I
10	didn't expect to have to do today that I lost
11	my train of thought.
12	MS. WEATHERSBY: So, when I voted
13	"no", in my head I was voting on "no" to stop
14	now. I'm in favor of denying the Application,
15	which was not my vote, but I was in favor of
16	my preference would be to deny it after a full
17	analysis of all the issues.
18	So, I was confused, and I don't know
19	what we do about that, as to what I was voting
20	on at that time.
21	CHAIRMAN HONIGBERG: I'm in the same
22	situation.
23	Mr. Iacopino, can you offer us a
24	route to an endpoint that will make the record

1 clear?

MR. IACOPINO: Yes. If somebody who was in the majority, one of the majority five, makes a motion to reopen, you can then vote again — to reconsider, I'm sorry, you can then vote on the motion to reconsider. If the vote is in favor of reconsideration, you can then take a vote on the motion again.

CHAIRMAN HONIGBERG: Can you read the motion again? Because maybe I need to be --

CMSR. BAILEY: No. I think we're right. The motion was "I move at this time that we deny the Application for a Certificate of Site and Facility, because the Applicant has failed to prove by a preponderance of the evidence that the Site and Facility, the Project, will not unduly interfere with the orderly development of the region, with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies."

So, as I understand it, the people who voted "no" were saying -- they voted "no, we don't think the Certificate should be

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1
         denied."
                   And I'm willing to reconsider that
 2
 3
         motion, and --
 4
                   CHAIRMAN HONIGBERG: Unscripted
 5
         reality television.
 6
                   CMSR. BAILEY: -- and reopen the
 7
         record, maybe take a vote on orderly
         development, and then I'll make the motion
 8
9
         again.
10
                   CHAIRMAN HONIGBERG: That's what I
11
         was thinking. That the first motion should be
12
         to find that the Applicant failed in the ways
13
         that you just said. Once that motion is voted
14
         on, assuming it comes out the way I am fairly
15
         certain it will, there would then be a second
16
         motion, --
17
                   CMSR. BAILEY: Right. To deny --
18
                   CHAIRMAN HONIGBERG: -- to deny the
19
         Application, and then a third motion to
20
         adjourn.
21
                   CMSR. BAILEY: Right.
22
                   CHAIRMAN HONIGBERG: Mr. Iacopino, is
23
         that -- would that get us from here to where we
24
         need to be?
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1	MR. IACOPINO: I think it would.
2	CHAIRMAN HONIGBERG: All right.
3	MS. WEATHERSBY: Would it be helpful
4	to have another, not to complicate things, but
5	to have another motion on whether or not we
6	should end the proceedings now and take this
7	next vote? Or is that
8	CMSR. BAILEY: I think the only way
9	to end the proceedings is to deny the
10	Certificate, isn't it?
11	CHAIRMAN HONIGBERG: And then
12	MS. WEATHERSBY: No, but to to end
13	deliberations, excuse me.
14	CMSR. BAILEY: Oh. So, have a
15	motion
16	MS. WEATHERSBY: You know, our
17	conversation about whether we should stop now
18	or keep going, do we want to have the positions
19	of people outlined?
20	MR. IACOPINO: And I apologize. When
21	Ms. Bailey asked me to help her with the
22	motion, it probably the motion, probably the
23	first one should have been to move to end
2 4	deliberation at this point and then take a

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1
         vote.
                    So, that's probably on me.
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 3
                    CHAIRMAN HONIGBERG: All right. I'll
         entertain a motion to reconsider the vote we
 4
 5
         just took?
                    MR. WAY: Second.
 6
 7
                    CHAIRMAN HONIGBERG: No, somebody
         needs to move.
 8
9
                   MR. WAY: Okay.
10
                    CMSR. BAILEY: So moved.
11
                    CHAIRMAN HONIGBERG: All right.
12
         Commissioner Bailey moves.
                    MR. WAY: And I'll second.
13
14
                    CHAIRMAN HONIGBERG: And Mr. Way
15
         seconds.
16
                    All in favor say "aye"?
17
                         [Multiple members indicating
                         "aye".]
18
19
                    CHAIRMAN HONIGBERG: All right.
20
         motion is now back up for debate. Commissioner
21
         Bailey, it's my understanding that you would
22
         like to withdraw that motion at this time and
23
         substitute a motion to end deliberations, is
24
         that correct?
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                    CMSR. BAILEY: Do I want to end
         deliberations before we take up a motion -- a
 2
         vote on orderly development?
 3
                         (Atty. Iacopino nodding in the
 4
                         affirmative.)
 5
                    CMSR. BAILEY: Okay. Yes. So moved.
 6
 7
         I move that we end deliberations.
                    CHAIRMAN HONIGBERG: Is there a
 8
                 There better be.
9
         second?
10
                   MR. WAY: Second.
11
                    CHAIRMAN HONIGBERG: Mr. Way seconds.
12
         Do we need any further discussion?
                         [No verbal response.]
13
14
                    CHAIRMAN HONIGBERG: Seeing none.
15
         All in favor say "aye"?
16
                         [Multiple members indicating
                         "aye".]
17
18
                    CHAIRMAN HONIGBERG: Are there any
19
         opposed?
                   No.
20
                    MS. WEATHERSBY: Opposed was to end
21
         deliberations or --
22
                    CHAIRMAN HONIGBERG: Yes.
23
                   MS. WEATHERSBY: I'm opposed to
24
         ending deliberations.
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1
                    CHAIRMAN HONIGBERG:
                                         All right.
                                                      Αs
 2
         am I.
 3
                    So, it's five to two on ending
 4
         deliberations.
 5
                         (Whereupon the deliberations
                         ended at 2:53 p.m.)
 6
 7
                    CHAIRMAN HONIGBERG: Commissioner
         Bailey, do you have a motion to make regarding
 8
         the required finding on orderly development of
 9
10
         the region?
11
                   CMSR. BAILEY: I do.
12
                    CHAIRMAN HONIGBERG: And that motion
13
         would be?
14
                   CMSR. BAILEY: I move at this time
15
         that we find that the Application -- that the
16
         Applicant has failed by a preponderance of the
17
         evidence to demonstrate that the Site and
18
         Facility, the Project, will not unduly
19
         interfere with the orderly development of the
20
         region, having given due consideration to
21
         municipal views and regional planning
22
         commissions and municipal governing bodies.
23
                   CHAIRMAN HONIGBERG: Commissioner
24
         Bailey has made that motion. Is there a
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1
         second?
                  Ms. Dandeneau?
                   MS. DANDENEAU: Yes. I second.
 2
 3
                   CHAIRMAN HONIGBERG: All right.
                                                      Ιs
 4
         there any further discussion necessary on the
 5
         motion?
 6
                         [No verbal response.]
 7
                   CHAIRMAN HONIGBERG: Seeing none.
         All in favor say "aye"?
 8
                         [Multiple members indicating
 9
                         "aye".]
10
11
                    CHAIRMAN HONIGBERG: Are there any
12
         opposed?
13
                         [No indication given.]
14
                    CHAIRMAN HONIGBERG: All right.
                                                      The
15
         motion carries unanimously.
16
                    CMSR. BAILEY: All right. Now, I
17
         move at this time that we deny the Application
18
         for a Certificate of Site and Facility, because
19
         the Applicant has failed to prove by a
20
         preponderance of the evidence that the Site and
21
         Facility, the Project, will not unduly
22
         interfere with the orderly development of the
23
         region, with due consideration having been
24
         given to the views of municipal and regional
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         planning commissions and municipal governing
         bodies.
 2
                    This is to deny the Application.
 3
                    CHAIRMAN HONIGBERG: Is there a
 4
 5
         second?
                    MS. WEATHERSBY: Second.
 6
 7
                    CHAIRMAN HONIGBERG: Commissioner
         Bailey has moved that we deny the Application;
 8
         Ms. Weathersby has second.
9
10
                    Is there any further discussion
11
         necessary on the motion?
12
                         [No indication given.]
                    CHAIRMAN HONIGBERG: Seeing none.
13
14
         All in favor say "aye"?
15
                         [Multiple members indicating
16
                         "aye".]
17
                    CHAIRMAN HONIGBERG: Are there any
18
         opposed?
19
                         [No indication given.]
                    CHAIRMAN HONIGBERG: The "ayes" have
20
21
         it unanimously and the Application is denied.
22
                    Now, I'll entertain a motion to
23
         adjourn?
24
                    Oh, wait. There's another group of
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1
         people I need to thank: Our stenographers.
         the stenographers weren't here, it's as if it
 2
         didn't happen. So, we want to thank
 3
         Mr. Patnaude and his colleagues for all the
 4
         work that they did.
 5
 6
                    Now, a motion to adjourn?
 7
                    MR. WAY: I'll make a motion to
 8
         adjourn.
 9
                         [Indication given by Mr.
10
                         Oldenburg.]
11
                    CHAIRMAN HONIGBERG: Mr. Way moves we
12
         adjourn; Mr. Oldenburg seconds.
                    All in favor say "aye"?
13
14
                         [Multiple members indicating
                         "aye".]
15
16
                    CHAIRMAN HONIGBERG: We are
17
         adjourned.
                         (Whereupon the proceedings were
18
19
                         adjourned at 2:55 p.m.)
20
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CERTIFICATE

I, Steven. E. Patnaude, a Licensed Shorthand

Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of these proceedings taken at the place and on the date hereinbefore set forth, to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

Steven E. Patnaude, LCR Licensed Court Reporter N.H. LCR No. 52 (RSA 310-A:173)

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