

STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE  
(SEC Docket No. 96-01)

ORDER OF PARTIAL SUSPENSION DURING CONSIDERATION  
OF SUPPLEMENTAL MOTION FOR REHEARING

On July 16, 1997, the Site Evaluation Committee issued a decision in this docket which, *inter alia*, granted a Request of Portland Natural Gas Transmission, Inc. (PNGTS) for a Certificate of Site and Facility pursuant to RSA 162-H to construct, operate and maintain the PNGTS project and to Maritimes & Northeast Pipeline, L.L.C. (M&N) and PNGTS for a Certificate of Site and Facility pursuant to RSA 162-H to construct, operate and maintain the joint facilities. On August 14, 1997, the applicants filed a timely Joint Motion for Reconsideration/Clarification or Rehearing under RSA 541:3. On September 26, 1997, the Committee issued a Decision and Order on the applicants' Joint Motion for Reconsideration/Clarification. On October 27, 1997, the applicants filed an appeal to the N.H. Supreme Court of the Committee's Decision. Also on October 27, 1997, the applicants filed a Supplemental Joint Motion for Reconsideration/Clarification or Rehearing under RSA 541:3. On November 4, 1997, Public Counsel filed an Objection to the applicants' Supplemental Motion for Reconsideration.

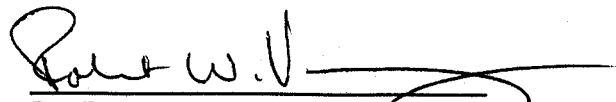
The applicants' Supplemental Motion related to three discrete issues: the NHDES mixing zone for turbidity, the NHPUC pipe toughness standards, and the legal issue of whether the laterals are "intrastate" facilities under the federal Revised Pipeline Safety Act. Due to the complexity of gathering the Committee members within the statutory time frame to respond to said motion, a telephone poll was conducted of the members on the question of whether to suspend, for a period of up to three weeks, the portions of the decision at issue in the supplemental reconsideration motion. A majority of the Committee voted in favor of suspension for the purpose of considering the motion, objection, and agency recommendations.

Upon consideration of the Supplemental Motion for Rehearing filed with the Committee,

The Committee hereby ORDERS, the following portions of the Decisions and Orders in this matter are hereby suspended for a period of three weeks unless ordered otherwise by the Committee: (1) NHDES Condition 12, as revised September 23, 1997; (2) NHPUC Condition A1, with respect to notch toughness; and (3) NHPUC Condition F.

Dated: November 6, 1997

Site Evaluation Committee

  
By: Robert W. Varney, Chairman