

Orr&Reno

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December 15, 2016

Via Hand Delivery and Email

Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
c/o New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301-2429

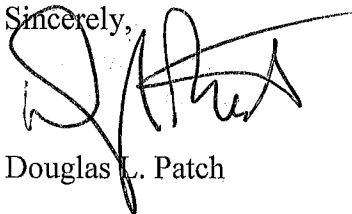
***Re: SEC Docket No. 15-04, Application of Public Service Company of New Hampshire
d/b/a Eversource Energy for a Certificate of Site And Facility for the Construction of a
New 115 kV Transmission Line from Madbury Substation to Portsmouth Substation –
Partially Assented-to Motion to Postpone the Procedural Schedule***

Dear Ms. Monroe:

Enclosed are an original and one copy of a Partially Assented-to Motion to Postpone the Procedural Schedule being filed by the Town of Durham and the University of New Hampshire in the above-captioned docket.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,



Douglas L. Patch

DLP/eac

Enclosure

cc (via email): Service List in SEC Docket 15-04

1645817_1

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE SITE EVALUATION COMMITTEE
SEC Docket No. 2015-04

Partially Assented-to Motion to Postpone the Procedural Schedule

The Town of Durham (“Durham”) and the University of New Hampshire (“UNH”), an intervenor in the above-captioned proceeding, by and through their attorneys, respectfully submits this Motion pursuant to N.H. Admin. Rule Site 202.14 and requests that the New Hampshire Site Evaluation Committee (“Committee”) amend the schedule in this docket as indicated below. In support of this Motion, Durham and UNH represent that:

1. On April 12, 2015 the Committee received an Application for a Certificate of Site and Facility from Eversource for the construction of a new 115 kV Transmission Line from the Madbury Substation to Portsmouth Substation (“Application”). The proposed Project described in the Application will be located in the Towns of Madbury, Durham, Newington and the City of Portsmouth and a portion of the Project will run through property owned by UNH. The Committee accepted the Application as being administratively complete on June 1, 2016. *See* RSA 162-H:7, VI.

2. On October 17, 2016 the Committee issued an Order establishing a procedural schedule for the balance of the adjudicative proceeding. Under that schedule technical sessions with Applicant’s witnesses are scheduled for December 19 and 21, 2016 and Counsel for the Public and intervenors must provide pre-filed testimony on or before January 15, 2017. This Order also said that if an amendment to the Application

was filed Counsel for the Public and intervenors would have 14 days from that date to proffer additional discovery requests.

3. On December 1, 2016 the Applicant submitted a new report consisting of 335 pages prepared by its consultants, Normandeau Associates, regarding sediments in Little Bay. This was not submitted with the original Application and is therefore likely to require additional discovery. On December 9, 2016 the Applicant responded to data requests from intervenors and Public Counsel that were based on the Application as it existed as of that point in time. Those responses were accompanied by a compact disc that includes over 760 pages of attachments. The Applicant had indicated during the prehearing conference that it would in all likelihood be filing a supplement to the Application. That supplement has not yet been filed.

4. In light of the information which it has recently received the Town of Durham is attempting to hire a consultant to review information from the Applicant. It has been unable to do this as of yet but hopes to be able to do so very soon. In all likelihood it will want this consultant to file testimony.

5. Durham/UNH submits that postponing the technical sessions and the deadline for filing Public Counsel and intervenor testimony would promote the efficient and orderly process of the proceeding. Holding technical sessions next week when intervenors have not had enough time to digest or ask data requests about the recent filing by the Applicant or to adequately review the recent responses to data requests, and without having in their possession the expected supplement to the Application, is likely to lead to the need for additional technical sessions and discovery and thus a significant duplication of time and efforts.

6. The Parties who have concurred with the Motion as listed below agree to meet on Monday December 19, 2016 at 10AM at the Public Utilities Commission office to discuss a revised procedural schedule and to file the new schedule either jointly or, if there is no agreement, separately by Friday December 23, 2016. The Parties who concur with this Motion unless otherwise noted agree as part of this change to the schedule to keep the final hearing date in April.

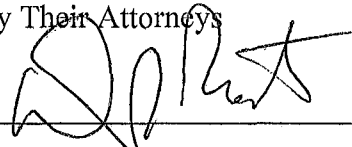
7. Pursuant to Admin. Rule Site 202.14 Durham/UNH has made a good faith effort to obtain concurrence from the other parties. The following parties concur with this Motion: Counsel for the Public; Conservation Law Foundation; Dr. Nick Smith; the Nature Conservancy. Public Service Company of New Hampshire d/b/a Eversource Energy (the Applicant) assents to the relief requested, but does not necessarily agree with all of the positions of the moving party. The Durham Residents intervenor group concurs with postponing the technical sessions and takes no position on the balance of the Motion. The Town of Newington and Helen H. Frink concur with the Motion to postpone technical sessions scheduled for Dec. 19 and 21, and to discuss revising the procedural schedule. The following party could not be reached despite a good faith effort to reach them: Fat Dog Shellfish Co., LLC.

WHEREFORE, Durham and UNH respectfully request that the Committee grant the request that the technical sessions and deadline for submission of prefiled testimony be postponed and that the Committee direct that the Parties meet on Monday December 19 at 10AM and the New Hampshire Public Utilities Commission to discuss revisions to the procedural schedule.

Respectfully submitted,

Town of Durham and University of New
Hampshire

By Their Attorneys



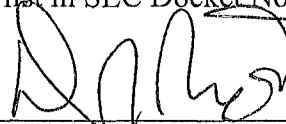
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Dated: December 15, 2016

Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 15th day of
December 2016 been sent by email to the service list in SEC Docket No. 2015-04.

By: _____



Douglas L. Patch

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