

1 STATE OF NEW HAMPSHIRE

2 SITE EVALUATION COMMITTEE

3 May 31, 2016 - 9:00 a.m.
4 Public Utilities Commission
5 21 South Fruit Street Suite 10
6 Concord, New Hampshire

NHPUC JUN24'16 PM 3:37

7 IN RE: SEC DOCKET NO. 2015-05
8 SITE EVALUATION COMMITTEE:
9 Joint Application of New England
10 Power Company d/b/a National Grid
11 and Public Service Company of
12 New Hampshire d/b/a Eversource
13 Energy for a Certificate of
14 Site and Facility.
15 (Final Structuring Conference)

16 PRESENT:

SITE EVALUATION COMMITTEE:

17 Michael J. Iacopino, Esq. Counsel to the Committee
18 (Presiding as Presiding Officer)

19 Also Present: Pamela G. Monroe, SEC Administrator

20
21
22
23 COURT REPORTER: Steven E. Patnaude, LCR No. 52
24

 ORIGINAL

APPEARANCES:

COUNSEL FOR THE APPLICANTS:

Reptg. Eversource Energy: Barry Needleman, Esq.
(McLane Middleton)

Reptg. National Grid: Mark Rielly, Esq.
(Senior Counsel,
National Grid)

Counsel for the Public: Christopher G. Aslin, Esq.
Assistant Atty. General
N.H. Dept. of Justice

Intervenor: Margaret Huard, *pro se*

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P R O C E E D I N G

PRESIDING OFFICER IACOPINO: We're here today in Docket Number 2015-05, the Application of Public Service Company of New Hampshire doing business as Eversource and New England Power Company. They have filed jointly an Application for a Certificate of Site and Facility for the Merrimack Valley Reliability Project, which is a transmission line.

The purpose of today's proceeding is a Final Pretrial Conference. We're scheduled to begin the adjudicative hearings on, what date?

ADMINISTRATOR MONROE: June 13th.

PRESIDING OFFICER IACOPINO: June 13th.

ADMINISTRATOR MONROE: They are scheduled for June 13th and June 14th right now.

PRESIDING OFFICER IACOPINO: And, so, what we're going to do today is we're going to have that Final Pretrial Conference. We're going to deal with all of the things that technically go into a pretrial conference,

{SEC 2015-05} [Final Structuring conference] {05-31-16}

1 including the possibility of stipulations, the
2 determination of any outstanding motions or
3 requests for relief. And there are some that
4 we expect there will be an order on within the
5 next 24 hours. There is a -- we'll deal with
6 the number of witnesses, and the amount of time
7 that we think the proceedings will take with
8 respect to each of the witnesses.

9 Before we get into all that, we'll
10 take appearances. First of all, I didn't
11 introduce myself. I'm Michael Iacopino, and I
12 am Counsel for the Committee. I've been
13 designated as the Presiding Officer in this
14 proceeding.

15 ADMINISTRATOR MONROE: Pam Monroe,
16 Administrator of the Site Evaluation Committee.

17 MR. NEEDLEMAN: Barry Needleman, from
18 McLane Middleton, representing the Joint
19 Applicants.

20 MR. ASLIN: I'm an Assistant Attorney
21 General, Chris Aslin, as Counsel for the
22 Public.

23 MS. HUARD: Peggy Huard, intervenor,
24 representing myself, *pro se*.

1 PRESIDING OFFICER IACOPINO: Thank
2 you. Okay. Let's start off with the -- there
3 are Stipulated Facts and Requests for Findings.
4 My understanding is that this Stipulation that
5 was filed around May 20th is a Stipulation that
6 exists between the Applicants and Counsel for
7 the Public, and that Ms. Huard has not
8 stipulated to any of the facts or rulings of
9 law contained in the document.

10 Is that -- is my understanding
11 correct?

12 MR. NEEDLEMAN: Yes.

13 MS. HUARD: That is correct, at this
14 point, yes.

15 PRESIDING OFFICER IACOPINO: Do you
16 anticipate, Ms. Huard, stipulating to any
17 portion of this?

18 MS. HUARD: I would prefer to
19 distance myself completely from it, so that
20 there's no confusion.

21 PRESIDING OFFICER IACOPINO: Okay.
22 All right. So, what that means is that we will
23 have, if there is still a party who has not
24 stipulated, there will be a need to have pretty

1 much all the witnesses, I guess, at the
2 evidentiary hearing.

3 And, I guess my first question is, to
4 the Applicant, do you have a witness list
5 and/or an exhibit list?

6 MR. NEEDLEMAN: I have both. Maybe
7 we should start with the witness list?

8 PRESIDING OFFICER IACOPINO: That
9 would be great. Big paper.

10 MR. NEEDLEMAN: So, this is an effort
11 to try to organize this to the best of our
12 ability. I think everything on here, in terms
13 of order, panels, things like that, is
14 something we can easily anticipate happening.
15 The part that is a real challenge is trying to
16 anticipate the amount of time that we'll need
17 for each. And, so, we took our best guess with
18 respect to that. But I was hoping that maybe,
19 between the other Parties who are here today,
20 who are going to have a better sense of the
21 number of questions they're going to have for
22 these witnesses, they could look at those
23 projected times and maybe help us to refine
24 them.

1 PRESIDING OFFICER IACOPINO: Okay.
2 I'm going to ask the same question of Counsel
3 for the Public. Are you going to present any
4 witnesses in this case?

5 MR. ASLIN: I'm not.

6 PRESIDING OFFICER IACOPINO: Okay.
7 And, Ms. Huard, are you going to present any
8 witnesses?

9 MS. HUARD: No, I'm not.

10 PRESIDING OFFICER IACOPINO: Do you
11 intend to testify yourself? I know that you
12 filed prefiled testimony.

13 MS. HUARD: I didn't know I had a
14 choice.

15 PRESIDING OFFICER IACOPINO: Well,
16 you don't.

17 MS. HUARD: Right.

18 PRESIDING OFFICER IACOPINO: If you
19 want your prefiled testimony to be considered,
20 you have to be subject to cross-examination.

21 MS. HUARD: That's fine. And, that's
22 what I thought. Yes. Yes, that I do.

23 PRESIDING OFFICER IACOPINO: All
24 right. And I didn't see any other prefiled

1 testimony from you. So, I don't -- there are
2 no other witnesses you intend to call?

3 MS. HUARD: That is correct.

4 PRESIDING OFFICER IACOPINO: Okay.
5 So, in addition to the list that is contained
6 here, we would have one more witness. It seems
7 that would be Ms. Huard. I think maybe a good
8 thing to do is maybe switch up the order that I
9 was going to do this in, and let's talk about
10 the suggestion from the Applicant here. And,
11 of course, I appreciate the fact that you've
12 tried to schedule everything, but we can't,
13 obviously, I can't -- nobody can limit, you
14 know, the valid cross-examination by the other
15 parties. Which is really what this will --
16 what most of our adjudicative hearing is about
17 is cross-examination of parties who have
18 already filed prefiled testimony.

19 I was wondering, Mr. Aslin and
20 Ms. Huard, if you would take a look. The
21 Applicant, obviously, gets -- has the
22 opportunity to present his witnesses in any
23 fashion that it thinks will -- they think is
24 best to establish their burden of proof. In

1 this particular case, they have listed several
2 panels, it looks like, and have estimated some
3 time frames. They have also given us the
4 convenience of seeing what they expect the
5 subject matter for each of the witnesses to be
6 about.

7 And I know, Mr. Aslin, you've had
8 experience with our proceedings before. Do you
9 have any objection to the make-up of the panels
10 and the way at which the Applicant is
11 suggesting it here?

12 MR. ASLIN: No. I have no objection
13 to the panels as set forth. As you stated, the
14 timing is probably subject to variability,
15 depending on the questioning, but --

16 PRESIDING OFFICER IACOPINO: Ms. Huar
17 d, with respect to these panels, I know it's
18 your first look at it, but it's probably not a
19 big surprise, given the prefiled testimony that
20 has been filed. Is there any reason why you
21 feel that the calling of these witnesses
22 according to these panels would interfere with
23 your ability to cross-examine?

24 MS. HUARD: I guess, as I was

1 planning, this is my first time doing this, I
2 thought they would feed off of the other
3 testimonies. So, I guess that's a little bit
4 of a surprise to me.

5 PRESIDING OFFICER IACOPINO: What do
6 mean "feed off"?

7 MS. HUARD: That they would all be in
8 the room at once. And they would -- so that
9 they can't consider that anyway, is that
10 correct? They're not going to be all in the
11 same room. This is a panel that's coming up in
12 front of us. Just like we did the technical
13 sessions. They will be in there, and only
14 them. The other witnesses will not be in at
15 the same time?

16 PRESIDING OFFICER IACOPINO: That's
17 really more a matter of just of witness
18 convenience, I think.

19 MS. HUARD: Okay.

20 PRESIDING OFFICER IACOPINO: If what
21 you're saying is you would like, for instance,
22 they have got Witness Panel Number 1, the
23 Applicant has called it the "Technical and
24 Managerial Capability Panel". They have five

1 witnesses who have provided prefiled testimony
2 that pertains to that particular subject.

3 MS. HUARD: Uh-huh.

4 PRESIDING OFFICER IACOPINO: The way
5 that that would normally operate would be we
6 would have those five witnesses at the
7 witness -- we'd be in the other room, of
8 course.

9 MS. HUARD: Of course.

10 PRESIDING OFFICER IACOPINO: We would
11 have those five witnesses at the witness table.
12 They would be presented, Mr. Needleman or
13 somebody else from the Applicant's lawyers,
14 would go through each of them just to introduce
15 them essentially to the Subcommittee. Would
16 ask them if there's any changes to their
17 testimony, which, normally, we don't expect
18 there to be any, but, if there is, we want to
19 know about it up front. And, then, turn them
20 over to Mr. Aslin and to you for
21 cross-examination.

22 Being that Mr. Aslin has stipulated
23 to many of the facts, I assume he's not going
24 to have a whole lot of cross-examination. So,

1 we would then be looking at you for your
2 cross-examination. And there are different
3 ways that you can cross-examine that witness
4 panel.

5 MS. HUARD: Uh-huh.

6 PRESIDING OFFICER IACOPINO: You can
7 ask a question, and you could say "anybody on
8 the panel can answer this", or, if there is
9 something specific in one of these witnesses'
10 prefiled testimony you want to quiz that
11 witness about, you're free to do that. You can
12 say, you know, "Mr. Hudock, on Page 14 of your
13 testimony you say, you know, ABC. What's wrong
14 with XYZ?" Or whatever your particular
15 viewpoint might be in your questions.

16 So that it doesn't limit you from
17 asking questions of individuals. But what it
18 does do is it makes the whole process a little
19 more convenient for everybody, because we can
20 keep it organized.

21 MS. HUARD: Uh-huh.

22 PRESIDING OFFICER IACOPINO: And we
23 can, you know, you'll know, for instance, after
24 the hearing, "where in the transcript do I need

1 to go to see evidence about technical,
2 managerial capability? Where in the transcript
3 do I go to see testimony about aesthetics?"

4 MS. HUARD: Uh-huh.

5 PRESIDING OFFICER IACOPINO: Because
6 it will all be in chunks in that transcript.

7 But I don't -- if any of these
8 witness panels, the make-up of these panels as
9 suggested by the Applicant, if you believe that
10 it interferes with your ability to
11 cross-examine, now is the time to speak up
12 about that.

13 MS. HUARD: Right. I just, you know,
14 I've got a pretty good understanding how these
15 work, but there are a lot of things you can't
16 see on paper. So, there is some technical
17 information I had hoped to feed off of when I
18 was cross -- from the cross-examination. And,
19 one area, like the technical/managerial, I
20 referred to it back in like in public health
21 and safety. But I can just re -- you know,
22 recreate my cross-reference --
23 cross-examination.

24 PRESIDING OFFICER IACOPINO: Well,

1 you're free, for instance, to, when the Public
2 Health and Safety Panel is on the witness
3 stand, --

4 MS. HUARD: Uh-huh.

5 PRESIDING OFFICER IACOPINO: --
6 you're free to say, you know, "so-and-so, who
7 testified earlier, testified", --

8 MS. HUARD: Okay.

9 PRESIDING OFFICER IACOPINO: --
10 assuming it's within their expertise.

11 MS. HUARD: So, whether they're in
12 the room or not, I can still refer to it?

13 PRESIDING OFFICER IACOPINO: Yes.

14 MS. HUARD: That's -- okay. Then,
15 that's fine.

16 PRESIDING OFFICER IACOPINO: And you
17 can ask if they agree. But understand that it
18 has to be within their expertise.

19 MS. HUARD: Right.

20 PRESIDING OFFICER IACOPINO: So, for
21 instance, if, I don't know, just pull somebody
22 out here, Brian McNeill is an accountant, --

23 MS. HUARD: Exactly.

24 PRESIDING OFFICER IACOPINO: -- and

1 he's talking about, you know, some accounting
2 issues, and then, you know, you're asking him
3 about, you know, some public health and safety
4 issue, you might draw an objection, --

5 MS. HUARD: Right.

6 PRESIDING OFFICER IACOPINO: -- and
7 the objection would likely be sustained.

8 MS. HUARD: No. It would be like
9 something that was brought up in one of the
10 notes to the financial statement, a fact that I
11 might refer to in public health, but related to
12 public health questions, something of that
13 nature.

14 PRESIDING OFFICER IACOPINO: You're
15 clearly free to do that, as long as it's
16 relevant to the witness's expertise --

17 MS. HUARD: Right. Okay.

18 PRESIDING OFFICER IACOPINO: -- and
19 his area of testimony. And, quite frankly, if
20 it's not, the witness is just likely to say to
21 you "I don't know, that's not my area."

22 MS. HUARD: Okay.

23 PRESIDING OFFICER IACOPINO: So, I
24 mean, as a practical matter.

1 MS. HUARD: So, the only other issue
2 I see with the scheduling, again, I mean, I
3 know it's the Applicant's schedule. So, I
4 would have liked to have seen the
5 technical/managerial last, because they oversee
6 everything. That would just be one request or
7 suggestion.

8 PRESIDING OFFICER IACOPINO: Does the
9 Applicant have any complaints with that?

10 MR. NEEDLEMAN: We do. We want to
11 present them first.

12 MS. HUARD: Okay.

13 MR. NEEDLEMAN: They lay out the
14 whole Project. They are sort of the key to
15 understanding everything that we expect to do.
16 And we think it's important for the Committee
17 and everyone else to hear from them initially,
18 because they're essentially going to set the
19 table for everything that comes after, in terms
20 of what we're proposing to build.

21 PRESIDING OFFICER IACOPINO: Does
22 Counsel for the Public have anything, one way
23 or the other?

24 MR. ASLIN: I don't have an opinion

1 particularly.

2 PRESIDING OFFICER IACOPINO: Now, it
3 is their case to make.

4 MS. HUARD: Uh-huh. That's fine.

5 PRESIDING OFFICER IACOPINO: So, they
6 do have the discretion.

7 MS. HUARD: That's fine. It's just a
8 point I wanted to make, if I had a chance.

9 PRESIDING OFFICER IACOPINO: Like I
10 say, you will be able to, assuming that it's
11 within the expertise of the following
12 witnesses, you will be able to go back. You'll
13 also be able to use their prefiled testimony.

14 MS. HUARD: Uh-huh.

15 PRESIDING OFFICER IACOPINO: So, if
16 there is some overlap between, say, Ms. Farrell
17 and Mr. Bailey, you may want to say "I have
18 Ms. Farrell's prefiled testimony here, she says
19 "ABC", and your prefiled testimony says "XYZ".
20 Can you explain the difference?" Or whatever
21 your particular issue happened to be.

22 MS. HUARD: Sure.

23 PRESIDING OFFICER IACOPINO: So,
24 that's the Applicant's witnesses. Let's look

1 at the time frames for a minute. I appreciate
2 you doing this, Mr. Needleman, because it
3 does -- it is helpful.

4 But, for Counsel for the Public and
5 Ms. Huard, if you could just take a look at
6 these time frames. Is there any time slots in
7 there that you think would be adjusted, should
8 be adjusted, based upon your anticipated
9 cross-examination of these witnesses? Whether
10 it's "you don't need that much time" or it's
11 "not enough time"?

12 MR. ASLIN: I would expect that my
13 cross-examination will be relatively short for
14 most of the witnesses. Of course, this will
15 build in time for the Subcommittee to ask
16 questions as well. So, I certainly wouldn't
17 need to bump any of these out for my purposes.

18 PRESIDING OFFICER IACOPINO: And,
19 keeping that in mind, in my experience, the
20 Subcommittee does ask a lot of questions.
21 So...

22 MR. NEEDLEMAN: One of the things
23 that would be helpful to know is, do we think
24 we will move faster on the first day than what

1 we have here? Because, if that's the case, we
2 would, for example, have the environmental
3 folks there in the afternoon and ready to go
4 on. If we're going to move slower, it's not as
5 much of an issue.

6 PRESIDING OFFICER IACOPINO: Where
7 are they coming from, Barry?

8 MR. NEEDLEMAN: They're local. So,
9 it's not a problem.

10 MR. ASLIN: We may be able to tell by
11 lunch.

12 PRESIDING OFFICER IACOPINO: I might
13 recommend that you do that anyway. But let's
14 hear from Ms. Huard in terms of the time
15 frames.

16 MS. HUARD: Honestly, very difficult
17 for me to figure out.

18 PRESIDING OFFICER IACOPINO: I know.
19 I'm not trying to tie you into anything either.

20 MS. HUARD: No, I know. But, you
21 know, I honestly -- I have no basis for putting
22 a time. I've tried to practice on it. And,
23 obviously, after seeing the schedule I'm going
24 to have to change. So, I'm thinking, I mean,

1 it looks sufficient as it is, not knowing what
2 Chris -- what time Attorney Aslin is going to
3 be taking. I really --

4 PRESIDING OFFICER IACOPINO: He
5 doesn't expect much.

6 MS. HUARD: Right.

7 PRESIDING OFFICER IACOPINO: I think
8 that --

9 MS. HUARD: So, I mean, there's
10 plenty of time for me, it seems. Whether I'm
11 going to cut it short. Let me just look at the
12 end of the day. You've got "aesthetics" --
13 when I go backwards, the technical/managerial
14 is difficult, because there's quite a few
15 people, and depending on the responses. So,
16 let me go backwards. We have "system impact",
17 that, I'm thinking, is only going to take me no
18 more than a half an hour. "Aesthetics", I
19 probably could do in a half an hour.

20 "Financial Capability", I probably will only
21 need a half an hour for that. So, that looks
22 like an area, but I can't be certain. I don't
23 think I'm going to need a full hour and a half.

24 PRESIDING OFFICER IACOPINO: For

1 "financial", are you talking about?

2 MS. HUARD: Yes, "financial
3 capability". So, that looks like an area,
4 possibly.

5 PRESIDING OFFICER IACOPINO: Okay.

6 MS. HUARD: I don't see me needing --

7 PRESIDING OFFICER IACOPINO: All
8 right. I missed you on Panel Number 1.

9 MS. HUARD: I didn't do it.

10 PRESIDING OFFICER IACOPINO: Or, you
11 were going to come back. Okay.

12 MS. HUARD: I skipped over it.

13 PRESIDING OFFICER IACOPINO: Okay.

14 MS. HUARD: Because I can't -- I
15 cannot break that down. I'm thinking a half an
16 hour per person. I have cross-examination for
17 all of them.

18 PRESIDING OFFICER IACOPINO: Okay.

19 MS. HUARD: So, I'm not -- one,
20 two -- two and a half hours. But, again, it
21 depends on their responses.

22 PRESIDING OFFICER IACOPINO: Yes.

23 MS. HUARD: So, the only area that I
24 foresee any room is the "financial capability".

1 That is an hour and a half. And, I'm trying to
2 think, I'm not going to need more than an hour,
3 but half an hour.

4 PRESIDING OFFICER IACOPINO: I would
5 suggest that you have your environmental panel
6 on call for the first day, at the end of the
7 day.

8 MR. NEEDLEMAN: We can do that.

9 PRESIDING OFFICER IACOPINO: And, if
10 we can get there, excellent. If we do not,
11 they can come in the next day.

12 So, all right. Well, I'm going to
13 recommend to the Chair that she provide this to
14 the Committee, so that they have an idea of
15 what's coming.

16 MR. NEEDLEMAN: I have a bunch of
17 extra copies, if you want them?

18 PRESIDING OFFICER IACOPINO: That
19 would be great. Do you have it in an
20 electronic format?

21 MR. NEEDLEMAN: I can send it to you.

22 PRESIDING OFFICER IACOPINO: You
23 could e-mail it to Pam, --

24 MR. NEEDLEMAN: Yes.

1 PRESIDING OFFICER IACOPINO: -- and
2 maybe Pam can send it to Committee. That would
3 be great.

4 *[Atty. Needleman distributing*
5 *documents to the Presiding*
6 *Officer.]*

7 PRESIDING OFFICER IACOPINO: I'm
8 going to give these to you.

9 Okay. Now, how much time,
10 Mr. Needleman, do you expect to take with
11 Ms. Huard?

12 MR. NEEDLEMAN: Maybe half an hour.

13 PRESIDING OFFICER IACOPINO: And,
14 Mr. Aslin?

15 MR. ASLIN: I anticipate no questions
16 for Ms. Huard.

17 PRESIDING OFFICER IACOPINO: Okay.
18 Ms. Huard, your testimony will likely occur on
19 Day 2.

20 MS. HUARD: Okay.

21 PRESIDING OFFICER IACOPINO: After
22 we've completed the Applicant's testimony. My
23 goal, if I were running the hearing, and I
24 won't be, but my goal would be to have us move

1 right into, once the public health and safety
2 panel is completed, Mr. Needleman will rest,
3 and then we would move right into your
4 testimony. So, that's when you could be
5 expected to be on the hot seat, so to speak.

6 MS. HUARD: Okay.

7 PRESIDING OFFICER IACOPINO: Okay.
8 And, then, my next question is also for you.
9 Is there any changes or anything that you're
10 going to anticipate with respect to your
11 prefiled testimony? I know you did file
12 something supplemental, but --

13 MS. HUARD: Right. I had filed one
14 change. I don't believe so.

15 PRESIDING OFFICER IACOPINO: Okay.
16 And I should go back. I know that you did
17 substitute a witness for the Applicant. You're
18 not expecting any supplemental information or
19 testimony or exhibits?

20 MR. NEEDLEMAN: No. You have it at
21 this point.

22 PRESIDING OFFICER IACOPINO: And
23 nothing like that from Public Counsel, right?

24 MR. ASLIN: That's correct.

1 PRESIDING OFFICER IACOPINO: Okay.

2 All right. Let's move on to exhibits.

3 Mr. Needleman, you said you had an exhibit
4 list, and I understand that --

5 *[Atty. Needleman distributing*
6 *documents.]*

7 PRESIDING OFFICER IACOPINO: Do you
8 have one more, Barry, for Pam?

9 MR. NEEDLEMAN: Yes. One of the
10 things I wanted to talk about, in terms of
11 prepping and marking exhibits, is that, as you
12 can see the vast majority of what's on our list
13 is stuff that everybody already has, the
14 Committee, the Applicants, and I didn't want to
15 create a lot of paper for no reason. There are
16 a couple of things toward the end that may be
17 helpful to have in paper, but I'm not even sure
18 of what the Committee has done recently in
19 trying to keep things in electronic form.

20 PRESIDING OFFICER IACOPINO: Go
21 ahead.

22 ADMINISTRATOR MONROE: Do we have any
23 precedence how this has been done?

24 PRESIDING OFFICER IACOPINO: Oh,

1 we've done it different ways. It all depends
2 upon the parties. What we have done in the
3 past, we've done two different things.
4 We've -- I would request that you mark one set
5 of exhibits, that will go to the court
6 reporter. And the reason for that is that, in
7 the event of an appeal, the New Hampshire
8 Supreme Court wants paper, at least at this
9 point, they don't want an electronic thing.

10 If I'm correct, App 1 through --
11 through 24 at least, are already in our record.
12 They're all either part of the original
13 application or testimony or supplemental
14 testimony that's been filed subsequent. And
15 the reason why we want those marked is it just
16 makes it easier when -- if we have to send the
17 record up to the Supreme Court, so that they
18 know what we're talking about, and they don't
19 sort of have to create a record for themselves
20 up there. They have everything that is marked.

21 And, then, what you've marked as
22 Exhibits Applicant 25 through 30, I know that I
23 may have received some of these. I don't know
24 if they're technically part of the record. But

1 what I would -- what I have done in the past is
2 we have made the exhibits available to the
3 Committee on a thumb drive, so that they could
4 use their laptops, and for the members that
5 will bring a laptop, and have these exhibits
6 there. So, --

7 ADMINISTRATOR MONROE: So, one paper
8 and an electronic for each of the --

9 PRESIDING OFFICER IACOPINO: Yes.
10 Unless -- what I'll do is I'll send or you can
11 send an e-mail to the Committee and ask them if
12 they prefer paper or electronic.

13 ADMINISTRATOR MONROE: Yes.

14 PRESIDING OFFICER IACOPINO: So,
15 that's what -- that's the way that we'll
16 operate with all of the exhibits. If I need
17 extra copies from anybody, I'll be --
18 beforehand, I'll be in touch with you. I just
19 don't, because so many of these are already in
20 the record, I don't think that's going to be an
21 issue, except for the last, 25 through 26.

22 I know that -- I did see the
23 technical session transcript. I was not aware
24 that there was a confidential one. And I don't

1 know whether that's something that I have
2 actually received yet.

3 Can we go off the record for a
4 minute?

5 *[Brief off-the-record discussion*
6 *ensued.]*

7 PRESIDING OFFICER IACOPINO: Okay.
8 So, let's move down to Applicant's Exhibit 27,
9 which is Ms. Huard's medical records. My
10 recollection is we have an order that those are
11 not to be publicized. They will be filed under
12 seal, to the extent you choose to present them
13 as an exhibit. I don't believe that we have
14 those yet. So, in other words, they haven't
15 been filed, they're not part of the record yet.

16 Ms. Huard, I think there was an order
17 with respect to them.

18 MS. HUARD: I gave Mr. Needleman the
19 only medical record that applies, and he has
20 that noted, the "Fire Department Report".

21 PRESIDING OFFICER IACOPINO: Okay.
22 If there are any cross-examination questions
23 regarding your medical records, we will clear
24 the hearing room, except for the lawyers for

1 the Parties and the Committee, and the
2 Committee Staff. But I don't know if
3 Mr. Needleman intends to cross-examine you
4 about medical records or not. It's going to be
5 up to him to make that decision. If, at that
6 time, you feel you need to object to those
7 questions, you should feel free to make your
8 objections at the time, and the Hearings -- the
9 Presiding Officer will rule on those
10 objections.

11 There are some pending motions that
12 are -- that are pending. Those there will be a
13 ruling on probably within the next 24 hours.
14 Most of those pertain to Hudson Fire Department
15 e-mails, e-mails with third parties, e-mails
16 about the Project. And there's a motion
17 alleging undue and oppressive treatment. And,
18 then we have a motion to compel responses,
19 which are, I believe, what I just -- the list
20 that I just went through.

21 There is a draft of the order on the
22 waivers with the Committee members. You know
23 what their rulings are. And that should be out
24 today, I would imagine, or tomorrow?

1 ADMINISTRATOR MONROE: We'll see.

2 PRESIDING OFFICER IACOPINO: We're
3 waiting for signatures. So, --

4 MR. NEEDLEMAN: And I think the only
5 obligation we had under those emerging orders
6 was to get you the filing, which is App 22,
7 that we already submitted.

8 PRESIDING OFFICER IACOPINO: All
9 right.

10 ADMINISTRATOR MONROE: The tax cards,
11 we have received those.

12 PRESIDING OFFICER IACOPINO: We did?

13 ADMINISTRATOR MONROE: Uh-huh.

14 PRESIDING OFFICER IACOPINO: Okay.
15 Mr. Aslin, do you anticipate presenting any
16 exhibits?

17 MR. ASLIN: I do anticipate one
18 exhibit. And, since it's only one, I didn't
19 prepare an exhibit list. But, after I give you
20 a copy, --

21 PRESIDING OFFICER IACOPINO: Then
22 tell us what it is.

23 MR. ASLIN: -- I will tell you what
24 it is. It is a list that was produced in

1 discovery of each of the structures on the
2 proposed Project that are higher than the
3 existing structures in the area. And there's a
4 section --

5 PRESIDING OFFICER IACOPINO: Who's
6 the author of the list?

7 MR. ASLIN: It was the two engineers,
8 Ms. Farrell and Mr. Luszcki -- Luszcki -- I
9 can't pronounce his name. Is that right?

10 MR. RIELLY: "Luszcki".

11 MR. ASLIN: "Luszcki".

12 PRESIDING OFFICER IACOPINO: Those
13 are -- they're both on that first panel?

14 MR. ASLIN: They are.

15 PRESIDING OFFICER IACOPINO: Okay.
16 And, for the record, Mr. Rielly has shown up,
17 and he is here on behalf of New England Power.

18 Okay. All right. Ms. Huard,
19 exhibits?

20 MS. HUARD: I have 51 proposed
21 exhibits.

22 PRESIDING OFFICER IACOPINO: Okay.
23 Do you have a list?

24 MS. HUARD: Not one for you. I can

1 get a copy, before I leave. I just have one,
2 one copy.

3 PRESIDING OFFICER IACOPINO: Sure.
4 We can get copies right now, if you'd like?

5 MS. HUARD: Okay.

6 PRESIDING OFFICER IACOPINO: Why
7 don't we take a short break while we get copies
8 made of that.

9 (Recess taken at 9:27 a.m. and
10 the conference resumed at 9:32
11 a.m.)

12 PRESIDING OFFICER IACOPINO: Okay,
13 we're back on the record. Okay. Ms. Huard, I
14 have some questions about your exhibits. You
15 have -- if you look at what you have marked as
16 "Exhibit 1" through "6", --

17 MS. HUARD: Uh-huh.

18 PRESIDING OFFICER IACOPINO: Do I
19 understand that these are all taken out of the
20 Application?

21 MS. HUARD: It is.

22 PRESIDING OFFICER IACOPINO: Okay.

23 MS. HUARD: They are.

24 PRESIDING OFFICER IACOPINO: All

1 right. We'll go back to those. Then, I'm
2 looking at 7 through 11, those appear to be
3 research that you've done separately, and I
4 don't know if it's part of the record yet?

5 MS. HUARD: None of it would be part
6 of the record yet, no.

7 PRESIDING OFFICER IACOPINO: Okay.
8 And, then, you've got 12 and 13, appear to be
9 things that were provided by the Applicant as
10 part of the Application?

11 MS. HUARD: Number 13 was provided as
12 part of the technical session. So, that's not
13 part of the record yet, correct? The technical
14 session has not been -- nothing from the
15 technical session has been entered into the
16 public record.

17 PRESIDING OFFICER IACOPINO: Okay.
18 That's -- I'm just trying to get an idea.

19 MS. HUARD: Uh-huh.

20 PRESIDING OFFICER IACOPINO: Because
21 one of my tasks is to make sure that the
22 Committee members have a way to look at all of
23 these exhibits. So, then, the Robinson Pond
24 watershed map from DES, that's something you

1 obtained on your own?

2 MS. HUARD: Yes, sir.

3 PRESIDING OFFICER IACOPINO: And the
4 storm drains, which are Exhibit 15?

5 MS. HUARD: Yes.

6 PRESIDING OFFICER IACOPINO: Obvious-
7 ly, it looks like Exhibit 16 is from the
8 Appendix AD.

9 MS. HUARD: Correct.

10 PRESIDING OFFICER IACOPINO: So,
11 that's in the record. We're still going to
12 need them marked, of course. Then, you've got
13 17 through --

14 MS. HUARD: Number 23 is from the
15 Applicant's appendix --

16 PRESIDING OFFICER IACOPINO: Okay.

17 MS. HUARD: -- or, the Application.

18 PRESIDING OFFICER IACOPINO: So, 17
19 to 22 -- I'm sorry -- 14 to 22 are, except for
20 16, are all things that were not part of the
21 Application or otherwise in the record.
22 They're exhibits that you researched and plan
23 to produce?

24 MS. HUARD: That is correct.

1 PRESIDING OFFICER IACOPINO: Okay.

2 As is 23 and 24, is that correct?

3 MS. HUARD: Twenty-three (23) is from
4 the Application.

5 PRESIDING OFFICER IACOPINO: Okay.

6 MS. HUARD: It's Table 13. I don't
7 know what page.

8 PRESIDING OFFICER IACOPINO: Okay.

9 And, then, the GIS maps, are they maps that
10 you've researched yourself or are they out of
11 the Application?

12 MS. HUARD: They are independent of
13 the Application.

14 PRESIDING OFFICER IACOPINO: Okay.
15 What kind of media are they on? I mean, are
16 they large? What --

17 MS. HUARD: No. They're eight and a
18 half by eleven.

19 PRESIDING OFFICER IACOPINO: Okay.

20 And, so, that gets us through Exhibit 33. And,
21 then, it appears that 34 to 49 are all in the
22 Application. Is that correct?

23 MS. HUARD: That is correct.

24 PRESIDING OFFICER IACOPINO: And,

1 then, "BPA Booklet on Loving", number 50, "BPA
2 Booklet"?

3 MS. HUARD: A typing error, I
4 believe.

5 MR. NEEDLEMAN: I don't think we've
6 seen that one yet.

7 MS. HUARD: "Living and Working".

8 PRESIDING OFFICER IACOPINO: I kind
9 of liked it the way it was.

10 MS. HUARD: Really.

11 PRESIDING OFFICER IACOPINO: But
12 that's -- that's not part of the record, but 51
13 is?

14 MS. HUARD: Again, that was referred
15 to in the technical session.

16 PRESIDING OFFICER IACOPINO: Right.

17 MS. HUARD: So, that is not part of
18 the record. So, that is correct.

19 PRESIDING OFFICER IACOPINO: Okay.
20 Do you have a complete set of these exhibits
21 already with the numbers on them, 1 through 51?

22 MS. HUARD: I did not number them,
23 because I thought I was doing -- I wasn't sure
24 if they were going to be accepted. So, I have

1 them ready to throw the number on them. I
2 thought I was going to have to go through each
3 one. So, I don't know what you want me to do
4 at this point.

5 PRESIDING OFFICER IACOPINO: Well, we
6 can do it after --

7 MS. HUARD: I don't have them by -- I
8 have them by exhibit, not in complete sets.
9 And, like I have each -- five of each exhibit,
10 I don't have five sets of all of the exhibits
11 together.

12 PRESIDING OFFICER IACOPINO: My
13 first -- my first concern is making sure that
14 we have a complete set for the record.

15 MS. HUARD: Uh-huh.

16 PRESIDING OFFICER IACOPINO: Okay?
17 So that, ultimately, they're going to wind up
18 with our -- with Mr. Patnaude. And, so, that's
19 my first order of business. And, then, after
20 that, I've got to figure out a way to make sure
21 that each of the Subcommittee members have
22 their own way to review them.

23 MS. HUARD: Okay.

24 PRESIDING OFFICER IACOPINO: And I

1 will need to talk to you about how we can do
2 that, so that I can get copies of them to the
3 Subcommittee. Whether it's copying the
4 exhibits once they're marked, then providing
5 them on paper, or I don't know what the
6 availability of some of these ones that aren't
7 part of the record in electronic format.

8 MS. HUARD: Uh-huh.

9 PRESIDING OFFICER IACOPINO: So, I'll
10 just have to talk to you after our proceeding
11 today.

12 MS. HUARD: I had planned on giving
13 you and Pam one of the copies. So, I don't
14 know if that's sufficient? I'm not sure.

15 PRESIDING OFFICER IACOPINO: Well, we
16 can talk about -- we need one original for the
17 record.

18 MS. HUARD: Okay.

19 PRESIDING OFFICER IACOPINO: As I
20 said before, --

21 MS. HUARD: And, when you say
22 "original", not the original from the book,
23 right?

24 PRESIDING OFFICER IACOPINO: No.

1 MS. HUARD: Okay.

2 PRESIDING OFFICER IACOPINO: The one
3 with -- just with the original stickers on
4 them.

5 MS. HUARD: Right.

6 PRESIDING OFFICER IACOPINO: That's
7 all. And the reason for that is, so that if
8 there is an appeal from any party, what we send
9 up to the Supreme Court, they're going to get
10 the record, but they're going to get the
11 exhibits from the trial, from the adjudicative
12 hearing set aside separately. Because that's
13 really -- usually, that's what they're looking
14 at, if there is an issue with whether or not
15 the Subcommittee made the correct decision.

16 Sometimes they will look at other
17 parts of the record, if there's a procedural
18 issue. But, with respect to what occurs at the
19 evidentiary hearing, that's what people
20 generally look at.

21 And, so, we will -- we need that.
22 So, we need one copy. And, then, we're going
23 to talk -- you and I can talk about whether
24 there's a way for me to get these in electronic

1 format from you. If not, I may have the
2 ability to do something about it at my own
3 office.

4 But I think that that, if the other
5 Parties don't mind, I'll just address that
6 issue with Ms. Huard after our conference
7 today.

8 MR. ASLIN: That's fine.

9 PRESIDING OFFICER IACOPINO: I think,
10 as you both know, at times I've provided sticks
11 with the exhibits on them to the Committee. It
12 just makes it easier for them. And lots of
13 times, with *pro se* folks, it's just been easier
14 for me to use my scanner at the office and put
15 the documents on.

16 Okay. I'm going to turn to
17 Mr. Needleman first. Mr. Needleman, there are
18 things on here that I know are not part of the
19 record. There are things that are part of the
20 record.

21 Are you anticipating objections to
22 any of her exhibits?

23 MR. NEEDLEMAN: We're certainly not
24 going to object to anything that's already part

1 of the record. With respect to things that
2 aren't part of the record, it's possible we
3 will. I'm somewhat familiar with some of
4 these. I can't remember most of them. So, I'm
5 just going to need to look at them.

6 PRESIDING OFFICER IACOPINO: All
7 right. I'm just trying to get an idea of what
8 issues might bog us down during the course of
9 the proceeding. And, Mr. Aslin, do you
10 anticipate objecting to any of the documents
11 that are not part of the record, or even that
12 are? I mean, obviously, you can object to
13 something that's part of the record, too, and
14 ask the Committee not to rely on it, but that's
15 generally not the case.

16 MR. ASLIN: I don't anticipate any
17 objections at this time based on the list.

18 PRESIDING OFFICER IACOPINO: Okay.
19 All right. So, Ms. Huard, you and I will meet
20 after this and see about getting your exhibits
21 marked and seeing about how we can best get a
22 copy to our Subcommittee.

23 ADMINISTRATOR MONROE: Can we just
24 back up? For Counsel for the Public, do you

1 have a paper copy there? Did we confirm a
2 form --

3 PRESIDING OFFICER IACOPINO: Oh, I'm
4 sorry. That's very good. Is that the list
5 that you have?

6 MR. ASLIN: Yes. I have a paper
7 copy. I can submit it electronically as well,
8 if that's useful?

9 PRESIDING OFFICER IACOPINO: That
10 would be helpful. And, if you could give the
11 paper copy before, if you have an extra copy --

12 MR. ASLIN: I have a bunch of copies.

13 PRESIDING OFFICER IACOPINO: Oh,
14 sure. Why don't you pass them out then.

15 *[Atty. Aslin distributing*
16 *documents.]*

17 PRESIDING OFFICER IACOPINO: And
18 we'll make sure that the Subcommittee gets it.

19 MR. ASLIN: There should be more than
20 enough copies.

21 PRESIDING OFFICER IACOPINO: Thank
22 you. Okay.

23 MR. ASLIN: If you'd like me to send
24 you an electronic version, I can do that as

1 well?

2 PRESIDING OFFICER IACOPINO: If you
3 could, if you can just send it to Pam and I
4 and --

5 MS. HUARD: So, one quick question.
6 So, as I go through these, I was just going to
7 save a copy for you guys, or for you, after, to
8 go over?

9 PRESIDING OFFICER IACOPINO: Yes.

10 MS. HUARD: I'll just save yours
11 here?

12 PRESIDING OFFICER IACOPINO: Yes.
13 We'll go over them together --

14 MS. HUARD: Okay.

15 PRESIDING OFFICER IACOPINO: -- at
16 the end of this proceeding today.

17 MS. HUARD: Okay. Okay.

18 PRESIDING OFFICER IACOPINO: Okay.

19 MS. HUARD: So, am I marking them as
20 I talk about them or will I see that unfold?

21 PRESIDING OFFICER IACOPINO: As you
22 "talk about them", when are you talking
23 about --

24 MS. HUARD: As I present --

1 PRESIDING OFFICER IACOPINO: You and
2 I are going to sit down and we'll mark them
3 together.

4 MS. HUARD: Okay.

5 PRESIDING OFFICER IACOPINO: How's
6 that? Okay?

7 MS. HUARD: So, I'm not marking them
8 right now?

9 PRESIDING OFFICER IACOPINO: No,
10 don't do it right now.

11 MS. HUARD: Okay.

12 PRESIDING OFFICER IACOPINO: Wait
13 till afterwards. We'll see if we can get our
14 hands on some stickers to put on them.

15 MS. HUARD: Okay. Well, actually, I
16 have a stamping on it without the number.

17 PRESIDING OFFICER IACOPINO: Oh. Oh,
18 okay.

19 MS. HUARD: And I was just going to
20 write in the number.

21 PRESIDING OFFICER IACOPINO: Well, we
22 can do that, too. So, --

23 MS. HUARD: Okay.

24 PRESIDING OFFICER IACOPINO: All

1 right. But let's do it after-the-fact, because
2 I want to get --

3 MS. HUARD: I just want to be clear.

4 PRESIDING OFFICER IACOPINO: Yes. I
5 just want to get familiar with what they
6 are, --

7 MS. HUARD: Okay.

8 PRESIDING OFFICER IACOPINO: --
9 because I'm going to be the one who is going to
10 have to explain them, when they're -- I send an
11 e-mail with the stick that says "Enclosed
12 please find". And one of the things that
13 people often ask me is "what part of these are
14 out of the Application and which ones are new?"
15 It's a common question that I get from
16 Committee members.

17 Okay. Are there any other
18 housekeeping matters that the Parties need to
19 be addressed at this conference?

20 MR. NEEDLEMAN: Once you get a
21 complete marked set of Ms. Huard's exhibits, if
22 you could just get them to us in some form,
23 electronically or whatever is the most
24 convenient.

1 PRESIDING OFFICER IACOPINO: I will
2 do that, and to you as well, Mr. Aslin.

3 MR. ASLIN: Thank you.

4 PRESIDING OFFICER IACOPINO: Any
5 other housekeeping issues from the Applicant?

6 MR. NEEDLEMAN: Not from us.

7 PRESIDING OFFICER IACOPINO: Mr.
8 Aslin?

9 MR. ASLIN: Nothing else.

10 PRESIDING OFFICER IACOPINO: Ms.
11 Huard?

12 MS. HUARD: No.

13 PRESIDING OFFICER IACOPINO: Okay.
14 When you set -- when you come in to set up for
15 the hearings, we're going to put Mr. Aslin and
16 you at that first table, which is the
17 Committee's right, would be your left as you
18 come in. You can each take one end of the
19 table. I think that will be sufficient. You
20 can use the table behind you, if you have, you
21 know, your exhibits set up or whatever.

22 And we're going to have to rearrange
23 that room a little bit, because one of our
24 panels is larger than normal. So, we're going

1 to have to create a makeshift type of witness
2 box.

3 But, when you come in, just take one
4 end or the other of that table that's right up
5 front.

6 Is there anything that I've forgotten
7 to address with the Parties? Can the Parties
8 think of anything I've forgotten to address?

9 MR. NEEDLEMAN: No.

10 PRESIDING OFFICER IACOPINO: We have
11 exhibit lists, and we have a witness list and
12 an estimation of time. There is no further
13 stipulations. If at any time between now and
14 the hearing starts, if the Parties make further
15 stipulations, that's fine. Do not hesitate to
16 do that. Just let us know.

17 And I guess that that's the -- all we
18 need to go over then. I would have that
19 environmental panel available on the first day,
20 you have them on call or whatever, because my
21 guess is we'll likely get to them in some
22 fashion.

23 MR. NEEDLEMAN: Okay.

24 PRESIDING OFFICER IACOPINO: And it

1 does look like it's going to take the two full
2 days. So, people should be prepared for that.
3 If it goes beyond that, we'll have to schedule
4 out that third day or fourth day, whatever's
5 needed.

6 ADMINISTRATOR MONROE: I may try and
7 do that in advance, just in case we need it.

8 MR. ASLIN: As far as timing each
9 day, does the Committee or Subcommittee have a
10 cut-off time?

11 MR. NEEDLEMAN: That's generally
12 within the Presiding Officer's purview. We
13 were planning on starting at 10:00 each day.
14 And the reason why we don't start at 9:00 for
15 hearings is so that the Committee members can
16 go into their real offices and put out any fires,
17 take care of anything that needs to be taken
18 care of, before they get here and are here for
19 the rest of the day. We have gone late in the
20 past in various cases. It's always a function,
21 I think that, you know, the Presiding Officer
22 is usually flexible. And, you know, if
23 somebody has an issue, you have to be
24 somewhere, if there is a problem that going

1 beyond -- 4:00 is the State closing time.

2 ADMINISTRATOR MONROE: 4:30.

3 PRESIDING OFFICER IACOPINO: 4:30 is
4 the State closing time. I should say, we like
5 to close at -- we'd like to close up at 4:30,
6 but it's not unusual for us to go beyond that
7 in the Site Evaluation Committee. And the
8 reason for that is we have a lot of State
9 officials who sit on the various subcommittees.
10 So, you know, in addition to doing this, they
11 have their regular day jobs to deal with. And,
12 you know, plus it's not fair to the rest of the
13 staff to make them wait around to clean the
14 hearing room or do whatever needs to be done
15 here at the Public Utilities Commission.

16 But, if there are issues, if there do
17 become scheduling issues, raise them, let Pam
18 or myself know. And we'll make sure that they
19 get heard, you know. And, of course, any
20 emergencies, my cellphone number is 496-4455.
21 If we get a snowstorm or something and you're
22 running late, and you just want to call me or
23 send me a text message, that's fine. I don't
24 think we'll be expecting that, but --

1 ADMINISTRATOR MONROE: I just wanted
2 to ask, if we were to schedule another couple
3 days just as a contingency, does anybody have a
4 conflict with June 29th and 30th? I know it's
5 coming towards the Fourth of July. I have not
6 polled the Committee, but --

7 MS. HUARD: I do. I actually have
8 the whole week reserved, and then my son is on
9 vacation. So, it will be difficult for me
10 after that week. But I can make
11 accommodations, just food for thought. I had
12 set aside that whole week.

13 ADMINISTRATOR MONROE: Okay.

14 MS. HUARD: If I had to push it to
15 the end of the month, it will be very
16 inconvenient for me. I could do it, but I
17 would prefer to see it done in that week.

18 ADMINISTRATOR MONROE: I know that
19 the Committee has conflicts --

20 MS. HUARD: Okay.

21 ADMINISTRATOR MONROE: -- that week,
22 during -- that those two days are the only two
23 days within that week that I know for a fact.

24 MS. HUARD: Yes. I don't foresee it

1 being very convenient. Like you said, it's
2 like before the Holiday weekend. I don't
3 foresee it being very convenient. But,
4 hopefully, we don't have to extend it.

5 ADMINISTRATOR MONROE: I would like
6 to just try and schedule, so we have it on the
7 calendar. So, that week is out.

8 MS. HUARD: I'd have to actually look
9 at my calendar, because it was not something at
10 all anticipated. I had set aside that entire
11 week.

12 ADMINISTRATOR MONROE: Can you get
13 back to me, let me know?

14 MS. HUARD: I can. Yup.

15 PRESIDING OFFICER IACOPINO: Because
16 I won't ask the Committee if --

17 MS. HUARD: All right. I will get
18 back to you today.

19 ADMINISTRATOR MONROE: Okay.

20 MS. HUARD: I will look at my
21 calendar and see.

22 ADMINISTRATOR MONROE: Thank you.

23 MS. HUARD: And I have one more
24 question.

1 PRESIDING OFFICER IACOPINO: Yes,
2 ma'am.

3 MS. HUARD: So, providing that Day 2
4 goes until 5:30, am I still going to be
5 cross-examined after that or will that move to
6 the 30th?

7 PRESIDING OFFICER IACOPINO: That
8 will be --

9 MS. HUARD: Because I do have -- I do
10 have night driving restrictions, not anything
11 formal, but I'm not comfortable driving from
12 Concord to my house.

13 PRESIDING OFFICER IACOPINO: That's
14 going to be up to the Presiding Officer --

15 MS. HUARD: Uh-huh.

16 PRESIDING OFFICER IACOPINO: -- who's
17 on the Bench at the time. You know, one of the
18 things that generally happens in hearings, both
19 in court and in these proceedings is, when
20 you're beyond the time that the building is
21 closed, and there is a place that it makes
22 sense to break, --

23 MS. HUARD: Uh-huh.

24 PRESIDING OFFICER IACOPINO: --

1 normally they would. So that, if, for
2 instance, that last panel finished up at 5:30,
3 it is possible the Hearings Officer -- the
4 Presiding Officer would say "Well, we've
5 already gone to 5:30. We can't go any further.
6 We will have to schedule another day for
7 Ms. Huard's testimony."

8 You know, it's also possible that
9 she's going to turn and say "How long are you
10 going to take with Ms. Huard?" And, if it's
11 ten minutes, you know, she may say "Well, let's
12 go forward."

13 We're lucky in that we're getting
14 into the season where it gets dark later.

15 MS. HUARD: Right.

16 PRESIDING OFFICER IACOPINO: But I do
17 understand, and it's a matter of raising it at
18 that point.

19 And it's the same thing, if anybody
20 has any issues with breaks, we have had, you
21 know, folks who have had to take a morning or
22 an afternoon break, because they have either
23 diabetes or some kind of sugar issue and they
24 need to take a break and eat, we've done that.

1 So, those are things that, you know, it's just
2 a simple ask from the Presiding Officer.

3 I actually, in looking at the
4 proposed schedule that we have here, I'm
5 hopeful that we'll be able to get you in within
6 those two days. That's one of the reasons why
7 I'm trying to make sure the Applicant brings
8 that environmental panel or has them available
9 on Day 1. Because, if we can get to them and
10 get them done or at least get them started on
11 Day 1, we might be able to shorten up the
12 balance of the schedule on that day.

13 MR. NEEDLEMAN: On those dates you
14 asked about, the 29th is fine for me. The 30th
15 I've got something first thing in the morning.
16 So, I might need to start just a little bit
17 later, if we went to that date.

18 ADMINISTRATOR MONROE: Okay.

19 MR. ASLIN: And both of those are
20 fine for me.

21 ADMINISTRATOR MONROE: Okay.

22 PRESIDING OFFICER IACOPINO: Okay.
23 Any other issues?

24 *[No verbal response.]*

1 PRESIDING OFFICER IACOPINO: All
2 right. Well, thank you all. We'll adjourn
3 this conference.

4 And, Ms. Huard, if you could stay
5 right there, I'm going to come back there and
6 go over your exhibits with you.

7 ***(Whereupon the Final Structuring***
8 ***Conference was adjourned at***
9 ***9:53 a.m.)***