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June 17, 2016

Via Electronic Mail/Hand Delivery

Ms. Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301

**Re: New Hampshire 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 for a Certificate of Site and Facility for
Construction of a New High Voltage Transmission Line in New Hampshire**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of the Applicants' Objection to Late-Filed Petition to Intervene of Joseph T. Keenan.

Please contact me directly should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Thomas B. Getz". The signature is stylized with a large, looping "T" and a cursive "G".

Thomas B. Getz

TBG:slb

cc: Distribution List

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**

**APPLICANTS' OBJECTION TO LATE-FILED PETITION TO INTERVENE OF
JOSEPH T. KEENAN**

NOW COME 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, and respectfully submit this Objection to the Late-Filed Petition to Intervene of Joseph T. Keenan (the “Petition”).

1. Mr. Keenan filed a Petition to Intervene with the Site Evaluation Committee (“SEC” or “Committee”) on June 10, 2016,¹ which is over four months after the February 5, 2016 intervention deadline set forth in the December 22, 2015 Procedural Order. In addition, it is nearly three months after the Presiding Officer’s March 18, 2016 Order on Petitions to Intervene and three weeks after the Subcommittee’s May 20, 2016 Order on Review of Intervention.

2. Ensuring the orderly and prompt conduct of these proceedings given the unique nature of this case will be a challenge. To meet this challenge, it is imperative that deadlines and established procedures for case management be respected. Mr. Keenan, like all other municipalities, individuals, groups, and organizations was given an extensive period of time—45 days—to participate in the process and to file a petition to intervene before the deadline passed. His Petition should be denied.

¹ Mr. Keenan states that he submitted a request to intervene during the timeframe for intervention; however, the Applicants have no record of any such petition to intervene.

3. Mr. Keenan fails to demonstrate how his intervention is in the interest of justice. *See Site 202.11(c)*. Mr. Keenan has not demonstrated any sufficient basis for failing to meet the deadline for intervention. Mr. Keenan argues that he “[h]ad been under the impression that [he] had already submitted a request...” with the Committee. Keenan Petition at 1. However, the record shows that Mr. Keenan made no formal or informal attempt to intervene in this proceeding. He did not file a formal petition to intervene with the Committee nor did he submit a comment or any other correspondence that could plausibly be construed as an attempt to intervene. Further, Mr. Keenan was put on notice of the fact that he was not included in the Committee’s decision on petitions to intervene when the Presiding Officer issued the Order on Petitions to Intervene on March 18, 2016. He has not offered any reason to explain the nearly three month lapse in time since that date.

4. Mr. Keenan also fails to demonstrate how his intervention would be consistent with the orderly and prompt conduct of the hearings. *See Site 202.11(c)*. The Applicants are currently in the process of responding to numerous data requests propounded by the various parties, and granting any late-filed petition to intervene at this stage would interfere with the orderly conduct of the proceeding and would threaten the Applicants due process rights. Granting his intervention, moreover, would arguably set a precedent for other potential intervenors who failed to meet the deadline for intervening but nonetheless now wish to participate by joining one of the groups of intervenors established by the Committee.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

- A. Deny Mr. Keenan’s Petition to Intervene; and
- B. Grant such further relief as is deemed appropriate.

Respectfully submitted,

Northern Pass Transmission LLC and
Public Service Company of New Hampshire d/b/a
Eversource Energy

By Their Attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: June 17, 2016

By: 

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Certificate of Service

I hereby certify that on the 17th of June, 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 SEC Distribution List.


Thomas Getz