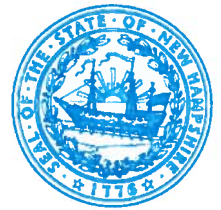




The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

August 12, 2016

Martin Honigberg, Esquire  
Chairman, New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301

**RE: Joint Application of Northern Pass Transmission LLC and Public Service  
Company of New Hampshire d/b/a Eversource Energy  
Site Evaluation Committee Docket No. 2015-06**

Dear Chairman Honigberg:

I am writing to you in your capacity as Presiding Officer in the above-captioned matter to request that you grant a suspension of deadlines in this matter to the New Hampshire Department of Environmental Services in its review of this application relative to the Wetlands Permit, the Alteration of Terrain Permit, the Shoreland Permits, and the 401 Water Quality Certificate. By way of background, the original Site Evaluation Committee (SEC) order accepting the application was issued on December 18, 2015. Per RSA 162-H:7, VI-c, all state agencies having permitting authority shall make and submit to the SEC a final decision relating to its permitting and other regulatory authority no later than 240 days after the application has been accepted. In this case the regulatory date for final decision is August 15, 2016.

On June 15, 2016, the SEC issued an **ORDER ON MOTIONS TO SUSPEND** (the Order). Per the Order, the SEC shall issue a Final Order and Decision denying or granting the application by September 30, 2017. The Order also authorizes the Presiding Officer in the docket to review and rule upon any proper request for suspension of the deadlines submitted by the state agencies to which such deadlines apply (including as per RSA 162-H:7, VI-c).

The Department hereby requests a suspension of deadlines set forth in RSA 162-H:7, VI-c in accordance with Part IV of the Order for the reasons stated below:

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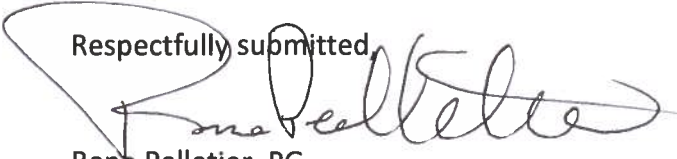
On May 16, 2016, pursuant to the applicable deadline under RSA 162 H:7, VI-b, the Department submitted a 36 page progress report to the SEC that requested additional data from the Applicants. Of the additional data requests, 39 are for a wetlands permit, 8 are for an alteration of terrain permit, and 5 are for a Section 401 water quality certification. There were no additional data requirements identified for the shoreland permit applications. The Department's progress report also posed a large number of questions to the Applicants and identified a substantial number of draft conditions that it would be necessary to recommend for inclusion in a certificate of site and facility based upon the information submitted to the Department as of May 16, 2016. Based upon the substantial list of data requests and questions posed in the progress report, the Department has been expecting to receive voluminous additional submittals from the Applicants.

The current deadline of August 15, 2016 for submission of the Department's final decision with conditions is unreasonable and unachievable given that the Department is still receiving additional information from the Applicant in response to the Department's progress report. While the Applicants have been submitting responses to the Department's further requests, there are a number of requests to which responses have not yet been submitted. Therefore, the Department expects to receive additional information up through the August 15, 2016 deadline and possibly beyond that date. The additional information (including that which has recently been submitted, as well as the further materials that are not yet submitted) is expected to be extensive and technically complex. Accordingly, the Department will require significant additional time to fully evaluate the new information and issue a final report.

For these reasons, the Department respectfully requests a suspension of the deadline set forth in the Order for submittal of its final report pursuant to RSA 162-H:7, VI-c to March 1, 2017. The joint applicants have indicated that they are agreeable to a March 1, 2017 extension for the Department to submit its final report. The Department is mindful that the Declaration of Purpose for RSA Chapter 162-H states, in pertinent part, "...that undue delay in the construction of needed facilities be avoided and that full and timely consideration of environmental consequences be provided..." (RSA 162-H:1) through the processes administered by the SEC. The Department respectfully submits that it requires the additional time requested in order for it and the SEC to undertake full and timely consideration of the environmental permitting matters falling within the Department's jurisdiction, and will strive to submit its final report to the SEC prior to the March 1, 2017 date if feasible. Likewise, if the Department determines that additional time may be necessary, it will promptly inform you of such circumstances.

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If you have any questions, please contact me at 271-2951 or email me at [rene.pelletier@des.nh.gov](mailto:rene.pelletier@des.nh.gov).

Respectfully submitted,  
  
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Assistant Director  
Water Division

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