

August 16, 2016

By E-Mail & U.S. Mail

Pamela G. Monroe, Administrator
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429
pamela.monroe@sec.nh.gov

Re: 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

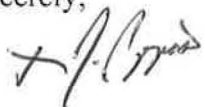
Dear Ms. Monroe:

Enclosed for filing in the above-captioned proceeding is Counsel for the Public's Objection to Applicants' Partially Assented-to Motion to Have Technical Sessions Transcribed.

Copies of the enclosure have been forwarded via e-mail to all the parties on the attached Distribution List.

Thank you.

Sincerely,



Thomas J. Pappas

TJP/scm - 2497529_1

Enclosure

cc: Peter C.L. Roth, Esq.
Elijah J. Emerson, Esq.
Distribution List via e-mail/U.S. Mail

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

No. 20 15-06

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

**COUNSEL FOR THE PUBLIC'S OBJECTION TO APPLICANTS' PARTIALLY
ASSENTED-TO MOTION TO HAVE TECHNICAL SESSIONS TRANSCRIBED**

Counsel for the Public, by his attorneys, the Office of the Attorney General and Primmer Piper Eggleston & Cramer PC, hereby objects to the Applicants' Partially Assented-to Motion to Have Technical Sessions Transcribed (the "Motion") and in support states as follows.

1. Under Site 202.12 (Discovery), technical sessions are one form of discovery. Under SEC past practice, "[t]he purpose of technical sessions is for the parties and their experts to understand the testimony of the witnesses and engage in a dialogue about the testimony. A technical session is not designed to provide an opportunity for cross-examination, nor is it designed to allow parties to set up methods of impeachment." Application of Antrim Wind Energy, LLC, Docket No. 2015-02 (July 7, 2016).

2. The SEC's rules provide for both depositions and technical sessions. "Depositions, in civil judicial proceedings, are formal statements generally under oath and transcribed. Technical sessions are a more informal method for understanding information that has already been provided in the form of pre-filed testimony." Id.

3. The Motion does not set forth any reason why the technical sessions in this proceeding need to be transcribed.

4. Counsel for the Public believes that recording and transcribing the technical sessions will transform them into more formal proceedings than they are designed to be, which will impede and possibly deter the dialogue necessary to fully understand the pre-filed testimony.

5. Counsel for the Public also is concerned that recording and transcribing the technical sessions will lead to more disputes or could otherwise lengthen the time necessary to complete the technical sessions.

6. Finally, Counsel for the Public is concerned that recording and transcribing the technical sessions will work to the disadvantage of the many unrepresented parties in this case. Deposition practice, which is what the technical sessions are bound to become if transcribed, is a lawyer's art. Many of the parties do not have lawyers and will not enjoy the full benefits of the technical sessions under a legalistic deposition environment.

WHEREFORE, Counsel for the Public respectfully requests that the SEC:

- A. Deny Applicants' Partially Assented-to Motion to Have Technical Sessions Recorded; and
- B. Grant such other and further relief as is just and equitable.

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,




Dated: August 16, 2016

By: Peter C.L. Roth, Senior Assistant Attorney General
Environmental Protection Bureau
33 Capitol Street
Concord, NH 03301-6397
(603) 271-3679

PRIMMER PIPER EGGLESTON & CRAMER PC,

Dated: August 16, 2016

By: 
Thomas J. Pappas, Esq. (N.H. Bar No. 4111)
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-and-

Elijah D. Emerson, Esq. (N.H. Bar No. 19358)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing OBJECTION TO APPLICANTS' PARTIALLY ASSENTED-TO MOTION TO HAVE TECHNICAL SESSIONS TRANSCRIBED has this day been forwarded via e-mail to persons named on the attached Distribution List of this docket.

Dated: August 16, 2016

By: 
Thomas J. Pappas, Esq. (N.H. Bar No. 4111)