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September 8, 2016

Via Electronic Mail & Hand Delivery

Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**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 (the "Applicants") for a Certificate of
Site and Facility
Objection to SPNH Reply and Request for Hearing**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of an
Objection to the Reply and Request for Hearing by the Society for Protection of New Hampshire
Forests.

Please contact me directly should you have any questions.

Sincerely,



Thomas B. Getz

TBG:slb

cc: SEC Distribution List

Enclosure

**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**

**OBJECTION TO REPLY AND REQUEST FOR HEARING
BY THE SOCIETY FOR PROTECTION OF NEW HAMPSHIRE FORESTS**

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 September 2, 2016 pleading filed by the Society for the Protection of New Hampshire Forests (“SPNHF”), which it calls a Reply to Applicants’ Response and Objection to Certain Motions to Compel and Request for Hearing (“Pleading”). The Pleading is deficient for the reasons set forth below.

1. First, SPNHF titles its Pleading a reply to the Applicants’ objection to certain motions to compel, but Site Evaluation Committee (“SEC”) rules do not authorize replies to objections. As SPNHF points out, it filed a motion to compel on August 15, 2016. On August 25, 2016, the Applicants filed their objection to SPNHF’s and others’ motions to compel. In both cases, the pleadings were authorized by SEC rules, respectively, Site 202.12 (k) and 202.14 (f). Inasmuch as the Pleading is not authorized, it should be rejected

2. Second, SPNHF requests a hearing. Site 102.28 defines a motion as “a request made to the committee or the presiding officer after the commencement of a contested proceeding for an order or ruling directing some act to be done in favor of the party making the motion, including a statement of justification or reasons for the request.” Inasmuch as SPNHF is

requesting a ruling directing an act in its favor, it would appear on its face to be making a motion. It did not seek assent for its request/motion, however, contrary to the SEC's directive in its June 23, 2016 Order on Pending Motions and Procedural Order, at p. 15.

3. Third, SPNHF states that it disagrees with most of the assertions that the Applicants made in their objection to SPNHF's motion to compel. It then asks the Presiding Officer, pursuant to Site 202.02 (d) (6), to identify its motion to compel as a significant disputed issue for hearing and decision by the Subcommittee. As noted above, a motion should include a statement of justification or reasons. SPNHF's request, however, may not even meet the threshold for a motion inasmuch as it provides no justification or reason for identifying its motion to compel as a "significant disputed issue" other than to say that it disagrees with most of what the Applicants say. If that were the test, there would be little left for the Presiding Officer to hear and decide.

4. The Applicants ask the Presiding Officer to reject SPNHF's pleading as a result of the procedural infirmities described above and deny its request because SPNHF provides no good reason for the ruling it seeks. Site 202.02 (d) provides that the presiding officer shall hear and decide procedural matters before the SEC, including a list of six items, the sixth of which SPNHF cites. But SPNHF does not explain how, or why, or how much of, its motion to compel constitutes a significant disputed issue.

5. Furthermore, Site 202.02 (d) (3) expressly concerns discovery motions in proceedings. SPNHF provides no justification for why the Presiding Officer should treat all or any of SPNHF's discovery motion as a significant disputed issue to be handled by the Subcommittee, rather than an ordinary discovery dispute contemplated for hearing and decision by the Presiding Officer under subsection (d) (3). Accordingly, the Applicants urge the Presiding Officer to deny SPNH's request, resolve the outstanding motions to compel, and avoid the

undue delay that would result if the issue were pushed up to the Subcommittee with all the additional time and process that entails.

WHEREFORE, the Applicants respectfully request that the Subcommittee:

- A. Reject SPNHF's Reply;
- B. Deny SPNHF's Request; and
- C. Grant such further relief as is deemed just and appropriate.

Respectfully submitted,

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

By Its Attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: September 8, 2016

By:  _____

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Certificate of Service

I hereby certify that on the 8th of September, 2016, an original and one copy of the foregoing Objection was hand-delivered to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the Distribution List.



Thomas B. Getz