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October 4, 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 Motion to Amend the Procedural Order.

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

Thank you.

Sincerely,



Thomas J. Pappas

TJP/scm - 2556765_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. 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

COUNSEL FOR THE PUBLIC'S MOTION TO AMEND THE PROCEDURAL ORDER

Counsel for the Public, by his attorneys, the Office of the Attorney General and Primmer Piper Eggleston & Cramer PC, moves pursuant to RSA 162-H:7 for an Order amending the Procedural Order to provide additional time to submit testimony for certain of Counsel for the Public's experts. This is necessary because delays in obtaining critical information through data requests and technical sessions from the Applicants have left some of Counsel for the Public's experts without sufficient time to complete their investigations and to prepare their reports and testimony. In support Counsel for the Public states as follows.

A. Background.

1. On October 19, 2015, Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (collectively, the "Applicants"), submitted a Joint Application for a Certificate of Site and Facility (the "Application") to the New Hampshire Site Evaluation Committee (the "Committee" or "SEC") to construct a 192-mile transmission line to run through New Hampshire from the Canadian border in Pittsburg to Deerfield (the "Project"). On November 2, 2015, the Chairman of the Committee appointed a Subcommittee (the "Subcommittee") to consider the Application. The Subcommittee accepted the Application on December 18, 2015.

2. By Order dated May 25, 2015, the SEC granted Counsel for the Public's motions to retain Kavet, Rockler & Associates, LLC (local economic issues), T.J. Boyle Associates, LLC

(aesthetics), The Brattle Group (market economic issues), Heritage Landscapes, LLC (cultural and historic resources), Arrowwood Environmental, LLC (natural resources), and Dewberry, Siemens Industry, Inc. and Electrical Consulting Engineers, PC (together -- design and construction) to assist Counsel for the Public in his statutory duty to review the merits of the Application and conduct investigations of the matters set forth therein.

3. By Order dated June 15, 2016, the SEC granted, in part, Counsel for the Public's motion to suspend the timeframe, and ordered that the Subcommittee shall issue a final Order and Decision denying or granting the Application by September 30, 2017.

4. By Order dated June 23, 2016, the SEC established a Procedural Schedule which, among other things, provided that (a) Counsel for the Public shall propound data requests (expert assisted) on the Applicants on or before June 28, 2016, (b) Applicants shall respond to data requests (expert assisted) propounded by Counsel for the Public on or before August 5, 2016, (c) Technical Sessions with the Applicants' witnesses shall be conducted between September 5, 2016 and September 30, 2016, (d) Counsel for the Public and Intervenors shall file pre-filed testimony on or before November 15, 2016, and (e) Technical Sessions with Counsel for the Public's and Intervenors' witnesses shall be conducted between January 16, 2017 and February 15, 2017.

5. On June 28, 2016, Counsel for the Public served upon the Applicants a set of expert-assisted data requests, which addressed issues being investigated by Counsel for the Public.

6. On August 5, 2015, the Applicants responded, in part, to Counsel for the Public's expert-assisted data requests.

7. The Applicants' response to Counsel for the Public's expert-assisted data requests partially responded to the requests as propounded by the Counsel for the Public. Pursuant to Site 202.12(k)(4), Counsel for the Public has continually worked with the Applicants in good faith regarding responses to Counsel for the Public's data requests.

8. From time to time, Counsel for the Public has made informal requests for information from the Applicants. The Applicants have been cooperative in this effort and responded to many, but not all, of these informal requests as well. Counsel for the Public anticipates that Applicants will continue to be cooperative in responding to all outstanding informal requests. Counsel for the Public is cognizant that the Applicants have faced an extraordinary number of data requests from many parties and that the process has been challenging.

B. Modify the Schedule.

9. Counsel for the Public is tasked by statute to represent the public in "seeking to protect the quality of the environment and in seeking to assure an adequate supply of energy." RSA 162-H:9. In fulfilling this statutory requirement, Counsel for the Public has hired experts to assist him in the investigation of the Project, its purported benefits and effects, and to perform an independent and objective analysis of the Project. In order to perform this analysis, Counsel for the Public's experts require extensive, detailed information from the Applicants and their expert witnesses.

10. In responding to a number of deficiencies in the Applicants' initial and follow-up responses to Counsel for the Public's expert-assisted data requests, Counsel for the Public has "made a good-faith effort to resolve dispute[s] informally." Site 202.12(K)(4). Counsel for the Public has continually worked with the Applicants to resolve the issue of insufficient responses

in an informal manner that does not require the intervention of the SEC. There have been numerous phone calls, conferences and e-mails between Counsel for the Public, his experts, the Applicants, their counsel and their experts to identify missing documents and data, and to clarify the methodologies utilized by the Applicants' witnesses in formulating their opinions and testimony.

11. Counsel for the Public believes that the Applicants have worked in good faith to resolve the problems. This docket and the Project that the SEC is reviewing are unprecedented in scope, including the number of documents that were formally presented in the docket and those that were not provided but are relevant to understanding the Project's benefits and impacts. It is Counsel for the Public's belief that the amount and complexity of the documentation has hindered Applicants' ability to provide the information in a timely and complete manner. But the fact remains that information critical to Counsel for the Public's analysis of the Project still has not been provided.

12. As an example of the difficulty in receiving this information, the Applicants made the logical decision to rename the electronic files produced with reference to the Bates Stamped number on the document. They did this even for files that were provided in native format. By doing this, however, Applicants inadvertently rendered the native files unusable. It took a couple of weeks just to identify that this was the problem with the files. The Applicants also required that all confidential information must be sent to Counsel for the Public's experts in hard copy through the mail, and not electronically, which added additional time to providing needed information to Counsel for the Public's experts.

13. As another example, the information being exchanged is highly technical and often presented in formats that are unreadable by common software. Because of this and the

multiple number “hands” through which this information had to pass, it took additional time to identify if the information was the specific set of information that an expert was looking for, who among the Applicants and their experts had that specific information and when it would be provided to Counsel for the Public.

14. Counsel for the Public has included with this Motion a document labeled Exhibit A, which is a table showing the outstanding data requests. These are data requests for which Counsel for the Public is still waiting for responses or the responses were not received until very recently. The table identifies the data request number (if there is one), the date it was propounded, the date a response was due, the current status of the request and the consequences of not receiving it.

15. As can be seen from Exhibit A, much information has been received by Counsel for the Public one to two months after the Procedural Schedule had anticipated it would be provided. Because of this, certain of Counsel for the Public’s experts have been hindered in their preparation for the technical sessions and in conducting their own analyses. The technical sessions have been less efficient than they could have been because Counsel for the Public has been required to spend time requesting information that had been requested in data requests and his experts have had to seek explanations of methodologies that were also requested in data requests.

16. Moreover, Counsel for the Public has been delayed in performing his independent analysis and investigation of the Project because of missing information or information only recently received that is critical to his experts’ understanding of the Project and how the Applicants’ experts performed their review of the Project and its benefits and impacts. For example, Kavet, Rockler stated in their engagement proposal that they would rent for three (3)

months (the minimum amount of rental time) the same REMI computer model used by Applicants' economic experts. Kavet, Rockler, however, have not been able to rent the REMI model and begin their review of Applicants' modeling work because they only recently received the REMI .RWB files containing all of Applicants' experts' inputs on the afternoon before the September 16 technical session with Applicants' expert, and Kavet, Rockler is still awaiting permission from the Applicants to allow REMI to print Applicants' confidential material. They also are awaiting a narrative from Applicants' expert that was promised weeks ago. As another example, necessary inputs for locations of important natural resources have still not yet been provided. Counsel for the Public's natural resources expert, Arrowwood, is quickly losing its ability to field verify whether certain plant and animal species are present or not present as the summer turned into fall.

17. It is critical to meeting Counsel for the Public's statutory duties that his experts have adequate time to perform their independent analyses of the Project and its purported benefits and impacts. They are tasked with taking a thorough and objective look at the Project, and the delays in receiving this information provide significantly less time for them to do this review. As the public as a whole will benefit from this review, these experts should at least be given the time anticipated for their review in the Procedural Schedule.

18. The technical sessions for the Applicants' witnesses were scheduled to take place from September 5, 2016, through September 30, 2016. Six of the technical sessions that have been held to date have not been concluded and have been continued into October. The delay in completing technical sessions further hinders Counsel for the Public from completing his investigations because the technical sessions reveal foundational information about the Project and the analyses already performed by the Applicants' suite of expert witnesses.

19. Counsel for the Public acknowledges that the Applicants have worked in good faith to provide the information originally requested as early as June 21, 2016. Despite their efforts, the fact is that not all of the information necessary to Counsel for the Public's independent review has yet been provided. Other information was recently provided, but it was one to two months after the date it was due to be provided. The Applicants have had years to develop the Project and to measure its benefits and impacts and to prepare pre-filed testimony and exhibits. The delay in providing the responses to data requests should not stymie Counsel for the Public from performing a thorough review of the Project and providing detailed and carefully considered evidence explaining the results.

20. Under the September 22, 2016, Order on Requests to Amend Procedural Order, Counsel for the Public has the following two deadlines to file pre-filed testimony and reports:

- (a) November 15, 2016 – the following areas:
 - i. Market economic issues;
 - ii. Local economic issues;
 - iii. Overhead portion of the Project;
 - iv. Historic and cultural resources;
 - v. Partial natural resources and the environment; and
 - vi. Aesthetics.
- (b) December 30, 2016 – the following areas:
 - i. Partial natural resources and the environment;
 - ii. Underground portion of the Project; and
 - iii. Market economic issues (New England Power Generators Association (“NEPGA”) data requests).

21. Because of the delay in responding to the data requests and obtaining information necessary for certain of Counsel for the Public's experts to complete their analyses, the deadline for Counsel for the Public to file pre-filed testimony and reports for the following areas should be extended from November 15 to December 30, 2016:

- (a) Market economic issues;
- (b) Local economic issues;
- (c) Natural resources; and
- (d) Aesthetics.

22. The Applicants were ordered to respond to several data requests made by NEPGA and were ordered to have London Economics, Inc. ("LEI") recalculate projected savings based upon different, updated inputs. *See* September 22, 2016 Order on NEPGA's Motion to Compel.

23. A significant part of Counsel for the Public's investigation of the Project is to test the purported benefits. Counsel for the Public retained The Brattle Group to test LEI's work on the Project's purported benefits. The Brattle Group requires the updated analysis LEI that will perform as required by the September 22 Order.

24. Moreover, the Applicants are required to respond to NEPGA's data requests and the current procedural order extended The Brattle Group's pre-filed testimony deadline related to these data requests to December 30, 2015. All of the Brattle Group's report and pre-filed testimony should be contained together rather than split.

25. Kavet, Rockler & Associates cannot begin to perform the economic modeling review of Applicants' modeling until all of the REMI issues are completed, let alone begin their own independent economic modeling of the Project. They cannot adequately complete their work and file pre-filed testimony by November 15, 2016.

26. A portion of the natural resources and environment analysis cannot be done until the Applicants respond to the Department of Environmental Services' requests on December 15, pursuant to the September 22 Order on Requests to Amend Procedural Order. The environmental issues should be addressed in one report and in one set of pre-filed testimony.

27. The aesthetics experts have not been able to verify the completeness or evaluate the reasonableness of the various ratings assigned by Applicants' experts. There are several standard things to check in a Visual Impact Analysis that require the original digital data, such as whether the simulations and visibility are accurate. They also need to compare the Applicants' experts' list of scenic resources against those in their database and those gathered as part of the public outreach meetings. This is not practicable using information in the printed report. The report has maps and tables that were made using digital databases and those databases are required to make the comparison.

28. Moreover, the Applicants filed on September 29, 2016, a replacement to Attachment 8 of the Application, consisting of 85 pages of new private property photo simulations, and a replacement to Attachment 9 of the Application, consisting of 206 pages of photo simulations of leaf-off conditions. The photo simulations filed in October 2015 and February 2016 were based on an earlier design of the HVDC portion of the Project and not the current design. Counsel for the Public has been inquiring for months as to whether the photo simulations filed by Applicants were based on a different design. Counsel for the Public's aesthetics experts will now need more time to analyze these almost 300 pages of new photo simulations, after having spent considerable time analyzing the prior photo simulations that were based upon the no longer applicable design.

29. The above amendment to the Procedural Order will not significantly impact the schedule or delay this proceeding. For those issues where Counsel for the Public will file pre-filed testimony by the original November 15, 2016 deadline, technical sessions for these witnesses will be conducted during the original time period (January 16 to February 15, 2017).

30. For the four (4) issues for which an extension is being sought herein, the technical sessions can be held between the two-week period of February 20 and March 10, 2017, which is a 10-day extension of time. The deadline by which Applicants must serve data requests on these four (4) issues and the deadline for Counsel to the Public's response to these data requests likewise should be extended.

31. The remaining prehearing schedule also should be extended by approximately 10 days as follows:

- (a) Supplemental pre-filed testimony to be filed by March 27;
- (b) Pre-hearing motions and statements of stipulated facts to be filed by April 3; and
- (c) Final pre-hearing conference to be conducted on or before April 10 and 11.

32. Accordingly, extending the deadline for some of the CFP Expert's pre-filed testimony will not materially impact the pre-trial schedule and is necessary for Counsel for the Public to fulfill his statutory duties in this proceeding.

33. Attached as Exhibit B is a proposed Amended Procedural Schedule.

The Following Parties Concur in this Motion:

Littleton – in Municipal Group 1 South;

Woodstock – in Municipal Group 2;

Bridgewater, New Hampton, Ashland Water & Sewer – in Municipal Group 3 North;
Deerfield – in Municipal Group 3 South;
Municipal Group 2;
Grafton County Commissioners;
Abutters from Pittsburg, Clarksville, Stewartstown;
Non-Abutting Property Owners (overhead portion) Clarksville and Stewartstown;
Non-Abutting Property Owners (overhead portion) Stark, Lancaster, Whitefield, Dalton and Bethlehem;
Abutting Property Owners (overhead portion) Deerfield;
Abutting Property Owners (overhead portion), Ashland, Northfield, Canterbury, Allenstown, and Concord;
Society for Protection of New Hampshire Forests;
Appalachian Mountain Club, Conservation Law Foundation, Sierra Club Chapter of New Hampshire, and Ammonoosuc Conservation Trust;
Pemigewasset River Local Advisory Committee; and
New England Power Generators Association;

The Following Parties Do Not Concur in this Motion:

Applicants.

The remaining parties have not responded.

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

- A. Extend the deadline by which Counsel for the Public must file pre-filed testimony on (a) market economic issues; (b) local economic issues; (c) natural resources; and (d) aesthetics to December 30, 2016;

- B. Extend the deadline by which Applicants must serve data requests on Counsel for the Public and the deadline by which Counsel for the Public must respond, by the equal number of days;
- C. Extend other portions of the Procedural Schedule by an equal number of days;
- D. Amend the Procedural Order as set forth in Exhibit B; and
- E. Grant such other and further relief as is just and equitable

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,



Dated: October 4, 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: October 4, 2016

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-and-

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO AMEND THE PROCEDURAL ORDER has this day been forwarded via e-mail to persons named on the attached Distribution List of this docket.

Dated: October 4, 2016

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

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

Data Request	Information Requested	Date Requested	Required/Promised Receipt Date	Notes
EXP 1-76	Input to REMI model (native format)	06/28/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>partially received on 09/14/2016 but still waiting for REMI permission to access</u>
EXP 1-77	Project expenditure detail	06/28/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/08/2016</u>
EXP 1-78	Annual expenditures on Project labor	06/28/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/08/2016</u>
EXP 1-79	Shapiro spreadsheet files	06/28/2016	08/05/2016	Required to review Shapiro analysis; affects ability to conduct tech session and file testimony/report; <u>partially received on 08/05/2016 but contains errors; updated on 09/22/2016</u>
EXP 1-80	Anticipated project expenditure flows	06/28/2016	08/05/2016	Required to review local economic analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/08/2016</u>
EXP 1-81	Annual property leases	06/28/2016	08/05/2016	Required to review local economic analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/22/2016</u>
EXP 1-83	Current info related to assumptions and inputs	06/28/2016	08/05/2016	Required to review local economic analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/08/2016</u>

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

EXP 1-84	Additional cost to bury entire Project	06/28/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/22/2016</u>
EXP 1-88	Identify “iconic viewsheds”	06/28/2016; follow-up question asked on 08/29/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>response provided on 09/22/2016</u>
EXP 1-95	Project bidder information	06/28/2016; follow-up question asked on 08/29/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/22/2016</u>
EXP 1-98	Information related to North Country Jobs Creation Fund	06/28/2016; follow-up question asked on 08/29/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/22/2016</u>
EXP 1-102	Changes to fuel prices	06/28/2016; follow-up question asked 08/29/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report
EXP 1-109	Geographic location of labor	06/28/2016	08/05/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report
EXP 1-110	Shapiro working file	06/28/2016	08/05/2016	Required to review Shapiro analysis; affects ability to conduct tech session and file testimony/report; <u>provided on 08/05/2016 but has errors; updated on 09/22/2016</u>

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

EXP 1-111	Updated tax impact estimates	06/28/2016; follow-up question asked 08/29/2016	08/05/2016	Required to review Shapiro analysis; affects ability to conduct tech session and file testimony/report; <u>responded to on 09/08/2016; additional information provided on 09/22/2016</u>
EXP 1-113	Information regarding property values study	06/28/2016; follow-up question asked 08/29/2016	08/05/2016	Required to review Chalmers analysis; affects ability to conduct tech session and file testimony/report; <u>response provided on 09/22/2016</u>
EXP 1-115	Information regarding tourism study	06/28/2016	08/05/2016	Required to review impacts to tourism analysis; affects ability to conduct tech session and file testimony/report; <u>response provided on 09/22/2016</u>
EXP 1-12016	Notes, etc. from sessions	06/28/2016	08/05/2016	Required to review impacts to tourism analysis; affects ability to conduct tech session and file testimony/report; <u>response provided on 09/22/2016</u>
EXP 1-120	Information regarding public access trails	06/28/2016; follow-up question asked 08/29/2016	08/05/2016	Required to review impacts to tourism analysis; affects ability to conduct tech session and file testimony/report; <u>response provided on 09/22/2016</u>
EXP 1-125	Description of evaluation of scenic resources	06/28/2016	08/05/2016	Required to review impacts to aesthetic analysis; affects ability to conduct tech session and file testimony/report
EXP 1-127	Explanation of design decision	06/28/2016	08/05/2016	Required to review impacts to aesthetic analysis; affects ability to conduct tech session and file testimony/report

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

EXP 1-145	List of resources with "Low Cultural Value"	06/28/2016	08/05/2016	Required to review impacts to aesthetic analysis; affects ability to conduct tech session and file testimony/report
EXP 1-146	Details of project components and resources; native files	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>partially provided, most recently on 09/20/2016; still outstanding information</u>
EXP 1-147	Field notes and photos	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>provided late</u>
EXP 1-148	List of all spatial or species distribution or habitat modeling exercises	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>late and only partially provided</u>
EXP 1-150	Provide all reports prepared related to natural resources	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report
EXP 1-153	Field notes and photo related to RTE	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>provide late; field GPS data still missing</u>

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

EXP 1-154	Dates of RTE surveys/names of surveyors	06/28/2016	08/05/2016; follow-up question asked 08/30/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>provided late, inconsistent and incomplete</u>
EXP 1-159	List of wildlife species; spatial and location data	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>provided late, inconsistent and incomplete, no reptile/amphibian locations provided</u>
EXP 1-20167	Provide methodology used to adjust Coos County DWA boundaries	06/28/2016	08/05/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <u>no comprehensive methodology provided</u>
EXP 1-172	Training of experts related to bats	06/28/2016	08/05/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report
EXP 1-173	Data files for myotome bat calls	06/28/2016	08/05/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report
EXP 1-179	Metric for bat surveys	06/28/2016	08/05/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report
EXP 1-181	Hibernacula within 5 miles of Project	06/28/2016	08/05/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

EXP 1-182	Describe Karner blue research	06/28/2016	08/05/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report
Informal Request	HQ information regarding qualifying for FCM	08/18	-	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report
Informal Request	Copy of all applications submitted to DOT	08/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report; <u>received on 09/14/2016</u>
Informal Request	Documents submitted to ISO-NE	08/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report; <u>received on 09/14/2016</u>
Informal Request	System Impact Study	08/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report
Informal Request	Reports, etc. related to locating near gas pipeline	08/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report; <u>received on 09/14/2016</u>
Informal Request	Updated plan/profile sheets	09/02/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report
Informal Request	All digital detail model and digital surface model	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

Informal Request	Existing and proposed viewsheds in ArcGIS compatible raster format	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	All potential scenic resources reviewed in a Shapefile	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	All scenic resources not reviewed in a Shapefile	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Location of photo simulations in Shapefile	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Location of photos in Shapefile	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Explanation of content of each file	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	KMZ file used to create photo simulations	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Photo inventory	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>

OUTSTANDING DATA REQUESTS OF THE COUNSEL FOR THE PUBLIC

Informal Request	Photos used to create photo simulations	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Materials used to evaluate impacts to scenic resources	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Each evaluators raw numerical ratings	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>
Informal Request	Each evaluators raw visual quality ratings	06/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; <u>received on 09/12/2016</u>

**THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

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

**COUNSEL FOR THE PUBLIC'S
PROPOSED PROCEDURAL SCHEDULING ORDER**

Counsel for the Public, by his attorneys, the office of the Attorney General and Primmer Piper Eggleston & Cramer PC, hereby proposes the following underlined modifications to the current procedural schedule for this proceeding:

1. Technical Sessions with the Applicants' witnesses shall be conducted between September 5, 2016 and September 30, 2016.
2. **The Applicants shall provide supplemental responses to data requests pursuant to the Order on Motions to Compel and Order on NEPGA's Motion to Compel on or before October 7, 2016.**
3. **The Applicants shall provide supplemental responses to data requests addressing the underground portion of the Project and the Applicants' responses to the Department of Environmental Services' requests on or before December 15, 2016.**
4. Counsel for the Public's and Intervenor's pre-filed testimony shall be filed on or before November 15, 2016, **except as noted below.**
5. The Applicants shall propound data requests upon Counsel for the Public and Intervenor's on or before November 30, 2016, **except as noted below.**
6. **Counsel of the Public's and Intervenor's pre-filed testimony addressing issues related to: (i) the Applicants' production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; and (iii) the Applicants' response to the Department of Environmental Services' requests shall be filed on or before December 30, 2016.**
7. **Counsel for the Public's pre-filed testimony addressing issues relating to (i) market economic issues; (ii) local economic issues; (iii) natural resources; and (iv) aesthetics shall be filed on or before December 30, 2016.**

8. Counsel for the Public and Intervenors shall respond to the Applicants' data requests on or before December 30, 2016.
9. **The Applicants shall propound data requests addressing: (i) the Applicants' production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; and (iii) the Applicants' response to the Department of Environmental Services' requests upon Counsel for the Public and Intervenors on or before January 15, 2017.**
10. **The Applicants shall propound data requests upon Counsel for the Public addressing: (i) market economic issues; (ii) local economic issues; (iii) natural resources; and (iv) aesthetics shall be filed on or before January 15, 2017.**
11. Technical Sessions with Counsel for the Public's and Intervenors' witnesses shall be conducted between January 16 and February 15, 2017.
12. **Counsel for the Public and Intervenors shall respond to data requests addressing issues: (i) the Applicants' production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; and (iii) the Applicants' response to the Department of Environmental Services' requests on or before February 15, 2017.**
13. **Counsel for the Public shall respond to data requests addressing issues relating to (i) market economic issues; (ii) local economic issues; (iii) natural resources; and (iv) aesthetics on or before February 15, 2017.**
14. Technical Sessions with Applicants', Counsel for the Public's and Intervenors' witnesses addressing issues related to: (i) the Applicants' production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; and (iii) the Applicants' response to the Department of Environmental Services' requests shall be conducted between February 20 and February 28, 2017.
15. **Technical Session with Counsel for the Public's witnesses on (i) market economic issues; (ii) local economic issues; (iii) natural resources; and (iv) aesthetics shall be conducted between February 20 and March 10, 2017.**
16. Supplemental pre-filed testimony from all parties shall be filed by March 27, 2017.
17. Pre-Hearing Motions and Statements of Stipulated Facts shall be filed on or before April 3, 2017.
18. Final Pre-Hearing Conference shall be conducted on or before April 10 and April 11, 2017.