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October 25, 2016

**Via Electronic Mail & Hand Delivery**

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

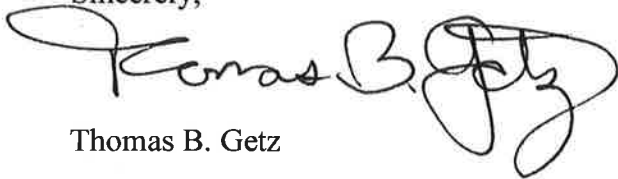
**Re: Site Evaluation Committee Docket No. 2015-06  
Joint Application of Northern Pass Transmission LLC and Public Service Company  
of New Hampshire d/b/a Eversource Energy (the "Applicants") for a Certificate of  
Site and Facility  
Objection to Motions to Amend Procedural Schedule**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of an Objection to (1) Counsel for the Public Motion to Further Amend Procedural Schedule and (2) New England Power Generators Association Motion to Amend Procedural Schedule, along with a thumb drive containing the Production Log for discovery.

Please contact me directly should you have any questions.

Sincerely,



Thomas B. Getz

TBG:slb

cc: SEC Distribution List

Enclosure

**THE STATE OF 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 CERTIFICATE OF SITE AND FACILITY**

**OBJECTION TO (1) COUNSEL FOR THE PUBLIC  
MOTION TO FURTHER AMEND PROCEDURAL ORDER  
AND (2) NEW ENGLAND POWER GENERATORS ASSOCIATION  
MOTION TO AMEND PROCEDURAL SCHEDULE**

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 object to Counsel for the Public’s (“CFP”) Motion to Further Amend the Procedural Order (“Further Motion”) filed on October 17, 2016, in the above-captioned proceeding. CFP argues that the Applicants’ plan to update the report and testimony of Julia Frayer requires an entire reboot to the procedural schedule on the issue of economic benefits, occasioning an additional three-month extension to the proceeding, which it opines is not an unreasonable amount of time. As discussed below, CFP fundamentally misconstrues what is no more than an update of information in the normal course and a typical feature of Site Evaluation Committee (“SEC” or, in this case, “Subcommittee”) proceedings.

The Applicants object as well to the New England Power Generators Association (“NEPGA”) Motion to Amend Procedural Schedule (“NEPGA Motion”) also filed on October 17, 2016. As the Applicants explained in their October 6, 2016 Motion for Rehearing, instead of recalculating market benefits to reflect updated natural gas prices and the Independent System

Operator's new demand curves as requested by NEPGA, the better course is for the Applicants to file a comprehensive update, obviating the NEPGA Motion.

**I. Background**

1. The Applicants filed an Application for a Certificate of Site and Facility with the SEC on October 19, 2015, for a 192-mile electric transmission line with associated facilities ("Northern Pass" or "Project"). Included with the Application was a report prepared by London Economics International LLC ("LEI"), titled *Cost-Benefit and Local Economic Impact Analysis of the Proposed Northern Pass Transmission Project* ("LEI Report"), and the pre-filed testimony of Julia Frayer. The SEC accepted the Application pursuant to RSA 162-H:7, VI on December 18, 2015.

2. On June 15, 2016, the Subcommittee issued an Order on Motions to Suspend. Among other things, the Order extended the overall statutory timeframe from 12 months to approximately 21 months, culminating in a decision by September 30, 2017. On June 23, 2016, the Presiding Officer issued an Order on Pending Motions and Procedural Order that, among other things, set deadlines for discovery, the filing of CFP and Intervenor testimony by November 15, 2016, and the filing of supplemental testimony by March 15, 2017.

3. On September 22, 2016, the Presiding Officer issued an Order on Requests to Amend Procedural Schedule, extending certain deadlines, and granting CFP's request that the Applicant be required to provide supplemental responses to data requests addressing the underground portion of the Project and its responses to the Department of Environmental Services' requests on or before December 15, 2016. The Order also allowed an additional month and a half, until December 30, 2016, for CFP and Intervenors to file pre-filed testimony addressing various issues.

4. On October 4, 2016, CFP filed a Motion to Amend the Procedural Order (October 4<sup>th</sup> Extension Request”), asking to extend, until December 30, 2016, the deadline for filing their pre-filed testimony relating to (a) market economic issues; (b) local economic issues; (c) natural resources; and (d) aesthetics, further eroding the November 15, 2016 deadline. Numerous parties filed so-called joinders to the motion. The Applicants objected on October 14, 2016. CFP then filed an unauthorized Response to Applicants’ Objection to Various Motions to Amend Procedural Order on October 18, 2016 (“Unauthorized Response”), which does not fairly portray the status of discovery in this proceeding and therefore overstates the need for more time.

5. In their October 6, 2016 motion for rehearing of the Order on NEPGA’s Motion to Compel, which was issued September 22, 2016, the Applicants indicated their intention to undertake a systematic and comprehensive update of the LEI Report to ensure that the Subcommittee will have the most up-to-date information available at the time of hearing.

6. On October 17, 2016, CFP filed a pleading that it calls Counsel for the Public’s Response to Applicants’ Motion for Rehearing of NEPGA’s Motion to Compel, Motion to Disallow Further Participation and Motion to Stay, and Counsel for the Public’s Request to Further Amend the Procedural Order. It is the latter portion of the pleading that the Applicants focus on here and refer to as the Further Motion. In its pleading, CFP agrees that the NEPGA request for a limited update of the LEI Report should be stayed and that a comprehensive update is preferable.

7. In its Further Motion, at p. 5, however, CFP would have the Subcommittee treat the update of the LEI Report as a “substitution for the Applicant’s direct evidence.” It mistakenly contends that the update is “a revision that will make the original testimony and report moot.” CFP creates a Catch-22 situation. If the Applicants do not update the LEI Report,

their evidence is stale and should be given little weight. If the Applicants update the LEI Report, they must essentially start over. Heads, CFP and the Intervenors opposed to the Project win; tails, the Applicants lose.

8. In its Further Motion, in a footnote on p. 5, CFP also points to its October 4<sup>th</sup> Extension Request, notes that it is still pending, and says that rather than file a second motion it is more efficient to include a further amendment in the context of the NEPGA rehearing. Correspondingly, the Applicants believe it is more efficient to set the record straight here regarding the course and status of discovery as described by CFP.

9. In the NEPGA Motion, NEPGA seeks to amend the procedural schedule in conjunction with its October 17, 2016 objection to the Applicants' motion for rehearing regarding the recalculation of market benefits. NEPGA asks that the Presiding Officer set a deadline for the Applicants to recalculate benefits, establish a single date for NEPGA's expert testimony, and reset all other deadlines beginning 45 days after such date.

## **II. Discussion**

### **A. LEI Report**

10. The LEI Report and Ms. Frayer's pre-filed testimony were included with the Application filed October 19, 2015. Discovery has been ongoing since May 13, 2016, culminating in a third day of technical sessions with Ms. Frayer on October 18, 2016. CFP and the parties should be in a position to file testimony on November 15, 2016. The prospect of an updated or refreshed calculation of market benefits is not a restart button but something that should logically be expected. The update of the LEI Report and Ms. Frayer's corresponding testimony is nothing more than what is permitted as part of supplemental testimony in any SEC proceeding.

11. CFP mischaracterizes the procedural posture of the proceeding. Extending its mistaken premise that Ms. Frayer's pre-filed testimony would be nullified by an update, CFP references Site 202.20 to argue that testimony would be proceeding out of sequence if CFP cannot wait until April, 2017 to file testimony addressing economic issues. However, this assertion is counter to SEC precedent. Historically, the filing of supplemental testimony is the proper procedural vehicle to address the update that Ms. Frayer will be conducting. The practice regarding supplemental testimony before the Committee "[h]as been to allow the filing of supplemental testimony after the discovery process has terminated. Supplemental testimony usually addresses matters that were not known before the filing of direct testimony or address evidence, issues and arguments that arise during the discovery phase of the matter." Order on Motions to Strike, Docket No. 2015-02 (September 19, 2016), p. 3-4.

12. The current circumstances are precisely those that supplemental testimony is designed to address. That certain inputs employed in Ms. Frayer's analysis have changed in the year since the report was filed is to be anticipated. One cannot expect energy markets and the associated Project benefits to remain static. Therefore, updating the report to reflect changes is a natural part of the proceeding.

13. Ms. Frayer will update her report to account for changes in data that have occurred since the report was originally filed with the Committee. As she explained at the Technical Session on October 18, 2016, any update would employ the same methodology and approach to modeling as the original report, which were the subject of extensive questioning in data requests and during the technical sessions. Hence, CFP and its experts have had sufficient time to develop pre-filed testimony on those issues, and they will have the opportunity to file supplemental testimony after Ms. Frayer produces the results of her update. She also indicated at

the Technical Session that the December 31, 2016 deadline proposed by CFP for a comprehensive update was unrealistic.

14. Finally, as the Applicants have pointed out elsewhere, NEPGA's request that Ms. Frayer recalculate benefits for two specific variables is beyond the bounds of proper discovery. NEPGA and others who seek to challenge Ms. Frayer's methodology and approach have had more than sufficient time to prepare responsive testimony.

### **B. Discovery**

15. In its Unauthorized Response, at p. 6, CFP argues that the Applicants' "failure to provide timely responses to data requests" is grounds for extending multiple key procedural deadlines. In so arguing, CFP paints a picture that does not accurately reflect the course or status of discovery between the Applicants and CFP. More important, CFP's advocacy lacks perspective or proportionality as to the unprecedented amount of information that has been produced and the resulting ability of its expert witnesses to prepare testimony. (For perspective, see the 1200-page Production Log provided with this filing.) To the extent that there were errors or delays in providing responses, they have not been of a nature or an extent that CFP's expert witnesses could not reasonably be expected to file testimony pursuant to the procedural schedule.

16. CFP attached a document labeled "Exhibit A," to its October 4<sup>th</sup> Extension Request, purporting to show outstanding data requests. Exhibit A, however, contains numerous errors and is incomplete in many regards, thus exaggerating any discovery shortcomings. To correct the record, the Applicants attach a Modified Exhibit A, which provides additional information and reflects the Applicants' understanding of each data request.

17. CFP claims that the Applicants have failed to provide timely responses to its data requests and that as a result it needs more time. In the first case, the Applicants have provided

full and timely responses to all of CFP's data requests in accordance with the procedural schedule. The Applicants seek to clarify, therefore, that any present dispute regarding a particular data request involves informal follow-up requests or supplemental information.

18. To the extent that CFP or its experts found a response to a particular data request to be insufficient, the Applicants worked in good faith to supplement the response. In cases where CFP encountered technical issues, the Applicants worked to remedy the issues. To the Applicants' knowledge, all such issues have been resolved.

19. In certain instances, the Applicants explained to CFP that they had no further documents to provide in response to data requests. Yet, Exhibit A suggests that some such data requests remain incomplete. See, for example, Data Request 167.

20. In other instances, CFP reports that it does not have access to data. For example, at paragraph 7 of its Unauthorized Response, CFP asserts that its expert witnesses, Kavet, Rockler & Associates, LLC ("KRA") "still has not had access to" information requested in Data Request 76. Data Request 76 asked the Applicants to provide all inputs to the REMI model used to generate economic impact estimates. The Applicants provided an extensive amount of information to CFP on August 5, 2016, including LEI's workbook, which provides all the inputs used for purposes of REMI. CFP does not acknowledge this fact.

21. CFP also disregards the history surrounding this data request. As stated previously, the Applicants responded to the data request on August 5, 2016. On August 29, 2016, CFP informed the Applicants that it sought additional data. The Applicants, LEI, CFP and KRA therefore scheduled a conference call, which took place on September 8, 2016. On the same day, CFP notified the Applicants of KRA's intent to purchase the necessary REMI license to receive and access the REMI .RWB files discussed in CFP's October 4<sup>th</sup> Request for



Extension, at paragraph 16. The Applicants produced the requested .RWB files on September 14, 2016. The Applicants now understand that KRA made an official request for a REMI license on October 24, 2016.

22. CFP also argues that the Applicants failed to timely respond to Data Requests 172 and 173. The Applicants provided a full response to both data requests on August 5, 2016. On August 30, 2016, the expert witness for CFP, Arrowwood Environmental (“Arrowwood”) provided the Applicants with a list of data requests and the corresponding status. In this chart, Arrowwood indicated that the Applicants had responded fully to 172. On September 7, 2016, CFP forwarded a request from Arrowwood to have the Applicants provide information regarding how their experts were trained to distinguish bats within the genus *Myotis*. The Applicants provided a supplemental response on September 20, 2016. As for Data Request 173, it requested “data files for all myotine bat calls as isolated by Kaleidoscope Pro.” The Applicants produced an Excel spreadsheet with the requested data in its August 5, 2016 response. On September 7, 2016, CFP forwarded a request by Arrowwood that the Applicants produce native raw acoustic files. The Applicants provided the requested audio files on September 20, 2016. The Applicants have not received any further indication that the responses were not complete.

23. As a final point of clarification, CFP indicates that a number of data requests related to Rare, Threatened or Endangered (“RTE”) plant and animal species were provided late. Using Data Request 146 as an example, the Applicants explained in their original response that they were withholding certain information related to RTE because the data was subject to a data sharing agreement with the New Hampshire Natural Heritage Bureau (“NHNHB”), which prevented the release of data to third parties. CFP informed the Applicants that Arrowwood had a similar data sharing agreement with NHNHB but did not provide this agreement until August

19, 2016. Therefore, to the extent that data was provided late, it was because the Applicants were legally bound to withhold it.

24. The Applicants have worked in good faith with CFP and its expert witnesses throughout the course of discovery. The Applicants, however, believe that CFP's Exhibit A is an incomplete depiction of the current status of discovery and that CFP wrongly stated in its Unauthorized Response, at p. 7, that the Applicants had not disputed the grounds for the October 4<sup>th</sup> Extension Request. The Applicants disputed the grounds for the extension in their October 14, 2016 Objection, but not in an itemized fashion. Modified Exhibit A to this Objection provides such an itemized rebuttal, and shows more accurately the status of discovery.

### **III. Conclusion**

25. Further amending the procedural schedule in order to treat an update of the LEI Report as the filing of initial direct evidence is not warranted and would not be in the public interest. The Applicants further submit that such an approach is contrary to standard practice and would result in undue delay contrary to the stated purpose of RSA 162-H. Accordingly, the Applicants respectfully request that the Further Motion be denied and that the Applicants be afforded sufficient time to update the LEI Report.

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: October 25, 2016

By: 

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Certificate of Service

I hereby certify that on the 25<sup>th</sup> of October, 2016, an electronic copy was served upon the  
New Hampshire Site Evaluation Committee and upon the SEC Distribution List.

  
Thomas B. Getz

**MODIFIED EXHIBIT A**

Counsel for the Public's Original EXHIBIT A					Applicants' Reply/Record of Discovery				
Data Request	Information Requested	Date Requested	Required/Promised Receipt Date	Notes	Status	Date Applicants Responded to Request	Date Applicants Received Follow Up Request	Date(s) Applicants Supplemented Original Response	Applicants' Production Notes
EXP 1-76	Input to REMI model (native format)	6/28/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>partially received on 09/14/2016 but still waiting for REMI permission to access</b>	Incorrect/Complete	8/5/2016	8/29/2016	9/14/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Received notice of intent from Kavet Rockler (KRA) to purchase REMI license on 9/8/2016 * Provided additional requested information on 9/14/2016 * Applicants received notice on 10/24/2016 that KRA officially applied for a REMI license from REMI
EXP 1-77	Project expenditure detail	6/28/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/08/2016</b>	Complete	8/5/2016	8/29/2016	9/8/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Resolved issue on 9/8/2016
EXP 1-78	Annual expenditures on Project labor	6/28/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/08/2016</b>	Complete	8/5/2016	8/29/2016	9/8/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Resolved issue on 9/8/2016
EXP 1-79	Shapiro spreadsheet files	6/28/2016	8/5/2016	Required to review Shapiro analysis; affects ability to conduct tech session and file testimony/report; <b>partially received on 08/05/2016 but contains errors; updated on 9/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 explaining errors in spreadsheet * Provided updated spreadsheet on 9/22/2016
EXP 1-80	Anticipated project expenditure flows	6/28/2016	8/5/2016	Required to review local economic analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/08/2016</b>	Complete	8/5/2016	8/29/2016	9/8/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Resolved issue on 9/8/2016
EXP 1-81	Annual property leases	6/28/2016	8/5/2016	Required to review local economic analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Provided supplemental response on 9/22/2016
EXP 1-83	Current info related to assumptions and inputs	6/28/2016	8/5/2016	Required to review local economic analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/08/2016</b>	Complete	8/5/2016	8/29/2016	9/8/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Resolved issue on 9/8/2016
EXP 1-84	Additional cost to bury entire Project	6/28/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Provided supplemental response on 9/22/2016
EXP 1-88	Identify "iconic viewsheds"	06/28/2016; follow-up question asked on 08/29/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>response provided on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Applicants explained that the original response was complete on 9/22/2016
EXP 1-95	Project bidder information	06/28/2016; follow-up question asked on 08/29/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Applicants explained that they do not possess the level of detail requested on 9/22/2016
EXP 1-98	Information related to North Country Jobs Creation Fund	06/28/2016; follow-up question asked on 08/29/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Provided supplemental response on 9/22/2016
EXP 1-102	Changes to fuel prices	06/28/2016; follow-up question asked 08/29/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/29/2016	9/8/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Resolved on 9/8/2016 via discussions with KRA
EXP 1-109	Geographic location of labor	6/28/2016	8/5/2016	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/29/2016	9/8/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Scheduled conference call with Applicants, LEI, CFP and KRA to discuss follow up data requests on 9/8/2016 * Resolved on 9/8/2016 via discussions with KRA
EXP 1-110	Shapiro working file	6/28/2016	8/5/2016	Required to review Shapiro analysis; affects ability to conduct tech session and file testimony/report; <b>provided on 08/05/2016 but has errors; updated on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 explaining errors in spreadsheet * Provided updated spreadsheet on 9/22/2016
EXP 1-111	Updated tax impact estimates	06/28/2016; follow-up question asked 08/29/2016	8/5/2016	Required to review Shapiro analysis; affects ability to conduct tech session and file testimony/report; <b>responded to on 09/08/2016; additional information provided on 09/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received request to update response on 8/29/2016 * Provided updated response on 9/22/2016

MODIFIED EXHIBIT A

EXP 1-113	Information regarding property values study	06/28/2016; follow-up question asked 08/29/2016	8/5/2016	Required to review Chalmers analysis; affects ability to conduct tech session and file testimony/report; <b>response provided on 9/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Provided supplemental response on 9/22/2016
EXP 1-115	Information regarding tourism study	6/28/2016	8/5/2016	Required to review impacts to tourism analysis; affects ability to conduct tech session and file testimony/report; <b>response provided on 9/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received request to further clarify response on 8/29/2016 * Provided clarification on 9/22/2016
EXP 1-116	Notes, etc. from sessions	6/28/2016	8/5/2016	Required to review impacts to tourism analysis; affects ability to conduct tech session and file testimony/report; <b>response provided on 9/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received request to further clarify response on 8/29/2016 * Provided clarification on 9/22/2016
EXP 1-120	Information regarding public access trails	06/28/2016; follow-up question asked 08/29/2016	8/5/2016	Required to review impacts to tourism analysis; affects ability to conduct tech session and file testimony/report; <b>response provided on 9/22/2016</b>	Complete	8/5/2016	8/29/2016	9/22/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/29/2016 * Provided supplemental response on 9/22/2016
EXP 1-125	Description of evaluation of scenic resources	6/28/2016	8/5/2016	Required to review impacts to aesthetic analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/30/2016 9/16/2016	9/15/2016 9/26/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/30/2016 via e-mail * Provided response on 9/15/2016 * Received subsequent request on 9/16/2016 * Provided additional response on 9/26/2016
EXP 1-127	Explanation of design decision	6/28/2016	8/5/2016	Required to review impacts to aesthetic analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/30/2016 9/16/2016	9/15/2016 9/26/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/30/2016 via e-mail * Provided response on 9/15/2016 * Received subsequent request on 9/16/2016 * Provided additional response on 9/26/2016
EXP 1-145	List of resources with "Low Cultural Value"	6/28/2016	8/5/2016	Required to review impacts to aesthetic analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/30/2016 9/16/2016	9/15/2016 9/26/2016	* Provided complete response to data request on 8/5/2016 * Received follow up request on 8/30/2016 via e-mail * Provided response on 9/15/2016 * Received subsequent request on 9/16/2016 * Provided additional response on 9/26/2016
EXP 1-146	Details of project components and resources; native files	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>partially provided, most recently on 9/20/2016; still outstanding information</b>	Incorrect/Complete	8/5/2016	8/19/2016 9/9/2016	8/23/2016 (GPS data) 9/20/2016	* Responded to the data request on 8/5/2016 * Received follow up request on 8/19/2016 regarding technical issues with data * Reproduced data on 8/23/2016 * Received subsequent follow up request on 9/9/2016 * Produced additional data on 9/20/2016
EXP 1-147	Field notes and photos	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>provided late</b>	Incorrect/Complete	8/5/2016	8/24/2016 9/9/2016	8/30/2016 9/20/2016	* Responded to the data request on 8/5/2016 * Received follow request regarding corrupted files and request to produce in different format on 8/24/2016 * Produced requested documents on 8/30/2016 * Received subsequent follow up request on 9/9/2016 * Produced additional data on 9/20/2016
EXP 1-148	List of all spatial or species distribution or habitat modeling exercises	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>late and only partially provided</b>	Incorrect/Complete	8/5/2016	8/24/2016	8/30/2016	* Responded to the data request on 8/5/2016 * Received follow request regarding corrupted files and request to produce in different format on 8/24/2016 * Produced requested documents on 8/30/2016
EXP 1-150	Provide all reports prepared related to natural resources	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/30/2016	N/A	* Responded to the data request on 8/5/2016 * No additional information to provide
EXP 1-153	Field notes and photo related to RTE	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>provide late; field GPS data still missing</b>	Incorrect/Complete	8/5/2016	8/30/2016 9/9/2016	8/30/2016 9/20/2016	* Provided a response on 8/5/2016 explaining that certain data requested is subject to a Data Sharing Agreement with the NH Natural Heritage Bureau, which prevents the Applicants from providing the data to 3rd parties * 8/5/2016 response directed CFP to documents provided in response to #147 * Received copy of Arrowwood's NHB agreement on 8/19/2016 * Received follow up request on 8/30/2016 * Additional documents provided in response to #147 on 9/20/2016
EXP 1-154	Dates of RTE surveys/names of surveyors	6/28/2016	08/05/2016; follow-up question asked 8/30/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>provided late, inconsistent and incomplete</b>	Incorrect/Complete	8/5/2016	N/A	N/A	* Responded to the data request on 8/5/2016 * No follow up request received
EXP 1-159	List of wildlife species; spatial and location data	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>provided late, inconsistent and incomplete, no reptile/amphibian locations provided</b>	Incorrect/Complete	8/5/2016	8/24/2016	8/30/2016	* Responded to the data request on 8/5/2016 * All spatial data was provided at that time but had technical issues * Received notice of technical issues on 8/24/2016 * Reproduced data on 8/30/2016
EXP 1-167	Provide methodology used to adjust Coos County DWA boundaries	6/28/2016	8/5/2016	Missed opportunity to view resources; required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report; <b>no comprehensive methodology provided</b>	Incorrect/Complete	8/5/2016	N/A	N/A	* Responded to the data request on 8/5/2016 * No additional information to provide
EXP 1-172	Training of experts related to bats	6/28/2016	8/5/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	9/7/2016	9/20/2016	* Responded to the data request on 8/5/2016 * Received follow up request on 9/7/2016 * Provided supplemental response on 9/20/2016
EXP 1-173	Data files for myotone bat calls	6/28/2016	8/5/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	9/7/2016	9/20/2016	* Responded to the data request on 8/5/2016 * Received follow request for audi files on 9/7/2016 * Produced requested audio files on 9/20/2016
EXP 1-179	Metric for bat surveys	6/28/2016	8/5/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	9/7/2016	9/20/2016	* Responded to the data request on 8/5/2016 * Received follow up request on 9/7/2016 * Provided supplemental response on 9/20/2016

**MODIFIED EXHIBIT A**

EXP 1-181	Hibernicula within 5 miles of Project	6/28/2016	8/5/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/30/2016	10/10/2016	* Provided a response on 8/5/2016 explaining that certain data requested is subject to a Data Sharing Agreement with the NH Natural Heritage Bureau, which prevents the Applicants from providing the data to 3rd parties * Received copy of Arrowwood's NHB agreement on 8/19/2016 * Received follow up request on 8/30/2016 * GIS data provided in response to #146 and in response to Technical Session Data Request Set 3, #4
EXP 1-182	Describe Karner blue research	6/28/2016	8/5/2016	Required to review impacts to natural resources analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/5/2016	8/30/2016	N/A	* Provided a response on 8/5/2016 and explained that mitigation plans are ongoing * Applicants will supplement as necessary
Data Request	Information Requested	Date Requested	Required/Promised Receipt Date	Notes	Status	Date Applicants Received Informal Request	Date Applicants Received Follow Up Request	Date Applicants Responded to Request	Applicants' Production Notes
Informal Request	HQ information regarding qualifying for FCM	8/18/2016	-	Required to review LEI analysis; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/18/2016	N/A	8/29/2016	* Provided complete response to informal request on 8/29/2016
Informal Request	Copy of all applications submitted to DOT	8/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report; received on 09/14/2016	Complete	8/11/2016	N/A	8/29/2016 9/14/2016	* Provided complete response to informal request on 8/29/2016 Received notice of technical issues with documents provided on 8/31/2016 * Reproduced documents on 9/14/2016
Informal Request	Documents submitted to ISO- NE	8/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report; received on 09/14/2016	Complete	8/11/2016	N/A	8/29/2016 9/14/2016	* Provided complete response to informal request on 8/29/2016 Received notice of technical issues with documents provided on 8/31/2016 * Reproduced documents on 9/14/2016
Informal Request	System Impact Study	8/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report	Incorrect/Complete	8/11/2016	N/A	8/29/2016	* Provided response to request on 8/29/2016 explaining that the documents requested contain Critical Energy Infrastructure Information (CEII), which requires CFP to sign a Non-Disclosure Agreement (NDA) with ISO-NE. * Sent CFP relevant materials for CFP to enter into an NDA with ISO-NE. To the Applicants' knowledge, CFP has not entered into such an NDA; therefore, the Applicants cannot legally provide the requested information.
Informal Request	Reports, etc. related to locating near gas pipeline	8/11/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report; received on 09/14/2016	Complete	8/11/2016	N/A	8/29/2016 9/14/2016	* Provided complete response to informal request on 8/29/2016 Received notice of technical issues with documents provided on 8/31/2016 * Reproduced documents on 9/14/2016
Informal Request	Updated plan/profile sheets	9/2/2016	-	Required to review project design plans; affects ability to conduct tech session and file testimony/report	Incomplete	9/2/2016	N/A	N/A	* Applicants believe they may have communicated orally that no updated plan/profile sheets exist, but cannot confirm * In any event, there are no additional documents
Informal Request	All digital detail model and digital surface model	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided all non-Intermap data via Sharefile on 7/8/2016 as part of fomal discovery * Provided informally on 9/12/2016
Informal Request	Existing and proposed viewsheds in ArcGIS compatible raster format	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	7/8/2016 9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally on 9/12/2016
Informal Request	All potential scenic resources reviewed in a Shapefile	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided responsive GIS data on 7/8/2016 as part of formal discovery * Provided informally on 9/12/2016
Informal Request	All scenic resources not reviewed in a Shapefile	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	
Informal Request	Location of photo simulations in Shapefile	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided responsive GIS data on 9/12/2016
Informal Request	Location of photos in Shapefile	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Applicants explained to CFP experts that they do not have this information available
Informal Request	Explanation of content of each file	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Applicants explained to CFP experts that they do not have this information available
Informal Request	KMZ file used to create photo simulations	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally with supplemental information on 9/12/2016
Informal Request	Photo inventory	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally on 9/12/2016
Informal Request	Photos used to create photo simulations	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally on 9/12/2016
Informal Request	Materials used to evaluate impacts to scenic resources	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally with supplemental information on 9/12/2016
Informal Request	Each evaluators raw numerical ratings	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally on 9/12/2016
Informal Request	Each evaluators raw visual quality ratings	6/21/2016	Approx. 07/05/2016	Required to review aesthetic analysis; affects ability to conduct tech session and file testimony/report; received on 09/12/2016	Complete	6/21/2016	N/A	9/12/2016	* Provided on 7/8/2016 via Sharefile as part of fomal discovery * Provided informally on 9/12/2016