

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 a Certificate of Site and Facility

**PARTIAL OBJECTION OF THE SOCIETY FOR THE PROTECTION OF NEW
HAMPSHIRE FORESTS TO APPLICANTS' MOTION FOR ADDITIONAL TIME
TO FILE SUPPLEMENTAL RESPONSES PROVIDED TO DES**

The Society for the Protection of New Hampshire Forests (the "Forest Society"), by and through its attorneys, BCM Environmental & Land Law, PLLC, respectfully submits this partial objection to the Applicants' Motions for Additional Time to File Supplement Responses Provided to the Department of Environmental Services ("DES") (the "Motion").

1. In sum, the Forest society agrees with the Applicants' request for more time, but requires an accordant adjustment to its deadline for natural resources prefiled testimony.

2. On September 22, 2016, the Site Evaluation Sub-Committee (the "Committee") issued an Order on Requests to Amend Procedural Order (the "Order"). The Order required Applicants to provide supplemental responses to DES requests on or before Thursday, December 15, 2016. One of the categories of information required to be provided by December 15, 2016 was, in the Applicants words, "stormwater redesign based on detailed subsurface data that required geotechnical borings."

3. In their Motion, dated December 7, 2016, Applicants state they will meet the December 15, 2016 deadline except for the storm water treatment design for four of the nine locations, namely, the Deerfield Substation, the Franklin Converter Terminal, and Transition Stations #1 and #5. The Applicants request until January 25, 2017 in which to file that information.

4. Contrary to the Applicants' characterization, it appears that this information could be substantial and significant. Otherwise, such a large extension of 40 days would not seem necessary.

5. Counsel for the Public and Intervenor prefiled testimony is currently due on December 30, 2015. Applicants propose extending this deadline to February 9, 2017 but, only as it relates to the supplemental DES responses to be provided on January 25, 2017.

6. First, the Forest Society cannot complete its prefiled testimony without all of the information the Applicants are required to provide to the DES.

7. Second, even if the Forest Society were to file incomplete prefiled testimony on December 30, 2016, and then file completed prefiled testimony on February 9, 2017, such a bifurcation lends itself to confusion, controversy, and further delays within the docket because of having to distinguish between what testimony fits into natural resources except certain stormwater design for those four locations, and what fits stormwater design for those four locations. For example, would testimony about functions and values of wetlands be allowed at the February 9, 2017 deadline if the stormwater information changed prior testimony, or would that be contested?

8. Rather than further divide prefiled testimony, and to allow the Forest Society to complete its natural resources prefiled testimony with all of the information the Committee previously ordered that it would have, the Forest Society respectfully requests that the deadline for all natural resources pre-filed testimony currently due on December 30, 2016 be extended to February 9, 2017.

9. This adjustment would maintain the approximate two week spread between the time the Applicants provide all of the DES information and the time when intervenors and the CFP provide prefiled testimony regarding natural resources.

WHEREFORE, the Forest Society respectfully requests that the Committee:

- A. Grant in part the Applicants' Motion for Additional Time and extend the deadline for all natural resources pre-filed testimony from December 30, 2016 to February 9, 2017; and
- B. Grant such other and further relief as may be reasonable and just.

Respectfully Submitted,

**SOCIETY FOR THE PROTECTION OF
NEW HAMPSHIRE FORESTS**

By its Attorneys,

BCM Environmental & Land Law, PLLC



Date: December 19, 2016

By: _____

Amy Manzelli, Esq. (17128)
Jason Reimers, Esq. (17309)
Elizabeth A. Boepple, Esq. (20218)
3 Maple Street
Concord, NH 03301
(603) 225-2585
manzelli@nhlandlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on this day, December 19, 2016, a copy of the foregoing Partial Objection was sent by electronic mail to persons named on the Service List of this docket.



Amy Manzelli, Esq.