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February 6, 2017

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
Motion to Amend Procedural Schedule**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of a Motion to Amend Procedural Schedule For Supplemental Testimony and Related Deadlines.

Please contact me directly should you have any questions.

Sincerely,


Thomas B. Getz for Thomas B. Getz

TBG:slb

cc: SEC Distribution List

Enclosure

**THE 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**

**MOTION TO AMEND PROCEDURAL SCHEDULE
FOR SUPPLEMENTAL TESTIMONY AND RELATED DEADLINES**

Northern Pass Transmission LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (the “Applicants”) by and through their attorneys, McLane Middleton, Professional Association, request that the Site Evaluation Committee (“SEC” or “Subcommittee”) amend the procedural schedule for the filing of supplemental testimony and other procedural deadlines related to the conduct of the adjudicative hearings. As explained below, the Applicants believe that the proposed schedule will promote the prompt and orderly conduct of the proceeding.

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 (the “Project”). The Subcommittee designated for this proceeding 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, determining to extend the statutory timeframe for a decision from December 17, 2016, to September 30, 2017. Subsequently, on June 23, 2016, the Presiding Officer issued an Order on Pending Motions and Procedural Order that established a procedural schedule within the expanded period of review, except that it did not include dates for adjudicative hearings. Among

other things, the procedural schedule contemplated supplemental testimony by March 15, 2017, followed by dates for pre-hearing motions and stipulations, and a pre-hearing conference. The procedural schedule has been amended numerous times since June 23, 2016, most recently in the Presiding Officer's Order on Counsel for the Public's Motion to Extend Deadline, issued January 26, 2017.¹

3. On December 19, 2016, the Presiding Officer issued a Notice of Final Adjudicative Hearings. He scheduled twenty-nine days of adjudicative hearings beginning on April 4, 2017, and extending on various dates to July 21, 2017.²

4. On February 3, 2017, Municipal Groups 1 South, 2, 3 South, and 3 North ("Towns") filed a Motion to Extend Deadline for Supplemental Prefiled Testimony. The Towns' motion proposes that supplemental testimony be due 15 days from the end of the round of technical sessions scheduled to begin on February 21, 2017, which would appear to be on or around April 3, 2017, the day before adjudicative hearings are slated to begin. The Towns, at p. 4 of their motion, "acknowledge that due to the relief requested herein, it may cause a conflict with the first two weeks of the adjudicative session."³ They further state that "postponement is premature a[t] this time" but that their intent is "to avoid postponement or rescheduling of the adjudicative sessions unless absolutely necessary."

¹ On January 18, 2017, the Presiding Officer issued an Order on Applicants Motion for Additional Time, which called for (1) a technical session, between February 10 and 15, on the Applicants' January 25, 2017 filing addressing stormwater treatment design for certain facilities, and (2) the filing of related testimony by Counsel for the Public and Intervenors on February 28, 2017. The Applicants propose that the technical session be combined with the technical session scheduled for February 22, 2017, on the Applicants' responses to Department of Environmental Services' requests, and that related testimony be due on April 24, 2017, with other Track 2 topics.

² The Applicants ask that the Subcommittee consider, to the extent their schedules permit it, adding any extra hearing days, if required, within the existing timeframe.

³ It is difficult to see how the Towns' proposal would result in anything other than a delay in the beginning of the adjudicative hearings. Under their approach, the pre-hearing conference would occur no sooner than April 14, 2017, and could lead to cancellation of all the hearing days scheduled for April.

II. SCHEDULE PROPOSAL

5. As the procedural schedule has evolved, the schedule for filing of testimony by the Intervenors and Counsel for the Public was divided into two tracks, with certain testimony due November 15, 2016, (“Track 1”) and the remainder due December 30, 2016 (“Track 2”). Correspondingly, technical sessions were scheduled in two phases. The Track 1 technical sessions were scheduled for January 16, 2017 to February 15, 2017, while the Track 2 technical sessions were scheduled for February 20, 2017 to February 28, 2017. As the Applicants view it, the Track 1 topics include Route Selection, etc. (Messrs. Quinlan’s and Bowes’ testimony), Technical and Managerial Capabilities (Construction Panel), Financial Capability, System Stability, and Public Health & Safety. The Track 2 topics include Orderly Development, Aesthetics, Natural Environment/Resources, Historic Resources, and Economic Benefits.

6. Based on estimates of the time needed to conduct the Track 2 technical sessions, however, it is clear that they cannot be completed by February 28, 2017, and likely will go through March 17, 2017. As a result, the technical sessions will extend beyond the March 15, 2017 deadline for supplemental testimony. In order to allow sufficient time for the Applicants, Counsel for the Public, and Intervenors to prepare supplemental testimony on construction issues and the Track 2 topics, and preserve the April 4, 2017 date to commence adjudicative hearings, the Applicants propose that supplemental testimony be divided into three parts and filed, respectively, on: (1) March 15, 2017, Track 1 topics except for construction issues; (2) April 3, 2017, construction issues; and (3) April 24, 2017, Track 2 topics.

7. The general contours of the proposed amended procedural schedule are illustrated on Attachment A. In addition, Attachment B provides greater detail in the format typically used in the Presiding Officer’s orders. Among other things, the proposed schedule, in addition to

phasing the filing of supplemental testimony, allows for the scheduling of separate dates for the filing of prehearing motions and stipulations corresponding to the order of witnesses for the adjudicative hearings, along with related pre-hearing conferences for the purposes of marking exhibits, etc. The Applicants believe that subdividing the procedural requirements and spreading them out to occur at appropriate points in the schedule for adjudicative hearings will be more efficient and orderly. Finally, the Applicants point out that their approach adds an additional week to the next round of technical sessions beyond that assumed in the Towns' motion to accommodate potential overflow inquiry.

8. The Applicants have sought concurrence for this Motion from the parties. The following parties object: Society for Protection of New Hampshire Forests, New England Power Generator Association, the Towns of Bridgewater, New Hampton, Littleton, Woodstock, Pembroke, Deerfield, Ashland Water & Sewer.

III. CONCLUSION

9. The Applicants believe, for the following reasons, that their proposal promotes the prompt and orderly conduct of the proceeding and fully addresses the Towns' stated intent to avoid postponement unless "absolutely necessary." First, the Applicants' approach contemplates a reasonable period of time to complete the Track 2 technical sessions. Second, the proposed phasing of supplemental testimony assures that all parties have sufficient time after the completion of technical sessions to prepare supplemental testimony. Third, the schedule subdivides the pre-hearing motions and pre-hearing conferences into more manageable components. Finally, the Applicants note that this approach provides greater flexibility, because, as the adjudicative hearings progress, there may be good reason to adjust some dates for pre-hearing motions and pre-hearing conferences subsequent to the initial round in late March.

WHEREFORE, the Applicants respectfully request that this Committee:

- A. Amend the procedural schedule as requested herein; and
- B. Grant such further relief as it deems appropriate.

Respectfully Submitted,

Northern Pass Transmission LLC and
Public Service Company of New Hampshire

By its attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: February 6, 2017

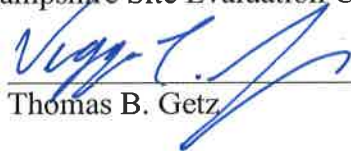
By:

 for Thomas B. Getz

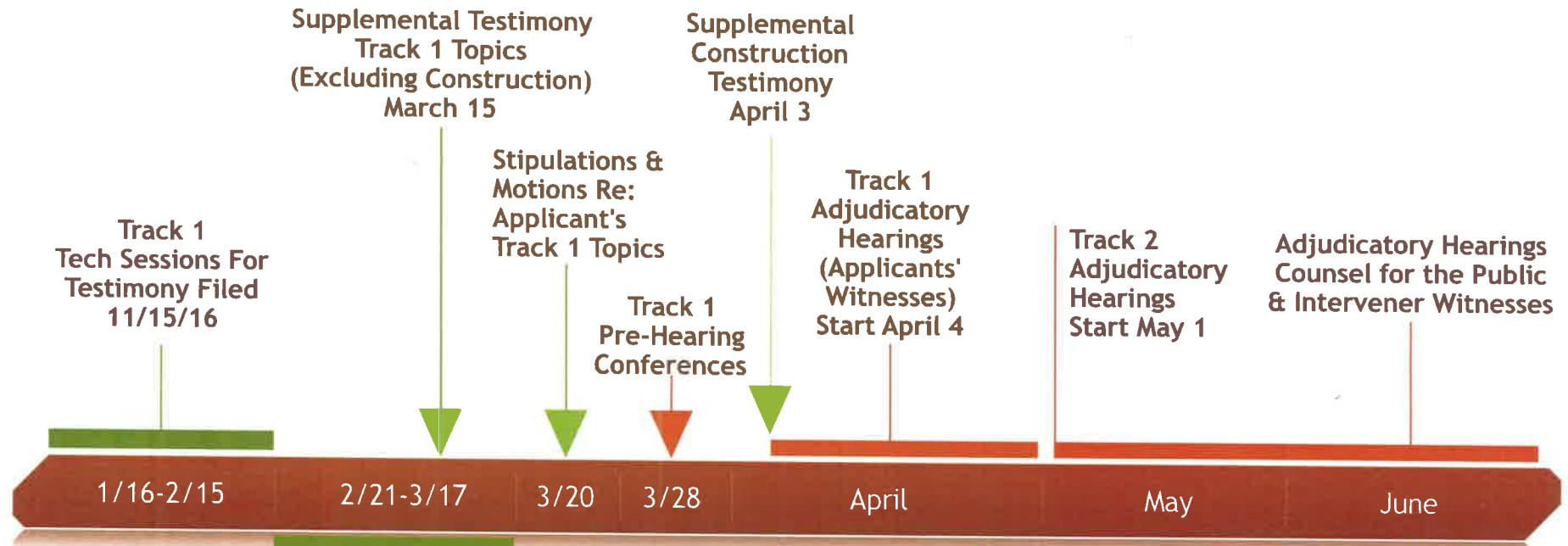
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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of February, 2017, an original and one copy of the foregoing Motion was hand-delivered to the New Hampshire Site Evaluation Committee.

 for Thomas B. Getz
Thomas B. Getz

ATTACHMENT A



Track 2
Tech Sessions For
Testimony Filed
12/30/16

Supplemental Testimony
Track 2 Topics
April 24

Stipulations & Motions
Re: All CFP &
Intervener Testimony

Stipulations & Motions
Re: Applicants'
Track 2 Testimony

Pre-Hearing
Conference

Track 2
Pre-Hearing Conference

Track 1 Topics:
Route Selection, etc.
Technical/Managerial Capabilities
Financial Capability
System Stability
Public Health & Safety

Track 2 Topics:
Orderly Development
Aesthetics
Natural Environment
Historic Resources
Economic Benefits

AMENDED PROCEDURAL SCHEDULE

1. Track 1 Technical Sessions with Counsel for the Public's and Intervenors' witnesses shall be conducted between January 16 and February 15, 2017.
2. Counsel for the Public and Intervenors shall respond to data requests addressing issues related to: (i) the Applicant's production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; (iii) the Applicant's response to the Department of Environmental Services' requests; (iv) market economic issues; (v) local economic issues; (vi) natural resources; (vii) aesthetics, including the addendum to the TJ Boyle report filed by Counsel for the Public; and (viii) the Deerfield Abutter's pre-filed testimony on historic issues on or before February 15, 2017.
3. Julia Frayer's updated report and testimony shall be provided on or before February 15, 2017.
4. Track 2 Technical Sessions with the Applicant's witnesses addressing issues related to: (i) the Applicant's production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; (iii) the Applicant's response to the Department of Environmental Services' requests, including stormwater treatment design, and (iv) Ms. Frayer's updated report and testimony shall be conducted between February 21 and March 24, 2017.
5. Track 2 Technical Sessions with Counsel for the Public's and Intervenors' witnesses addressing issues related to: (i) market economic issues; (ii) local economic issues; (iii) natural resources; (iv) aesthetics; and (v) the Deerfield Abutter's pre-filed testimony on historic issues shall be conducted between February 21 and March 24, 2017.
6. Supplemental pre-filed testimony from all parties on Track 1 topics, except for construction issues, shall be filed on March 15, 2017.
7. Pre-Hearing Motions and Statements of Stipulated Facts on Applicants' Testimony on Track 1 Topics, except construction issues, shall be filed on or before March 20, 2017.
8. Pre-Hearing Conference on Applicants' Track 1 Topics, except for construction issues shall be conducted on March 28, 2017.
9. Supplemental pre-filed testimony from all parties on construction related issues shall be filed on April 3, 2017.
10. Adjudicative Hearings shall begin on April 4, 2017.
11. Pre-Hearing Motions and Statements of Stipulated Facts on Applicants' Testimony on construction related issues shall be filed on April 10, 2017.

12. Pre-Hearing Conference on Applicants' Testimony on construction related issues shall be conducted on April 12, 2017.
13. Supplemental pre-filed testimony from all parties on Track 2 topics shall be filed on April 24, 2017.
14. Pre-Hearing Motions and Statements of Stipulated Facts on Applicants' Testimony on Track 2 topics shall be filed on or before April 26, 2017.
15. Pre-Hearing Conference on Applicants' Testimony on Track 2 Topics shall be conducted on April 28, 2017.
16. Pre-Hearing Motions and Statements of Stipulated Facts on Counsel for the Public's and Intervenors' Testimony on Track 1 and 2 Topics shall be filed on or before May 23, 2017.
17. Pre-Hearing Conference on Counsel for the Public's and Intervenors' Testimony on Track 1 and 2 Topics shall be conducted on June 1, 2017.