

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

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 for the Construction of a New High Voltage Transmission Line in New Hampshire

Docket No. 2015-06

MUNICIPAL GROUPS 1 SOUTH, 2, 3 SOUTH, 3 NORTH'S OBJECTION TO APPLICANT'S MOTION TO AMEND AND SUPPORT FOR COUNSEL FOR THE PUBLIC'S RESPONSE

Municipal Intervenor Groups 1 South, 2, 3 South, 3 North (collectively "the Parties") submit this response objecting to Applicants' Objection to the Parties Motion to Extend Deadline and Counsel for Public's Request to Amend Procedural Schedule ("Applicants' Objection") and also supportive of Counsel for the Public's Response to the Parties' Motion to Extend Deadlines and Applicants' Motion to Amend Procedural schedule ("CFP Response"), stating as follows:

1. In response and objection to the underlying motion filed by the Parties (the Parties' February 3, 2017 Motion to Extend Deadline for Supplemental Prefiled Testimony), the Applicants' February 13, 2017 Objection proposed a two-track approach, whereby the topics of Route Selection, Technical and Managerial Capabilities, Financial Capability, System Stability, and Public Health & Safety are included in Track 1 and the topics of Orderly Development, Aesthetics, Natural Environment/Resources, Historic Resources, and Economic Benefits are included in Track 2. Under this proposal, the Subcommittee would establish separate dates for the filing of prehearing motions, stipulations, and pre-hearing conferences for each track, allowing one Track to enter into the adjudicate hearing stage while the pre-hearing deadlines remain pending in the other track. See Applicants proposed schedule attached as Exhibit A. The Applicants' stated intent therein is to create an efficient and orderly schedule that does not push

back the Adjudicatory Hearing dates, but allows parties to have sufficient time after the completions of Technical Sessions to prepare supplemental testimony.

2. CFP's February 10, 2017 Response stated that the Applicants' bifurcated approach is reasonable, but offered an adjusted schedule that would take into account the lack of time the present schedule leaves for preparing for evidentiary hearings and also adheres to the Parties underlying proposal seeking commensurate amounts of time from the end of the technical sessions to prepare for the remainder of the proceedings, in an effort to avoid *undue* delay. See Counsel for the Public's proposed schedule attached as Exhibit B.

3. The Parties respond to the Applicants' Objection as it creates a process that infringes upon the due process rights of the Parties as well as the other Intervenors to this docket, and overtly favors the Applicants ability to contemporaneously participate in one track while preparing for the next track. See generally Parties underlying motion, incorporated by reference herein. More specifically, as proposed by the Applicants, the months of March and April contain numerous instances where the parties to this docket will be simultaneously participating in one phase while preparing for another. See Exhibit A, April and March.

4. CFP's Response mirrors the Parties initial request to space out the technical session dates, deadline for supplemental testimony, prehearing motion, and prehearing conference a commensurate number of days as contemplated by the most recent procedural order. CFP's Response does so while also adopting the two track approach advocated by the Applicants'. See Exhibit B. In so doing, the Parties believe that Counsel for the Public proposal is more equitable for the Parties as well as the other Intervenors to this proceeding, and significantly lessens the potential impact on the Parties due process rights. In contrast to the Applicants', CFP's Response during the months of March and April do not warrant the same

concern regarding simultaneous preparation of tracks 1 and 2. Compare Exhibits A & B, March and April.

WHEREFORE, it is respectfully requested that the Site Evaluation Committee:

- A. Reschedule the Deadlines as requested by Counsel for the Public;
- B. Deny the procedural schedule proposed within Applicants' Response; and
- C. Grant such other and further relief as may be just.

Respectfully submitted,

**MUNICIPAL GROUP 1 SOUTH
MUNICIPAL GROUP 2
MUNICIPAL GROUP 3 NORTH
MUNICIPAL GROUP 3 SOUTH**

TOWNS OF BRIDGEWATER, NEW HAMPTON,
LITTLETON, WOODSTOCK, DEERFIELD,
PEMBROKE, and ASHLAND WATER & SEWER
DISTRICT

By and through its attorneys,

MITCHELL MUNICIPAL GROUP, P.A.

Dated: February 16, 2017

By: /s/ Steven Whitley
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25 Beacon Street East
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TOWNS OF BETHLEHEM, BRISTOL, EASTON,
FRANCONIA, NORTHUMBERLAND,
PLYMOUTH, SUGAR HILL and WHITEFIELD

By and through their attorneys,

GARDNER, FULTON & WAUGH, PLLC

Dated: February 16, 2017

By: /s/ Steven Whitley for
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Lebanon, NH 03766-1727
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CITY OF CONCORD

Dated: February 16, 2017

By: /s/Danielle Pacik
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CERTIFICATE OF SERVICE

I hereby certify that on this date, a copy of the foregoing was sent by electronic mail to persons named on the Service List of this docket.

Dated: February 16, 2017

By: /s/Danielle Pacik
Danielle L. Pacik, Esq.

EXHIBIT A

January 2017

January 2017						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2017						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 1 - 7	Jan 1, 17	2	3	4	5	6	7
Jan 8 - 14	8	9	10	11	12	13	14
Jan 15 - 21	15	16	17	18	19	20	21
		8:00am	Track 1 Technical SessionS				
Jan 22 - 28	22	23	24	25	26	27	28
	Track 1 Technical SessionS						
Jan 29 - Feb 4	29	30	31	Feb 1	2	3	4
	Track 1 Technical SessionS						

February 2017

February 2017							March 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4				1	2	3	4
5	6	7	8	9	10	11	5	6	7	8	9	10	11
12	13	14	15	16	17	18	12	13	14	15	16	17	18
19	20	21	22	23	24	25	19	20	21	22	23	24	25
26	27	28					26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 29 - Feb 4	Jan 29	30	31	Feb 1	2	3	4
				Track 1 Technical SessionS			
Feb 5 - 11	5	6	7	8	9	10	11
	Track 1 Technical SessionS						
Feb 12 - 18	12	13	14	15	16	17	18
	Track 1 Technical SessionS				8:30am		
Feb 19 - 25				CFP/Inter. DR Response Frayer's report			
	19	20	21	22	23	24	25
Feb 26 - Mar 4			8:00am	Track 2 Technical Sessions with App's witnesses			
			10:00am	Track 2 Technical Sessions with CFP and Intervenors' witnesses			
	26	27	28	Mar 1	2	3	4
	Track 2 Technical Sessions with App's witnesses						
	Track 2 Technical Sessions with CFP and Intervenors' witnesses						

March 2017

March 2017							April 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 26 - Mar 4	Feb 26	27	28	Mar 1	2	3	4
				Track 2 Technical Sessions with App's witnesses			
				Track 2 Technical Sessions with CFP and Intervenor's witnesses			
Mar 5 - 11	5	6	7	8	9	10	11
	Track 2 Technical Sessions with App's witnesses						
	Track 2 Technical Sessions with CFP and Intervenor's witnesses						
Mar 12 - 18	12	13	14	15	16	17	18
	Track 2 Technical Sessions with App's witnesses						
	Track 2 Technical Sessions with CFP and Intervenor's witnesses						
				Supp. PFT Track 1 due			
Mar 19 - 25	19	20	21	22	23	24	25
	Track 2 Technical Sessions with App's witnesses						9:00am
	Track 2 Technical Sessions with CFP and Intervenor's witnesses						11:00am
		Pre-Hrng Motions-TR 1					
Mar 26 - Apr 1	26	27	28	29	30	31	Apr 1
			Pre-Hrng Conf.-TR1				

April 2017

April 2017							May 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1		1	2	3	4	5	6
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Mar 26	27	28	29	30	31	Apr 1
3/26 - 31							
	2	3	4	5	6	7	8
4/2 - 7		Supp PFT re Constructi	9:00 a.m. Adjudicative Hearings				
	9	10	11	12	13	14	15
4/9 - 14		Pre-Hrg Motions re Co		Pre-Hrng Conf. re Cons	9:00 a.m. Adjudicative Hearings		
	16	17	18	19	20	21	22
4/16 - 21		9:00 a.m. Adjudicative Hearings					
	23	24	25	26	27	28	29
4/23 - 28		Suppl PFT TR 2 - from		Pre-Hrng Motions TR 2		Pre-Hrng Conf. TR 2 on	
	30	May 1	2	3	4	5	6
4/30 - 5/5							

EXHIBIT B

January 2017

January 2017							February 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	1	2	3	4
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28				
29	30	31											

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 1, 17	2	3	4	5	6	7
Jan 1 - 7							
	8	9	10	11	12	13	14
Jan 8 - 14							
	15	16	17	18	19	20	21
Jan 15 - 21		8:00am Track 1 Technical SessionS					
	22	23	24	25	26	27	28
Jan 22 - 28		Track 1 Technical SessionS					
	29	30	31	Feb 1	2	3	4
Jan 29 - Feb 4	Track 1 Technical SessionS						

February 2017

February 2017							March 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4	5	6	7	1	2	3	4
12	13	14	8	9	10	11	12	13	14	8	9	10	11
19	20	21	15	16	17	18	19	20	21	15	16	17	18
26	27	28	22	23	24	25	26	27	28	22	23	24	25

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 29 - Feb 4	Jan 29	30	31	Feb 1	2	3	4
				Track 1 Technical SessionS			
Feb 5 - 11	5	6	7	8	9	10	11
	Track 1 Technical SessionS						
Feb 12 - 18	12	13	14	15	16	17	18
	Track 1 Technical SessionS					8:30am	
Feb 19 - 25	19	20	21	22	23	24	25
			8:00am Track 2 Technical Sessions with App's witnesses				
		10:00am Track 2 Technical Sessions with CFP and Intervenors' witnesses					
Feb 26 - Mar 4	26	27	28	Mar 1	2	3	4
	Track 2 Technical Sessions with App's witnesses						
Track 2 Technical Sessions with CFP and Intervenors' witnesses							

March 2017

March 2017							April 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4	2	3	4	5	6	7	1
12	13	14	8	9	10	11	9	10	11	12	13	14	8
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 26 - Mar 4	Feb 26	27	28	Mar 1	2	3	4
				Track 2 Technical Sessions with App's witnesses			
				Track 2 Technical Sessions with CFP and Intervenors' witnesses			
Mar 5 - 11	5	6	7	8	9	10	11
	Track 2 Technical Sessions with App's witnesses						
	Track 2 Technical Sessions with CFP and Intervenors' witnesses						
Mar 12 - 18	12	13	14	15	16	17	18
	Track 2 Technical Sessions with App's witnesses						9:00am
	Track 2 Technical Sessions with CFP and Intervenors' witnesses						11:00am
Mar 19 - 25	19	20	21	22	23	24	25
Mar 26 - Apr 1	26	27	28	29	30	31	Apr 1
		TR 1 Suppl. Testimony					

April 2017

April 2017							May 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	1	2	3	4	5	6
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Mar 26	27	28	29	30	31	Apr 1
3/26 - 31							
	2	3	4	5	6	7	8
4/2 - 7		TR 1 Motions/Stips				PreHrng Conf	
	9	10	11	12	13	14	15
4/9 - 14		PreHrng Conf (Cont)		Suppl. Constr. Testimon			
	16	17	18	19	20	21	22
4/16 - 21		Adjudicative Hearings					
	23	24	25	26	27	28	29
4/23 - 28							
	30	May 1	2	3	4	5	6
4/30 - 5/5							

May 2017

May 2017							June 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	4	5	6	7	1	2	3
14	8	9	10	11	12	13	11	12	13	14	15	16	17
21	15	16	17	18	19	20	18	19	20	21	22	23	24
28	22	23	24	25	26	27	25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 30 - May 6	Apr 30	May 1	2	3	4	5	6
		9:00 a.m. Adjudicative Hearings					
May 7 - 13	7	8	9	10	11	12	13
May 14 - 20	14	15	16	17	18	19	20
		TR 2 Suppl. Testimony					
May 21 - 27	21	22	23	24	25	26	27
				9:00 a.m. Adjudicative Hearings			
May 28 - Jun 3	28	29	30	31	Jun 1	2	3
		TR 2 Motions/Stips		9:00am Adjud. Hrg			

June 2017

June 2017							July 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 28 - Jun 3	May 28	29	30	31	Jun 1	2	3
					TR 2 Prehrng Conf	TR 2 Prehrng Conf	
Jun 4 - 10	4	5	6	7	8	9	10
					9:00 a.m. Adjudicative Hearings		
Jun 11 - 17	11	12	13	14	15	16	17
			9:00 a.m. Adjudicative Hearings				
Jun 18 - 24	18	19	20	21	22	23	24
			9:00 a.m. Adjudicative Hearings				
Jun 25 - Jul 1	25	26	27	28	29	30	Jul 1
		9:00am Adjud. Hearing					

July 2017

July 2017							August 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jun 25	26	27	28	29	30	Jul 1
Jun 25 - Jul 1							
	2	3	4	5	6	7	8
Jul 2 - 8							
	9	10	11	12	13	14	15
Jul 9 - 15							
	16	17	18	19	20	21	22
Jul 16 - 22					9:00 a.m. Adjudicative Hearings		
	23	24	25	26	27	28	29
Jul 23 - 29							
	30	31	Aug 1	2	3	4	5
Jul 30 - Aug 5							