

March 31, 2017

Via Electronic Mail & Hand Delivery

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

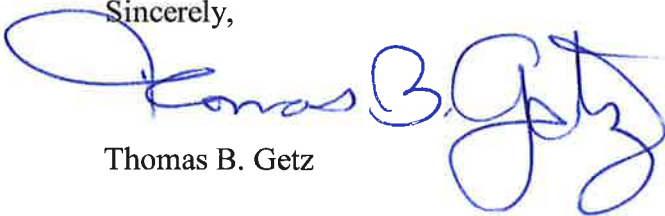
**Re: Site Evaluation Committee Docket No. 2015-06
Joint Application of Northern Pass Transmission LLC and Public Service Company
of New Hampshire d/b/a Eversource Energy (the "Applicants") for a Certificate of
Site and Facility
Objection to Motion to Suspend Deliberations**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of an
Objection to Motion to Suspend Deliberations.

Please contact me directly should you have any questions.

Sincerely,



Thomas B. Getz

TBG:slb

cc: SEC Distribution List

Enclosure

**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**

OBJECTION TO MOTION TO SUSPEND DELIBERATIONS

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 object to the Motion to Temporarily Suspend Deliberations Pursuant to RSA 162-H:14 (“Motion”) filed on March 29, 2017, by Municipal Intervenor Groups 1 South, 2, 3 South, and 3 North (“Towns”). The Motion is premised entirely on speculation and it fails to provide a basis for suspending the adjudicative hearings.

I. BACKGROUND

1. The Applicants filed an Application for a Certificate of Site and Facility on October 19, 2015, for a 192-mile electric transmission line with associated facilities (“Northern Pass” or “Project”). The Site Evaluation Committee (“SEC” or, in this case, “Subcommittee”) 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 that, among other things, extended its deadline to issue a decision until September 30, 2017. Subsequently, on June 23, 2016, the Presiding Officer issued a more detailed procedural order, which has since been amended on a number of occasions. Most recently, on March 1, 2017, the Presiding Officer issued an Order on Pending Motions (Procedural Schedule) that set dates for

pre-hearing motions and pre-hearing conferences, and scheduled adjudicative hearings to begin on April 13, 2017.

3. On March 20, 2017, Peter Roth, Counsel for the Public, sent a letter to Eversource Energy counsel asking a number of questions prompted by an article in the New Hampshire Union Leader reporting a statement allegedly made by Hydro Québec (“HQ”). A response was made to Mr. Roth on March 28, 2017, (see Attachment A) which also pointed out that the Applicants’ supplemental testimony, filed on March 24, 2017, addresses his questions.

4. On March 29, 2017, the Towns filed their Motion, relying on second-hand and third-hand sources, asking to suspend the adjudicative hearings until a decision is made in the Massachusetts Clean Energy RFP, which they say will occur by late Fall 2017. They say that suspending the proceedings is “in the public interest” based on their reading of false or misleading reports in the Canadian press. From those reports, the Towns speculate that HQ is prepared to withdraw its support for the Project, and they opine that HQ never intended to honor its commitments under the Transmission Service Agreement (“TSA”).¹ The Towns further conclude that HQ is likely to terminate the TSA, breaching its obligations to NPT. The Towns also take it upon themselves to charge that the Applicants’ response to Mr. Roth was not adequate.

II. DISCUSSION

5. There is no reasonable basis for suspending the hearings in this proceeding. To the extent there is any question about the status of the TSA, the proper forum for addressing such questions is the adjudicative hearings that are scheduled to begin in less than two weeks. In that regard, the Applicants have, as described below, fully addressed the issues in the supplemental testimony of Messrs. Quinlan and Ausere. The Subcommittee, therefore, can inquire in the

¹ Hydro Renewable Energy Inc. (“HRE”) is the counter-party to the TSA with NPT. HRE is a subsidiary of HQ.

normal course of the proceeding about the Applicants' financial capability to construct and operate the Project. The self-serving conjecture of parties opposed to the Project does not obviate due process or the prompt and orderly conduct of the proceeding.

6. Mr. Quinlan indicates in his supplemental testimony at p. 10 that NPT and HQ anticipate submitting a bid in the Massachusetts RFP. In addition, he explains that if the bid is successful it will not adversely affect benefits to New Hampshire. At the same time, he points out that the development of NPT is not predicated on the outcome of any one RFP. As a result, the logic for the Towns' argument, that the proceedings should be suspended because of the Massachusetts RFP, completely evaporates.

7. Both Mr. Quinlan and Mr. Ausere address the status of the TSA. At p. 11 of his testimony, Mr. Quinlan notes that the TSA continues unless terminated and that it has not been terminated. Similarly, at p. 5 of his testimony, Mr. Ausere explains that the TSA is in full force and effect, and that an agreement was reached between NPT and HRE in January 2017 to extend the Approval Deadline under the TSA until December 31, 2020 (which clearly demonstrates their continued commitment to the Project). Finally, Mr. Quinlan testifies that if NPT and HQ are selected in the Massachusetts RFP they will modify and/or complement the TSA as appropriate but that, under no circumstances, would cost obligations be imposed on New Hampshire customers.

8. On March 31, 2017, in an effort to quell the rampant speculation and misinformation generated by unsubstantiated press reports, NPT and HQ publicly confirmed the validity of the TSA and their joint commitment to develop the Northern Pass Project. See Attachment B.

III. CONCLUSION

9. Through the TSA, NPT has a binding and enforceable contract with its counterparty, HRE. Nevertheless, the Towns assign motives and intent to HRE's parent, HQ, contrary both to good faith and to economic self-interest. Such tactics may have become common to political processes, but they have no place in a judicial process.

10. In summary, the Subcommittee's decision on the Application for a Certificate of Site and Facility is made on the basis of adjudicative hearings, not on speculation and innuendo. The Applicants replied in good faith to questions posed by Counsel for the Public and they have provided supplemental testimony on both the status of the TSA and the effect of competitive solicitations such as the Massachusetts RFP. Furthermore, the recent agreement to extend the Approval Deadline shows the commitment of NPT and HQ to the TSA, and to the permitting process. The proper path for resolving any questions the Subcommittee might have is to hold the hearings, not to cancel them.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

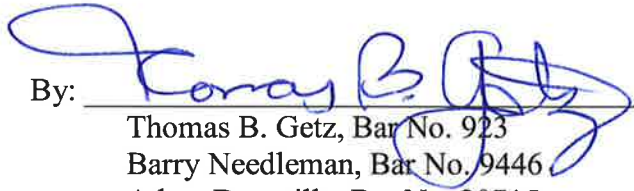
- a. Deny the Towns' Motion; and
- b. Grant such further relief as it deems appropriate.

Respectfully submitted,

Northern Pass Transmission LLC and
Public Service Company of New Hampshire d/b/a
Eversource Energy

By Their Attorneys,
McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: March 31, 2017

By: 

Thomas B. Getz, Bar No. 923
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Certificate of Service

I hereby certify that on the 31st of March, 2017 the foregoing Objection was electronically served upon the SEC Distribution List and the original and one copy will be hand delivered to the NH Site Evaluation Committee.


Thomas B. Getz



Northern Pass Transmission LLC
 P.O. Box 330
 780 North Commercial Street
 Manchester, NH 03105-0330

March 28, 2017

Peter C.L. Roth
 Senior Assistant Attorney General
 Counsel for the Public
 Department of Justice
 33 Capitol Street
 Concord, New Hampshire 03301-6397

Re: Inquiry

Dear Peter:

In answer to your inquiry dated March 20, 2017, the Transmission Service Agreement (“TSA”)¹ that is included with Northern Pass Transmission LLC’s (“NPT”) application before the Site Evaluation Committee (“SEC”) remains in full force and effect. In fact the fundamental financial structure of the Northern Pass Transmission Project (“Project”) has not changed since NPT filed its SEC application.²

The TSA has not changed substantively since it was approved by FERC in 2010. As is often the case with a contractual arrangement, the passage of time and evolution of circumstance sometimes call for a minor adjustment to one or more of its terms. That was the case recently as February 14, 2017, the TSA’s “Approval Deadline”, drew near, and, as specifically permitted by the terms of the TSA, the parties agreed to extend the Approval Deadline until December 31, 2020.³ A copy of the written agreement extending the date was provided to you by email on March 22, 2017, and is included as an exhibit to Michael Auseré’s Supplemental Testimony (filed March 24, 2017). The agreement to extend the Approval Deadline also confirms Hydro-Québec’s continued commitment to the Project.

As further noted in William Quinlan’s Supplemental Testimony (filed on March 24, 2017), NPT and Hydro-Québec have indicated an intent to participate in the upcoming Massachusetts clean energy solicitation. As was contemplated for last year’s Tri State Clean Energy RFP, the parties will amend or augment the TSA, as appropriate, based on the outcome of the Massachusetts solicitation.

¹ Included as Appendix 16 to the application for a Certificate of Site and Facility filed with the Site Evaluation Committee by Northern Pass Transmission LLC (“NPT”) and Public Service Company of New Hampshire d/b/a Eversource Energy, is the Transmission Service Agreement by and between NPT and Hydro Renewable Energy dated October 4, 2010, as amended and as accepted by the Federal Energy Regulatory Commission on January 13, 2014.

² See attached letter to Senator Jeanne Shaheen, dated March 17, 2017, from Leon J. Olivier, President of Northern Pass Transmission LLC, confirming the status of the TSA.

³ Until the parties agreed to extend the date, Section 1.1 of the TSA provided that the “Approval Deadline means February 14, 2017, or such other date to which the Parties shall mutually agree in writing.”

ATTACHMENT A

March 28, 2017
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The additional questions you raise have been addressed in the Supplemental Testimony submitted by NPT on March 24, 2017. To the extent you have further questions about these issues, you will be free to inquire about them during cross examination when the hearings commence in April.

However, as noted above, the fundamental financial structure of the Project has not changed, and you, as Counsel for the Public, are in no different a position today vis-à-vis the TSA than you were at the time the application was filed. No doubt you will find all of the relevant information needed to address any concerns you may have in the testimony and other evidence filed with the SEC during this final phase of the siting process.

Sincerely,

A handwritten signature in blue ink that reads "Marvin P. Bellis". The signature is written in a cursive style with a horizontal line under the name.

Marvin P. Bellis
Senior Counsel

Enclosure: Letter to the Honorable Jeanne Shaheen



Eversource Energy and Hydro-Québec Reaffirm Commitment to Northern Pass Project and Clarify Cost Recovery Structure

MANCHESTER, New Hampshire (March 31, 2017) – In response to recent inquiries concerning the Northern Pass project, Eversource Energy and Hydro-Québec wish to reaffirm their mutual and strong commitment to the project and provide clarity about how the project will be funded.

“We are proud to partner with Hydro-Québec to deliver clean, reliable hydropower into New England,” said Jim Judge, President & CEO of Eversource Energy. “We are both committed to Northern Pass as part of the solution to New England’s energy challenges, and look forward to a successful outcome in the final stages of state and federal permitting in 2017.”

Northern Pass Transmission, Inc. (NPT), a wholly owned subsidiary of Eversource Energy, is developing the U.S. transmission project to interconnect with Hydro-Québec’s system and allow the delivery of 1,090 MW of clean hydropower into New England. NPT is responsible for financing and constructing the project, and will then recover its costs once the project is in service delivering power to the region. It is the method by which project costs will be recovered that has raised questions recently.

When the project was initiated, it was expected that NPT would recover its costs through future revenues that Hydro-Québec would receive from the delivery of energy into the New England wholesale market. More recently, however, alternative methods to pay for new transmission projects have been proposed by states seeking to procure deliveries of clean energy to meet their climate and energy diversity goals.

The next significant opportunity will occur this spring, when Massachusetts solicits proposals for large quantities of clean energy. If NPT is selected, its costs will be paid by the distribution companies that purchase Hydro-Québec’s clean energy. The Transmission Services Agreement (TSA), which was initially approved by the Federal Energy Regulatory Commission in 2011 and remains in effect today, will be amended and supplemented to reflect the outcome of the Massachusetts solicitation.

“Alongside Eversource, we are very much looking forward to participating in the upcoming Massachusetts request for proposals. The clean energy legislation adopted by Massachusetts recognizes the important role of hydropower in the supply mix. We already supply over 10% of New England’s electricity, but Hydro-Québec can do more to help the region meet its ambitious carbon reduction goals,” said Éric Martel, Hydro-Québec CEO.



Importantly, continued development of NPT does not depend on the outcome of any one solicitation, and Eversource and Hydro-Québec will continue to evaluate future opportunities as they arise. There is a clear and growing demand for clean energy in New England as the region faces the retirement of many older generating units and the need to achieve the region's environmental objectives. Meeting this demand will require that additional energy infrastructure be built. To help meet this demand, Eversource Energy and Hydro-Québec stand firmly behind the Northern Pass project, and believe it will deliver significant value to the province of Québec and advance New England's clean energy future.

The Northern Pass is a 192-mile electric transmission line project that will bring New Hampshire and the rest of New England 1,090 megawatts of clean hydropower. This reliable and affordable source of power will also bring a wide range of benefits exclusively to New Hampshire, including millions of dollars in energy cost savings, additional tax revenue, and jobs during construction. To learn more about Northern Pass, go to www.northernpass.us. You can also email questions to info@northernpass.us or call 1-800-286-7305.

Eversource (NYSE: ES) transmits and delivers electricity and natural gas for more than 3.6 million electric and natural gas customers in Connecticut, Massachusetts and New Hampshire. Eversource harnesses the commitment of its more than 8,000 employees across three states to build a single, united company around the mission of delivering reliable energy and superior customer service. For more information, please visit our website (www.eversource.com) and follow us on Twitter ([@EversourceCorp](https://twitter.com/EversourceCorp)) and Facebook (facebook.com/EversourceEnergy).

Hydro-Québec generates, transmits and distributes electricity. Its sole shareholder is the Québec government. While using mainly hydroelectric generation, it supports the development of other technologies—such as wind energy and biomass—through purchases from independent power producers. It also conducts R&D in energy-related fields, including energy efficiency. The company has four divisions: Hydro-Québec Production, Hydro-Québec Transénergie, Hydro-Québec Distribution and Hydro-Québec Équipement et services partagés and Société d'énergie de la Baie James (SEBJ), a subsidiary of Hydro-Québec. For more information, please visit our [website](#) and follow us on Twitter ([@HydroQuébec](https://twitter.com/HydroQuébec)).

CONTACT:

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