

**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

**COUNSEL FOR THE PUBLIC’S RESPONSE TO MOTION TO COMPEL
THE APPLICANTS TO PROVIDE REQUESTED INFORMATION,
AND TO SUSPEND THE TIME FRAME FOR SUPPLEMENTAL
TESTIMONY AND ADJUDICATIVE HEARINGS**

Counsel for the Public, by his attorneys, the Office of the Attorney General and Primmer Piper Eggleston & Cramer PC, hereby responds to the Abutting Property Owners, Bethlehem to Plymouth Intervenor Group’s (the “Abutting Property Owners”) Motion to Compel the Applicants to Provide Requested Information, and to Suspend the Time Frame for Supplemental Testimony and Adjudicative Hearings (the “Motion”) as follows:

1. On October 19, 2015, Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (collectively, the “Applicants”), submitted a Joint Application for a Certificate of Site and Facility (the “Application”) to the New Hampshire Site Evaluation Committee (the “Committee” or “SEC”) to construct a 192-mile transmission line to run through New Hampshire from the Canadian border in Pittsburg to Deerfield (the “Project”). On November 2, 2015, the Chairman of the Committee appointed a Subcommittee (the “Subcommittee”) to consider the Application. The Subcommittee accepted the Application on December 18, 2015.

2. In the Motion the Abutting Property Owners request that the Subcommittee order the Applicants to produce certain information and documents relating to the underground portion of the Project. Counsel for the Public agrees that the requested information should be produced

because it is relevant and necessary for Counsel for the Public to completely analyze the proposed underground construction of the Project.

3. The Motion also seeks to extend by seven (7) days the deadline for submitting supplemental pre-filed testimony regarding the underground portions of the Project, from the current April 24 deadline to May 1, 2017 (assuming the prompt submittal of the information requested in the Motion). Counsel for the Public supports this limited extension of time given the recent release of the New Hampshire DOT's draft permit conditions and the need to review and analyze the information sought by the Motion.

4. The Motion also seeks to postpone the start of the adjudicative hearings until May 15, 2017. Given that construction is a Track 2 subject, which is unlikely to be raised during the adjudicative hearings until after May 15, there is no need to suspend the start of the adjudicative hearings, provided that the Applicants' construction panel does not testify until sometime after May 15, 2017. However, the timing of the construction panel should not be scheduled until the parties have sufficient time to receive and digest the additional information. Counsel for the Public assumes that the Applicants will cooperate with reasonable additional information requests about the permit conditions and the underground design and plans, but reserves the right to seek relief from the Sub-Committee should unanticipated difficulties arise.

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,

Dated: April 5, 2017

By:



Peter C.L. Roth, Senior Assistant Attorney General
Environmental Protection Bureau
33 Capitol Street
Concord, NH 03301-6397
(603) 271-3679
Peter.roth@doj.nh.gov

PRIMMER PIPER EGGLESTON & CRAMER PC,

Dated: April 5, 2017

By:



Thomas J. Pappas, Esq. (N.H. Bar No. 4111)
P.O. Box 3600
Manchester, NH 03105-3600
(603) 626-3300
tpappas@primmer.com

-and-

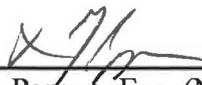
Elijah D. Emerson, Esq. (N.H. Bar No. 19358)
PRIMMER PIPER EGGLESTON & CRAMER PC
P.O. Box 349
Littleton, NH 03561-0349
(603) 444-4008
eemerson@primmer.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing RESPONSE TO MOTION TO COMPEL THE APPLICANTS TO PROVIDE REQUESTED INFORMATION, AND TO SUSPEND THE TIME FRAME FOR SUPPLEMENTAL TESTIMONY AND ADJUDICATIVE HEARINGS has this day been forwarded via e-mail to persons named on the Distribution List of this docket.

Dated: April 5, 2017

By:



Thomas J. Pappas, Esq. (N.H. Bar No. 4111)