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April 6, 2017

**By E-Mail & U.S. Mail**

Pamela G. Monroe, Administrator  
New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429  
pamela.monroe@sec.nh.gov

**Re: 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**

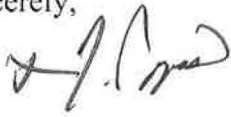
Dear Ms. Monroe:

Enclosed for filing in the above-referenced matter are the following:

1. Counsel for the Public's Reply to Applicants' Objection to Motion to Compel Production of London Economics International, LLC's Economic Model From the Applicants, or, Alternatively, Motion to Strike Testimony; and
2. Counsel for the Public's Objection to Motion for Clarification of Site 301.08(D)(2)(B).

Thank you.

Sincerely,



Thomas J. Pappas

TJP/scm - 2797291\_1

Enclosure

cc: Peter C.L. Roth, Esq.  
Elijah J. Emerson, Esq.

**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 REPLY TO APPLICANTS’ OBJECTION TO  
MOTION TO COMPEL PRODUCTION OF LONDON ECONOMICS  
INTERNATIONAL, LLC’S ECONOMIC MODEL FROM THE APPLICANTS, OR,  
ALTERNATIVELY, MOTION TO STRIKE TESTIMONY**

Counsel for the Public, by his attorneys, the Office of the Attorney General and Primmer  
Piper Eggleston & Cramer PC, hereby replies to Applicants’ objection to Counsel for the  
Public’s motion to compel the Applicants to produce the economic model used by London  
Economics International, LLC (“LEI”) to develop Julia Frayer’s Pre-filed Testimony and  
attached report, or, alternatively, to strike Julia Frayer’s Pre-filed Testimony and attached report.

In reply to Applicants’ objection, Counsel for the Public states as follows:

**INTRODUCTION**

1. Applicants’ objection to Counsel for the Public’s motion to compel production of  
LEI’s economic model rests on two arguments:

- (1) that the Committee’s prior order concerning SPNHF’s entitlement to certain  
information from LEI is dispositive as to the outcome of this motion because  
Applicants assert that the order applies to Counsel for the Public and that nothing  
has changed since that order, and
- (2) that the information previously provided by Applicants and LEI to Counsel for the  
Public is all that is required for Counsel for the Public’s expert, The Brattle  
Group, to fully investigate and test the underlying bases for LEI’s opinions in this  
proceeding.

2. Both of Applicants’ assumptions are incorrect, and Applicants ultimately have no  
basis to deny to Counsel for the Public what Applicants insisted upon for themselves – disclosure  
of Counsel for the Public’s expert’s economic model.

**I. The Committee’s September 22, 2016 Order Does Not Apply to This Motion and Applicants Should Be Required to Produce LEI’s Economic Model.**

3. Applicants rely on a prior order entered in this proceeding with respect to whether SPNHF was entitled to compel certain documents and information from Applicants concerning LEI. *See* Sept. 22 Order on Motions to Compel (the “Sept. 22 Order” or the “Order”).<sup>1</sup> For the following reasons, that order does not apply to this motion.

**A. With a Limited Express Exception, the Sept. 22 Order Applied Only to Parties on an Issue-By-Issue Basis.**

4. The 66-page Sept. 22 Order addressed numerous issues raised by various parties, but expressly limited the applicability of the Order as follows: “[t]his Order first addresses issues that are common to many of the motions to compel. Specific issues raised by individual parties follow.” Sept. 22 Order at 6. The Order then clearly separated out in sub-part III-A those issues of common applicability to multiple parties from the issues addressed in sub-parts III-B through III-N, which were applicable only to the parties that raised the particular issues involved. Sept. 22 Order at 6-66.

5. The Sept. 22 Order did not profess to apply to or bind other parties to the proceeding with respect to each and every factual or legal issue raised by each and every party. Instead, it properly applied only to the parties who raised particular issues in the motions to compel they filed with the Committee.

6. In fact, the Sept. 22 Order denied certain relief requested by SPNHF specifically *because* it was not the party to which the issue applied as it “did not propound th[e] interrogatories [at issue] and ha[d] no standing to compel further responses.” Sept. 22 Order at 35.

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<sup>1</sup> SPNHF’s motion actually sought certain statistical information that is of no interest or relevance to The Brattle Group’s analysis.

7. Nothing in the Sept. 22 Order applies any determinations or rulings against SPNHF to Counsel for the Public who unmistakably does have standing to raise the issue. Applicants' claims of essentially precedential effect must fail on that basis alone.<sup>2</sup>

**B. The Sept. 22 Order Recognized the Possibility that Future Developments Might Warrant Disclosure of LEI's Proprietary Modeling Even for SPNHF and Developments in this Proceeding Call for its Disclosure Now.**

8. The Sept. 22 Order specifically noted that in response to SPNHF's motion the Applicants "argued that to the extent SPNHF seeks to test LEI's analysis, SPNHF has the data it needs to do this, and that to the extent SPNHF has questions regarding the data provided, those questions may be addressed at the Technical Session." Sept. 22 Order at 30.

9. The Committee further stated in the Sept. 22 Order that "[b]ased on the arguments, *it appears that* the Applicant has provided both the inputs and outputs established through LEI's modeling" and the Committee believed that based on the Applicants' representations "SPNHF *should be able to* test the data using its own modeling approach and assumption." Sept. 22 Order at 31 (emphasis added).

10. The Committee further denied SPNHF's motion to compel the three proprietary models used by LEI based on Applicants' representations to the Committee that the proprietary information "would not provide anything necessary to the Committee's determinations" and that Applicants had already provided all that was necessary for SPNHF to test the data and analyze the LEI Report. Sept. 22 Order at 31, 34.

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<sup>2</sup> In fact, even SPNHF's back up request only requested that the Applicants "be compelled to produce the three proprietary models used by LEI to *any party subject to a confidentiality agreement ...* ." Sept. 22 Order at 33 (emphasis added). The Committee's prior order dated July 6, 2016 clarifying access to confidential information expressly held that Counsel for the Public is not required to agree to any confidentiality agreement. Accordingly, even read at its broadest and even assuming SPNHF could request relief for others (which the Committee expressly rejected) the relief sought by SPNHF did not cover Counsel for the Public.

11. As explained in further detail below, *see infra* Part II, while Applicants have provided some of the information sought by Counsel for the Public, their representation that they have provided all that is necessary for proper analysis of the LEI Report and expert testimony is not correct. The technical sessions revealed that Applicants' expert and the LEI Report cannot properly be analyzed without access to the proprietary economic model underlying the report and pre-filed expert testimony.

**C. Applicants' Request and Receipt of The Brattle Group's Proprietary Economic Model Precludes Them From Now Withholding LEI's Proprietary Economic Model.**

12. Applicants claim that the Sept. 22 Order definitively settled the issue for all parties concerning the required disclosure of proprietary models and contend in their objection that, "[n]othing has changed since September except for the fact that all parties have obtained additional information regarding LEI's conclusions ... ." Applicants are mistaken.

13. On January 13, 2017, roughly three and a half months following the decision Applicants claim resolved the issue as to all parties, Applicants propounded data requests on The Brattle Group ("Brattle"). Among those requests, Applicants sought "all work papers and models, in their natural form (excel) with formulas intact" from Brattle. Jan. 13, 2017 DR at 8. Additionally, Applicants specifically sought "a working copy of the economic model that Brattle developed for estimating the capacity market benefits to support [its] pre-filed testimony." Jan. 13, 2017 DR at 8.

14. Counsel for the Public objected to these requests on the grounds that they sought "documents and information that contain confidential and proprietary information," just as Applicants had objected to SPNHF's request. CFP Responses to Jan. 13, 2017 DR at 25.

15. Nevertheless, despite their prior position with respect to SPNHF's request Applicants insisted on production of Brattle's proprietary economic model. Counsel for the Public agreed to provide Brattle's model subject to a Confidential Disclosure Agreement, which Attorney Getz signed on behalf of Applicants.

16. By propounding document requests upon Counsel for the Public to disclose Brattle's proprietary economic model and insisting on production of that model notwithstanding its proprietary nature, Applicants have essentially abandoned whatever protections might have been afforded to such models pursuant to the Sept. 22 Order.

17. The disclosure of Brattle's proprietary model demonstrates that such sensitive information can be appropriately safeguarded and protected by a Confidential Disclosure Agreement. That disclosure also demonstrates that Applicants recognize the necessity of disclosing an expert's proprietary economic model in order to fully analyze and test a party's expert's report and testimony.

18. Wholly apart from the unique role played by Counsel for the Public, the Committee's prior tentative determination that Applicants had the better argument regarding the balancing of interests between the privacy interest in the software and the public interest must yield now to Applicants' own subsequent conduct in this proceeding because that conduct has demonstrated that disclosure of the economic model is necessary and that it can be appropriately safeguarded and protected by a Confidential Disclosure Agreement.<sup>3</sup>

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<sup>3</sup> Additionally, while Applicants claim that Counsel for the Public seeks "highly proprietary information developed by LEI be given to its expert, the Brattle Group, a direct competitor of LEI," Applicants have not actually established that the information they withhold is "highly proprietary," particularly where Brattle disclosed its own model, subject to a confidentiality agreement, to Applicants and their expert LEI. Applicants also have not demonstrated that Brattle is "a direct competitor of LEI," which point Counsel for the Public would dispute.

**D. Counsel for the Public has a Statutory Role in this Proceeding that Was Not Relevant to the Sept. 22 Order and Distinguishes it From the Balance of Interests that Formed the Basis for the Committee’s Prior Order as to SPNHF’s Request.**

19. As noted in Counsel for the Public’s motion, RSA 162-H:10, V explicitly *requires* Counsel for the Public to conduct any investigation he “deem[s] necessary or appropriate to carry out the purposes of [Chapter 162-H].”

20. Counsel for the Public has deemed it necessary and appropriate to investigate the underlying bases for Julia Frayer’s Pre-filed Testimony and report to ascertain the reliability of the opinions expressed in those documents and what weight or consideration they should be given in this proceeding. Without the underlying economic model used by LEI to generate those documents, Counsel for the Public cannot fully perform his investigatory responsibilities as mandated by RSA 162-H:10, V.

21. Applicants do not dispute the statutory role of Counsel for the Public, but engage in statutory analysis of RSA 162-H:10, V to assert that that statutory provision “grants authority to the Committee and the CFP to undertake independent studies and investigations, and requires that such investigations and studies be ‘reasonable.’” Applicants’ Obj. at 7 ¶ 12.

22. Applicants’ analysis is incorrect. RSA 162-H:10, V does not merely grant authority to the Committee and Counsel for the Public to undertake reasonable studies and investigations. By use of the word “shall” it demands of the Committee and Counsel for the Public such investigations and studies as those entities “deem necessary or appropriate to carry out the purposes of this chapter.” See *In re Liquidation of Home Ins. Co.*, 157 N.H. 543, 553 (2008).

23. Applicants focus on the word “reasonable” in the statute, and claim that Counsel for the Public is asserting an “unfettered right to whatever information it deems necessary, even

if the request is unreasonable.” Applicants Obj. at 1 ¶ 1. Applicants contend that the statutory language of RSA 162-H:10, V if taken to its extreme would permit Counsel for the Public to “compel the production of the individual tax returns of LEI’s principals, their salary information, or every LEI report ever issued.” *Id.* at 7 ¶ 11.

24. Counsel for the Public is not seeking “unfettered right” or making an extreme request. Counsel for the Public’s request is, by any objective measure, a reasonable one. In fact, Applicants themselves sought and obtained the exact same information from Counsel for the Public’s expert.

25. Unlike the extreme hypothetical posed by Applicants, there should be no dispute that the economic model is relevant to this proceeding and an analysis of Applicants’ expert’s report. The issue is whether the public interest that Counsel for the Public is statutorily directed to ensure is protected outweighs the asserted privacy interests in the Applicants’ economic model that forms the basis for the expert’s publically stated opinion.

26. Unlike when SPNHF sought such information from Applicants, Counsel for the Public serves in a unique role that tilts the scales heavily in favor of confidential disclosure of the information requested to Counsel for the Public to ensure that the investigatory obligation set forth in RSA 162-H:10, V is satisfied. Applicants themselves have recognized that “the CFP holds a special status” in proceedings before the Committee. Obj. to SPNHF Mot. to Compel dated Oct. 17, 2016 at 3. *See* Order on Pending Motions, *In re Request of SEA-3, Inc. for Exemption*, dated August 10, 2015, at 9 (recognizing Counsel for the Public’s special role in seeking information to fulfill the purposes of RSA 162-H.)

27. Applicants specifically relied on that special status to defeat a motion to compel filed by SPNHF in this proceeding, further demonstrating the inapplicability of the Sept. 22 Order against SPNHF to Counsel for the Public.

28. The balance of interests between privacy and the public interest tilts to disclosure because Counsel for the Public stands in a unique position essentially akin to the Committee for purposes of his investigatory obligations. This is particularly so where Applicants have requested and obtained the same form of information from Brattle and a Confidential Disclosure Agreement sufficiently safeguarded the privacy interests involved.

29. Applicants should be compelled to provide the economic model used by LEI so that Counsel for the Public can properly proceed with the investigation he has deemed necessary and appropriate, and that is relevant and reasonable.

**II. The Information Provided by Applicants and LEI is Insufficient for Counsel for the Public and its Expert to Properly Investigate and Test the Underlying Bases for LEI's Opinions in this Proceeding.**

**A. Production of LEI's Model is Necessary.**

30. In his motion to compel, Counsel for the Public set forth eleven illustrative examples of issues and judgments embedded in LEI's economic model that must be tested to "determine whether Ms. Frayer's opinions about economic benefits are reliable." CFP Mot. at 4 ¶ 7. Simple production of LEI's economic model would address the issues raised. Instead, Applicants attempt to provide alternatives that simply fall short.

31. Applicants claim that, "the information needed to answer each of the questions posed in the Counsel for the Public's Motion is available in the LEI Report, the updated report, or the answers to data requests." Applicants' Obj. at 9 ¶ 15. Applicants are incorrect.

32. While Applicants claim to have provided all the inputs needed to evaluate LEI's conclusions, Applicants have not provided any of the specific inputs underlying LEI's capacity supply curve; they did not supply the "net going-forward fixed costs" of the existing generators making up their supply curve, and they did not supply the data for deriving any of the components of the net costs. Applicants have only verbally provided a vague catchall list of public and proprietary sources and some high level descriptions of the economic logic. Production of the economic model is necessary.

33. While Applicants claim "[t]he market response is discussed" in LEI's Update report, neither the Applicants nor LEI have provided any data or specific sources that would enable Brattle to assess how LEI determined that the Project would cause so few Base Case resources to exit the market. Production of the economic model is necessary.

34. Counsel for the Public noted that his expert cannot ascertain from the data provided whether LEI found that resources remaining in the market would remain profitable even under prices depressed by the Project. Applicants' response that "the issue of resource economics is addressed in LEI's March 13th response ..." does not provide the actual data that would allow Brattle to determine whether resources staying in the market remain sufficiently profitable. Counsel for the Public and its expert, Brattle, as well as the Committee, are forced to just trust that LEI applied their de-list and retirement criteria correctly and that they applied those criteria based on reasonable cost assumptions. There is no way to independently verify that they did without reviewing LEI's economic model. Production of the economic model is necessary.

35. Counsel for the Public noted that his expert cannot ascertain from the data provided whether LEI's analysis used realistic assumptions on the going forward fixed costs of aging resources. Applicants provide only a vague response from July and their recent response

to TS 11 1-14, which is problematic for the reasons discussed below. Production of the economic model is necessary.

36. Counsel for the Public noted that his expert cannot ascertain from the data provided whether LEI's analysis used realistic estimates about the net revenues generators would earn from energy and ancillary services markets. Applicants claim Brattle could derive this information from the annual generation and price forecast data Applicants provided. As LEI is aware, however, net revenues cannot be derived from such annualized data without providing data on the generators' variable costs, their hourly production profile, and the hourly energy prices earned, which LEI has not produced. Production of the economic model is necessary.

37. Counsel for the Public noted that his expert cannot ascertain from the data provided whether LEI's analysis properly accounted for the costs to the Project of taking on a capacity supply obligation and how those costs would change over time as ISO-NE increases its performance penalty rates. Applicants claim Brattle could derive this information from public information on parameters such as the PFP payment rate. There is no public data on unit-specific performance (for the "A" parameter), and accordingly LEI had to assume a certain value for that parameter, which they have not provided. LEI also did not tell Brattle what value of the "balancing ratio" parameter LEI assumed for its calculations. Production of the economic model is necessary.

38. Counsel for the Public noted that his expert cannot ascertain from the data provided certain assumptions and data concerning the profitability or loss of the coal plants that LEI forecasts to retire both in the Base Case and in the Project Case (with NPT). Applicants claim that Brattle can derive the information from the data they provided, but that is not possible since Applicants did not provide the coal plants' fixed costs, variable costs, unit performance, or

other sufficient data for Brattle to estimate net energy revenues and performance penalty exposure, among other things. Production of the economic model is necessary.

39. Counsel for the Public noted that his expert cannot ascertain from the data provided what the basis was for LEI's projection that certain imports from New York chose to exit the ISO-NE capacity market for four, and only four, years following the Project's entry into the market, and what capacity prices LEI is assuming would be available in New York. Applicants never provided a NYISO capacity price forecast. Production of the economic model is necessary.

40. Despite requests from Counsel for the Public, Applicants have not provided the following:

- a. The capacity market supply curve used in the capacity market analysis, including quantity and price offer pairs for each year modeled, both with and without the Project, including labeling each offer by name, resource type, and new/existing status; and
- b. All data and analyses used to develop those offers, including clarifying how offers were developed for active demand resources (DR), imports, and new generation.  
(See LEI report pages 36 and 103-4).

41. Applicants claim to have provided the sources in LEI's response to TS 11 1-14 regarding their capacity market analysis as follows:

LEI's analysis begins with construction of a supply curve of all eligible resources that can offer to sell capacity to ISO-NE. This supply curve is calculated as a schedule of qualified capacity (CSOs) paired with estimates at the individual plant level of the plant's net going forward costs. The net going forward costs, which LEI also refers to as the minimum going forward fixed cost, is the sum of a plant's estimated fixed operating costs, annual debt payment, and/or risk premium and expected capacity performance penalties, minus the energy market or

ancillary services revenues and any capacity performance bonus payments. This creates the supply curve used in the FCA simulation.

42. It is simply not possible to determine the units' net going forward fixed costs from LEI's non-specific response. LEI's response also claims LEI previously provided Brattle with a list of sources used in deriving the minimum going forward costs in July 2016, but the verbal catchall list referenced in a phone call lacked the necessary specificity for analysis. Production of the economic model is necessary.

43. As these and the examples in Counsel for the Public's Motion demonstrate, Applicants fail to provide what they specifically demanded and received from Counsel for the Public's expert Brattle – the proprietary economic model used by LEI that contains all of the assumptions and judgments that form the basis of LEI's opinions.

**B. Production of LEI's Model is Supported by Legal Precedent.**

44. Production of LEI's economic model is not only appropriate as a matter of necessity and reciprocity, it is called for by relevant legal precedent. As explained in Counsel for the Public's motion, the overarching rule in this State with respect to discovery is "a liberal view of discovery," that "[a]bsent some privilege and subject to control to prevent harassment, full discovery is favored even against third parties and State agencies." *Yancey v. Yancey*, 119 N.H. 197, 198 (1979).

45. PUC precedent upon which the Committee frequently relies in proceedings of this nature has recognized that PUC discovery policies are consistent with superior court rules relating to the scope of discovery. *See City of Nashua*, NH PUC Order No. 24,681 (October 23, 2006). While the PUC has declined to directly adopt RSA 516:29-b, it has explained that "Subject to a valid privilege,

‘[d]isclosure of facts or data underlying expert opinions is permissible in discovery. In superior court, a party is entitled to disclosure of the opposing party’s experts, the substance of the facts and opinions about which they are expected to testify, and the bases of those opinions. Failure to supply this information may result in exclusion of the expert testimony unless good cause is shown to excuse the failure to disclose.’”

*Investigation of Scrubber Costs & Cost Recovery*, Order No. 25,646 at 4-5, available at 2014 WL 1826771, at \*4–5 (Apr. 8, 2014) (quoting *City of Nashua*, Order No. 24,681 at 9 (Oct. 23, 2006) (citations omitted) (“*Investigation of Scrubber Costs*”)).

46. Declining specifically to adopt the requirements of RSA 516:29-b, the PUC nevertheless “generally agree[d] with its requirements that a party must provide, either through pre-filed testimony or discovery, ‘a complete statement of: (a) All opinions to be expressed and the bases and reasons therefor; (b) The facts or data considered by the witness in forming the opinions; [and] (c) Any exhibits to be used as a summary of or support for the opinions.’” *Id.* (quoting RSA 516:29-b, II).

47. Applicants attempt to distinguish Order 25,646 by claiming that they have produced the facts and data supporting LEI’s opinions, but as the above discussion reveals that assertion is incorrect. The data and information produced by Applicants is simply insufficient for Counsel for the Public to properly assess LEI’s opinions in this proceeding.

48. Additionally, RSA 516:29-b and the PUC demand “*All* opinions to be expressed and the bases and reasons therefor” as well as *all* “[t]he facts or data considered by the witness in forming the opinions.” *Id.* (quoting RSA 516:29-b, II). On its face LEI’s economic model is a critical component of the “bases and reasons” for the opinions expressed by LEI in this proceeding, as well as a critical component of the “facts or data considered” by LEI in forming its opinions. *See* RSA 516:29-b. Indeed, Applicants found Brattle’s economic model to be sufficiently critical to its analysis of Brattle’s opinions to insist upon its disclosure by Counsel

for the Public and they were right to do so because Brattle's economic model was a critical part of the bases and reasons for the opinions expressed, as well as the facts or data considered.

49. The Committee should follow New Hampshire law on this issue, or at a minimum adopt the same approach as the PUC and compel production of the critical economic model data underlying Julia Frayer's Pre-filed Testimony and attached report.

**III. If Applicants Insist on Withholding the Critical Information They Demanded From Counsel for the Public's Expert, Their Expert Should Be Excluded from Testifying in This Proceeding.**

50. Applicants demanded and received the economic model used by Brattle to support its testimony and report in this proceeding because that model was necessary to test the analysis and conclusions of Brattle.

51. Permitting LEI to withhold the economic model it used to generate Julia Frayer's Pre-filed Testimony and report renders that "expert's conclusions [] as impenetrable as they are unverifiable," and such conclusions cannot be submitted to the trier of fact. *State v. Cressey*, 137 N.H. 402, 410 (1993); *see also In re Katrina Canal Breaches Consol. Litig.*, No. 10-866, 2012 WL 3815672, at \*2 (E.D. La. Sept. 4, 2012).

52. Accordingly, if LEI is permitted to withhold the economic model, Applicants must accept that Julia Frayer's Pre-filed Testimony and report be stricken and that she be excluded from testifying in these proceedings.

53. Applicants' citation to *Flebotte v. Dow Jones & Co.*, No. Civ. A. 97-30117-FHF, 2000 WL 35539238, \* 3 (D. Mass. Dec. 6, 2000) is misplaced. Applicants Obj. at 11 ¶ 16. The consideration of weight to be afforded to the expert's testimony in that case related to issues of reliability that were raised as to the expert's proposed testimony, a classic weighting analysis inquiry. *See id.* at \*9. With respect to the limited side issue of the alleged violation of Rule

26(a)(2)(B), the plaintiff in *Flebotte* argued for an exclusion by technicality, essentially by seeking to exclude the defendant's expert because the expert had apparently failed to disclose some of the many tests he had conducted and it is unclear whether those tests were even relevant. *Id.* at \*7-8.

54. Here LEI's economic model is unquestionably relevant and it is undisputed that LEI used that model to form the opinions it intends to express in this proceeding. This is not a side issue for which Counsel for the Public seeks exclusion of Applicants' expert on a technicality. The economic model is the fundamental underpinning to LEI's report and expert testimony.

55. LEI's economic model must be produced, just as Brattle's economic model was produced, or Applicants must accept the exclusion of LEI's expert testimony. Simple production of the same form of information Applicants demanded of Counsel for the Public is all that is required here to avoid exclusion.

WHEREFORE, Counsel for the Public respectfully requests that the SEC:

- A. Order the Applicants to produce LEI's economic model; or
- B. Alternatively strike Julia Frayer's Pre-filed Testimony and report and exclude her from testifying in these proceedings; and
- C. Grant such other and further relief as may be just.

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,

Dated: April 6, 2017

By:



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PRIMMER PIPER EGGLESTON & CRAMER PC,

Dated: April 6, 2017

By:



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing REPLY TO APPLICANTS' OBJECTION TO MOTION TO COMPEL PRODUCTION OF LONDON ECONOMICS INTERNATIONAL, LLC'S ECONOMIC MODEL FROM THE APPLICANTS, OR, ALTERNATIVELY, MOTION TO STRIKE TESTIMONY has this day been forwarded via e-mail to persons named on the Distribution List of this docket.

Dated: April 6, 2017

By:



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