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Via Hand-Delivery and Email

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

July 31, 2017

Re: 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, NH Site Evaluation Committee Docket No. 2015-06

Dear Ms. Monroe:

Please find enclosed for filing in the above-referenced matter an original and eight (8) copies of Motion to Strike of the NGO Intervenors.

Copies of this letter and the attached have this day been forwarded via email to all parties on the Distribution List.

Thank you for your attention. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

Melissa E. Birchard

cc: Distribution List

**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

MOTION TO STRIKE OF THE NGO INTERVENORS

The NGO Intervenors grouping, comprising Ammonoosuc Conservation Trust, Appalachian Mountain Club, and Conservation Law Foundation, moves to strike a document filed by counsel for Northern Pass Transmission and Eversource Energy (“Applicants”) in this docket on July 25, 2017. In support of this Motion, the NGO Intervenors state as follows.

1. In a letter filed on July 25, 2017, counsel for Northern Pass Transmission finally conceded that the Power Purchase Agreement (“PPA”) previously filed in this docket is illegal and irrelevant. That PPA was ruled illegal by the Public Utilities Commission on March 28, 2017. Intervenors in this docket previously sought to strike references to the PPA, but only now do the Applicants concede this is the proper course of action.¹ However, in finally admitting that the PPA is illegal and should not be referenced, counsel for the Applicants inappropriately seeks to submit new evidence regarding a hypothetical but as-yet nonexistent replacement agreement, in the form of an Eversource Energy press release.

¹ In doing so, the Applicants decline to identify all portions of the record which must be stricken, offering only an incomplete enumeration prefaced by the words “including, but not limited to...”

2. The press release submitted by counsel for the Applicants as an attachment to the July 25 letter is not supported by a witness, is not part of the Application, and has no place in the docket. The press release makes vague claims about as-yet unmaterialized purported benefits of the project. As such, it is both irrelevant and immaterial at this time, and can serve only as a distraction from current facts that are properly part of the record.

3. In short, the Applicants' filing of the Eversource press release is an extra-procedural stunt that should not be permitted. It flaunts the diligent development of the record in this proceeding and is irrelevant and immaterial. RSA 541-A:33, II. Accepting extraneous press statements into the docket would set poor precedent for future proceedings. The press release should be rejected.

4. The following parties assent to or concur with this Motion: Municipal Intervenors Groups 1 South, 2, 3 South, and 3 North; Grafton County Commissioners; Whitefield-Bethlehem Abutters; Deerfield Abutters; Pemigewasset River Local Advisory Committee; Non-Abutters Bethlehem to Plymouth; Stark, Dummer and Northumberland; McKenna's Purchase; and the Abutting Property Owners, Bethlehem to Plymouth Intervenor Group. The Applicants object. The remaining parties did not respond to the NGO Intervenors' request for concurrence.

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

1. Strike or otherwise disallow the Eversource Energy press release filed in this docket on July 25, 2017; and

2. Grant such other relief as may be just and necessary.

Respectfully submitted,

NON-GOVERNMENTAL INTERVENORS

By: 

Melissa E. Birchard, Esq.
Designated Spokesperson for the
NGO Intervenor

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July 31, 2017

CERTIFICATE OF SERVICE

I hereby certify that on this day, July 31, 2017, a copy of the Motion to Strike of the NGO Intervenor was sent by electronic mail to all persons named on the Service List in this docket.

A handwritten signature in blue ink, appearing to read "M.E. Birchard", is written above a horizontal line.

Melissa E. Birchard