

August 1, 2017

Via Electronic Mail & Hand Delivery

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

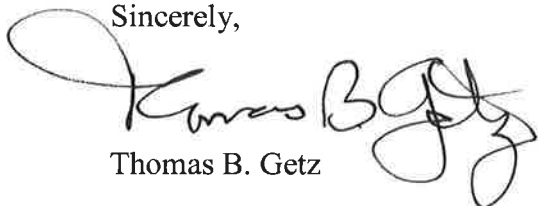
**Re: Site Evaluation Committee Docket No. 2015-06
Joint Application of Northern Pass Transmission LLC and Public Service Company
of New Hampshire d/b/a Eversource Energy (the "Applicants") for a Certificate of
Site and Facility
Response to NGO Intervenors' Motion to Strike**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of a
Response to NGO Intervenors' Motion to Strike.

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**

RESPONSE TO NGO INTERVENORS' MOTION TO STRIKE

Northern Pass Transmission LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (the "Applicants"), by and through their attorneys, McLane Middleton, Professional Association, hereby respond to the motion filed by the Environmental NGOs (namely, Ammonoosuc Conservation Trust, Appalachian Mountain Club, and Conservation Law Foundation) on July 31, 2017, asking the Site Evaluation Committee ("SEC" or in this case "Subcommittee") to "strike" the press release attached to the Applicants' notice of withdrawal of the Power Purchase Agreement ("PPA") between NPT and Hydro Renewable Energy Inc. ("HRE"). As explained below, inasmuch as the Applicants have not proposed to enter the press release into evidence, the motion to strike is null.

1. On July 25, 2017, the Applicants notified the SEC that they had "determined that it is appropriate to withdraw the PPA from consideration in these proceedings." They further stated that they would pursue environmental and economic benefits for New Hampshire customers "outside of the SEC proceeding." The Applicants made it clear that they were no longer proffering the PPA as a Project benefit, and they attached a press release to their notice, which supported their statement that they would pursue benefits "outside of the SEC proceeding."

2. Despite the Applicants' clear withdrawal of the PPA and equally clear statement that they would pursue a replacement to the PPA outside of this proceeding, the Environmental NGOs moved to strike the press release attached to the notice of withdrawal, referring both to the record and the docket. It appears that the Environmental NGOs either misunderstand the notice of withdrawal or do not understand what constitutes the record in this proceeding.

3. With respect to the various assertions of the Environmental NGOs, the Applicants agree that the press release is not supported by a witness and is not part of the Application. Because the Applicants do not propose the press release as evidence or testimony, and therefore do not offer it as an element of their case, it follows logically that it need not be supported by a witness.

4. The Applicants disagree, however, insofar as the Environmental NGOs appear to conflate "record" and "docket." A reading of Site 202.24 and 26 makes clear that the record consists of evidence, testimony, exhibits and arguments, and RSA 541-A:31, VI (b) regards pleadings, motions, objections, and rulings as part of the record. Because the press release is none of those things it is not part of the record the Subcommittee would consider in making its findings. Consequently, there is nothing to strike.

5. To the extent the Environmental NGOs mean something other than the record when they refer to the docket, such as the SEC's entire docket website, there is no basis for disappearing the press release from the website. The website, or docket book, is merely an administrative recordkeeping device, which may contain many documents that will not be part of the record considered and weighed by the Subcommittee, and should not be equated to the record.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

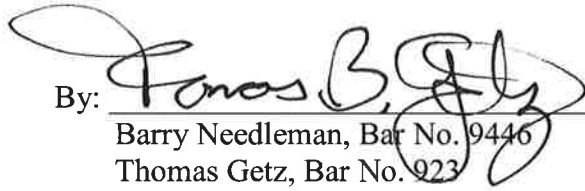
- A. Deny the motion to strike; and
- B. Grant such further relief as is deemed just and appropriate.

Respectfully submitted,
Northern Pass Transmission LLC and
Public Service Company of New Hampshire d/b/a
Eversource Energy
By Its Attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: August 1, 2017

By:



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Certificate of Service

I hereby certify that on the 1st of August, 2017, an original and one copy of the foregoing Response was hand-delivered to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the SEC Distribution List.



Thomas B. Getz