

December 4, 2017

**Via Electronic Mail & Hand Delivery**

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

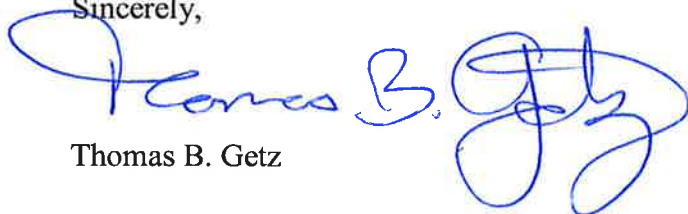
**Re: Site Evaluation Committee Docket No. 2015-06  
Joint Application of Northern Pass Transmission LLC and Public Service Company  
of New Hampshire d/b/a Eversource Energy (the "Applicants") for a Certificate of  
Site and Facility  
Objection to SPNHF Motion for Rehearing of Order Denying Motion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

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of an  
Objection to SPNHF Motion for Rehearing of Order Denying Motion to Compel Unredacted  
Bid.

Please contact me should you have any questions or concerns.

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 SPNHF MOTION FOR REHEARING OF ORDER  
DENYING MOTION TO COMPEL UNREDACTED BID**

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 object to the motion for rehearing filed by the Society for the Protection of New Hampshire Forests (“SPNHF”) on November 22, 2017, asking the Presiding Officer to reconsider his Order Denying Motions to Compel Applicants’ Unredacted Bid into the Massachusetts Request for Proposals (“Mass RFP Order”). As explained below, SPNHF merely summarizes prior arguments and therefore fails to demonstrate good cause for rehearing.

1. On October 25, 2017, the Presiding Officer denied the motions to compel filed 1) jointly by SPNHF and the NGO Intervenors, and 2) separately by Counsel for the Public (“CFP”) seeking production of un-redacted copies of the Applicants’ bids into the Massachusetts Clean Energy RFP. He noted that the Applicants did not “claim any benefits associated with the Mass RFP bids” and did not “seek admission of the Mass RFP bids as part of the record.” In addition, the Presiding Officer pointed out that the motions were “purely a discovery request” and that the movants had “failed to demonstrate the information requested is necessary to assist in the conduct of the hearings.” Mass RFP Order, p. 9. Finally, the Presiding Officer dismissed the SPNHF/NGOs claim that a prior order with respect to the Tri-State Clean Energy RFP had required production of an un-redacted bid.

2. In its motion for rehearing, SPNHF rehashes in a condensed form arguments it made in the joint motion with the NGOs on August 28, 2017, and in their unauthorized September 18, 2017 “reply” as well. Specifically, SPNHF continues, first, to assert relevance and try to link the Mass RFP to the benefits of the Project and, second, to argue that the Presiding Officer does not understand his prior orders with respect to the Tri-State Clean Energy RFP.

3. The purpose of rehearing “is to direct attention to matters said to have been overlooked or mistakenly conceived in the original decision.” *Dumais v. State Pers. Comm’n*, 118 N.H. 309, 311 (1978) (internal quotations omitted). A rehearing may be granted when the Committee finds “good reason” or “good cause” has been demonstrated. *O’Loughlin v. New Hampshire Pers. Comm’n*, 117 N.H. 999, 1004 (1977); *Appeal of Gas Service, Inc.*, 121 N.H. 797, 801 (1981). “A successful motion for rehearing must do more than merely restate prior arguments and ask for a different outcome.” *Public Service Co. of N.H.*, Order No. 25,676 at 3 (June 12, 2014); *see also Freedom Energy Logistics*, Order No. 25,810 at 4 (Sept. 8, 2015).

4. The Presiding Officer did not overlook anything in his original order. He set forth accurately and at length in his order the positions of SPNHF and the NGOs, as well as corresponding positions of CFP. Mass RFP Order, pp. 2-7. Furthermore, he did not mistakenly conceive anything. He succinctly recognized 1) that the Applicants were not relying on the Mass RFP bids as evidence of the benefits of the Project and 2) that the December 13, 2016 Clarification Order did not require production of the un-redacted bid to the Tri-State Clean Energy RFP.

5. SPNHF alleges error but its allegations lack factual support. It correctly recounts that Project benefits will come from reducing wholesale capacity and energy market prices, and

that clean, reliable and plentiful electricity will be transmitted by the Project. SPNHF, however, incorrectly links those benefits to the Mass RFP, claiming that Mr. Quinlan and Ms. Frayer discussed the bid “extensively” in their testimony when the crux of the testimony regarding the Mass RFP was that benefits will not be adversely affected if NPT is successful and that development of NPT is not predicated on success in the Mass RFP. See Mr. Quinlan’s Supplemental Testimony (March 24, 2017) pp. 10-11. Furthermore, SPNHF alleges error claiming that the plain language of the December 13, 2016 Clarification Order required the Applicants to produce an un-redacted version of the Tri-State Clean Energy bid when that order plainly required the Applicants to produce un-redacted copies of Ms. Frayer’s report and testimony when the Mass RFP process was concluded, or file a further motion seeking confidential treatment.

6. In conclusion, SPNHF has not demonstrated good cause for rehearing; it merely restates prior arguments and asks for a different outcome. Moreover, it fails to identify any error of fact, reasoning or law in the Presiding Officer’s order denying motions to compel production of un-redacted bids in response to the Mass RFP.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

- A. Deny the Motion for Rehearing; and
- B. Grant such further relief as is deemed just and appropriate.

Respectfully submitted,

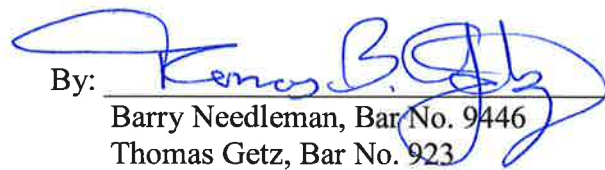
NORTHERN PASS TRANSMISSION LLC AND  
PUBLIC SERVICE COMPANY OF NEW  
HAMPSHIRE D/B/A  
EVERSOURCE ENERGY

By Its Attorneys,

McLANE MIDDLETON,  
PROFESSIONAL ASSOCIATION

Dated: December 4, 2017

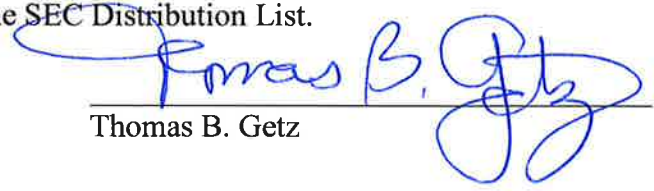
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Certificate of Service

I hereby certify that on the 4<sup>th</sup> of December, 2017, an original and one copy of the foregoing Objection was hand-delivered to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the SEC Distribution List.



Thomas B. Getz