

**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**

September 27, 2016

**ORDER ON LAGASPENCE REALTY'S
MOTION FOR RECONSIDERATION**

This Order denies Lagaspence Realty's Motion for Reconsideration.

I. Background

On June 23, 2016, a procedural order was issued in this docket. Pursuant to the procedural order, on August 5, 2016, a Technical Session Agenda was issued, scheduling technical sessions for the examination of the Applicant's witnesses over multiple days in the month of September 2016.

On August 15, 2016, Kevin Spencer and Mark Lagasse d/b/a Lagaspence Realty, LLC (Lagaspence Realty), filed a Motion requesting that the Subcommittee allow their Attorney, Arthur Cunningham, to represent them at the technical sessions.

On August 29, 2016, the Presiding Officer issued an Order granting Lagaspence Realty's Motion and directing its Attorney to provide a list of questions to the spokesperson for the intervenor group. The Order provided that, in the event that the spokesperson failed or refused to ask the questions presented, Lagaspence Realty's attorney would be allowed to ask the questions directly if they were relevant to the purposes of the technical session.

On August 31, 2016, Lagaspence Realty filed a motion requesting that the Presiding Officer reconsider his decision. The Applicant objected.

II. Analysis

Lagaspence Realty argues that the Order deprives it of its due process rights by not allowing its attorney to directly ask questions at the technical session. Lagaspence Realty asserts that the Order provides that the grouping of intervenors imposed for the “convenience of the Applicant” takes precedence over Lagaspence Realty’s due process right to be represented by an attorney as they seek to protect their property.

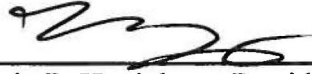
The Applicant, in opposing the Motion, argues that the purpose of the intervenor groupings was not for the convenience of the Applicants as suggested by Lagaspence Realty, but rather was for the prompt and orderly conduct of the proceeding. The Applicant argues as well that Lagaspence Realty fails to satisfy the requirements of Site 202.29(d) relative to motions for rehearing.

Lagaspence Realty’s argument is misplaced. The Order does not restrict Lagaspence Realty’s ability to participate in this docket and does not deprive it of its due process rights. The Order confirms its right to be represented by counsel. It further sets forth the method by which the technical session should be conducted and requires Lagaspence Realty to participate with others in its intervenor group. The method of participation in the Order allows Lagaspence Realty the ability to have its questions answered regardless of whether the questions are asked by the group spokesperson or Attorney Cunningham. This method of participation ensures the orderly development of these proceedings and provides the procedure to be followed if the spokesperson of the group of intervenors fails to adequately convey Lagaspence Realty’s questions.

Lagaspenca Realty's motion for reconsideration does not state good cause for reconsideration and does indicate how the original Order is unreasonable, unlawful or unjust.

Lagaspenca Realty's Motion for Reconsideration is denied.

SO ORDERED this twenty-seventh day of September, 2016.



Martin P. Honigberg, Presiding Officer
Site Evaluation Committee