

**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**

November 15, 2016

ORDER ON MOTION OF DEERFIELD ABUTTERS TO EXTEND DEADLINES

I. Background

On June 23, 2016, a Procedural Order was issued in this docket. Orders dated September 22 and October 28, 2016, modified the schedule set forth. The current procedural schedule requires Counsel for the Public and all Intervenors to submit pre-filed testimony by November 15, 2016 (exclusive of testimony pertaining to market economic issues, local economic issues, natural resources and aesthetics). On October 31, 2016, the Deerfield Abutters Group of Intervenors (Deerfield Abutters) filed a Motion to Extend Deadline for Certain Items. The Applicant objected.

This Order grants the Deerfield Abutters' request to modify the Procedural Order.

II. Analysis and Findings

The Deerfield Abutters request that the Subcommittee extend the November 15, 2016, deadline for the following reports and pre-filed testimony: (i) the pre-filed testimony of a historical expert; (ii) a case study report addressing the impact of the Project on real estate values; and (iii) a report that will address the impact of similar projects on real estate values. The Deerfield Abutters assert that they need additional time to prepare pre-filed testimony addressing historic issues because the last technical session with the Applicant's expert on historic issues concluded on October 27, 2016, at which they received information relevant to their testimony.

The Deerfield Abutters also assert that they need additional time for completing the real estate value case study report. They claim that they have been unable to complete the real estate value case study report because of the amount of travel and analysis that is required. The Deerfield Abutters also argue that they also need additional time to visit other facilities and ascertain the effects on real estate values in those communities. The Deerfield Abutters request that the Subcommittee extend the deadline for these reports and pre-filed testimony to December 30, 2016.

The Applicant objects to the Deerfield Abutter's request. The Applicant argues that the Deerfield Abutters had sufficient time to prepare all necessary reports and pre-filed testimony. The Applicant further asserts that the fact that the last technical session addressing historic issue was conducted on October 28, 2016, is irrelevant because other technical sessions addressing the same issues were conducted on September 15 and October 14.

The Deerfield Abutter's request for additional time for pre-filed testimony on historic issues is reasonable. The Deerfield Abutters diligently worked to prepare for the technical sessions and attempted, in good faith, to comply with the deadlines currently in effect. Considering that the Deerfield Abutters will need to address information received as late as October 27, 2016, in their pre-filed testimony, it is reasonable to provide additional time to allow them to address that information in a meaningful manner. The Deerfield Abutters' request to extend time and to allow them to file their pre-filed testimony on historic issues on or before December 30, 2016, is granted.

The request to extend the deadline for submitting case studies and reports addressing the impact of the Project on real estate values is moot. By Order dated October 28, 2016, the deadline for filing reports addressing "local economic issues" was extended to

December 30, 2016. Real estate values in the region and the Project's impact on the same are a part of "local economic issues." No further order is required.

III. Discovery Schedule

The discovery schedule is modified as follows:

1. The Applicants shall provide supplemental responses to data requests addressing the underground portion of the Project and the Applicant's responses to the Department of Environmental Services' requests on or before December 15, 2016.
2. With the exception of **the Deerfield Abutter's pre-filed testimony on historic issues** and pre-filed testimony addressing issues related to (i) market economic issues; (ii) local economic issues; (iii) natural resources; and (iv) aesthetics, Counsel for the Public's and Intervenors' pre-filed testimony shall be filed on or before November 15, 2016.
3. With the exception of data requests addressing issues related to: (i) market economic issues; (ii) local economic issues; (iii) natural resources; (iv) aesthetics; and **(v) the Deerfield Abutter's pre-filed testimony on historic issues**, the Applicant shall propound data requests upon Counsel for the Public and Intervenors on or before November 30, 2016.
4. Counsel for the Public's and Intervenors' pre-filed testimony addressing issues related to: (i) the Applicant's production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; (iii) the Applicant's response to the Department of Environmental Services' requests; (iv) market economic issues; (v) local economic issues; (vi) natural resources; and (vii) aesthetics shall be filed on or before December 30, 2016.
5. **The Deerfield Abutters' pre-filed testimony on historic issues shall be filed on or before December 30, 2016.**
6. On or before December 30, 2016, Counsel for the Public and Intervenors shall respond to the Applicant's data requests propounded on or before November 30, 2016.
7. The Applicant shall propound data requests addressing: (i) the Applicant's production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; (iii) the Applicant's response to the Department of Environmental Services' requests; (iv) market economic issues; (v) local economic issues; (vi) natural resources; (vii) aesthetics; **and (viii) the Deerfield Abutter's pre-filed testimony on historic issues** upon Counsel for the Public and Intervenors on or before January 15, 2017.
8. Technical Sessions with Counsel for the Public's and Intervenors' witnesses shall be conducted between January 16 and February 15, 2017.

9. Counsel for the Public and Intervenors shall respond to data requests addressing issues: (i) the Applicant's production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; (iii) the Applicant's response to the Department of Environmental Services' requests; (iv) market economic issues; (v) local economic issues; (vi) natural resources; (vii) aesthetics; and (viii) **the Deerfield Abutter's pre-filed testimony on historic issues** on or before February 15, 2017.
10. Julia Frayer's updated report and testimony shall be provided on or before February 15, 2017.
11. Technical Sessions with the Applicant's witnesses addressing issues related to: (i) the Applicant's production pursuant to the Order on Motion to Compel and Order on NEPGA's Motion to Compel; (ii) the underground portion of the Project; (iii) the Applicant's response to the Department of Environmental Services' requests shall be conducted between February 20 and February 28, 2017.¹
12. Technical Sessions with Counsel for the Public's and Intervenors' witnesses addressing issues related to: (i) market economic issues; (ii) local economic issues; (iii) natural resources; (iv) aesthetics; and (v) **the Deerfield Abutter's pre-filed testimony on historic issues** shall be conducted between February 20 and February 28, 2017.
13. A Technical Session with Julia Frayer addressing Ms. Frayer's updated report shall be conducted between February 25 and February 28, 2017.
14. Supplemental pre-filed testimony from all parties shall be filed by March 15, 2017.
15. Pre-Hearing Motions and Statements of Stipulated Facts shall be filed on or before March 20, 2017.
16. A Final Pre-Hearing Conference shall be conducted on or before March 28 and March 29, 2017.

SO ORDERED this fifteenth day of November, 2016.



Martin P. Honigberg, Presiding Officer
NH Site Evaluation Committee

¹ The technical sessions for Applicant's, Counsel for the Public's, and Intervenors' witnesses are addressed in two separate paragraphs to avoid confusion and to clarify the Procedural Order currently in effect.