

**THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

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

**COUNSEL FOR THE PUBLIC'S
PROPOSED PROCEDURAL SCHEDULING ORDER**

Counsel for the Public, by his attorneys, the office of the Attorney General and Primmer Piper Eggleston & Cramer PC, hereby proposes the following procedural schedule for this proceeding.

BACKGROUND

On October 19, 2015, Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy's (collectively, the "Applicants"), submitted a Joint Application for a Certificate of Site and Facility (the "Application") to the New Hampshire Site Evaluation Committee (the "Committee") to construct a 192 mile transmission line from the Canadian border in Pittsburg to Deerfield (the "Project").

The Committee accepted the Application on December 18, 2015. The Applicants provided additional information for the Application on February 26, 2016, pursuant to the Revised SEC Rules effective December 16, 2015.

RSA 162-H:10 requires the Committee to hold public information sessions and public hearings in each county in which the proposed facility is to be located. The Committee held five public information sessions in January 2016 and the Committee held five public hearings in March 2016. RSA 162-H:10 provides that subsequent public hearings shall be adjudicative proceedings under RSA 541-A. The parties conduct discovery pursuant to SEC Rules prior to adjudicative hearings. RSA 162-H:16 requires the Committee to make certain findings, based

upon the record in the proceeding, in order to determine if issuance of a certificate will serve the objectives of RSA 162-H.

RSA 162-H:7 provides that “[w]ithin 365 days of the acceptance of an application, the Committee shall issue or deny a certificate for an energy facility.” RSA 162-H:14 provides that “[i]f the site evaluation committee, at any time while an application for a certificate is before it, deems it to be in the public interest, it may temporarily suspend its deliberations and timeframe established under RSA 162-H:7.” The SEC Rules also provide for suspending deliberations and the timeframes at any time while an application is pending before the Committee, and also provide for waiver of rules. Site 301.12 and Site 302.05.

The Project has generated significant public comment and participation. It is expected that there will be numerous parties and dozens of witnesses, in addition to the 25 pre-filed witness testimony submitted with the Application, which will require extended discovery periods and hearing days.

PROPOSED SCHEDULE

Given the unprecedented scope of the Application and the Project, and the extraordinary number of parties to this proceeding, Counsel for the Public proposes the following schedule:

April 15, 2016	<ul style="list-style-type: none">• Decision on Protective Order
May 1, 2016	<ul style="list-style-type: none">• Decision on Joint Applicants’ requests for waivers
May 15, 2016	<ul style="list-style-type: none">• CFP and Intervenors shall propound first round of data requests on Joint Applicants
June 1, 2016	<ul style="list-style-type: none">• CFP intends to file motions to retain experts shortly after a schedule is ordered. The deadline for motions to employ experts is June 1, 2016. Any objection shall be filed within 10 days of a motion and any reply shall be filed within 5 days of any objection. The Committee shall rule on each motion as promptly as possible and within 20 days.

June 15, 2016	<ul style="list-style-type: none"> • Joint Applicants shall respond to first round of data requests propounded by CFP and Intervenors
July 1, 2016	<ul style="list-style-type: none"> • CFP and Intervenors shall propound second round of data requests on the Joint Applicants • State agencies shall report progress, draft permits and draft conditions 150 days after acceptance of the application
August 1, 2016	<ul style="list-style-type: none"> • Joint Applicants shall respond to second round of data requests propounded by CFP and Intervenors
September 5 to September 30, 2016	<ul style="list-style-type: none"> • Technical sessions with Joint Applicants' witnesses. The parties to propose days for common subject matters
November 15, 2016	<ul style="list-style-type: none"> • CFP and Intervenors to file pre-filed testimony
November 30, 2016	<ul style="list-style-type: none"> • Joint Applicants shall propound data requests on CFP and the Intervenors
December 30, 2016	<ul style="list-style-type: none"> • CFP and the Intervenors shall respond to the data requests propounded by the Joint Applicants and CFP
January 16 to February 15, 2017	<ul style="list-style-type: none"> • Technical sessions with CFPs and the Intervenors' witnesses
March 15, 2017	<ul style="list-style-type: none"> • Supplemental pre-filed testimony due from all parties • State agencies shall issue final permits and conditions
March 20, 2017	<ul style="list-style-type: none"> • All parties shall file any pre-hearing motions and any statements of stipulated facts
March 29, 2017	<ul style="list-style-type: none"> • Final pre-hearing conference
April 3 to April 7, 2017	<ul style="list-style-type: none"> • Additional site visits
April 17 to June 2, 2017	<ul style="list-style-type: none"> • Final adjudicative hearings to begin on April 10, 2017
June 23, 2017	<ul style="list-style-type: none"> • Post-hearing briefs due
June 26, 2017 --	<ul style="list-style-type: none"> • Deliberations and decision

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,

Dated: March 18, 2016 By:

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Dated: March 18, 2016 By:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing PROPOSED PROCEDURAL SCHEDULING ORDER has this day been forwarded via e-mail or mail to persons named on the Distribution List of this docket.

Dated: March ____, 2016

Thomas J. Pappas, Esq. (N.H. Bar No. 4111)