

May 31, 2016

Via Electronic Mail/Hand Delivery

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

**Re: 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 for
Construction of a New High Voltage Transmission Line in New Hampshire**

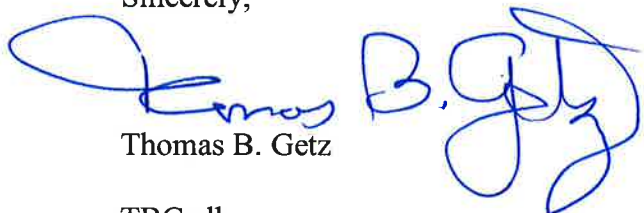
Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find an original and one copy of the Applicants' Motion to Adopt Procedural Schedule.

The Applicants propose a schedule that is fully consistent with the objectives Chairman Honigberg identified during deliberations on May 19, 2016, falls within the timeframe established by the Subcommittee, and provides a margin for unexpected developments that may arise during the proceeding. Please note that the Applicants sought to confer with Counsel for the Public prior to filing, but due to out of state travel by Mr. Roth, were unable to do so. Applicants did discuss this filing with Mr. Pappas and indicated that, upon Mr. Roth's return, Applicants will be seeking a meeting to review and discuss the proposed schedule in detail.

Please contact me directly should you have any questions.

Sincerely,


Thomas B. Getz

TBG:slb

cc: Distribution List

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

SEC DOCKET NO. 2015-06

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

APPLICATION FOR CERTIFICATE OF SITE AND FACILITY

MOTION TO ADOPT PROCEDURAL SCHEDULE

NOW COMES Northern Pass Transmission LLC (“NPT”) and Public Service Company of New Hampshire d/b/a Eversource Energy (“PSNH”) (jointly, the “Applicants”) by and through their attorneys, McLane Middleton, Professional Association, and respectfully submit this motion, pursuant to RSA 162-H:4, V. The Applicants ask the Presiding Officer, Chairman Honigberg, to adopt the attached procedural schedule, which would lead to issuance of a decision in this proceeding by June 30, 2017.

1. On April 1, 2016, Counsel for the Public (“CFP”) moved to extend the time frame for issuing a decision under RSA 162-H:7, VI-d, arguing that the 365-day time frame was unworkable in light of the scope and scale of the proceeding. The schedule proposed by CFP would lead to issuance of a decision late in the third quarter of 2017. The Society for Protection of New Hampshire Forests (“SPNHF”), on April 5, 2016, moved to extend the time frame even further, proposing an issuance date at the end of 2017. The Applicants objected to these motions on April 7, 2016.

2. On April 22, 2016, Chairman Honigberg, in his role as Presiding Officer, issued an Order and Temporary Schedule, commencing discovery, in order to “keep this matter moving” while other preliminary matters were considered by the Subcommittee. On May 4,

2016, Chairman Honigberg issued an order and notice of a public hearing on pending motions, including the CFP and SPNHF motions to extend the time frame to issue a decision.

3. During its hearing on May 19, 2016, the Site Evaluation Committee (“SEC” or “Subcommittee”) determined to “temporarily suspend its deliberations and time frame under RSA 162-H:7.” The Subcommittee deemed that it was in the public interest to extend the time frame for issuance of a written decision by 284 days, to September 30, 2017, effectively concluding that it was unable to conduct this particular proceeding within the 365-day statutory time frame established by the Legislature in 2014. The Subcommittee appears to have based its decision on a general concern that schedules tend to slip, that a number of additional days would be required for technical sessions and, in choosing between issuance dates of June 30, 2017 and September 30, 2017, that accommodation should be made to summer vacation plans.

4. The Applicants believe that the Subcommittee went further than was required under the circumstances in extending the issuance date to September 30, 2017, particularly in view of the legislative finding set forth in RSA 162-H:1 that it is in the public interest “that undue delay in the construction of new energy facilities” be avoided. In fact, delays in construction of the proposed project will postpone or jeopardize the realization of significant benefits that will accrue across the State of New Hampshire including lower energy costs, tax revenues, jobs, economic development and community investment, and substantial environmental benefits.

5. The Applicants recognize the Subcommittee’s desire to establish an achievable schedule that ensures due process. At the same time, the Applicants are persuaded that a procedural schedule is feasible that will serve the purpose of providing “full and timely consideration of environmental consequences,” as required by RSA 162-H:1, without, at this

point, adding a full nine months to the 365-day statutory time frame for issuance of a written decision.

6. Attachment A to this motion sets forth a schedule that would lead to issuance of a written decision by June 30, 2017. The Applicants contend that this schedule better balances the overall purposes of the procedure for the review of the siting of energy facilities expressed by the Legislature in RSA 162-H:1. Moreover, the proposed schedule addresses one particular item identified in the Subcommittee's deliberations, that is, it provides additional time for technical sessions, consistent with what was proposed by CFP. Furthermore, this approach recognizes Chairman Honigberg's observation about the tendency of litigation schedules to slip. Adopting a schedule now that leaves, in effect, a margin for unexpected events is good management, designed to promote the orderly and efficient conduct of the proceeding. If, for instance, the hearings or deliberations take additional time, the Presiding Officer will have the operating room to adjust the schedule accordingly and still achieve the time frame set by the Subcommittee.

7. The Applicants believe that the proposed Procedural Schedule set forth in Attachment A provides an approach that balances the requirements of applicable law and best comports with the Legislature's goal of achieving full and timely consideration of the application.

WHEREFORE, the Applicants respectfully request that the Presiding Officer:

- A. Adopt a procedural schedule that results in a decision by June 30, 2017; and
- B. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

Northern Pass Transmission LLC and Public
Service Company of New Hampshire d/b/a
Eversource Energy

By Their Attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: May 31, 2016

By: 

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Certificate of Service

I hereby certify that on the 31st of May, 2016, an original and one copy of the foregoing Motion was hand-delivered to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the Distribution List.


Thomas B. Getz

ATTACHMENT A

May 13, 2016	CFP Non-Expert Data Requests (Set 1)
May 16, 2016	Permitting Agency Progress Reports
May 31, 2016	Muni Groups, NGOs, et al. Data Requests (Set 2)
June 7, 2016	Other Intervenors Data Requests (Set 3)
June 13, 2016	NPT Responses to Set 1
June 21, 2016	CFP Expert Data Requests (Set 4)
June 28, 2016	Intervenor Data Requests re Confidential Materials (Set 5)
June 30, 2016	NPT File Decommissioning Plan
July 8, 2016	NPT Responses to Set 2
July 14, 2016	All Data Requests re Decommissioning (Set 6)
July 15, 2016	NPT Responses to Set 3
July 22, 2016	NPT Responses to Set 4
Aug. 5, 2016	NPT Responses to Sets 5 and 6
Aug. 8-Sep. 9, 2016	Technical Sessions for NPT Witnesses
Aug. 15, 2016	Permitting Agency Final Decisions
Sept. 30, 2016	CFP & Intervenor Testimony
Oct. 17, 2016	NPT Data Requests
Nov. 23, 2016	CFP & Intervenor Responses
Dec. 5-23, 2016	Technical Sessions with CFP and Intervenor Witnesses
Jan. 16, 2017	Supplemental Testimony from All Parties
Jan. 23, 2017	Structuring Conference
Jan. 30-Mar. 31, 2017	Adjudicative Hearings
April 21, 2017	Briefs
April 24-May 26, 2017	Deliberations
June 30, 2017	Decision