

THE STATE OF NEW HAMPSHIRE



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October 30, 2017

Re: DE 15-464, Public Service Company of New Hampshire d/b/a Eversource Energy  
Petition for Approval of Lease Agreement with Northern Pass Transmission LLC  
Denial of Motion for Leave to File Additional Data Requests

To the Parties:

On June 8, 2017, the Commission issued a Secretarial Letter providing for two rounds of discovery on Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) ending no later than August 11, 2017. On September 18, 2017, Commission Staff filed an appraisal report prepared by Shenhon Company on behalf of Staff. On September 21, the Commission issued a Secretarial Letter extending the time to propound discovery on Staff to September 26.

On September 29, 2017, Kevin Spencer and Mark Lagasse d/b/a Lagaspence Realty LLC requested leave to propound a data request "upon Applicants" regarding the Shenhon Company's appraisal report. In particular, Lagaspence Realty asked for "information for each and every acquisition of property for the construction of Northern Pass from Dummer, New Hampshire, to the Canadian border." Lagaspence Realty argued that its request was proper because the appraisal report was filed after the August 11 deadline propounding discovery on Eversource.

Staff filed an objection on October 3, arguing that both the data request and the motion for leave were filed out of time, citing N.H. Admin. Code Rules Puc 202.04(a) (extensions of time must be requested "before the expiration of the period originally prescribed.") Staff also argued that Lagaspence Realty's motion fails to demonstrate sufficient grounds for extension under Puc 202.04(c) and that the proposed data request is burdensome and would delay this case. Eversource filed an objection on October 4, 2017, arguing that the requested discovery is not properly directed at Eversource, because the motion refers to the appraisal report, and the appraisal report was prepared on behalf of Staff. Eversource argued that Lagaspence Realty was required to ask its data request of Staff by September 26. In the alternative, if Lagaspence Realty's request were properly asked of Eversource, Eversource argued that Lagaspence had

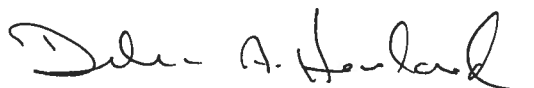
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ample opportunity to propound its request or prepare its own report, as Eversource's expert appraisal report has been available for nearly two years.

The Commission has determined that Lagaspence Realty's request for extension is untimely under Puc 202.04(a) and that Lagaspence Realty's motion fails to demonstrate sufficient grounds for extension under Puc 202.04(c). The particular data request proposed by Lagaspence Realty, which asks for information regarding the acquisition of property rights, could have been asked of Eversource by August 11, before Staff filed the Shenhon Company's report. To the extent that the request even relates to the Shenhon Report, Lagaspence Realty should have propounded the request or sought an extension of time by September 26. Accordingly, the Commission denied Lagaspence Realty's motion for leave to file additional data requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with a long horizontal stroke at the end.

Debra A. Howland  
Executive Director

cc: Service List/Docket file