

Attachments

Attachment A38

Attachment B.....90

Attachment C397

Attachment D398

Attachment E.....401

Attachment A

PSNH's Data Requests to TransCanada



**Public Service
of New Hampshire**

780 N. Commercial Street, Manchester, NH 03101

Public Service Company of New Hampshire
P. O. Box 330
Manchester, NH 03105-0330

A Northeast Utilities Company

Robert A. Bersak
Assistant Secretary
and Chief Regulatory Counsel

(603) 634-3355
Robert.Bersak@psnh.com

January 16, 2014

**To: Parties to NHPUC Docket No. DE 11-250
Investigation of Scrubber Costs and Cost Recovery**

Re: PSNH's Data Requests

In accordance with N.H. Admin Rule Puc 203.09, accompanying this cover letter and Instructions please find Public Service Company of New Hampshire's data requests to the parties in Docket No. DE 11-250. Hard copies will not follow.

Please let me know if you have any questions.

Sincerely,

Robert A. Bersak
Assistant Secretary and
Chief Regulatory Counsel

Attachments

**STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

Docket No. DE 11-250

**Public Service Company of New Hampshire
Investigation of Merrimack Station Scrubber Project and Cost Recovery**

Public Service Company of New Hampshire (“PSNH” or the “Company”) hereby serves data requests upon the parties and Commission Staff in the above-captioned docket.

I. INSTRUCTIONS

1. Please answer these questions under oath and return them to PSNH’s attorneys by the date required in the procedural schedule for the above-captioned docket.

2. These data requests seek answers as of the date but shall be deemed to be continuing so that any additional information relating in any way to these data requests that you acquire or becomes known to you up to and including the time of hearing shall be provided to PSNH promptly after such information is acquired or becomes known.

3. In answering these data requests, you shall divulge all information in your possession, control or available to you, including information in the possession or control of your affiliates, parent companies, agents, employees, representatives, or any other persons acting on your behalf, and not merely such information as is known by you answering these data requests based on your personal knowledge.

4. If you feel that any data request is ambiguous, please notify PSNH’s attorneys so that the request may be clarified prior to the submission of a written response.

5. Organize the responses to each data request so that it is clear which specific information and/or documents are being furnished in response to each data request. In addition, describe with specificity precisely which portion or portions of a document are responsive to a particular data request. If a document is responsive to more than one data request, it is not necessary to supply duplicate copies. Instead, simply state that the document has already been provided, state which data request the document has already been provided under and state specifically which portion or portions of the document are responsive to each portion of each of the data requests to which the document applies.

6. If there is an objection to any data request, please state the basis of the objection. If the objection is based on privilege, identify the privilege and the facts on which the privilege is based. If a claim of privilege is asserted with respect to a document, provide the date, title or number of the document, the identity of the person who prepared or signed it, the identity of the person to whom it was directed, a general description of the subject matter, the identity of the person holding it and the location of its custody. If any document requested has been destroyed, lost or is otherwise unavailable, please list and identify the document, describe the document with as much detail as possible, and state the circumstances of its loss, destruction or unavailability.

7. Please begin each response to a numbered data request on a separate page.

8. For each response, please identify the person who provided the response and who will be responsible for cross-examination concerning each request. Also, for each response, identify each individual who supplied any information in response to the questions.

II. DEFINITIONS

1. The word "document" is used in its broadest sense and means all original writings of any nature whatsoever in your possession, custody or control, regardless of where located, and includes, without limitation the following items, whether printed or recorded or filmed or reproduced by any other mechanical or electrical process, or written or produced by hand, including all originals, masters and copies, namely: agreements, contracts, memoranda of understanding, correspondence or communications, including intra-company correspondence and communications, e-mail, cablegrams, telefax and telegrams, reports, notes and memoranda, summaries, minutes and records of telephone conversations, meetings and conferences, summaries and recordings of conversations, manuals, publications, calendars diaries, technical and engineering reports, data sheets and notebooks, photographs, audio and video tapes and discs, models and mockups, expert and consultant reports, drafts of originals with marginal comments or other markings that differentiate such copies from the original, and any other information containing paper, writing or physical thing.

2. The phrase "state the basis" for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefor, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.

3. The term "identify" or "identity" when used in connection with (1) a natural person means to state the person's name, employer and business address; (2) a corporation or other entity means to state the name of the entity, "d/b/a" designation if any, address of its principal place of business, and address of its principal place of business in New Hampshire, if any; (3) a document means to state a description, including name of author or source, date and addressee(s); (4) a communication means to state a description, including participants, date and content of the communication; and (5) a place means to state a description of a precise geographic location or address.

4. "PSNH" means Public Service Company of New Hampshire.

5. "DES" means the New Hampshire Department of Environmental Services.

6. "Project" means the Merrimack Station Clean Air Project.

7. "TransCanada" means TransCanada Corporation and all subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

8. "Sierra Club" or "SC" means the Sierra Club and all Sierra Club local chapters, including but not limited to the New Hampshire Sierra Club and the Upper Valley Sierra Club, and all subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

9. "Conservation Law Foundation" or "CLF" means the Conservation Law Foundation Inc. and all subsidiary and affiliated entities, their officers, employees, witnesses, agents, and attorneys.

10. “New England Power Generators Association” or “NEPGA” means the New England Power Generators Association, Inc., its members, and NEPGA’s and its members’ subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

11. “OCA” means the Office of the Consumer Advocate, and all employees, witnesses, agents, and attorneys.

12. “Staff” means the Staff of the New Hampshire Public Utilities Commission, and all employees, witnesses, agents, and attorneys.

13. References to the Scrubber Law mean 2006 N.H. Laws, Chapter 105, codified at RSA 125-O: 11 – 18.

SERVICE LIST - EMAIL ADDRESSES - DISCOVERY MATERIALS

Pursuant to N.H. Admin Rule Puc 203.09 (d) and 203.11 (a) (11) Electronic copies of all discovery shall be served on every person designated for discovery filings on the Commission's official service list. [Discovery shall not be filed as part of a docket filing pursuant to 203.02]

Discovery@puc.nh.gov	
allen.desbiens@nu.com	shennequin@nepga.org
amanda.noonan@puc.nh.gov	Stephen.R.Eckberg@oca.nh.gov
barry.needleman@mclane.com	steve.mullen@puc.nh.gov
catherine.corkery@sierraclub.org	susan.chamberlin@oca.nh.gov
Christina.Martin@oca.nh.gov	suzanne.amidon@puc.nh.gov
christine.vaughn@nu.com	tcatlin@exeterassociates.com
dhartford@clf.org	tom.frantz@puc.nh.gov
dpatch@orr-reno.com	william.smagula@psnh.com
elizabeth.tillotson@nu.com	zachary.fabish@sierraclub.org
f.anne.ross@puc.nh.gov	amanda.noonan@puc.nh.gov
heather.arvanitis@nu.com	
ifrignoca@clf.org	
jim@dannis.net	
kristi.davie@nu.com	
linda.landis@psnh.com	
lrosado@orr-reno.com	
mayoac@nu.com	
michael.sheehan@puc.nh.gov	
mkahal@exeterassociates.com	
MSmith@orr-reno.com	
njperess@clf.org	
rgoldwasser@orr-reno.com	
robert.bersak@nu.com	

Docket #: 11-250-1 Printed: January 16, 2014

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**

STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Docket No. DE 11-250

Public Service Company of New Hampshire
Investigation of Merrimack Station Scrubber Project and Cost Recovery

Discovery for TransCanada

References to “you” refer to Mr. Michael E. Hachey.

“TransCanada” means TransCanada Corporation and all subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

1. Page 1, Line 21 – You provide a description of TCPM (TransCanada Power Marketing). Please provide a description of what TransCanada Hydro Northeast does.
2. Page 2, Line 2 – You state that TCPM is an indirect wholly owned subsidiary of TransCanada Corporation. What is the relationship of TransCanada Hydro Northeast to TransCanada Corporation?
3. Page 2, Line 2 – Please provide a corporate organization chart for TransCanada Corporation, showing the parent entity and all subsidiary and affiliate companies.
4. Provide copies of TransCanada’s annual reports for the years 2006 to present.
5. Who is Hal Kvisle? What position, if any, did Mr. Kvisle hold with TransCanada?
6. Who is Russell K. Girling? What position did he hold at TransCanada?
7. Have you ever testified in a prudence case before a public utilities commission? If so, please list the relevant cases.
8. Please provide copies of all testimony you have filed related to a prudence review.

9. Page 2, Line 7 – Please provide a listing of the 10,900 MW of generation including name, location, size, fuel, duration of TransCanada interest.
10. Page 2, Line 3 – Does TransCanada Corporation or any of its subsidiaries or affiliates engage in the production or sale of natural gas? If so, please identify those entities, describe their role in the production or sale of natural gas.
11. Page 2, Line 17 – You state that your testimony will discuss “the degree of care PSNH used in deciding to proceed with the Scrubber project.” Is it your testimony that the Scrubber Law, RSA 125-O:11 – 18 does not mandate the installation and operation of scrubber technology at Merrimack Station?
12. Page 2, Line 17 – Does TransCanada Corporation or any of its subsidiary or affiliate companies have any requirement, such as but not limited to a corporate compliance program, that mandates compliance with applicable laws? If so, please provide copies of all documents describing such programs.
13. Page 2, Line 18 – Would a “person of requisite skill and experience” deem compliance with applicable law to be a reasonable goal? If not, please explain why not.
14. Page 2, Line 18 – Would a “highly trained specialist” deem compliance with applicable law to be a reasonable goal? If not, please explain why not.
15. Page 3, Line 18 – You state, “I have reviewed the law and some of the legislative history associated with the law.” Identify which laws you reviewed and identify the specific legislative history you are referencing.
16. Page 4, Line 1 – You discuss, “the statement in the purpose and findings section of the law indicating that the mercury reduction requirements represent a careful, thoughtful balancing of cost, benefits, and technological feasibility, 125-O:11, VIII.” Is the provision you discuss in this testimony the law of the State of New Hampshire? If not, please explain when the referenced statute was amended or repealed.
17. Page 4, Line 4 – You discuss, “the requirement in the law that during ownership and operation by a regulated utility the scrubber costs must be recovered via the utility's default service charge, RSA 125-O:18.” Is the provision you discuss in this testimony the law of the State of New Hampshire? If not, please explain when the referenced statute was amended or repealed.
18. Page 4, Line 20 –

- a. Is it your testimony that the Scrubber Law included a not to exceed price of \$250 Million?
 - b. If so, please identify with specificity where that not to exceed price is located in the Scrubber Law.
 - c. Do you agree with the contention that in 2006 the legislature mandated PSNH to install the scrubber without placing a limit on the costs? If not, explain your basis.
 - d. Is it your position that the words of the law itself do not control?
 - e. Please describe your understanding of the basis for the estimate of the installation cost for the scrubber of \$250 million and the basis for the revised estimate of \$457 million
19. Page 5, Line 8 – You testify that “TransCanada is concerned generally about there being a level playing field in each competitive market in which it participates.” Please identify all competitive markets in which TransCanada participates, specifying the competitive products TransCanada markets in each such area.
20. Page 5, Line 9 – You testify that TransCanada is concerned “about avoiding additional unnecessary charges or costs being imposed on products we sell.”
- a. Is it TransCanada’s position that the costs of the scrubber may be or will be imposed on the products it sells in New Hampshire?
 - b. If so, please identify and explain exactly what costs TransCanada believes may be or will be imposed on the products it sells and identify those products.
 - c. If so, please explain where New Hampshire law allows for the imposition of such costs.
21. Page 5, Line 20 – You testify that “a non-bypassable charge commanded our attention as a serious threat to our business.”
- a. Please explain in detail how and why such a non-bypassable charge as described in your testimony would be a serious threat to TransCanada’s business.
 - b. Does the Scrubber Law allow for the establishment of the non-bypassable charge described in your testimony?
 - c. If so, please describe how and where the Scrubber Law allows such a charge.
 - d. If the Scrubber Law does not provide for such a non-bypassable charge, please describe what interests TransCanada has in this proceeding.
 - e. Does New Hampshire law provide for the establishment of other non-scrubber related non-bypassable charges in the rates of electric utilities?
 - f. If so, do such non-bypassable charges exist in rates of New Hampshire’s electric utilities today?

- g. Have any such existing non-bypassable charges imposed a serious threat to TransCanada's business?
 - h. If so, please describe the nature and impact of such threats in detail.
 - i. Is establishment of such a non-bypassable charge a subject of this proceeding?

- 22. Page 6, Line 5 – You testify that the cost increase of the scrubber project to \$457 M was a “dramatic increase.” Please identify all capital projects that TransCanada had planned or had started during the 2005 through 2010 time period, including but not limited to the Keystone XL Pipeline. Include the initial price estimate for all such projects, the final price of all such projects, copies of any and all "published cost statements" that have been issued in connection with such projects, the reasons for any deviations between the initial and final price of all such projects, the status of such projects

- 23. Please provide copies of any and all documents relating to cost estimates for the installation and operation of scrubber technology for all coal-fired generating plants in which TransCanada has a direct or indirect interest.

- 24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
 - a. Please provide a listing of all possible “benefits” that the Legislature may have included in the referenced “balancing.”
 - b. Do you agree maintenance of a tax base for state and local property taxes such a potential “benefit”? If not, please explain the basis for your opinion.
 - c. Do you agree continued viability of the local rail line such a potential “benefit”? If not, please explain the basis for your opinion.
 - d. Is fuel diversity in electric generation in the region a potential “benefit”? If not, please explain the basis for your opinion.
 - e. Is reliability of the electric grid in the region a potential “benefit”? If not, please explain the basis for your opinion.
 - f. Do you agree lessening of the state's dependence upon other sources of electrical power which may, from time to time, be uncertain a potential “benefit”? If not, please explain the basis for your opinion.
 - g. Do you agree retention in-state of energy expenditures a potential “benefit”? If not, please explain the basis for your opinion.
 - h. Do you agree creation of jobs such a potential “benefit”? If not, please explain the basis for your opinion.
 - i. Do you agree the retention of jobs such a potential “benefit”? If not, please explain the basis for your opinion.

- j. Has TransCanada taken the position that the creation of jobs by the proposed Keystone XL pipeline project is one of the bases for finding that project to be in the public interest?
 - k. Please provide details of all such public interest benefits claimed by TransCanada that would result from development of the Keystone XL pipeline.
 - l. Has TransCanada included the creation of jobs in advertisements or other media releases regarding the Keystone XL pipeline?
 - m. If so, please provide copies of all such advertisements and media releases.
25. Page 7, Line 7 – You testify “In my opinion it is absurd to suggest, as PSNH has throughout this docket, that RSA 125-O stands for the proposition that PSNH was required to build the project at any cost.”
- a. Do you agree that RSA 125-O:13, I requires the owner of the affected sources to “install and have operational scrubber technology to control mercury emissions at Merrimack Units 1 and 2 no later than July 1, 2013.”?
 - b. Please identify where in the law the Legislature limited the directive in RSA 125-O:13, I by the cost of the Project.
26. Page 7, Line 9 – You testify that “no one would argue that a two billion dollar scrubber met the purpose, intent, or language of RSA 125-O.”
- a. Did the Scrubber Project cost two billion dollars?
 - b. In 2009, was the Legislature aware of the estimated \$457 Million cost of the Scrubber Project?
 - c. Do you agree that the Legislature considered two bills during the 2009 Legislative Session that pertained to the Scrubber Project?
 - d. Did the Legislature at any time subsequent to the disclosure of the estimated \$457 Million price of the Scrubber Project pass any Legislation amending or repealing any portion of the Scrubber Law? If so, please identify all such legislation.
27. Do you admit that TransCanada has taken the position that RSA 125-O requires PSNH to install scrubber technology at Merrimack Station?
28. Page 9, Line 18 – You testify about the Power Advocate report. Has TransCanada used PowerAdvocate as a contractor or consultant during the time period from 2005 to present? If so, please provide details of all work performed by Power Advovcate on behalf of TransCanada.
29. Page 9, Line 18 – You testify that “My review of this [Power Advocate] report indicates that it apparently relied upon an estimate of \$355 million, not the total estimate of \$457

million which PSNH had adopted in May 2008. The use of the higher estimate would have resulted in even less favorable conclusions.”

- a. Did you perform any analyses to support this conclusion?
- b. If so, please provide copies of all such analyses.
- c. Do you admit that the Power Advocate report states that Owner's Costs were excluded from project costs in its comparison? If not, please explain the basis for your opinion.
- d. Do you know what the level of Owner’s Costs were for the Scrubber Project and for all projects included in the Power Advocate report?
- e. Please provide any analysis done to support your statement that the use of the \$457 million project estimate instead of a \$350 million estimate “would have resulted in even less favorable conclusions”.

30. Page 10, Line 3 – You testify “With respect to cost predictions, the [Power Advocate] report concludes that capital construction costs for new generation remained at historic levels with no clear understanding of whether or not a peak had been reached due to recent volatility of costs associated with the supply market.”

- a. Please describe in detail how you would predict whether or not costs in a competitive marketplace had or had not reached a peak?
- b. Please provide copies of any such predictions made by you.
- c. Please describe in detail how TransCanada predicts whether or not costs in a competitive marketplace have or have not reached a peak.
- d. Please provide copies of all such peak price predictions made by TransCanada for the time period from 2005 to present.

31. Page 10, Line 6 – You testify that “The [PowerAdvocate] report also indicates significant levels of uncertainty around projected carbon regulations and the effects of a tight labor market on the economics of scrubber investments.”

- a. Has the Keystone XL Pipeline project been impacted by uncertainty around carbon regulations?
- b. If so, please identify and quantify all measures taken by TransCanada as a result of such carbon regulation uncertainty.
- c. Has the Keystone XL Pipeline project been impacted by the uncertainty around the effects of a tight labor market?
- d. If so, please provide copies of all analyses produced by TransCanada regarding the impact of the labor market on the economics of the Keystone XL Pipeline project.

32. Page 10, Line 13 – You testify that you “believe that a prudent utility would have had serious concerns and questions about whether this was the right time to proceed with the

scrubber project, especially given other things going on in the market during the summer and early fall of 2008.”

- a. Did TransCanada have “serious concerns and questions about whether this was the right time to proceed” with the Keystone XL Pipeline project?
 - b. Does TransCanada have such concerns now?
 - c. Please provide copies of all documents in the possession of TransCanada for the time period 2008 through 2011 related to concerns about proceeding with the Keystone XL Pipeline project.
33. Page 13 (footnote 5) - You note that for all of your analyses you assumed a coal price of \$4.82 corresponding to the price used by PSNH throughout the testimony.
- a. Please explain why you adopted PSNH’s assumed coal price for all of your analyses?
 - b. Please indicate the time period when the PSNH coal price forecast was developed?
 - c. Please indicate the time periods when the three natural gas forecasts you use in your analyses were developed?
 - d. Given that the projected PSNH coal price forecast is based on futures market prices, can you explain why you find this forecast to be reasonable but the PSNH natural gas forecast (based upon futures prices) to be unreasonable?
34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.
- a. Please provide all fuel price forecasts relating to the price of coal, oil and natural gas produced by or available to TransCanada from 2005 through 2012.
 - b. For each such forecast, identify the entity who prepared it and the purpose for which it was created.
 - c. Provide any internal TransCanada work papers or other documents supporting or commenting on each such forecast.
 - d. Provide any after-the-fact assessment or analyses prepared by TransCanada or consultants for TransCanada that contain an evaluation of such forecasts, including assessments or commentary about their accuracy and methodologies.
 - e. Provide any documents pertaining to how TransCanada believes such forecasts should be conducted.
 - f. Provide any documents pertaining to how methodologies for such forecasts should be revised after-the-fact when predictions are compared to actual prices.

35. Is Nova Gas Transmission Ltd. a TransCanada company?
36. In each annual Nova Gas Transmission Ltd. (“NGTL”) Annual Plan (see Q-DEPO-001), TransCanada notes that “The gas price forecast affects the receipt and delivery forecast, and is used as input into the economic analysis for new facilities.” Please provide all economic analyses for new facilities created by TransCanada during the period from January 1, 2008 through September 30, 2011, including but not limited to all input assumptions used in such economic analyses.
37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, “TransCanada’s NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System.”
- a. Please provide all of TransCanada’s NYMEX gas price forecasts from January 1, 2006 through September 30, 2011.
 - b. Do you admit TransCanada forecast in 2009 that the Alberta field price of gas in 2015 would be approximately \$6.55/MMBTU? If not, please explain the basis for your opinion.
 - c. Do you admit TransCanada forecast in 2010 that the Alberta field price of gas in 2015 would be approximately \$6.90/MMBTU? If not, please explain the basis for your opinion.
 - d. Do you admit TransCanada forecast in 2010 that NYMEX natural gas prices would be \$7.17/MMBtu in real 2008 \$US by 2015? If not, please explain the basis for your opinion.
 - e. Do you admit TransCanada forecast in 2011 that the Alberta field price of gas in 2015 would more than double to approximately \$6.30/MMBTU? If not, please explain the basis for your opinion.
 - f. Do you admit TransCanada forecast in 2011 that NYMEX natural gas prices would reach an equilibrium price of \$6.75/MMBtu in real 2010 \$US by 2015? If not, please explain the basis for your opinion.
 - g. Do you admit TransCanada forecast in 2012 that the Alberta field price of gas in 2015 would be just over \$4.00/MMBTU? If not, please explain the basis for your opinion.
 - h. Do you admit TransCanada forecast in 2012 that NYMEX natural gas prices would reach an equilibrium price of \$5.75/MMBtu in real 2010 \$US? If not, please explain the basis for your opinion.
38. On June 6, 2012, the “Globe and Mail” < <http://m.theglobeandmail.com/report-on-business/streetwise/transcanada-to-revise-optimistic-natural-gas-outlook/article4235240/?service=mobile> > (Exhibit I to these questions) reported that:

“Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”

- a. Identify the TransCanada gas forecasts that were referenced in this article.
 - b. For each forecast, identify the factors that led to the overly optimistic forecasts.
 - c. Provide copies of each forecast.
 - d. Identify any TransCanada capital projects that relied in any way on the forecasts which turned out to be overly optimistic.
 - e. Did TransCanada discuss the cause or impacts of its overly optimistic gas forecasts at any of its board meetings or at any meetings among senior executives?
 - f. Please provide all notes, minutes or any other memorialization of any such meetings.
39. Reference Exhibit I attached hereto at page 1: “TransCanada is a pipeline company, but its forecasts carry substantial heft, given that it touches most molecules of natural gas pulled from the earth in Canada. It pointed last year to a strong rebound in the works, on the strength of buoyant gas prices - \$6.30 per million BTU by 2015 was its prediction - and a production surge to 17.2 billion cubic feet a day by 2020. But it was clear those forecasts were outliers....”
- a. Does TransCanada agree that its gas price forecasts “carry substantial heft.” Please explain your answer.
 - b. Does TransCanada agree its forecasts were outliers? Please explain your answer.
40. Reference Exhibit I at page 1: “TransCanada didn’t have much choice in changing its figures. The company’s forecast for 2012 was already wildly off.” Does TransCanada agree that its 2012 gas price forecast was “wildly off”. Please explain your answer.
41. Do you admit TransCanada forecast in 2009 that North American natural gas demand would slowly recover in the near-term as the economies of Canada and the United States recovered? If not, please explain the basis for your opinion.
42. Do you admit TransCanada forecast in 2009 that the Alberta field price of gas in 2015 would be approximately \$6.55/MMBTU? If not, please explain the basis for your opinion.
43. Do you admit TransCanada forecast in 2009 that the NYMEX natural gas prices would recover in the following years as demand and the economy improved? If not, please explain the basis for your opinion.

44. Do you admit TransCanada forecast in 2010 that the Alberta field price of gas in 2015 would be approximately \$6.90/MMBTU? If not, please explain the basis for your opinion.
45. Do you admit TransCanada forecast in 2009 that that NYMEX natural gas prices would be \$7.00/MMBtu in real 2007 \$US by 2015? If not, please explain the basis for your opinion.
46. Do you admit TransCanada forecast in 2010 that NYMEX natural gas prices would be \$7.17/MMBtu in real 2008 \$US by 2015? If not, please explain the basis for your opinion.
47. Do you admit TransCanada forecast in 2011 that the Alberta field price of gas in 2015 would more than double to approximately \$6.30/MMBTU? If not, please explain the basis for your opinion.
48. Do you admit TransCanada forecast in 2011 that NYMEX natural gas prices would reach an equilibrium price of \$6.75/MMBtu in real 2010 \$US by 2015? If not, please explain the basis for your opinion.
49. Do you admit TransCanada forecast in 2012 that the Alberta field price of gas in 2015 would be just over \$4.00/MMBTU? If not, please explain the basis for your opinion.
50. Do you admit TransCanada forecast in 2012 that NYMEX natural gas prices would reach an equilibrium price of \$5.75/MMBtu in real 2010 \$US? If not, please explain the basis for your opinion.
51. Please provide details regarding the relationship between the forecast Alberta Reference Price and NYMEX gas price forecasts. Is there a conversion factor or equation recognized or utilized by TransCanada to convert between the Alberta and NYMEX process? If so, please provide all such conversion factors or equations.
52. Please provide copies of any and all documentation in TransCanada's possession regarding the forward market for natural gas delivered to New England in the 2008 through 2011 time frame.
53. Page 15 - You contend that for the scrubber to be economic, the \$5.29 per MMBtu gas/coal price spread "would have to exist continually from the onset of scrubber operation...through its 15 year depreciation" (a similar opinion is expressed on page 18).
 - a. What is the basis for your opinion that this spread has to exist continually?

- b. If the spread were \$8.00 per MMBtu for 14 of the 15 years, and \$5.00 per MMBtu for 1 of the 15 years, would the scrubber be economic in that case?

- 54. Page 16 - You say that as an indicator of market price, NYMEX futures prices are “considered most robust in the near term, for example, the next 2-3 years, with trading after that being very thin and hence generally not considered indicative of market prices in future years”
 - a. Please provide the basis for your opinions that NYMEX prices are only valid with a 2-3 year period, and that trading in the NYMEX market is very thin after 3 years.
 - b. How do you define “very thin” in this context?

- 55. Page 16 - You allege that “PSNH relied on a NYMEX snapshot in 2008 to predict natural gas prices from 2012 through 2027. Did NYMEX provide natural gas prices for that entire period?

- 56. Page 16 -You state that “there are natural gas forecasts which do predict future gas prices. A forecast is based on economic and engineering analysis of future supply and demand, regulatory and technological trends and typically includes some historical analysis as well.”
 - a. Please define what you mean by “engineering analysis of future supply and demand?”
 - b. Please define what you mean by “regulatory and technological trends?”
 - c. Please define what you mean by “some historical analysis?”

- 57. Page 16 - You contend that it was unreasonable for PSNH to use NYMEX futures prices for its natural gas price forecast.
 - a. Has TransCanada ever relied on futures prices to forecast the future price of natural gas?
 - b. If so, please provide information on when and how these futures prices were used.
 - c. Are you aware of any prudency reviews that have used NYMEX futures prices to project natural gas prices?
 - d. Please provide information on all forecasts of natural gas prices developed by TransCanada (including its subsidiaries) over the period from June 2008 to March 2009.

58. Page 17 - You list “the financial collapse of Lehman and overall concern about the economy” as a reason why “customers would likely not receive net benefits from scrubber installation”
- a. What is the basis for this opinion?
 - b. Can you explain, from the perspective of mid-2008, why this financial collapse should have been expected to affect the price of natural gas and not the price of coal?
 - c. Please explain why the stated financial collapse and overall concern about the economy would not have impacted the alleged benefits of the Keystone XL pipeline.
59. Page 18 - Please provide evidence to support your statement that the primary benefit and use of market forwards (such as NYMEX) is the ability to “lock in” pricing.
60. Page 18, Line 1: You testify that “Natural gas pricing needed to reach levels above \$10/MMBtu for the entirety of the depreciation period of the scrubber, from 2012 through 2027, for the scrubber to provide net customer benefits.” Is it your opinion that a forecast of gas prices in the \$10 range made in early 2009 would be unreasonable?
61. Page 18, Line 15 – You testify, “First, in the Summer of 2008, the forwards were clearly at a peak value in a market that history shows experienced periodic peaks.”
- a. Is it your testimony that during the Summer of 2008, all reasonable market participants should have known that gas prices had peaked?
 - b. Can you provide evidence, from the perspective of Summer 2008, showing that other market participants “clearly” knew that natural gas prices were at peak values and would subsequently fall
 - c. If so, please provide a detailed explanation of why and how all such market participants should have been able to clearly predict the future of gas prices?
 - d. Did TransCanada acknowledge in the Summer of 2008 that gas price forwards had clearly peaked?
 - e. If so, please provide all documentation evidencing such acknowledgement.
 - f. If not, do you deem TransCanada as being imprudent for not knowing what gas prices were “clearly” going to do?
62. Page 19, Line 2 – You refer to PSNH’s September 2, 2008 Report to the Commission. On June 19, 2008, approximately 10 weeks prior to the submission of PSNH’s Report, FERC’s Office of Enforcement presented its assessment of likely electricity costs in coming years to the FERC Commissioners. In that presentation, which was included in PSNH’s September 2, 2008 Report to the Commission in DE 08-103, at Exhibit 2, the FERC Commissioners were told by FERC Staff, “[H]igher future prices are likely to

affect all regions.” The basis for this forecast was “The primary reason for the electric power price increases this year is high fuel prices. All current market indications suggest that they will remain high. Let’s look at natural gas, which often determines prices because it is so frequently on the margin. The slide shows futures prices for the next few years. The futures prices are somewhat lower for 2009 than for 2008. Even so, they are a good deal higher for all years than the prices people actually paid last year, and they are much higher than the prices many of us remember from earlier in the decade. The implication is that markets anticipate continuing high prices, even though they know that the United States has seen a significant increase in domestic natural gas production over the last year and a half. The anticipation of further high prices makes more sense when one considers the likely increase in gas demand for generation and the global nature of competition for LNG.” Is it your opinion that FERC Staff’s presentation to the FERC was “flawed or outdated”?

63. Page 19 - You contend that delivered natural gas prices “crashed” down to the five dollar level following the price spike in 2008. Can you provide a forecast from 2008 that anticipated this price drop?

64. On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” Mr. Kvisle stated:

“I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13BcF a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range.”

- a. Is it your opinion that Mr. Kvisle’s statement that gas prices for the longer term could go “well above 10” ignored substantial information that was available at or about the time he made that statement?
- b. What are the Mackenzie and Alaska pipeline projects referred to by Mr. Kvisle?
- c. Please provide copies of the gas price information referred to by Mr. Kvisle in the quoted statement.

- d. Please provide copies of all cost benefit analyses prepared by or on behalf of TransCanada regarding the Mackenzie and Alaska pipeline projects.
 - e. Do you agree with Mr. Kvisle's statement that "gas prices are obviously volatile"?
 - f. If not, please explain in detail why Mr. Kvisle was incorrect.
 - g. Did Mr. Kvisle ignore substantial information available to him when he made the statement that "our gas price outlook for the longer term is somewhere in the 6 to 10 range."?
 - h. Do you disagree with Mr. Kvisle's statement that "you could see over that period, gas prices going well above 10"?
 - i. If so, please explain in detail why Mr. Kvisle was incorrect.
65. Was TransCanada involved in the Mackenzie Valley gas project?
- a. What was the 2004 original forecast price of the Mackenzie Valley gas project?
 - b. In 2007, what was the forecast price of the Mackenzie Valley gas project?
66. In 2007, was it reasonable to expect gas production across North America to remain flat, demand for gas to grow, and therefore, for gas prices to rise?
67. In 2010, was it reasonable to expect that gas prices would be in the \$5 to \$8 range?
68. In February 2009, was it reasonable to assume that the natural gas supply bubble could last another 12 to 18 months and that prices would probably not drop much lower?
69. Is it your opinion that a cost of gas in New Hampshire of \$12/MMBtu in the Fall of 2008 was unreasonably high?
70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- a. month and year in which the forecast was developed,
 - b. whether NYMEX futures prices were used and, if so, how?;
 - c. whether "engineering analysis of future supply and demand" were used in the forecast and if so, how;
 - d. whether regulatory and technological trends" were used in the forecast and, if so, how; and
 - e. whether "historical analysis" was used in the forecast and, if so, how?;

71. Page 21, Line 9 – You testify that “PSNH appears to have ignored supply-related information that contradicted their internal assessment of natural gas prices. The combinations of technological advancements in horizontal drilling and hydraulic fracturing have led to surges in U.S.-based natural gas production and significant increases in proven natural gas reserves” and “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” discussing Marcellus shale gas, Mr. Kvisle stated: “I’ve looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they’re going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they’re just one more source of supply. And I would particularly highlight coal bed methane. Coal bed methane was really going to have a dramatic effect and a lot of us thought it would never exceed 1 Bcf a day in western Canada. And it struggles to maintain 700 million a day. So, that in fact, has turned out to be the case. Looking broadly across North America, there’s clearly some shale plays that are going to generate very impressive volumes. But I would argue that they are just the latest place that industry looks to replace declining production.”

- a. Since you testify that the impacts of shale gas production were documented as early as 2006, was Mr. Kvisle’s statement to investors “flawed or outdated” as you used those terms on Page 19, Line 5 of your testimony?
 - b. Similarly, did Mr. Kvisle “fail[] to disclose,” as you used those terms on Page 19, Line 6 of your testimony, information that was reasonably known to him at the time he made that statement?
 - c. Was Mr. Kvisle’s statement made “for the sole purpose of economically justifying... construction” of TransCanada projects such as, but not limited to, the Mackenzie and Alaska pipeline projects?
 - d. Do you consider Mr. Kvisle’s statement to be “at odds with contemporaneous forecasts available” to him as you used that term at Page 19, Line 12 of your testimony?
 - e. Is it your opinion that Mr. Kvisle’s statement did “not realistically reflect actual pricing seen in the market” as you used that term on Page 19, Line 13?
72. Page 21 - You contend that PSNH did not rely on any particular forecast for its gas prices estimate, but instead relied on the \$11 per MMBtu assumption that was based on actual reported Natural Gas Prices for dispatch at PSNH generating units.
- a. Has TransCanada ever used futures market prices to forecast the price of natural gas?

- b. Is it common practice within the industry to do so?
 - c. If so, what is the basis for your opinion that PSNH “did not rely on any particular forecast”?
73. Page 21 - Please explain the apparent conflict between your statement regarding the basis for PSNH’s natural gas price assumption on page 15 of your testimony and your statement regarding the lack of a basis for PSNH’s natural gas price assumption on page 21.
74. Page 21 - You provide a quote from a Wall Street Journal article from November 2009 stating that the potential of unconventional gas supply “became clear around 2007.”
- a. Did that article provide forecasts of future natural gas prices as of 2007?
 - b. Please provide any studies or statements made by TransCanada in the 2008/2009 timeframe on the effects of horizontal drilling and hydraulic fracturing on future gas supply and prices
 - c. Please provide supporting documents for your statement that “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”
75. Page 21, Line 20 – You testify that “the potential of the unconventional gas supply ‘became clear around 2007’”.

During the “Q1 2009 TransCanada Corporation Earnings Conference Call,” the following discourse occurred:

OPERATOR: Thank you. The next question is from Andrew Kuske from Credit Suisse. Please go ahead.

ANDREW KUSKE, ANALYST, CREDIT SUISSE: Thank you. Good afternoon. Hal, if you could just give us some commentary on your thoughts on the value of long haul pipelines? And in particular, when you start to think about some of the shale plays, and things like the Marcellus and the Utica that are close to essentially big demand centers. And what does that mean for the longer term viability of pipelines like TransCo and really things heading up from the Gulf into those regions?

HAL KVISLE: I would say, we don't know, at this point, How aggressively people will develop the Marcellus, how sustainable the production is, what kind of decline rates will occur? Emphatically, we don't know what kind of local opposition people are going to run into as they try to get drilling locations. I'm not trying to be pessimistic on it but these are some of the things that we have to see unfold over time.

And

ANDREW KUSKE: Now, if you see very aggressive development of the shale plays in the US and we do see some of the higher end numbers like the 5 B's out of the Marcellus actually come to fruition. In the North American context, what are your thoughts on what does that mean for plays like Horn River and Monteny? Do you see that essentially wind up being -- since it is the end of the pipe in a North American context, essentially not being developed or the base is blowing our pretty wide from an Alberta market perspective?

HAL KVISLE: I've looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they're going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they're just one more source of supply.

- a. If as you testify “the potential of the unconventional gas supply ‘became clear around 2007’”, why did Mr. Kvisle tell investors in May, 2009, that TransCanada did not know the impact of such gas supplies?
 - b. Similarly, why did Mr. Kvisle tell investors that Marcellus gas was “just one more source of supply” in the grand scheme of things?
 - c. When did TransCanada first acknowledge the impact of Marcellus gas on gas prices? Please provide all documents evidencing that acknowledgment.
 - d. Regarding your statement that “the potential of the unconventional gas supply became clear around 2007, is it your view that the only prudent position would be to alter a resource plan based on this “potential”? Is it your view that Attachment 23 supports a view to which no reasonable person would take a contrary view as of 2007
 - e. At page 24, Line 2, you testify that 2008 was the “critical period” “when significant changes in natural gas markets became evident.” Why did Mr. Kvisle tell investors in May, 2009 in response to a question regarding the impact of such changes, that “we don't know, at this point.”?
76. Page 22, Line 1 – You testify, “A prudent company taking such a significant risk on behalf of ratepayers should have exhaustively researched natural gas supply developments and been aware of this looming issue.”
- a. Is the “looming issue” you refer to the impact of shale gas on future gas prices? If not, what are you referring to?
 - b. During the “Q1 2009 TransCanada Corporation Earnings Conference Call” in May, 2009, Mr. Kvisle indicated that the impact of shale gas on the marketplace was uncertain. Was TransCanada imprudent for not being aware of “this looming issue” in mid-2009?

- c. If your answer is no, please explain why PSNH was imprudent, but TransCanada was not.
77. Page 21 - You provide an excerpt from the EIA 2008 AEO forecast. Does this forecast accurately anticipate the drop in natural gas prices experienced in the market or the actual spike realized in unconventional onshore natural gas production?
78. Does TransCanada agree that economic analyses of the scrubber project performed in the 2008 to 2009 time period would have required speculation regarding future federal emission control requirements?
79. Does TransCanada agree that economic analyses of the scrubber project performed in the 2008 to 2009 time period would have required educated guesses about what the energy market might be going forward over the subsequent five to ten years?
80. Does TransCanada agree that a prudence review is usually an after-the-fact review that's done to determine whether or not costs that were incurred were reasonable at the time that they were incurred?
81. Does TransCanada agree that utilities subject to traditional cost-of-service ratemaking are entitled to full recovery of prudently incurred costs under the so-called "regulatory compact"?
82. Does TransCanada agree that one of the challenges utilities face with large infrastructure projects is that they are long-lived and it is very difficult to predict what energy supply and demand will be into the future?
83. The Scrubber law was passed in 2006. At that time, does TransCanada agree that a reasonable forecast for the future would have included:
- a. The likelihood that gas prices would rise in response to scarce gas supplies?
 - b. An assumption there would be sustained high gas prices?
84. Does TransCanada agree that in 2007, a reasonable forecast of North American gas supply would predict gas demand exceeding gas supply ten years out?
85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?
- a. If yes, identify all such facilities.
 - b. Please provide copies of all forecasts relied upon in connection with each such facility.

- c. Please provide copies of all the economic analyses used with respect to the new facilities.
 - d. Provide any after-the-fact assessments of such forecasts done by TransCanada or any of its consultants, including any assessments analyzing the impact of erroneous gas price predictions on the facility.
 - e. Provide any regulatory filings associated with such facilities as they relate to erroneous gas price predictions
86. Page 23 - You describe your methodology and results of an independent “cost to go” analysis. Please provide the spreadsheets and detailed calculations underlying this analysis (in native form).
87. Page 23, Line 19 – You discuss the ratemaking concept of “used-and-useful.” Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present regarding the “used-and-useful” standard in utility ratemaking.
88. Page 24 - You explain that you used three alternative gas forecasts to evaluate PSNH’s own analysis. Please provide the data and sources (in native form) from each of those forecasts.
89. Page 24 - You explain that you use the Brattle Group’s forecast as one that “contradicted the NYMEX-based analysis presented to the NH PUC”. Does the Brattle Group forecast rely on NYMEX prices to project natural gas prices from 2007 through 2012?
90. Page 24 - You explain that you use the Synapse AESC 2007 natural gas price forecast as one that “contradicted the NYMEX-based analysis presented to the NH PUC”. Does the Synapse AESC 2007 forecast rely on NYMEX prices to project natural gas prices from 2007 through 2012?
91. Page 25, Line 16 – You testify that “there was a severe economic recession that began in September of 2008.”
- a. As a result of that economic recession, was there a significant loss of jobs in the United States?
 - b. As a result of that economic recession, were programs to create jobs a high public policy for both the State of New Hampshire and the country (U.S.) as a whole?
 - c. Did the Scrubber Project create jobs in the midst of the severe economic recession?
92. Did the availability of Marcellus shale gas result in a significant drop in TransCanada’s Mainline gas shipments? If so, was it unreasonable for TransCanada not to foresee this

impact in 2009? Please explain your response.

93. Page 26, Line 10 – You testify that migration “was an important issue because the more customers migrated the fewer customers from whom the scrubber costs could be recovered and the more costs would increase for that dwindling base of customers.” Do you characterize having to recover set fixed costs over a dwindling base of customer to be a “death spiral”?
94. Page 26, Line 13 – You testify about “a classic death spiral.”
- a. Does TransCanada have fixed costs for the Mainline pipeline that it seeks to recover from customers via regulated rates?
 - b. Did TransCanada lose customers that used the Mainline pipeline as a result of the availability of lower cost shale gas?
 - c. Did TransCanada seek to raise its Mainline pipeline rates as a result of the loss of customers using its Mainline pipeline?
 - d. Did the availability of Marcellus shale gas result in TransCanada having to defend against claims that the Mainline Pipeline was facing a “death spiral” due to decreasing shipments resulting in increasing costs to pipeline customers?
 - e. If so, please provide all regulatory filings made by TransCanada discussing the so-called “death spiral.”
95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”
- a. What is TransCanada’s understanding of the use of the phrase “the death spiral” in this article?
 - b. Has TransCanada ever encountered that phrase anywhere in reference to the Mainline?
 - c. If so, provide documents containing all such references to the Mainline “death spiral”
 - d. Please provide all TransCanada regulatory filings addressing the “death spiral” concept.
 - e. Describe the so-called “radical restructuring” TransCanada recommended.
 - f. Explain why TransCanada believed that restructuring was necessary.

- g. Was such restructuring predicated in any way on cost of gas predictions TransCanada or its consultants had made? If so, how? Provide copies of all such projections.
96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- a. What was TransCanada’s rationale for wanting to “shift Mainline costs onto other pipes?”
 - b. Did TransCanada disagree with critics who were calling on it to accept “deep losses to preserve the pipe?” Please explain your answer.
 - c. Did any of the critics support their position by pointing to any TransCanada cost of gas predictions from the past?
 - d. If so, provide all documents relevant to that issue.
 - e. Did TransCanada ever contemplate accepting “deep losses to preserve the pipe?”
 - f. Explain the rationale for TransCanada’s position.
 - g. Did TransCanada conduct or commission any economic analyses to support this position? If so, provide copies.
 - h. Provide any internal documents containing discussion or assessments related to this issue.
 - i. Did TransCanada discuss this issue at any of its board meetings or at any meetings among senior executives between 2006 and 2012?
 - j. If so, please provide all notes, minutes or any other memorialization of any such meetings.
97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?
- a. Explain your answer.
 - b. When did TransCanada first identify this issue?
 - c. How was it identified?
 - d. Did TransCanada perform or commission any studies or analyses between 2005 and 2012 that assessed the threat to the Mainline from the development of shale gas in North America?
 - (1) Provide copies of all such documents.
 - (2) Provide copies of all internal TransCanada documents assessing or commenting on such studies.

- e. Did TransCanada discuss the threat to the Mainline from shale gas in North America at any of its board meetings or at any meetings among senior executives between 2006 and 2012?
 - f. If so, please provide all notes, minutes or any other memorialization of any such meetings.
98. Reference Exhibit II at page 2: “To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline, into the Alberta system, further offloading costs there.”
- a. Explain the rationale for TransCanada’s proposal to shift some of its costs to other systems.
 - b. When did TransCanada develop this proposal?
 - c. Was this proposal in any way related to erroneous predictions about the cost of gas that TransCanada had made in the past? Please explain your answer.
 - d. Did TransCanada discuss this issue at any of its board meetings or at any meetings among senior executives between 2006 and 2012?
 - e. Please provide all notes, minutes or any other memorialization of any such meetings.
99. Reference Exhibit II at page 3: “It also proposes lengthening some depreciation windows....”
- a. Explain TransCanada’s rationale for this proposal.
 - b. Did TransCanada produce or commission any studies or assessments in support of this proposal? If so, please provide copies.
 - c. Was this proposal in any way related to erroneous predictions about the cost of gas that TransCanada had made in the past? Please explain your answer.
 - d. Did TransCanada discuss this issue at any of its board meetings or at any meetings among senior executives between 2006 and 2012?
 - e. If so, please provide all notes, minutes or any other memorialization of any such meetings.
100. Reference Exhibit II at page 3: “Though TransCanada’s forecasts have traditionally been treated with great respect, they have been optimistic in the past few years, have not been borne out so far in 2012, and have produced skepticism among those convinced the Mainline will struggle to fill back up.”
- a. Provide copies of the forecasts referenced.
 - b. Provide any internal after-the-fact assessments of such forecasts prepared by TransCanada or its consultants.
 - c. When, if ever, did TransCanada significantly revise its gas price forecasts?

- d. Provide copies of all such revised gas price forecasts.
101. Reference Exhibit II at page 4: “The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years.”
- a. Did TransCanada ever assess this proposal?
 - b. If not, why?
 - c. If yes, provide all documents related to such assessments.
 - d. Provide any public response TransCanada made to the Market Area Shippers regarding this proposal.
 - e. Provide any regulatory filings TransCanada made which took a position regarding this proposal.
 - f. Did TransCanada have any board or senior management level discussions regarding this proposal? If so, please provide any minutes, notes or other documents memorializing such discussions.
102. Reference Exhibit II at page 4: “TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception.”
- a. What is TransCanada’s understanding of the term “regulatory compact” as it is used here?
 - b. Is this a phrase TransCanada ever used with respect to this issue? If so, when and where? Provide copies of all documents where TransCanada used that phrase.
 - c. What does TransCanada believe is the basis of the “regulatory compact?” Provide any documents that TransCanada believes supports its view.
 - d. To the extent TransCanada believes any aspect of the “regulatory compact” is based on any provision of Canadian law, whether federal or provincial statutes or regulations, identify the specific statutes and regulations and provide copies.
 - e. Explain how any referenced statutory or regulatory provisions support TransCanada’s understanding of the phrase “regulatory compact” as it is used here, or any place where TransCanada has used that term in connection with Mainline issues.
103. On December 16, 2011, an article titled “**Pipeline caught in ‘death spiral’ of rising costs**” appeared in the “Toronto Star,” available on-line at http://www.thestar.com/business/2011/12/16/pipeline_caught_in_death_spiral_of_rising_costs.html > (Exhibit III to these questions). In that article, discussing “a ‘death spiral’ of a dwindling customer base and negative market forces,” TransCanada’s Senior Vice President Karl

Johannson is quoted as saying, “I’ll be honest: Five years ago at TransCanada, we didn’t see it coming either.”

- a. Please provide details of what Mr. Johannson was referring to when he said TransCanada didn’t see it coming either.
 - b. As this article was published in December, 2011, the five year period referenced by Mr. Johannson would date back to late-2006. Did TransCanada see the so-called “death-spiral” coming in 2007? 2008? 2009? Please provide documentation substantiating your responses.
104. Page 26, Line 21 – You testify that the cost of the Scrubber was “roughly the cost to build an entire new gas-fired combined cycle power plant.”
- a. Is there presently a reliable source of gas available in New Hampshire to allow a gas-fired combined cycle power plant to run at all times of the year?
 - b. How much gas-fired generating capacity does TransCanada own in New England?
105. Page 27, Line 1 – You testify that “before proceeding, PSNH needed to take exceptional measures to ensure the investment would make sense for its customers; otherwise, as PSNH clearly understood, customers would seek electricity via the competitive market.”
- a. Is it true that TransCanada Power Marketing is a competitive supplier of electricity in New England?
 - b. If so, please describe in detail how TransCanada Power Marketing would be harmed by customers seeking electricity via the competitive market.
 - c. Would TransCanada’s competitive position relative to PSNH be harmed or aided if the full costs of the Scrubber were allowed to be included in PSNH’s default service rate? Please provide the detailed basis for your response.
106. Page 27 - You indicate that PSNH looked at natural gas price forecasts “in an inappropriate manner by relying on short term gas price futures (e.g., NYMEX)” Would you conclude that any forecast is flawed if it relied on NYMEX prices? If not, why not?
107. Did the availability of Marcellus shale gas result in TransCanada having to defend against claims that some or all of the Mainline Pipeline was no long “used-and-useful” and therefore ineligible to be recovered in rates?
108. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the legal right of a regulated utility to 100% recovery of prudently incurred costs.

109. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the issue of “stranded costs.”
110. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the utility phenomenon referred to as a “death spiral.”
111. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the impact of competitive choice on regulated rates.
112. Page 23, Line 19 – You testify that your “cost to go” analysis will assess “whether or not the scrubber would be "used and useful".
- a. Is it your testimony that the scrubber is not currently performing the function of controlling mercury emissions at Merrimack Units 1 and 2 as required by RSA 125-O:13, I?
 - b. Is it your position that the “cost to go” analysis is the same as an avoidable cost analysis? If not, please provide any analysis prepared on avoidable costs
113. Page 24, Line 7 – You testify, “We used PSNH's return on equity of 9.81 per cent.” During TransCanada’s Q2 2013 Earnings Call held on July 26, 2013, Donald R. Marchand - Chief Financial Officer and Executive Vice President for TransCanada noted, “Recall that in its decision, the National Energy Board approved, among other things, a return on equity of 11.5% on a deemed equity ratio of 40%, compared to the last approved return on equity of 8.08%. U.S.”
- a. Do you consider a return on equity of 11.5% to be reasonable in 2013?
 - b. Please provide justification for your statement that a “cost-to-go” analysis should use a discounted rate based on the weighted cost of capital and not a return on equity
114. Page 25 - Please provide New England emissions price forecasts relied upon by TransCanada in the 2008 timeframe.
115. Page 27, Line 18 – You testify that “Company officials indicated a number of times that the impact that the scrubber project would have on default service customers was going to be approximately .31 cents per kWh.”
- a. Do you dispute the 0.31¢/kWh estimate?

- b. If so, please provide all calculations and workpapers upon which you base such dispute.
116. Page 28 - Please provide any analysis performed on PSNH's contractual obligations if they had canceled the scrubber project and the total costs which PSNH would have been obligated to pay resulting from cancellation of the project.
117. Page 28, Line 10 – You testify that one option available to PSNH was “it could have agreed to study whether proceeding with the project still made sense.”
- a. Is it true that in the Scrubber Law the Legislature specifically found it to be in the public interest “to achieve significant reductions in mercury emissions at the coal-burning electric power plants in the state as soon as possible”?
 - b. Would a delay in the construction of the scrubber have potentially increased the costs of the project?
 - c. Would a delay in the completion of the scrubber have potentially decreased or eliminated potential economic performance incentives under RSA 125-O:16 that would enure to the benefit of PSNH's customers?
 - d. If a delay created additional project costs and/or reduced economic performance incentives available under RSA 125-O:16, is it your opinion that all such increased costs to customers would have been “prudent”?
118. Page 28 - Please provide any analysis performed on the costs/benefits and ratepayer impact of retiring Merrimack in the proposed timeframe.
[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].
119. Page 28, Line 14 – You testify that PSNH “could have sought a variance in the schedule.”
- a. In this testimony, are you referring to RSA 125-O:17, I?
 - b. Isn't it true that any request for schedule variance under RSA 125-O:17, I requires a demonstration of “reasonable further progress and contains a date for final compliance as soon as practicable.”?
 - c. Please explain in detail how such a request for variance was an option available to PSNH in light of the fact that the scrubber was completed within the statutory time limit.
[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].

120. Page 28, Line 15 – You testify that PSNH could have sought “an alternative reduction requirement based on technological or economic infeasibility (RSA 125-O:17).”
- What is the “reduction requirement” contained in the Scrubber Law?
 - What “alternative reduction requirement” as that term is used in RSA 125-O:17, II do you feel PSNH should have sought?
 - Is it your testimony that the Scrubber as constructed that is now in operation is not capable of achieving the “reduction requirement” set forth in the Scrubber Law?
 - If so, please provide all documents and workpapers upon which you base your opinion.
121. Page 28, Line 21 – You testify about “the principle of statutory construction that one should avoid an illogical or absurd result when construing the language of a statute.” Please provide all legal analyses and citations you performed regarding this assertion in your testimony.
122. Page 28 - You contend that PSNH could have sought approval to sell the plant. Please provide the basis for your opinion that selling the plant was a feasible and cost-effective option for PSNH at the time.
123. Page 30 - Please provide the basis for the conclusion that only PSNH’s sunk costs, as of September 2008, are recoverable as prudently incurred costs.
- Does this opinion include any consideration of the benefits that the continued ownership and operation of Merrimack has produced for PSNH ratepayers since September 2008?
 - If it does, please provide all such analysis. If it does not, please explain why you did not include any consideration of such benefits
124. Page 30 - Please provide support for the \$10 million of allowed recovery you propose. Does this represent the reasonably foreseeable consequences of the actions you allege are PSNH’s imprudent actions?
125. During TransCanada’s Q2 2013 Earnings Call held on July 26, 2013, the following discourse took place:

Kelly Cryderman [from Globe and Mail]

And if -- talking about -- switching to Keystone, you talked about, again, about increasing costs due to the delays. Do you have a better handle on what those increased costs are?

Russell K. Girling

I think we have a pretty good handle on them. Obviously, that's a conversation between ourselves and our shippers. As you know, our shippers take up a portion of those costs. But until we have a better understanding of when our actual construction is going to start, we have not put out a new estimate publicly. But certainly, internally, we're working through that. Obviously, in terms of the kinds of things that influence that cost increase would be the cost of money, obviously, we have almost \$2 billion invested in this that we have the carrying costs on. The cost of maintaining pipe and equipment and maintaining our contracts through this period. We have thousands of tons of steel pipes sitting on the ground that needs to be maintained, and numerous pumps in warehouses, for example, that need to be maintained on an ongoing basis. So all of those contribute to a cost increase. But again, until we actually have a better understanding of when we can actually start construction, we are not going to issue a new number publicly.

- a. Do you disagree that delays in the Keystone XL pipeline have increased the cost of that project?
 - b. What was the original price estimate for the Keystone XL project?
 - c. Please provide all subsequent cost estimates for the Keystone XL project, along with all explanations given by TransCanada explaining such cost increases.
126. Throughout your testimony, you discuss the future price of gas.
- a. Are you aware that during TransCanada's Q3 2010 Results Conference Call held on November 3, 2010, Mr. Girling stated: "We are confident in the recovery of energy commodity prices."?
 - b. Do you disagree with that November, 2010 statement made by Mr. Girling? If so, please provide a detailed explanation for your disagreement.
127. Attachment 13 - You present a chart of Henry Hub Contracts sold on NYMEX in August 2008. Please provide the underlying data and any analysis (including spreadsheets in native form) used to create this chart. Please explain the source of the data and on what date they were obtained.
128. Attachment 14 - You present a chart of One Year Average Zone 6 Forward Strip prices. Please provide the underlying data and any analysis (including spreadsheets in native form) used to create this chart. Please explain the source of the data and on what date they were obtained. Please clarify whether the values are in nominal or real dollars.
129. Attachment 15 - You present a chart of 12 month running delivered gas price delivered to "MA and CN" generators.
- a. Please provide the underlying data and any analysis (including spreadsheets in native form) used to create this chart.

- b. Please provide the data sources used to create this chart including any raw data files. Please describe any underlying assumptions and their sources used as the basis for this chart.
 - c. Please provide an updated exhibit through January 1, 2014.
 - d. What does the abbreviation CN stand for?
130. Attachment 17 - You rely on a Synapse Energy Economics, Inc. analysis for part of your natural gas price analysis.
- a. Please describe the methods Synapse used in this report to develop its natural gas prices.
 - b. What futures prices were used?
 - c. The futures prices used were current as of what date?
131. Attachment 19 - You rely on a Brattle Group analysis for part of your natural gas price analysis.
- a. Please describe the methods Brattle used in this report to develop its natural gas prices.
 - b. What futures prices were used?
 - c. The futures prices used were current as of what date?
132. Attachment 20 - You present five natural gas price forecasts.
- a. Please describe the key differences between the four different natural gas price forecasts you present to contrast the PSNH forecast.
 - b. Please explain the differences in gas delivery location (NE, Algonquin, Boston City Gate) and what impact the different delivery assumptions had on the values presented in the chart.
 - c. Please provide any additional assumptions and spreadsheets (in native form) you used to develop this chart.
133. Attachment 20 – Please provide graphs of gas price forecasts prepared by TransCanada’s NOVA Gas Transmission subsidiary from 2005 to present.
134. Attachment 26 - You present your own “Cost-to-go” analysis.
- a. Please provide all spreadsheets in native form used to create and inform this analysis.
 - b. Please provide all assumptions and their sources relevant to this analysis.
 - c. Please clarify the source of the page with the heading “Synapse Gas Forecast – Extrapolation”.
 - d. Please describe the analysis behind these values and provide any spreadsheets in native form.

135. Please provide copies of all economic analyses performed by TransCanada relating to the relicensing of the Wilder, Bellows Falls, and Vernon Hydroelectric Projects on the Connecticut River.
136. Does TransCanada contend that the Scrubber Law, RSA 125-O:11 – 18 does not mandate the installation and operation of scrubber technology at Merrimack Station?
137. Does TransCanada contend that installation and operation of scrubber technology at Merrimack Station resulted from a “decision” made by PSNH management?
138. Does TransCanada agree that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, the new owner would have been subject to the requirements of the Scrubber Law?
139. Does TransCanada contend that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, a willing buyer would have been available? If so, please detail the price that TransCanada feels such a reasonable buyer would have offered, an explanation of the foundation for that price, and a statement of any and all conditions to purchase such buyer would reasonable have required.
140. Please provide any analysis performed on the costs/benefits and ratepayer impact of selling Merrimack and the likely market interest in the plant in the proposed timeframe.
141. Does TransCanada agree that if PSNH had the legal ability to retire Merrimack Station and did so, it would still be the owner of that facility, absent a divestiture? If TransCanada does not agree, please provide the reasoning for such disagreement.
[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].
142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.
- a. Please provide a listing of all possible “benefits” that the Legislature may have included in the referenced “balancing.” If not, please explain the basis for your opinion.
 - b. Do you admit maintenance of a tax base for state and local property taxes such a potential “benefit”? If not, please explain the basis for your opinion.

- c. Do you admit continued viability of the local rail line such a potential “benefit”? If not, please explain the basis for your opinion.
 - d. Do you admit fuel diversity in electric generation in the region a potential “benefit”? If not, please explain the basis for your opinion.
 - e. Do you admit reliability of the electric grid in the region a potential “benefit”? If not, please explain the basis for your opinion.
 - f. Do you admit lessening of the state's dependence upon other sources of electrical power which may, from time to time, be uncertain a potential “benefit”? If not, please explain the basis for your opinion.
 - g. Do you admit retention in-state of energy expenditures a potential “benefit”? If not, please explain the basis for your opinion.
 - h. Do you admit creation of jobs such a potential “benefit”? If not, please explain the basis for your opinion.
 - i. Do you admit retention of jobs such a potential “benefit”? If not, please explain the basis for your opinion.
143. Does TransCanada agree that RSA 125-O:13, I requires the owner of the affected sources to “install and have operational scrubber technology to control mercury emissions at Merrimack Units 1 and 2 no later than July 1, 2013.”?
144. Does the Scrubber Law as enacted at RSA 125-O: 11 - 18 contain a specified price cap for the scrubber?
145. Does TransCanada agree that during the 2009 legislative session, when the General Court was considering Senate Bill 152 and House Bill 496, the Legislature was aware of the \$457 million cost estimate for the Scrubber Project?
146. Does TransCanada agree that the August 22, 2008 Secretarial Letter from the Commission to PSNH which initiated Docket No. DE 08-103 expressly stated, “RSA 125-O:11, enacted in 2006, requires PSNH to install new scrubber technology at Merrimack Station by July 1, 2013 that will achieve at least an 80 percent reduction in mercury emissions.”?
147. Provide any and all documents related to positions TransCanada has taken, including the development of such positions, regarding any pollution control projects at the "affected sources" as defined in RSA 125-O:12, I (including the Scrubber), including, but not limited to:
- a. Board meeting minutes or notes (formal or informal);
 - b. Meeting minutes or notes of any Board subcommittees or special committees;

- c. Notes or minutes from any committees within TransCanada,
 - d. Any internal notes or memoranda of any TransCanada employee, agent, officer or board member; and any electronic mail message, including attachments, or any other electronic communications.
148. Is it TransCanada's position that if PSNH suspended and cancelled the scrubber project after prudently incurring costs, but before the scrubber actually provided service to consumers, PSNH would be able to recover the costs it had expended? If not, why not?
149. Please provide copies of all economic analyses in the possession of TransCanada concerning the flue gas scrubber at Merrimack Station.
150. Please provide copies of all economic analyses in the possession of TransCanada concerning the ability of PSNH to request a "variance" under RSA 125-O:17.
151. Please provide all fuel price forecasts relating to the price of coal, oil and natural gas available to TransCanada from 2005 through 2012.
152. Please provide a copy of any document provided to any elected or appointed government official in New Hampshire by TransCanada related to "An ACT relative to the reduction of mercury emissions" that took effect on June 8, 2006.
153. Please identify any individual employed by or otherwise compensated by TransCanada to work on its behalf concerning "An ACT relative to the reduction of mercury emissions" that took effect on June 8, 2006.
154. Please provide a copy of any document provided to any elected or appointed government official in New Hampshire by TransCanada related to Senate Bill 152 and House Bill 496 in 2009.
155. Please identify any individual employed by or otherwise compensated by TransCanada to work on its behalf concerning Senate Bill 152 and House Bill 496 in 2009.
156. Please provide all documents exchanged between TransCanada and the U.S. Environmental Protection Agency from 2006 to the present related to the "affected sources" as defined in RSA 125-O:12, I.

157. Please provide copies of any and all correspondence that TransCanada had with NHDES that pertains to the "affected sources" as defined in RSA 125-O:12, I.
158. Please provide copies of any and all documents that TransCanada provided to DES, any legislator or any state official concerning the "affected sources" as defined in RSA 125-O:12, I.
159. Please provide copies of any and all documentation that TransCanada has regarding estimates of newly proposed coal and natural gas combined cycle generating stations in the 2008-2009 time frame.
160. Please provide copies of any and all documentation in TransCanada's possession regarding the forward market for natural gas delivered to New England in the 2008 through 2011 time frame.
161. Please provide any and all documentation in TransCanada's possession related to the bus bar costs of power for a new coal or natural gas combined cycle plant in New England during the 2008 to 2012 time period.
162. Who if anyone attended hearings or testified before the Legislature on behalf of TransCanada relating to the consideration of House Bill 1673 during the 2006 legislative session? Provide copies of all documents provided to the legislature by TransCanada.
163. Who if anyone testified before the Legislature on behalf of TransCanada relating to the consideration of House Bill 496 and/or Senate Bill 152 during the 2009 legislative session? Provide copies of all documents provided to the legislature by TransCanada.
164. Does TransCanada have any requirement, such as but not limited to a corporate compliance program, that mandates compliance with applicable laws? If so, please provide copies of all documents describing such programs.
165. Does TransCanada contend that the Scrubber Law, RSA 125-O:11 - 18 does not mandate the installation and operation of scrubber technology at Merrimack Station?
166. Does TransCanada contend that installation and operation of scrubber technology at Merrimack Station resulted from a discretionary decision made by PSNH management?
167. Does TransCanada agree that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, the new owner would have been subject to

the requirements of the Scrubber Law? If not, explain your answer in full.

168. Does TransCanada contend that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, a willing buyer would have been available? If so, please detail the price that TransCanada believes a reasonable a buyer would have offered, an explanation of the foundation for that price, and a statement of any and all conditions to purchase such buyer would reasonably have required.
169. Does TransCanada agree that if PSNH had the legal ability to retire Merrimack Station and did so, it would still be the owner of that facility, absent a divestiture? If TransCanada does not agree, please provide the reasoning for such disagreement.
[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].
170. Is it TransCanada's position that the Scrubber Law included a not to exceed price of \$250 Million?
- a. If so, please identify with specificity where that not to exceed price is located in the Scrubber Law.
 - b. Does TransCanada agree with the contention that in 2006 the legislature mandated for PSNH to install the scrubber without placing a limit on the costs?
 - c. Is it TransCanada's position that the words of the law itself do not control?
171. Is TransCanada intending to challenge in any manner the final reports produced by Jacobs Consultancy Inc. which was retained by the NHPUC to monitor and report on PSNH's Clean Air Project at Merrimack Station? If so, please explain and identify in detail all areas of the Jacobs' reports you are challenging.
172. Does TransCanada agree that economic analyses of the scrubber project performed in the 2008 to 2009 time period would have required educated guesses about what the energy market might be going forward over the subsequent five to ten years?
173. Provide copies of any requests for documents under the Freedom of Information Act related to Merrimack Station or the Scrubber Project during the period 2005 to present that TransCanada made to any federal agency and all responses received pursuant to those requests.


174. Did TransCanada make any requests for documents under RSA 91-A related to Merrimack Station or the Scrubber Project during the period 2005 to present with any agency, instrumentality or municipality of the State of New Hampshire? If so, please provide copies of all such requests and all responses received pursuant to those requests.

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present? If so please provide details of such conversations, including but not limited to

- a. The identity of the agency;
- b. The identity of agency officials who participated in or were present at the discussions;
- c. The dates of those discussions;
- d. The subject matter of those discussions;
- e. The location of those discussions;
- f. The reason for those discussions; and
- g. Copies of all documents produced by TransCanada at those discussions or received from the agency.

176. Please provide all information in the possession of TransCanada regarding the future direction of gas prices from 2007 through 2011 not otherwise provided in response to any previous question.


Exhibit I



**View
PDF**

- 1) Click the download button
- 2) This will take you to our web page
- 3) Download the FREE product

from DOC to PDF



THE GLOBE AND MAIL 

June 6, 2012

TransCanada to revise 'optimistic' natural gas outlook

By NATHAN VANDERKLIPPE

U.S. competition, sinking prices cause pipeline company to reassess market outlook

Things are bad and getting worse for Canada's natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.

TransCanada is a pipeline company, but its forecasts carry substantial heft, given that it touches most molecules of natural gas pulled from the earth in Canada. So people took it seriously when it pointed last year to a strong rebound in the works, on the strength of buoyant gas prices -- \$6.30 per million BTU by 2015 was its prediction -- and a production surge to 17.2 billion cubic feet a day by 2020. But it was clear those forecasts were outliers: futures markets are trading 2015 gas for about \$4, and the National Energy Board calls for Canada-wide output of under 15 bcf a day by 2015.

This week, TransCanada said it was time to nudge its numbers down.

"It's clear to everyone that we've seen lower prices, and we've seen a reaction to those lower prices," said Greg Lohnes, the company's president of natural gas pipelines. He promised new predictions later this month or sometime in July.

"We have a lower gas price in it, much lower on the front end and then recovering a bit on the back end," said Karl Johannson, TransCanada's senior vice-president of Canadian and eastern U.S. pipelines.

He said the new numbers would fall somewhere between the company's "base case" and its "low case." Those numbers are dramatically different -- the "low case" falls below even the NEB's predictions, suggesting western Canadian gas output will follow an almost uninterrupted slide to 2030, tumbling to nearly 12 bcf a day by 2020 and hitting 10 bcf a day a decade later, down from around 14 today.

Of course, TransCanada didn't have much choice in changing its figures. The company's forecast for 2012 was already wildly off. It called for an average of 3.3 to 3.4 bcf a day to flow through its Mainline, the massive gas pipeline delivering western gas to central and eastern consumers. So far this year, in part because of an extraordinarily warm winter, it has seen an average of 2.4 bcf a day -- nearly 30 per cent lower than predicted.

Gas volumes through the Mainline are a critical element of the conversation, given that TransCanada's western gas forecasts have been used to uphold its case for creating a radically different set of tolls for that

pipe. But tolls go higher when volumes go lower, and falling forecasts aren't likely to make for an easier discussion before the National Energy Board, which is currently in the midst of a hearing on those tolls.

TransCanada has told the NEB that, even with a lower forecast it believes its new tolling model -- which shifts Mainline tolls onto other pipeline networks, including the Alberta system that carries substantial volumes that never make it onto the Mainline -- is better than the status quo.

But those on the other side of the table say a lower forecast has major consequences.

Less gas means "Mainline tolls that would be higher than they have talked about in the coming years and even more capacity that would not be needed for the provision of natural gas service," said Nick Schultz, general counsel for the Canadian Association of Petroleum Producers. "It is important that they provide updated information as soon as possible so we understand what direction the Mainline is headed: are they going to come out of this as they said originally?"

The Globe and Mail, Inc.



The Globe and Mail Inc. All Rights Reserved.. Permission granted for up to 5 copies. All rights reserved.

You may forward this article or get additional permissions by typing http://license.icopyright.net/3.8425?icx_id=4235240 into any web browser. The Globe and Mail, Inc. and The Globe and Mail logos are registered trademarks of The Globe and Mail, Inc. The iCopyright logo is a registered trademark of iCopyright, Inc.

Exhibit II

- Alberta Oil – Energy Sector Insight - <http://www.albertaoilmagazine.com> -

TransCanada Corp. grapples with fate of its Mainline

Posted By [Richard Cantwell](#) On July 1, 2012 @ 12:06 am In [Economics](#) | [No Comments](#)



Illustration Dushan Milic

TransCanada Corp.'s Mainline is a methane superhighway. It is a network of buried steel running across prairie and Canadian Shield, connecting Alberta's vast underground natural gas reserves with the seemingly limitless energy appetite of central and eastern Canada. Gas from the Mainline feeds New York City. The line itself, which runs five pipes wide in some places, measures 14,101 kilometers in total, the distance from Calgary to Antarctica.

It is without doubt one of Canada's most important pieces of infrastructure. Without it, factories in Ontario and Quebec would go dark, homes would freeze and, on the other end, Alberta would go poor.

"We're taking it on the chin with gas prices. So should they."

At least, that's the way it was until the troubles – some call it "the death spiral" – hit. Now, the country's energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.

TransCanada wants to shift Mainline costs onto other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe. It's so messy and so complicated that the National Energy Board (NEB) is not expected to rule on the matter until early 2013 – and even then, many expect the Mainline will continue to serve as a battleground for Canada's gas producers and users for years to come.

What's clear is that right now, the Mainline, TransCanada's founding asset, is being bled dry. Once a Canadian lifeline, it finds itself grasping for life. In late spring this year, it regularly ran two-thirds empty. This past winter, the season when it is usually most full, it was nearly 40 per cent empty on its busiest day.

The Mainline has been besieged by the turbulence surrounding the cleanest burning fossil fuel in North America, where so much shale gas has been found that prices have tumbled amid expectations that the continent faces a supply glut that could extend for decades. Low prices have hurt the West, whose gas output has fallen 17 per cent since 2006. At the same time,

huge new supplies have been found in Pennsylvania and other states whose proximity to eastern Canadian markets makes them a more natural supplier.

Adding to the misery, the pursuit of new liquefied natural gas export terminals on the British Columbia coast stands to point molecules west that might once have flowed east. Though it's highly unlikely they will all get built, some 10 billion cubic feet a day of export projects are being contemplated, nearly 70 per cent of Canada's current output. Taken together, and it's a miserable situation for a pipeline system.



Darren Gee, CEO of Peyto Exploration & Development Corp., describes TransCanada's toll restructuring application as "a bit of a joke"

Photograph Bryce Meyer

And yet, not a single of the corporate powerhouses arrayed around the Mainline – not Alberta's gas companies, not Ontario's manufacturers, certainly not TransCanada – wish the pipe any ill will. The Mainline, a nationally-important project first built in the 1950s that has often been compared to the construction of the Canadian Pacific Railway, continues to be almost universally considered critical to the country.

How, then, will the Mainline survive?

"It's not often you get a case where there's a pipeline, particularly a major pipeline of this size, that has volumes that have fallen off so significantly."

That is the thorny question facing the NEB, which in early June began a lengthy examination of a series of competing proposals to revive the Mainline. The board, which will hold hearings in Calgary, Toronto and Montreal and is expected to render a decision in early 2013, will attempt to mediate between the huge array of warring factions. More than 400 have an interest in the pipe.

At its heart, this is a question about who pays to keep the Mainline going, and how much they pay. It's not going to be easy to answer. "There's no question that this is a unique case in NEB regulatory history," says Nick Schultz, general counsel for the Canadian Association of Petroleum Producers. "It's not often you get a case where there's a pipeline, particularly a major pipeline of this size, that has volumes that have fallen off so significantly."

TransCanada's proposal goes far beyond the Mainline, sweeping in the 23,095-kilometer Alberta system, a spiderweb of pipe that carries gas across the province, and the similar network of pipe that brings gas to customers on the other side of the country. To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline into the Alberta system, further offloading costs there.

It also proposes lengthening some depreciation windows, since as a regulated pipeline, much of the Mainline’s annual revenue comes from TransCanada’s ability to recover the remaining \$5.5 billion in capital costs on the line.

Add in expectations that the pipe will get busier in coming years, which allows the company to defer collection of some fees until later, and TransCanada’s proposal would drop cross-Canada tolls from \$2.08 per gigajoule this year to \$1.41 next year, a 32 per cent drop. The company is also seeking to boost its baseload rates by up to 160 per cent in periods of peak demand, raising revenues in busy times so it can make up for slower months.

If the NEB adopts its proposal, “the Western Canadian Sedimentary Basin is going to be more economically viable,” says Karl Johannson, a senior vice-president at TransCanada who will testify for the company at the NEB’s Mainline hearings. “We do believe a lower toll is pretty important.”



Yet very little of the TransCanada proposal is without controversy. For one, projections of growth have raised questions. Though TransCanada’s forecasts have traditionally been treated with great respect, they have been optimistic in the past few years, have not been borne out so far in 2012, and have produced skepticism among those convinced the Mainline will struggle to fill back up. The cost-shifting has also proven contentious. Those shipping gas in Alberta will see their costs shoot up by 36 per cent, while in Ontario some routes will rise 17 per cent, at a time when prices are so low that many are flirting with losses on every gigajoule they sell.

“Personally, I think it’s a bit of a joke,” says Darren Gee, CEO at Peyto Exploration & Development Corp., an Alberta gas producer. He pointed to the regulated system that has effectively guaranteed TransCanada certain profit levels on its pipeline, while gas producers struggle. “They’re busy trying to somehow make more money off of the industry at a time when obviously it’s challenging,” Gee says. “We’re taking it on the chin with gas prices. So should they.”



Projects like the Kitimat LNG Project (construction site pictured) could send gas west instead of east through the mainline

Photograph Phillip Chin

So producers and users of the gas – those paying the tolls, in other words – are firing back. A total of four counter-proposals have been filed with the NEB. Two, from the Canadian Association of Petroleum Producers and the Market Area Shippers, a consortium of Enbridge Gas Distribution Inc., Gaz Metro Limited Partnership and Union Gas Ltd. that together pays 58 per cent of the Mainline’s tolls, suggest tweaking the Mainline proposal. The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the northern Ontario section of the pipe, which runs to \$427 million over nine years.

Two others, proposed by the Industrial Gas Users Association (IGUA) and the Association of Power Producers of Ontario (APPrO), suggest far more fundamental changes that involve “securitizing,” or using debt to pay off parts of the pipe. The IGUA proposal would issue TransCanada a hit of some \$852-million; APPrO is seeking a \$250-million drop in Mainline revenues over five years.

“We do believe a lower toll is pretty important.”

TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception. More to the point, “all propose reallocation of costs to anyone else but them,” the company told the NEB.

Besides, TransCanada says, those who use the Mainline can stomach some toll pain. IGUA, for example, has argued that since 2007, the rise in tolls has cost a large user an extra \$12 million a year – enough that it’s attacking Canada’s competitiveness. TransCanada’s response is that same user has seen the price of the gas itself fall from an average of US\$8.86 per million British thermal units in 2008 to US\$4 last year, and less in 2012. In other words, tolls may be going up, but industry can afford it. “The delivered cost of gas for eastern consumers hasn’t been this low in a generation,” Johansson says. That leaves them “lots of ability” to “support our infrastructure.”

TransCanada has also raised the specter of Ontario and Quebec markets running out of gas to argue that the entire Mainline – falling throughputs and all – is still critical. The Calgary pipeline giant says that if some of its pipe is shut down – an event that would likely leave the company with a large writedown, a prospect it has categorically rejected – a cold winter will have devastating consequences in Ontario and Quebec.

Others, however, call that argument wrong-headed. Murray Newton, an independent consultant who has worked for IGUA, says by that logic, the Mainline becomes a “very expensive insurance policy.” And, he notes, “I don’t think the markets or the producers would want to pay for that.” There are other ways to prepare for a cold winter, he says, including storing gas, finding alternative supplies and using other fuels, like coal or oil.

Plus, TransCanada has effectively suggested that the entire line isn’t needed, publicly discussing plans to pump oil through part of the Mainline system. That possibility remains distant enough that TransCanada doesn’t think it should affect the current toll debate.

But it certainly muddies the waters in a fight that is already extraordinarily opaque. There is little question that the NEB faces a monumental task in attempting to decide the future of the Mainline – and that it will be impossible to satisfy everyone, or even a majority, of those interested.

Perhaps the only thing that is clear is that tomorrow’s Mainline is unlikely to look like today’s. The rise of shale gas has caused an upheaval that stands to take decades to sort out, and to fundamentally change the complexion of an asset that continues to be a pillar of Canada’s energy economy. It’s a reality TransCanada itself acknowledges. “Our system will never go back to being a 365-day a year baseload system, where it’s full every day of the year,” Johansson says. “It’s not going to happen. There’s too much choice – too much alternative.”

[Related](#) ^[2]

Article printed from Alberta Oil – Energy Sector Insight:
<http://www.albertaoilmagazine.com>

URL to article: <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/>

URLs in this post:

[1] Image: http://www.albertaoilmagazine.com/openx2/www/delivery/ck.php?n=a8d43bf6&cb=INSERT_RANDOM_NUMBER_HERE

[2] Related:

http://rest.contextly.com/statichtml/get/app_id/albertaoilmagazine/page_id/16153/#!related_links

Copyright © 2009 albertaoilmagazine.com. All rights reserved.

Exhibit III

Business

Pipeline caught in 'death spiral' of rising costs

TransCanada Corp.'s main gas pipeline from western Canada faces a "death spiral" some of its customers claim. And they don't want to pay the cost of rescuing it.

By: John Spears Business Reporter, Published on Fri Dec 16 2011

TransCanada Corp.'s main gas pipeline is caught in a "death spiral" of a dwindling customer base and negative market forces, according to some of its customers.

And those customers – who include some of Ontario's new natural gas-fired generating stations – say they're being whacked with soaring tolls in the pipeline's struggle for survival.

Those costs are passed on to consumers.

But TransCanada argues the generators now complaining made their current business arrangements "with their eyes wide open."

Senior vice president Karl Johansson says the pipeline remains a crucial piece of infrastructure, and the problems can be fixed by re-balancing who pays what.

The customers now pleading for relief aren't naïve victims, he said in an interview.

"These are very sophisticated players," he said. "I know most of them personally and they're extremely sophisticated. It's a risk that came to fruition and I'll be honest: Five years ago at TransCanada, we didn't see it coming either."

Many of the facts surrounding TransCanada's mainline are not in dispute.

Shipments of gas are shrinking on the pipeline, which runs from southern Alberta through Ontario all the way into New England.

A few years ago, the pipeline carried close to its capacity of 6 billion cubic feet of gas a day. Today's average is more like 3.4 billion cubic feet.

But costs have not shrunk. Most of the pipeline's costs are fixed: it's expensive to build, operate and finance, no matter how much or how little is moving through the line.

The pipeline has always set rates by dividing its costs among its customers. When shipping volumes shrink but costs don't, inevitably tolls go up.

Fees for using TransCanada's mainline have soared 240 per cent since 2007, according to the generators. And as fees climb, even more customers flee the pipeline, leaving fewer to share the load.

That triggers another rate increase, and even more customers flee, they argue.

The issues will be hashed out in a hearing starting next June before the National Energy Board.

But the gas generators in Ontario say their problems are urgent, and can't wait for months or even years until long term solutions are worked out.

TransCanada is proposing substantially lower rates. It proposes dropping the toll for delivery from Alberta to Enbridge's Ontario terminal from \$2.43 a gigajoule to \$1.52.

But the company wants interim rates to remain where they are until the energy board makes a final decision. Since formal hearings don't start till June – and last into the fall – that's a lengthy wait.

The Ontario customers want an immediate drop in interim rates.

They're locked into 20-year contracts with the Ontario Power Authority.

"We're probably not far away from a few of them being economically unviable," says Dave Butters, who heads the Association of Power Producers of Ontario.

Collectively, he estimates that Ontario's gas plants have seen their pipeline bills jump by as much as \$60 million a year because of the higher tolls.

Butters says some generators might decide it's not worthwhile to operate at certain times, even if it means paying a penalty.

"The clawback for not running might be cheaper than the tolls you'd have to pay to flow the gas," he said.

And with Ontario moving ever closer to shutting down its coal-fired generating plants, the prospect of having its gas-fired generators sitting on the sidelines is not pleasant.

Nor are all the affected generators in Canada.

A submission from Brooklyn Navy Yard Cogeneration Partners – which runs a power station in New York and is served by TransCanada – says TransCanada's "precipitous" toll increases threaten "financial jeopardy" for its enterprise.

Johansson of TransCanada acknowledges that pipeline rates have risen, but says that the dramatic drop in the commodity price of gas has offset the rise in delivery costs.

In filings with the energy board, TransCanada notes the precipitous decline in shipping volumes have been brought on by a number of factors:

Production in western Canada's conventional fields is declining;

Imported liquefied natural gas is eating into some traditional markets;

Shale gas production is booming in eastern North America, stealing more markets from conventional western gas fields;

Alberta is developing industries that process western gas in Alberta, reducing need to ship gas to eastern utilities and chemical plants.

On top of that, TransCanada's main line faces competition from the Alliance-Vector pipeline, developed by rival Enbridge Inc., which pipes gas east through the U.S.

Brooklyn Navy Yard argues that TransCanada's strategy of raising rates is self-defeating, since it simply drives customers away, lowering gas shipments in the pipeline and makes the problems even worse.

"It is virtually certain that at current toll levels, shippers with competitive options will exit the mainline, perpetuating the 'death spiral'," it says in its submission.

Johansson argues that the generators who signed 20-year deals with the Ontario Power Authority could have negotiated rate protection in their contracts.

They did protect themselves from swings in the gas commodity price in those contracts, he says. But they freely chose to accept the risk of pipeline cost increases, assuming they would be stable.

Ian Mondrow, lawyer for the power producers, says the dramatic changes in the natural gas environment were completely unforeseen when the contracts were being drawn up.

"Anyone who signed for a long-term contract never envisioned the sort of risks that have now come to pass," says Mondrow.

Mondrow acknowledges any business faces risk, but says it's not one-sided.

"What's the responsibility of TransCanada here?" he asked in an interview.

"Should we continue to assume, as TransCanada would have us assume, that they're entitled to recover 100 cents on every dollar they invested, plus interest, plus return, rather than assume some of the risk of the pipeline?"

"And what steps have they taken or not taken to manage those risks on behalf of not only their shareholders but the public?"

TransCanada says it has proposed a detailed and well thought out plan to rebalance pipeline costs among gas producers, pipeline customers and its own shareholders.

It will in fact reduce tolls, but not as fast as the Ontario generators would like.

Johansson says that far from being a "stranded asset," the pipeline remains crucial to eastern Canada's energy supply.

The mainline still runs close to capacity in the winter months, when demand for both heating and electricity are high, says Johansson. And if customers want it to be there for them in the winter, they have to keep it maintained year-round.

It's also being used increasingly for shipments over shorter distances, he says. The short-haul users – including Ontario's generators – may have to shoulder more of the cost.

"It's an important piece of Canadian infrastructure, and I think it's worth straightening out and making competitive again," he said.

Attachment B

TransCanada's Objections and Responses to PSNH's Data Requests

Orr&Reno

Douglas L. Patch
dpatch@orr-reno.com
Direct Dial 603.223.9161
Direct Fax 603.223.9061
Admitted in NH and MA

February 7, 2014

Via Email

Robert A. Bersak, Assistant Secretary and Chief Regulatory Counsel
Public Service Company of New Hampshire
780 N. Commercial Street
P.O. Box 330
Manchester, New Hampshire 03105-0330

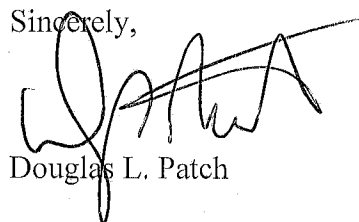
Re: DE 11-250, Public Service Company of New Hampshire, Investigation of Scrubber Costs and Cost Recovery – TransCanada Power Marketing Ltd. and TransCanada Hydro Northeast Inc. Objections to PSNH Data Requests

Dear Mr. Bersak:

Attached are TransCanada Power Marketing and TransCanada Hydro Northeast Inc.'s objections to data requests which PSNH propounded on their counsel in the above-referenced docket on January 16, 2014. These objections are being provided in accordance with the schedule as revised in the Commission's January 31, 2014 secretarial letter in this docket. Hard copies will not follow.

If you have any questions, please feel free to contact me.

Sincerely,



Douglas L. Patch

DLP/lbr
Enclosures

cc. Discovery Service List in DE 11-250 via email
1112653_1

**THE STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 11-250

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
(PSNH)**

Investigation of Merrimack Station Scrubber Project and Cost Recovery

**RESPONSES TO
DISCOVERY SERVED BY PSNH**

TransCanada Power Marketing Ltd. and TransCanada Hydro Northeast Inc. (together, the "Companies") respond to the discovery requests served by PSNH as follows:

General Objections

1. The Companies continue to object pursuant to Admin. Rule Puc 203.09(g) to PSNH's data requests propounded on Mr. Michael Hachey and the Companies in this docket as argued in its Motion filed on January 24, 2014.

2. The Companies object to the instructions and definitions contained in PSNH's data requests (the "Data Requests") to the extent such definitions and instructions purport to place greater requirements on the Companies than are authorized by the Rules of the New Hampshire Public Utilities Commission.

3. The Companies object to the Data Requests to the extent that they seek discovery unrelated to the testimony of Mr. Hachey and from entities that are not parties in this docket. This general objection is based on the grounds that (a) material from other companies is not relevant or reasonably calculated to lead to admissible evidence, (b) other entities are not under the control of Mr. Hachey or the Companies, (c) the Data Requests seek information that neither Mr. Hachey nor the Companies may even seek the answer to due to regulated codes of conduct that prevent any access to or knowledge of the information being requested, and/or (d) the Data Requests are unduly burdensome.

4. The Companies object to requests for information or production of documents that is or are subject to the attorney-client privilege, constitute work product, is or are proprietary, is or are protected under state or federal law, constitute draft and/or non-final documents and/or constitute communications containing or concerning any of the above.

5. The Companies object to requests that are overbroad or unduly burdensome to the extent that they (a) are cumulative or duplicative, (b) call for the production of documents

not in the possession, custody or control of the Companies or Mr. Hachey, (c) call for the review, compilation or production of publicly available documents that could be obtained by the requesting party in a less burdensome manner, including on a public website, (d) call for the review, compilation and/or production of documents already in PSNH's possession, custody, or control, (e) unnecessarily call for the review, compilation and/or production of a voluminous number of documents of questionable relevance that would require a significant amount of resources at a significant expense to produce, or (f) purport to require the Companies to perform custom analyses of data for the benefit of PSNH.

6. The Companies object to requests on the basis that they are beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to these data requests would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to requests as beyond the scope of this proceeding and this witness's testimony in this proceeding.

7. The Companies object to requests on the basis that they are overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding.

8. The Companies object to requests on the basis that they seek confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested.

9. The Companies object to requests on the basis that they are to an entity that is not a party to the docket.

10. The Companies object to requests on the basis that they seek information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

11. The Companies object to requests on the basis that they are asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony.

12. The Companies object to requests on the basis that they seek information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard

to a specific investment in a scrubber project in a specific geographic region and market were prudent.

13. The Companies object to requests on the basis that they are not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and are not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

14. The Companies object to requests on the basis that they are unnecessarily argumentative; they are seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

15. The Companies object to requests on the basis that they are asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to these requests is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

16. Each of these General Objections shall be incorporated by reference into the below referenced-objections and responses as if expressly restated therein. The Companies do not hereby waive any objections and reserve the right to later raise any additional, available objection.

Question:

4. Provide copies of TransCanada's annual reports for the years 2006 to present.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, TransCanada Power Marketing Ltd. and TransCanada Hydro Northeast Inc. (hereinafter together, the "Companies") object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

5. Who is Hal Kvisle? What position, if any, did Mr. Kvisle hold with TransCanada?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; and the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent.

Question:

6. Who is Russell K. Girling? What position did he hold at TransCanada?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; and the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent.

Question:

9. Page 2, Line 7 – Please provide a listing of the 10,900 MW of generation including name, location, size, fuel, duration of TransCanada interest.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

10. Page 2, Line 3 – Does TransCanada Corporation or any of its subsidiaries or affiliates engage in the production or sale of natural gas? If so, please identify those entities, describe their role in the production or sale of natural gas.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

12. Page 2, Line 17 – Does TransCanada Corporation or any of its subsidiary or affiliate companies have any requirement, such as but not limited to a corporate compliance program, that mandates compliance with applicable laws? If so, please provide copies of all documents describing such programs.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

22. Page 6, Line 5 – You testify that the cost increase of the scrubber project to \$457 M was a “dramatic increase.” Please identify all capital projects that TransCanada had planned or had started during the 2005 through 2010 time period, including but not limited to the Keystone XL Pipeline. Include the initial price estimate for all such projects, the final price of all such projects, copies of any and all "published cost statements" that have been issued in connection with such projects, the reasons for any deviations between the initial and final price of all such projects, the status of such projects.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

23. Please provide copies of any and all documents relating to cost estimates for the installation and operation of scrubber technology for all coal-fired generating plants in which TransCanada has a direct or indirect interest.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- a. Please provide a listing of all possible “benefits” that the Legislature may have included in the referenced “balancing.”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- b. Do you agree maintenance of a tax base for state and local property taxes such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- c. Do you agree continued viability of the local rail line such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- d. Is fuel diversity in electric generation in the region a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- e. Is reliability of the electric grid in the region a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- f. Do you agree lessening of the state's dependence upon other sources of electrical power which may, from time to time, be uncertain a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.

g. Do you agree retention in-state of energy expenditures a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- h. Do you agree creation of jobs such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- i. Do you agree the retention of jobs such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
- j. Has TransCanada taken the position that the creation of jobs by the proposed Keystone XL pipeline project is one of the bases for finding that project to be in the public interest?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding—to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.

k. Please provide details of all such public interest benefits claimed by TransCanada that would result from development of the Keystone XL pipeline.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.
1. Has TransCanada included the creation of jobs in advertisements or other media releases regarding the Keystone XL pipeline?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

24. Page 7, Line 2 – You testify that “the purpose clause [of the Scrubber Law] refers to the careful and thoughtful balancing of the cost and benefits”.

m. If so, please provide copies of all such advertisements and media releases.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

26. Page 7, Line 9 -- You testify that "no one would argue that a two billion dollar scrubber met the purpose, intent, or language of RSA 125-O."
- b. In 2009, was the Legislature aware of the estimated \$457 Million cost of the Scrubber Project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony.

Question:

27. Do you admit that TransCanada has taken the position that RSA 125-O requires PSNH to install scrubber technology at Merrimack Station?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

29. Page 9, Line 18 – You testify that “My review of this [Power Advocate] report indicates that it apparently relied upon an estimate of \$355 million, not the total estimate of \$457 million which PSNH had adopted in May 2008. The use of the higher estimate would have resulted in even less favorable conclusions.”

c. Do you admit that the Power Advocate report states that Owner's Costs were excluded from project costs in its comparison? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

29. Page 9, Line 18 – You testify that “My review of this [Power Advocate] report indicates that it apparently relied upon an estimate of \$355 million, not the total estimate of \$457 million which PSNH had adopted in May 2008. The use of the higher estimate would have resulted in even less favorable conclusions.”

d. Do you know what the level of Owner’s Costs were for the Scrubber Project and for all projects included in the Power Advocate report?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

30. Page 10, Line 3 – You testify “With respect to cost predictions, the [PowerAdvocate] report concludes that capital construction costs for new generation remained at historic levels with no clear understanding of whether or not a peak had been reached due to recent volatility of costs associated with the supply market.”
- c. Please describe in detail how TransCanada predicts whether or not costs in a competitive marketplace have or have not reached a peak.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

30 Page 10, Line 3 – You testify “With respect to cost predictions, the [Power Advocate] report concludes that capital construction costs for new generation remained at historic levels with no clear understanding of whether or not a peak had been reached due to recent volatility of costs associated with the supply market.”

d. Please provide copies of all such peak price predictions made by TransCanada for the time period from 2005 to present.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested; and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

31. Page 10, Line 6 – You testify that “The [PowerAdvocate] report also indicates significant levels of uncertainty around projected carbon regulations and the effects of a tight labor market on the economics of scrubber investments.”
- a. Has the Keystone XL Pipeline project been impacted by uncertainty around carbon regulations?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

31. Page 10, Line 6 – You testify that “The [PowerAdvocate] report also indicates significant levels of uncertainty around projected carbon regulations and the effects of a tight labor market on the economics of scrubber investments.”
- b. If so, please identify and quantify all measures taken by TransCanada as a result of such carbon regulation uncertainty.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

31. Page 10, Line 6 – You testify that “The [PowerAdvocate] report also indicates significant levels of uncertainty around projected carbon regulations and the effects of a tight labor market on the economics of scrubber investments.”
- c. Has the Keystone XL Pipeline project been impacted by the uncertainty around the effects of a tight labor market?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

31. Page 10, Line 6 – You testify that “The [PowerAdvocate] report also indicates significant levels of uncertainty around projected carbon regulations and the effects of a tight labor market on the economics of scrubber investments.”
- d. If so, please provide copies of all analyses produced by TransCanada regarding the impact of the labor market on the economics of the Keystone XL Pipeline project.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

32. Page 10, Line 13 – You testify that you “believe that a prudent utility would have had serious concerns and questions about whether this was the right time to proceed with the scrubber project, especially given other things going on in the market during the summer and early fall of 2008.”
- a. Did TransCanada have “serious concerns and questions about whether this was the right time to proceed” with the Keystone XL Pipeline project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

32. Page 10, Line 13 – You testify that you “believe that a prudent utility would have had serious concerns and questions about whether this was the right time to proceed with the scrubber project, especially given other things going on in the market during the summer and early fall of 2008.”
- b. Does TransCanada have such concerns now?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

32. Page 10, Line 13 – You testify that you “believe that a prudent utility would have had serious concerns and questions about whether this was the right time to proceed with the scrubber project, especially given other things going on in the market during the summer and early fall of 2008.”
- c. Please provide copies of all documents in the possession of TransCanada for the time period 2008 through 2011 related to concerns about proceeding with the Keystone XL Pipeline project.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

33. Page 13 (footnote 5).- You note that for all of your analyses you assumed a coal price of \$4.82 corresponding to the price used by PSNH throughout the testimony.

b. Please indicate the time period when the PSNH coal price forecast was developed?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

33. Page 13 (footnote 5) - You note that for all of your analyses you assumed a coal price of \$4.82 corresponding to the price used by PSNH throughout the testimony.
- c. Please indicate the time periods when the three natural gas forecasts you use in your analyses were developed?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.
- a. Please provide all fuel price forecasts relating to the price of coal, oil and natural gas produced by or available to TransCanada from 2005 through 2012.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.
- b. For each such forecast, identify the entity who prepared it and the purpose for which it was created.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.

c. Provide any internal TransCanada work papers or other documents supporting or commenting on each such forecast.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.
- d. Provide any after-the-fact assessment or analyses prepared by TransCanada or consultants for TransCanada that contain an evaluation of such forecasts, including assessments or commentary about their accuracy and methodologies.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.
- e. Provide any documents pertaining to how TransCanada believes such forecasts should be conducted.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

34. Page 13, Line 18 – You testify about assumptions regarding the forecast price of natural gas.
- f. Provide any documents pertaining to how methodologies for such forecasts should be revised after-the-fact when predictions are compared to actual prices.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

35. Is Nova Gas Transmission Ltd. a TransCanada company?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

36. In each annual Nova Gas Transmission Ltd. (“NGTL”) Annual Plan (see Q-DEPO-001), TransCanada notes that “The gas price forecast affects the receipt and delivery forecast, and is used as input into the economic analysis for new facilities.” Please provide all economic analyses for new facilities created by TransCanada during the period from January 1, 2008 through September 30, 2011, including but not limited to all input assumptions used in such economic analyses.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."
- a. Please provide all of TransCanada's NYMEX gas price forecasts from January 1, 2006 through September 30, 2011.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."
- b. Do you admit TransCanada forecast in 2009 that the Alberta field price of gas in 2015 would be approximately \$6.55/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, “TransCanada’s NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System.”
- c. Do you admit TransCanada forecast in 2010 that the Alberta field price of gas in 2015 would be approximately \$6.90/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."
- d. Do you admit TransCanada forecast in 2010 that NYMEX natural gas prices would be \$7.17/MMBtu in real 2008 \$US by 2015? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."
- e. Do you admit TransCanada forecast in 2011 that the Alberta field price of gas in 2015 would more than double to approximately \$6.30/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."

f. Do you admit TransCanada forecast in 2011 that NYMEX natural gas prices would reach an equilibrium price of \$6.75/MMBtu in real 2010 \$US by 2015? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."
- g. Do you admit TransCanada forecast in 2012 that the Alberta field price of gas in 2015 would be just over \$4.00/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

37. In its yearly NGTL Annual Plans (see Q-DEPO-001), TransCanada states, "TransCanada's NYMEX gas price forecast was used to develop the Alberta Average Field Price (Alberta Reference Price), which represents the estimated price of natural gas at a point just prior to receipt onto the Alberta System."
- h. Do you admit TransCanada forecast in 2012 that NYMEX natural gas prices would reach an equilibrium price of \$5.75/MMBtu in real 2010 \$US? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

38. On June 6, 2012, the “Globe and Mail” < <http://m.theglobeandmail.com/report-on-business/streetwise/transcanada-to-revise-optimistic-natural-gas-outlook/article4235240/?service=mobile> > (Exhibit I to these questions) reported that: “Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”

a. Identify the TransCanada gas forecasts that were referenced in this article.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an

analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

38. (Exhibit I to these questions) reported that: "Things are bad and getting worse for Canada's natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic."
- b. For each forecast, identify the factors that led to the overly optimistic forecasts.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

38. (Exhibit I to these questions) reported that: “Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”
- c. Provide copies of each forecast.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

38. (Exhibit I to these questions) reported that: "Things are bad and getting worse for Canada's natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic."
- d. Identify any TransCanada capital projects that relied in any way on the forecasts which turned out to be overly optimistic.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

38. (Exhibit I to these questions) reported that: "Things are bad and getting worse for Canada's natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic."
- e. Did TransCanada discuss the cause or impacts of its overlay [sic] optimistic gas forecasts at any of its board meetings or at any meetings among senior executives?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

38. (Exhibit I to these questions) reported that: "Things are bad and getting worse for Canada's natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic."

f. Please provide all notes, minutes or any other memorialization of any such meetings.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

39. Reference Exhibit I attached hereto at page 1: "TransCanada is a pipeline company, but its forecasts carry substantial heft, given that it touches most molecules of natural gas pulled from the earth in Canada. It pointed last year to a strong rebound in the works, on the strength of buoyant gas prices - \$6.30 per million BTU by 2015 was its prediction - and a production surge to 17.2 billion cubic feet a day by 2020. But it was clear those forecasts were outliers...."
- a. Does TransCanada agree that its gas price forecasts "carry substantial heft." Please explain your answer.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

39. Reference Exhibit I attached hereto at page 1: “TransCanada is a pipeline company, but its forecasts carry substantial heft, given that it touches most molecules of natural gas pulled from the earth in Canada. It pointed last year to a strong rebound in the works, on the strength of buoyant gas prices - \$6.30 per million BTU by 2015 was its prediction - and a production surge to 17.2 billion cubic feet a day by 2020. But it was clear those forecasts were outliers....”

b. Does TransCanada agree its forecasts were outliers? Please explain your answer.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

40. Reference Exhibit I at page 1: "TransCanada didn't have much choice in changing its figures. The company's forecast for 2012 was already wildly off." Does TransCanada agree that its 2012 gas price forecast was "wildly off". Please explain your answer.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

41. Do you admit TransCanada forecast in 2009 that North American natural gas demand would slowly recover in the near-term as the economies of Canada and the United States recovered? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

42. Do you admit TransCanada forecast in 2009 that the Alberta field price of gas in 2015 would be approximately \$6.55/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

43. Do you admit TransCanada forecast in 2009 that the NYMEX natural gas prices would recover in the following years as demand and the economy improved? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

44. Do you admit TransCanada forecast in 2010 that the Alberta field price of gas in 2015 would be approximately \$6.90/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

45. Do you admit TransCanada forecast in 2009 that that NYMEX natural gas prices would be \$7.00/MMBtu in real 2007 \$US by 2015? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

46. Do you admit TransCanada forecast in 2010 that NYMEX natural gas prices would be \$7.17/MMBtu in real 2008 \$US by 2015? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

47. Do you admit TransCanada forecast in 2011 that the Alberta field price of gas in 2015 would more than double to approximately \$6.30/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

48. Do you admit TransCanada forecast in 2011 that NYMEX natural gas prices would reach an equilibrium price of \$6.75/MMBtu in real 2010 \$US by 2015? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

49. Do you admit TransCanada forecast in 2012 that the Alberta field price of gas in 2015 would be just over \$4.00/MMBTU? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

50. Do you admit TransCanada forecast in 2012 that NYMEX natural gas prices would reach an equilibrium price of \$5.75/MMBtu in real 2010 \$US? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

51. Please provide details regarding the relationship between the forecast Alberta Reference Price and NYMEX gas price forecasts. Is there a conversion factor or equation recognized or utilized by TransCanada to convert between the Alberta and NYMEX process? If so, please provide all such conversion factors or equations.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

52. Please provide copies of any and all documentation in TransCanada's possession regarding the forward market for natural gas delivered to New England in the 2008 through 2011 time frame.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

57. Page 16 - You contend that it was unreasonable for PSNH to use NYMEX futures prices for its natural gas price forecast.

d. Please provide information on all forecasts of natural gas prices developed by TransCanada (including its subsidiaries) over the period from June 2008 to March 2009.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

58. Page 17 - You list “the financial collapse of Lehman and overall concern about the economy” as a reason why “customers would likely not receive net benefits from scrubber installation”
- c. Please explain why the stated financial collapse and overall concern about the economy would not have impacted the alleged benefits of the Keystone XL pipeline.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

61. Page 18, Line 15 – You testify, “First, in the Summer of 2008, the forwards were clearly at a peak value in a market that history shows experienced periodic peaks.”

d. Did TransCanada acknowledge in the Summer of 2008 that gas price forwards had clearly peaked?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

61. Page 18, Line 15 – You testify, “First, in the Summer of 2008, the forwards were clearly at a peak value in a market that history shows experienced periodic peaks.”
- e. If so, please provide all documentation evidencing such acknowledgment.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

61. Page 18, Line 15 – You testify, “First, in the Summer of 2008, the forwards were clearly at a peak value in a market that history shows experienced periodic peaks.”
- f. If not, do you deem TransCanada as being imprudent for not knowing what gas prices were “clearly” going to do?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

62. Page 19, Line 2 – You refer to PSNH’s September 2, 2008 Report to the Commission. On June 19, 2008, approximately 10 weeks prior to the submission of PSNH’s Report, FERC’s Office of Enforcement presented its assessment of likely electricity costs in coming years to the FERC Commissioners. In that presentation, which was included in PSNH’s September 2, 2008 Report to the Commission in DE 08-103, at Exhibit 2, the FERC Commissioners were told by FERC Staff, “[H]igher future prices are likely to affect all regions.” The basis for this forecast was “The primary reason for the electric power price increases this year is high fuel prices. All current market indications suggest that they will remain high. Let’s look at natural gas, which often determines prices because it is so frequently on the margin. The slide shows futures prices for the next few years. The futures prices are somewhat lower for 2009 than for 2008. Even so, they are a good deal higher for all years than the prices people actually paid last year, and they are much higher than the prices many of us remember from earlier in the decade. The implication is that markets anticipate continuing high prices, even though they know that the United States has seen a significant increase in domestic natural gas production over the last year and a half. The anticipation of further high prices makes more sense when one considers the likely increase in gas demand for generation and the global nature of competition for LNG.” Is it your opinion that FERC Staff’s presentation to the FERC was “flawed or outdated”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

64. On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” Mr. Kvisle stated:

“I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range.”

- a. Is it your opinion that Mr. Kvisle's statement that gas prices for the longer term could go “well above 10” ignored substantial information that was available at or about the time he made that statement?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an

analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13BcF a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

- b. What are the Mackenzie and Alaska pipeline projects referred to by Mr. Kvisle?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission,

based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

- c. Please provide copies of the gas price information referred to by Mr. Kvisle in the quoted statement.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")))

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

- d. Please provide copies of all cost benefit analyses prepared by or on behalf of TransCanada regarding the Mackenzie and Alaska pipeline projects.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market

were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

e. Do you agree with Mr. Kvisle's statement that "gas prices are obviously volatile"?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to

the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

- f. If not, please explain in detail why Mr. Kvisle was incorrect.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13BcF a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

g. Did Mr. Kvisle ignore substantial information available to him when he made the statement that "our gas price outlook for the longer term is somewhere in the 6 to 10 range."?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that

denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

64. On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” Mr. Kvisle stated:

“I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range.”

- h. Do you disagree with Mr. Kvisle's statement that “you could see over that period, gas prices going well above 10”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily

argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13Bcf a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

- i. If so, please explain in detail why Mr. Kvisle was incorrect.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected

representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

65. Was TransCanada involved in the Mackenzie Valley gas project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

65. Was TransCanada involved in the Mackenzie Valley gas project?
- a. What was the 2004 original forecast price of the Mackenzie Valley gas project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

65. Was TransCanada involved in the MacKenzie Valley gas project?

b. In 2007, what was the forecast price of the Mackenzie Valley gas project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

66. In 2007, was it reasonable to expect gas production across North America to remain flat, demand for gas to grow, and therefore, for gas prices to rise?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

67. In 2010, was it reasonable to expect that gas prices would be in the 5\$ [sic] to \$8 range?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

68. In February 2009, was it reasonable to assume that the natural gas supply bubble could last another 12 to 18 months and that prices would probably not drop much lower?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

69. Is it your opinion that a cost of gas in New Hampshire of \$12/MMBtu in the Fall of 2008 was unreasonably high?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- a. month and year in which the forecast was developed,

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- b. whether NYMEX futures prices were used and, if so, how?;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- c. whether "engineering analysis of future supply and demand" were used in the forecast and if so, how;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- d. whether regulatory and technological trends" were used in the forecast and, if so, how; and

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- e. whether "historical analysis" was used in the forecast and, if so, how?,

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

71. Page 21, Line 9 – You testify that “PSNH appears to have ignored supply-related information that contradicted their internal assessment of natural gas prices. The combinations of technological advancements in horizontal drilling and hydraulic fracturing have led to surges in U.S.-based natural gas production and significant increases in proven natural gas reserves” and “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” discussing Marcellus shale gas, Mr. Kvisle stated: “I’ve looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they’re going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they’re just one more source of supply. And I would particularly highlight coal bed methane. Coal bed methane was really going to have a dramatic effect and a lot of us thought it would never exceed 1 Bcf a day in western Canada. And it struggles to maintain 700 million a day. So, that in fact, has turned out to be the case. Looking broadly across North America, there’s clearly some shale plays that are going to generate very impressive volumes. But I would argue that they are just the latest place that industry looks to replace declining production.”

- a. Since you testify that the impacts of shale gas production were documented as early as 2006, was Mr. Kvisle’s statement to investors “flawed or outdated” as you used those terms on Page 19, Line 5 of your testimony?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having

any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

71. Page 21, Line 9 – You testify that “PSNH appears to have ignored supply-related information that contradicted their internal assessment of natural gas prices. The combinations of technological advancements in horizontal drilling and hydraulic fracturing have led to surges in U.S.-based natural gas production and significant increases in proven natural gas reserves” and “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” discussing Marcellus shale gas, Mr. Kvisle stated: “I’ve looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they’re going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they’re just one more source of supply. And I would particularly highlight coal bed methane. Coal bed methane was really going to have a dramatic effect and a lot of us thought it would never exceed 1 Bcf a day in western Canada. And it struggles to maintain 700 million a day. So, that in fact, has turned out to be the case. Looking broadly across North America, there’s clearly some shale plays that are going to generate very impressive volumes. But I would argue that they are just the latest place that industry looks to replace declining production.”

- b. Similarly, did Mr. Kvisle “fail[] to disclose,” as you used those terms on Page 19, Line 6 of your testimony, information that was reasonably known to him at the time he made that statement?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having

any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

71. Page 21, Line 9 – You testify that “PSNH appears to have ignored supply-related information that contradicted their internal assessment of natural gas prices. The combinations of technological advancements in horizontal drilling and hydraulic fracturing have led to surges in U.S.-based natural gas production and significant increases in proven natural gas reserves” and “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” discussing Marcellus shale gas, Mr. Kvisle stated: “I’ve looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they’re going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they’re just one more source of supply. And I would particularly highlight coal bed methane. Coal bed methane was really going to have a dramatic effect and a lot of us thought it would never exceed 1 Bcf a day in western Canada. And it struggles to maintain 700 million a day. So, that in fact, has turned out to be the case. Looking broadly across North America, there’s clearly some shale plays that are going to generate very impressive volumes. But I would argue that they are just the latest place that industry looks to replace declining production.”

- c. Was Mr. Kvisle’s statement made “for the sole purpose of economically justifying... construction” of TransCanada projects such as, but not limited to, the Mackenzie and Alaska pipeline projects?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not

even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

71. Page 21, Line 9 – You testify that “PSNH appears to have ignored supply-related information that contradicted their internal assessment of natural gas prices. The combinations of technological advancements in horizontal drilling and hydraulic fracturing have led to surges in U.S.-based natural gas production and significant increases in proven natural gas reserves” and “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” discussing Marcellus shale gas, Mr. Kvisle stated: “I’ve looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they’re going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they’re just one more source of supply. And I would particularly highlight coal bed methane. Coal bed methane was really going to have a dramatic effect and a lot of us thought it would never exceed 1 Bcf a day in western Canada. And it struggles to maintain 700 million a day. So, that in fact, has turned out to be the case. Looking broadly across North America, there’s clearly some shale plays that are going to generate very impressive volumes. But I would argue that they are just the latest place that industry looks to replace declining production.”

- d. Do you consider Mr. Kvisle’s statement to be “at odds with contemporaneous forecasts available” to him as you used that term at Page 19, Line 12 of your testimony?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not

even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

71. Page 21, Line 9 – You testify that “PSNH appears to have ignored supply-related information that contradicted their internal assessment of natural gas prices. The combinations of technological advancements in horizontal drilling and hydraulic fracturing have led to surges in U.S.-based natural gas production and significant increases in proven natural gas reserves” and “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” discussing Marcellus shale gas, Mr. Kvisle stated: “I’ve looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they’re going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they’re just one more source of supply. And I would particularly highlight coal bed methane. Coal bed methane was really going to have a dramatic effect and a lot of us thought it would never exceed 1 Bcf a day in western Canada. And it struggles to maintain 700 million a day. So, that in fact, has turned out to be the case. Looking broadly across North America, there’s clearly some shale plays that are going to generate very impressive volumes. But I would argue that they are just the latest place that industry looks to replace declining production.”

- e. Is it your opinion that Mr. Kvisle’s statement did “not realistically reflect actual pricing seen in the market” as you used that term on Page 19, Line 13?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having

any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

72. Page 21 - You contend that PSNH did not rely on any particular forecast for its gas prices estimate, but instead relied on the \$11 per MMBtu assumption that was based on actual reported Natural Gas Prices for dispatch at PSNH generating units.
- a. Has TransCanada ever used futures market prices to forecast the price of natural gas?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

72. Page 21 - You contend that PSNH did not rely on any particular forecast for its gas prices estimate, but instead relied on the \$11 per MMBtu assumption that was based on actual reported Natural Gas Prices for dispatch at PSNH generating units.
- b. Is it common practice within the industry to do so?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

72. Page 21 - You contend that PSNH did not rely on any particular forecast for its gas prices estimate, but instead relied on the \$11 per MMBtu assumption that was based on actual reported Natural Gas Prices for dispatch at PSNH generating units.
- c. If so, what is the basis for your opinion that PSNH “did not rely on any particular forecast”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

74. Page 21 - You provide a quote from a Wall Street Journal article from November 2009 stating that the potential of unconventional gas supply “became clear around 2007.”
- b. Please provide any studies or statements made by TransCanada in the 2008/2009 timeframe on the effects of horizontal drilling and hydraulic fracturing on future gas supply and prices

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

74. Page 21 - You provide a quote from a Wall Street Journal article from November 2009 stating that the potential of unconventional gas supply “became clear around 2007.”
- c. Please provide supporting documents for your statement that “Clear documentation existed as early as 2006 indicating that production of unconventional natural gas was exceeding production from conventional natural gas sources.”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

75. Page 21, Line 20 – You testify that “the potential of the unconventional gas supply ‘became clear around 2007’”.

During the “Q1 2009 TransCanada Corporation Earnings Conference Call,” the following discourse occurred:

OPERATOR: Thank you. The next question is from Andrew Kuske from Credit Suisse. Please go ahead.

ANDREW KUSKE, ANALYST, CREDIT SUISSE: Thank you. Good afternoon. Hal, if you could just give us some commentary on your thoughts on the value of long haul pipelines? And in particular, when you start to think about some of the shale plays, and things like the Marcellus and the Utica that are close to essentially big demand centers. And what does that mean for the longer term viability of pipelines like TransCo and really things heading up from the Gulf into those regions?

HAL KVISLE: I would say, we don't know, at this point, How aggressively people will develop the Marcellus, how sustainable the production is, what kind of decline rates will occur? Emphatically, we don't know what kind of local opposition people are going to run into as they try to get drilling locations. I'm not trying to be pessimistic on it but these are some of the things that we have to see unfold over time. And

ANDREW KUSKE: Now, if you see very aggressive development of the shale plays in the US and we do see some of the higher end numbers like the 5 B's out of the Marcellus actually come to fruition. In the North American context, what are your thoughts on what does that mean for plays like Horn River and Monteny? Do you see that essentially wind up being -- since it is the end of the pipe in a North American context, essentially not being developed or the base is blowing our pretty wide from an Alberta market perspective?

HAL KVISLE: I've looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they're going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they're just one more source of supply.

- a. If as you testify “the potential of the unconventional gas supply ‘became clear around 2007’”, why did Mr. Kvisle tell investors in May, 2009, that TransCanada did not know the impact of such gas supplies?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data

request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

75. Page 21, Line 20 – You testify that “the potential of the unconventional gas supply ‘became clear around 2007’”.

During the “Q1 2009 TransCanada Corporation Earnings Conference Call,” the following discourse occurred:

OPERATOR: Thank you. The next question is from Andrew Kuske from Credit Suisse. Please go ahead.

ANDREW KUSKE, ANALYST, CREDIT SUISSE: Thank you. Good afternoon. Hal, if you could just give us some commentary on your thoughts on the value of long haul pipelines? And in particular, when you start to think about some of the shale plays, and things like the Marcellus and the Utica that are close to essentially big demand centers. And what does that mean for the longer term viability of pipelines like TransCo and really things heading up from the Gulf into those regions?

HAL KVISLE: I would say, we don't know, at this point, How aggressively people will develop the Marcellus, how sustainable the production is, what kind of decline rates will occur? Emphatically, we don't know what kind of local opposition people are going to run into as they try to get drilling locations. I'm not trying to be pessimistic on it but these are some of the things that we have to see unfold over time. And

ANDREW KUSKE: Now, if you see very aggressive development of the shale plays in the US and we do see some of the higher end numbers like the 5 B's out of the Marcellus actually come to fruition. In the North American context, what are your thoughts on what does that mean for plays like Horn River and Monteny? Do you see that essentially wind up being -- since it is the end of the pipe in a North American context, essentially not being developed or the base is blowing our pretty wide from an Alberta market perspective?

HAL KVISLE: I've looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they're going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they're just one more source of supply.

- b. Similarly, why did Mr. Kvisle tell investors that Marcellus gas was “just one more source of supply” in the grand scheme of things?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to

prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

75. Page 21, Line 20 – You testify that “the potential of the unconventional gas supply “became clear around 2007””.

During the “Q1 2009 TransCanada Corporation Earnings Conference Call,” the following discourse occurred:

OPERATOR: Thank you. The next question is from Andrew Kuske from Credit Suisse. Please go ahead.

ANDREW KUSKE, ANALYST, CREDIT SUISSE: Thank you. Good afternoon. Hal, if you could just give us some commentary on your thoughts on the value of long haul pipelines? And in particular, when you start to think about some of the shale plays, and things like the Marcellus and the Utica that are close to essentially big demand centers. And what does that mean for the longer term viability of pipelines like TransCo and really things heading up from the Gulf into those regions?

HAL KVISLE: I would say, we don't know, at this point, How aggressively people will develop the Marcellus, how sustainable the production is, what kind of decline rates will occur? Emphatically, we don't know what kind of local opposition people are going to run into as they try to get drilling locations. I'm not trying to be pessimistic on it but these are some of the things that we have to see unfold over time. And

ANDREW KUSKE: Now, if you see very aggressive development of the shale plays in the US and we do see some of the higher end numbers like the 5 B's out of the Marcellus actually come to fruition. In the North American context, what are your thoughts on what does that mean for plays like Horn River and Monteny? Do you see that essentially wind up being -- since it is the end of the pipe in a North American context, essentially not being developed or the base is blowing our pretty wide from an Alberta market perspective?

HAL KVISLE: I've looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they're going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they're just one more source of supply.

- c. When did TransCanada first acknowledge the impact of Marcellus gas on gas prices? Please provide all documents evidencing that acknowledgment.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to

prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

75. Page 21, Line 20 – You testify that “the potential of the unconventional gas supply ‘became clear around 2007’”.

During the “Q1 2009 TransCanada Corporation Earnings Conference Call,” the following discourse occurred:

OPERATOR: Thank you. The next question is from Andrew Kuske from Credit Suisse. Please go ahead.

ANDREW KUSKE, ANALYST, CREDIT SUISSE: Thank you. Good afternoon. Hal, if you could just give us some commentary on your thoughts on the value of long haul pipelines? And in particular, when you start to think about some of the shale plays, and things like the Marcellus and the Utica that are close to essentially big demand centers. And what does that mean for the longer term viability of pipelines like TransCo and really things heading up from the Gulf into those regions?

HAL KVISLE: I would say, we don't know, at this point, How aggressively people will develop the Marcellus, how sustainable the production is, what kind of decline rates will occur? Emphatically, we don't know what kind of local opposition people are going to run into as they try to get drilling locations. I'm not trying to be pessimistic on it but these are some of the things that we have to see unfold over time. And

ANDREW KUSKE: Now, if you see very aggressive development of the shale plays in the US and we do see some of the higher end numbers like the 5 B's out of the Marcellus actually come to fruition. In the North American context, what are your thoughts on what does that mean for plays like Horn River and Monteny? Do you see that essentially wind up being -- since it is the end of the pipe in a North American context, essentially not being developed or the base is blowing our pretty wide from an Alberta market perspective?

HAL KVISLE: I've looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they're going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they're just one more source of supply.

- d. Regarding your statement that “the potential of the unconventional gas supply became clear around 2007, is it your view that the only prudent position would be to alter a resource plan based on this “potential”? Is it your view that Attachment 23 supports a view to which no reasonable person would take a contrary view as of 2007[?]

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not

related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

75. Page 21, Line 20 – You testify that “the potential of the unconventional gas supply ‘became clear around 2007’”.

During the “Q1 2009 TransCanada Corporation Earnings Conference Call,” the following discourse occurred:

OPERATOR: Thank you. The next question is from Andrew Kuske from Credit Suisse. Please go ahead.

ANDREW KUSKE, ANALYST, CREDIT SUISSE: Thank you. Good afternoon. Hal, if you could just give us some commentary on your thoughts on the value of long haul pipelines? And in particular, when you start to think about some of the shale plays, and things like the Marcellus and the Utica that are close to essentially big demand centers. And what does that mean for the longer term viability of pipelines like TransCo and really things heading up from the Gulf into those regions?

HAL KVISLE: I would say, we don't know, at this point, How aggressively people will develop the Marcellus, how sustainable the production is, what kind of decline rates will occur? Emphatically, we don't know what kind of local opposition people are going to run into as they try to get drilling locations. I'm not trying to be pessimistic on it but these are some of the things that we have to see unfold over time. And

ANDREW KUSKE: Now, if you see very aggressive development of the shale plays in the US and we do see some of the higher end numbers like the 5 B's out of the Marcellus actually come to fruition. In the North American context, what are your thoughts on what does that mean for plays like Horn River and Monteny? Do you see that essentially wind up being -- since it is the end of the pipe in a North American context, essentially not being developed or the base is blowing our pretty wide from an Alberta market perspective?

HAL KVISLE: I've looked back over the last 15 years and if people --there have been many interesting new sources of gas come along. That at the time they come along, people proclaim that they're going to change the world. And they get pretty significant, some of them, but in the grand scheme of things, they're just one more source of supply.

- e. At page 24, Line 2, you testify that 2008 was the “critical period” “when significant changes in natural gas markets became evident.” Why did Mr. Kvisle tell investors in May, 2009 in response to a question regarding the impact of such changes, that “we don't know, at this point.”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no

knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that "it would require discovery into the thought process of elected representatives") or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

76. Page 22, Line 1 – You testify, “A prudent company taking such a significant risk on behalf of ratepayers should have exhaustively researched natural gas supply developments and been aware of this looming issue.”
- b. During the “Q1 2009 TransCanada Corporation Earnings Conference Call” in May, 2009, Mr. Kvisle indicated that the impact of shale gas on the marketplace was uncertain. Was TransCanada imprudent for not being aware of “this looming issue” in mid-2009?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

76. Page 22, Line 1 – You testify, “A prudent company taking such a significant risk on behalf of ratepayers should have exhaustively researched natural gas supply developments and been aware of this looming issue.”
- c. If your answer is no, please explain why PSNH was imprudent, but TransCanada was not.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

78. Does TransCanada agree that economic analyses of the scrubber project performed in the 2008 to 2009 time period would have required speculation regarding future federal emission control requirements?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

79. Does TransCanada agree that economic analyses of the scrubber project performed in the 2008 to 2009 time period would have required educated guesses about what the energy market might be going forward over the subsequent five to ten years?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

80. Does TransCanada agree that a prudence review is usually an after-the-fact review that's done to determine whether or not costs that were incurred were reasonable at the time that they were incurred?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

81. Does TransCanada agree that utilities subject to traditional cost-of-service ratemaking are entitled to full recovery of prudently incurred costs under the so-called "regulatory compact"?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

82. Does TransCanada agree that one of the challenges utilities face with large infrastructure projects is that they are long-lived and it is very difficult to predict what energy supply and demand will be into the future?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

83. The Scrubber law was passed in 2006. At that time, does TransCanada agree that a reasonable forecast for the future would have included:
- a. The likelihood that gas prices would rise in response to scarce gas supplies?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

83. The Scrubber law was passed in 2006. At that time, does TransCanada agree that a reasonable forecast for the future would have included:
- b. An assumption there would be sustained high gas prices?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

84. Does TransCanada agree that in 2007, a reasonable forecast of North American gas supply would predict gas demand exceeding gas supply ten years out?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?
- a. If yes, identify all such facilities.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?
- b. Please provide copies of all forecasts relied upon in connection with each such facility.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?
- c. Please provide copies of all the economic analyses used with respect to the new facilities.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?

d. Provide any after-the-fact assessments of such forecasts done by TransCanada or any of its consultants, including any assessments analyzing the impact of erroneous gas price predictions on the facility.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

85. Since 2006, has TransCanada used gas price forecasts as an input into economic analyses for new facilities?
- e. Provide any regulatory filings associated with such facilities as they relate to erroneous gas price predictions

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

87. Page 23, Line 19 – You discuss the ratemaking concept of “used-and-useful.” Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present regarding the “used-and-useful” standard in utility ratemaking.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

91. Page 25, Line 16 – You testify that “there was a severe economic recession that began in September of 2008.”
- a. As a result of that economic recession, was there a significant loss of jobs in the United States?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

91. Page 25, Line 16 – You testify that “there was a severe economic recession that began in September of 2008.”
- b. As a result of that economic recession, were programs to create jobs a high public policy for both the State of New Hampshire and the country (U.S.) as a whole?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

91. Page 25, Line 16 – You testify that “there was a severe economic recession that began in September of 2008.”

c. Did the Scrubber Project create jobs in the midst of the severe economic recession?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

92. Did the availability of Marcellus shale gas result in a significant drop in TransCanada's Mainline gas shipments? If so, was it unreasonable for TransCanada not to foresee this impact in 2009? Please explain your response.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

93. Page 26, Line 10 – You testify that migration “was an important issue because the more customers migrated the fewer customers from whom the scrubber costs could be recovered and the more costs would increase for that dwindling base of customers.” Do you characterize having to recover set fixed costs over a dwindling base of customer to be a “death spiral”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

94. Page 26, Line 13 – You testify about “a classic death spiral.”
- a. Does TransCanada have fixed costs for the Mainline pipeline that it seeks to recover from customers via regulated rates?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

94. Page 26, Line 13 – You testify about “a classic death spiral.”

b. Did TransCanada lose customers that used the Mainline pipeline as a result of the availability of lower cost shale gas?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

94. Page 26, Line 13 – You testify about “a classic death spiral.”

- c. Did TransCanada seek to raise its Mainline pipeline rates as a result of the loss of customers using its Mainline pipeline?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

94. Page 26, Line 13 – You testify about “a classic death spiral.”

d. Did the availability of Marcellus shale gas result in TransCanada having to defend against claims that the Mainline Pipeline was facing a “death spiral” due to decreasing shipments resulting in increasing costs to pipeline customers?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

94. Page 26, Line 13 – You testify about “a classic death spiral.”

e. If so, please provide all regulatory filings made by TransCanada discussing the so-called “death spiral.”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”
- a. What is TransCanada’s understanding of the use of the phrase “the death spiral” in this article?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an

admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”

b. Has TransCanada ever encountered that phrase anywhere in reference to the Mainline?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”
- c. If so, provide documents containing all such references to the Mainline “death spiral”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”

d. Please provide all TransCanada regulatory filings addressing the “death spiral” concept.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”

e. Describe the so-called “radical restructuring” TransCanada recommended.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”
- f. Explain why TransCanada believed that restructuring was necessary.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”

g. Was such restructuring predicated in any way on cost of gas predictions TransCanada or its consultants had made? If so, how? Provide copies of all such projections.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not

all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- a. What was TransCanada’s rationale for wanting to “shift Mainline costs onto other pipes?”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- b. Did TransCanada disagree with critics who were calling on it to accept “deep losses to preserve the pipe?” Please explain your answer.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”

c. Did any of the critics support their position by pointing to any TransCanada cost of gas predictions from the past?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- d. If so, provide all documents relevant to that issue.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- e. Did TransCanada ever contemplate accepting “deep losses to preserve the pipe?”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- f. Explain the rationale for TransCanada’s position.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: “TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe.”
- g. Did TransCanada conduct or commission any economic analyses to support this position? If so, provide copies.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: "TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe."
- h. Provide any internal documents containing discussion or assessments related to this issue.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: "TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe."
- i. Did TransCanada discuss this issue at any of its board meetings or at any meetings among senior executives between 2006 and 2012?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

96. Reference Exhibit II page 1: "TransCanada wants to shift Mainline costs on to other pipes. Its critics, in particular those now looking at a one-third rise in their fees to move natural gas through Alberta, for example, are firing back. They are calling on TransCanada itself to accept deep losses to preserve the pipe."
- j. If so, please provide all notes, minutes or any other memorialization of any such meetings.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?
- a. Explain your answer.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?
- b. When did TransCanada first identify this issue?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?

c. How was it identified?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?
- d. Did TransCanada perform or commission any studies or analyses between 2005 and 2012 that assessed the threat to the Mainline from the development of shale gas in North America?
- (1) Provide copies of all such documents.
- (2) Provide copies of all internal TransCanada documents assessing or commenting on such studies.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the

docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?

e. Did TransCanada discuss the threat to the Mainline from shale gas in North America at any of its board meetings or at any meetings among senior executives between 2006 and 2012?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

97. Reference Exhibit II at page 1: Do you agree that new supplies of shale gas in North America have caused Canadian gas prices to tumble, thus causing or helping to cause the pricing issues TransCanada has been experiencing with the Mainline?

f. If so, please provide all notes, minutes or any other memorialization of any such meetings.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

98. Reference Exhibit II at page 2: “To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline, into the Alberta system, further offloading costs there.”
- a. Explain the rationale for TransCanada’s proposal to shift some of its costs to other systems.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

98. Reference Exhibit II at page 2: “To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline, into the Alberta system, further offloading costs there.”
- b. When did TransCanada develop this proposal?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

98. Reference Exhibit II at page 2: "To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline, into the Alberta system, further offloading costs there."

c. Was this proposal in any way related to erroneous predictions about the cost of gas that TransCanada had made in the past? Please explain your answer.

Answer

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

98. Reference Exhibit II at page 2: "To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline, into the Alberta system, further offloading costs there."

d. Did TransCanada discuss this issue at any of its board meetings or at any meetings among senior executives between 2006 and 2012?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

98. Reference Exhibit II at page 2: “To save costs on the Mainline, TransCanada proposes shifting some of its costs to those other systems – and in fact, subsuming some of the Saskatchewan portion of the Mainline, into the Alberta system, further offloading costs there.”
- e. Please provide all notes, minutes or any other memorialization of any such meetings.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

99. Reference Exhibit II at page 3: “It also proposes lengthening some depreciation windows....”
- a. Explain TransCanada’s rationale for this proposal.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

99. Reference Exhibit II at page 3: “It also proposes lengthening some depreciation windows....”
- b. Did TransCanada produce or commission any studies or assessments in support of this proposal? If so, please provide copies.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

99. Reference Exhibit II at page 3: “It also proposes lengthening some depreciation windows....”
- c. Was this proposal in any way related to erroneous predictions about the cost of gas that TransCanada had made in the past? Please explain your answer.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

99. Reference Exhibit II at page 3: “It also proposes lengthening some depreciation windows....”

d. Did TransCanada discuss this issue at any of its board meetings or at any meetings among senior executives between 2006 and 2012?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

99. Reference Exhibit II at page 3: “It also proposes lengthening some depreciation windows....”

e. If so, please provide all notes, minutes or any other memorialization of any such meetings.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

100. Reference Exhibit II at page 3: “Though TransCanada’s forecasts have traditionally been treated with great respect, they have been optimistic in the past few years, have not been borne out so far in 2012, and have produced skepticism among those convinced the Mainline will struggle to fill back up.”
- a. Provide copies of the forecasts referenced.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

100. Reference Exhibit II at page 3: “Though TransCanada’s forecasts have traditionally been treated with great respect, they have been optimistic in the past few years, have not been borne out so far in 2012, and have produced skepticism among those convinced the Mainline will struggle to fill back up.”
- b. Provide any internal after-the-fact assessments of such forecasts prepared by TransCanada or its consultants.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

100. Reference Exhibit II at page 3: “Though TransCanada’s forecasts have traditionally been treated with great respect, they have been optimistic in the past few years, have not been borne out so far in 2012, and have produced skepticism among those convinced the Mainline will struggle to fill back up.”
- c. When, if ever, did TransCanada significantly revise its gas price forecasts?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

100. Reference Exhibit II at page 3: “Though TransCanada’s forecasts have traditionally been treated with great respect, they have been optimistic in the past few years, have not been borne out so far in 2012, and have produced skepticism among those convinced the Mainline will struggle to fill back up.”
- d. Provide copies of all such revised gas price forecasts.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

101. Reference Exhibit II at page 4: “The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years.”
- a. Did TransCanada ever assess this proposal?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

101. Reference Exhibit II at page 4: “The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years.”
- b. If not, why?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object

to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

101. Reference Exhibit II at page 4: “The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years.”
- c. If yes, provide all documents related to such assessments.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

101. Reference Exhibit II at page 4: “The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years.”

d. Provide any public response TransCanada made to the Market Area Shippers regarding this proposal.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

101. Reference Exhibit II at page 4: “The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years.”

e. Provide any regulatory filings TransCanada made which took a position regarding this proposal.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

101. Reference Exhibit II at page 4: "The Market Area Shippers, for example, suggest TransCanada should eat the costs of running the Northern Ontario section of the pipe, which runs to \$427 million over nine years."

f. Did TransCanada have any board or senior management level discussions regarding this proposal? If so, please provide any minutes, notes or other documents memorializing such discussions.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

102. Reference Exhibit II at page 4: “TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception.”
- a. What is TransCanada’s understanding of the term “regulatory compact” as it is used here?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

102. Reference Exhibit II at page 4: “TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception.”

b. Is this a phrase TransCanada ever used with respect to this issue? If so, when and where? Provide copies of all documents where TransCanada used that phrase.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

102. Reference Exhibit II at page 4: “TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception.”
- c. What does TransCanada believe is the basis of the “regulatory compact?” Provide any documents that TransCanada believes supports its view.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

102. Reference Exhibit II at page 4: “TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception.”

d. To the extent TransCanada believes any aspect of the “regulatory compact” is based on any provision of Canadian law, whether federal or provincial statutes or regulations, identify the specific statutes and regulations and provide copies.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

102. Reference Exhibit II at page 4: “TransCanada’s view: every single one of those ideas should be tossed out. Each proposal breaches “the regulatory compact” that has allowed TransCanada to recoup the cost of building and operating the Mainline since its inception.”

e. Explain how any referenced statutory or regulatory provisions support TransCanada’s understanding of the phrase “regulatory compact” as it is used here, or any place where TransCanada has used that term in connection with Mainline issues.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

103. On December 16, 2011, an article titled “**Pipeline caught in ‘death spiral’ of rising costs**” appeared in the “Toronto Star,” available on-line at http://www.thestar.com/business/2011/12/16/pipeline_caught_in_death_spiral_of_rising_costs.html > (Exhibit III to these questions). In that article, discussing “a ‘death spiral’ of a dwindling customer base and negative market forces,” TransCanada’s Senior Vice President Karl Johannson is quoted as saying, “I’ll be honest: Five years ago at TransCanada, we didn’t see it coming either.”
- a. Please provide details of what Mr. Johannson was referring to when he said TransCanada didn’t see it coming either.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

103. On December 16, 2011, an article titled "**Pipeline caught in 'death spiral' of rising costs**" appeared in the "Toronto Star," available on-line at http://www.thestar.com/business/2011/12/16/pipeline_caught_in_death_spiral_of_rising_costs.html > (Exhibit III to these questions). In that article, discussing "a 'death spiral' of a dwindling customer base and negative market forces," TransCanada's Senior Vice President Karl Johannson is quoted as saying, "I'll be honest: Five years ago at TransCanada, we didn't see it coming either."
- b. As this article was published in December, 2011, the five year period referenced by Mr. Johannson would date back to late-2006. Did TransCanada see the so-called "death-spiral" coming in 2007? 2008? 2009? Please provide documentation substantiating your responses.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not

all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

104. Page 26, Line 21 – You testify that the cost of the Scrubber was “roughly the cost to build an entire new gas-fired combined cycle power plant.”

b. How much gas-fired generating capacity does TransCanada own in New England?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

107. Did the availability of Marcellus shale gas result in TransCanada having to defend against claims that some or all of the Mainline Pipeline was no long [sic] “used-and-useful” and therefore ineligible to be recovered in rates?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

108. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the legal right of a regulated utility to 100% recovery of prudently incurred costs.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

109. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the issue of “stranded costs.”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding.; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

110. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the utility phenomenon referred to as a “death spiral.”

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”))

Question:

111. Please provide copies of all regulatory filings made by TransCanada before the National Energy Board from 2006 through present concerning the impact of competitive choice on regulated rates.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; and the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket."))

Question:

113. Page 24, Line 7 – You testify, “We used PSNH's return on equity of 9.81 per cent.” During TransCanada’s Q2 2013 Earnings Call held on July 26, 2013, Donald R. Marchand - Chief Financial Officer and Executive Vice President for TransCanada noted, “Recall that in its decision, the National Energy Board approved, among other things, a return on equity of 11.5% on a deemed equity ratio of 40%, compared to the last approved return on equity of 8.08%. U.S.”
- a. Do you consider a return on equity of 11.5% to be reasonable in 2013?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

113. Page 24, Line 7 – You testify, “We used PSNH's return on equity of 9.81 per cent.” During TransCanada’s Q2 2013 Earnings Call held on July 26, 2013, Donald R. Marchand - Chief Financial Officer and Executive Vice President for TransCanada noted, “Recall that in its decision, the National Energy Board approved, among other things, a return on equity of 11.5% on a deemed equity ratio of 40%, compared to the last approved return on equity of 8.08%. U.S.”
- b. Please provide justification for your statement that a “cost-to-go” analysis should use a discounted rate based on the weighted cost of capital and not a return on equity

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding—to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

114. Page 25 - Please provide New England emissions price forecasts relied upon by TransCanada in the 2008 timeframe.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

117. Page 28, Line 10 – You testify that one option available to PSNH was “it could have agreed to study whether proceeding with the project still made sense.”

a. Is it true that in the Scrubber Law the Legislature specifically found it to be in the public interest “to achieve significant reductions in mercury emissions at the coal-burning electric power plants in the state as soon as possible”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

119. Page 28, Line 14 – You testify that PSNH “could have sought a variance in the schedule.”

b. Isn't it true that any request for schedule variance under RSA 125-O:17, I requires a demonstration of “reasonable further progress and contains a date for final compliance as soon as practicable.”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

119. Page 28, Line 14 – You testify that PSNH “could have sought a variance in the schedule.”

c. Please explain in detail how such a request for variance was an option available to PSNH in light of the fact that the scrubber was completed within the statutory time limit.

[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

120. Page 28, Line 15 – You testify that PSNH could have sought “an alternative reduction requirement based on technological or economic infeasibility (RSA 125-O:17).”
- a. What is the “reduction requirement” contained in the Scrubber Law?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

120. Page 28, Line 15 – You testify that PSNH could have sought “an alternative reduction requirement based on technological or economic infeasibility (RSA 125-O:17).”
- b. What “alternative reduction requirement” as that term is used in RSA 125-O:17, II do you feel PSNH should have sought?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

121. Page 28, Line 21 – You testify about “the principle of statutory construction that one should avoid an illogical or absurd result when construing the language of a statute.” Please provide all legal analyses and citations you performed regarding this assertion in your testimony.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

125. During TransCanada's Q2 2013 Earnings Call held on July 26, 2013, the following discourse took place:

Kelly Cryderman [from Globe and Mail]

And if -- talking about -- switching to Keystone, you talked about, again, about increasing costs due to the delays. Do you have a better handle on what those increased costs are?

Russell K. Girling

I think we have a pretty good handle on them. Obviously, that's a conversation between ourselves and our shippers. As you know, our shippers take up a portion of those costs. But until we have a better understanding of when our actual construction is going to start, we have not put out a new estimate publicly. But certainly, internally, we're working through that. Obviously, in terms of the kinds of things that influence that cost increase would be the cost of money, obviously, we have almost \$2 billion invested in this that we have the carrying costs on. The cost of maintaining pipe and equipment and maintaining our contracts through this period. We have thousands of tons of steel pipes sitting on the ground that needs to be maintained, and numerous pumps in warehouses, for example, that need to be maintained on an ongoing basis. So all of those contribute to a cost increase. But again, until we actually have a better understanding of when we can actually start construction, we are not going to issue a new number publicly.

- a. Do you disagree that delays in the Keystone XL pipeline have increased the cost of that project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the

basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

125. During TransCanada's Q2 2013 Earnings Call held on July 26, 2013, the following discourse took place:

Kelly Cryderman [from Globe and Mail]

And if -- talking about -- switching to Keystone, you talked about, again, about increasing costs due to the delays. Do you have a better handle on what those increased costs are?

Russell K. Girling

I think we have a pretty good handle on them. Obviously, that's a conversation between ourselves and our shippers. As you know, our shippers take up a portion of those costs. But until we have a better understanding of when our actual construction is going to start, we have not put out a new estimate publicly. But certainly, internally, we're working through that. Obviously, in terms of the kinds of things that influence that cost increase would be the cost of money, obviously, we have almost \$2 billion invested in this that we have the carrying costs on. The cost of maintaining pipe and equipment and maintaining our contracts through this period. We have thousands of tons of steel pipes sitting on the ground that needs to be maintained, and numerous pumps in warehouses, for example, that need to be maintained on an ongoing basis. So all of those contribute to a cost increase. But again, until we actually have a better understanding of when we can actually start construction, we are not going to issue a new number publicly.

- b. What was the original price estimate for the Keystone XL project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment

in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

125. During TransCanada's Q2 2013 Earnings Call held on July 26, 2013, the following discourse took place:

Kelly Cryderman [from Globe and Mail]

And if -- talking about -- switching to Keystone, you talked about, again, about increasing costs due to the delays. Do you have a better handle on what those increased costs are?

Russell K. Girling

I think we have a pretty good handle on them. Obviously, that's a conversation between ourselves and our shippers. As you know, our shippers take up a portion of those costs. But until we have a better understanding of when our actual construction is going to start, we have not put out a new estimate publicly. But certainly, internally, we're working through that. Obviously, in terms of the kinds of things that influence that cost increase would be the cost of money, obviously, we have almost \$2 billion invested in this that we have the carrying costs on. The cost of maintaining pipe and equipment and maintaining our contracts through this period. We have thousands of tons of steel pipes sitting on the ground that needs to be maintained, and numerous pumps in warehouses, for example, that need to be maintained on an ongoing basis. So all of those contribute to a cost increase. But again, until we actually have a better understanding of when we can actually start construction, we are not going to issue a new number publicly.

c. Please provide all subsequent cost estimates for the Keystone XL project, along with all explanations given by TransCanada explaining such cost increases.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and

proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

126. Throughout your testimony, you discuss the future price of gas.
- a. Are you aware that during TransCanada's Q3 2010 Results Conference Call held on November 3, 2010, Mr. Girling stated: "We are confident in the recovery of energy commodity prices."?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

126. Throughout your testimony, you discuss the future price of gas.

b. Do you disagree with that November, 2010 statement made by Mr. Girling? If so, please provide a detailed explanation for your disagreement.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

129. Attachment 15 - You present a chart of 12 month running delivered gas price delivered to "MA and CN" generators.
- c. Please provide an updated exhibit through January 1, 2014.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; and objection, there is no obligation to update exhibits.

Question:

133. Attachment 20 – Please provide graphs of gas price forecasts prepared by TransCanada’s NOVA Gas Transmission subsidiary from 2005 to present.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness’s testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies’ witness, Mr. Hachey, has no knowledge of the information being requested; the Companies’ witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

135. Please provide copies of all economic analyses performed by TransCanada relating to the relicensing of the Wilder, Bellows Falls, and Vernon Hydroelectric Projects on the Connecticut River.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

136. Does TransCanada contend that the Scrubber Law, RSA 125-O:11 – 18 does not mandate the installation and operation of scrubber technology at Merrimack Station?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 11.

Question:

138. Does TransCanada agree that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, the new owner would have been subject to the requirements of the Scrubber Law?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

139. Does TransCanada contend that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, a willing buyer would have been available? If so, please detail the price that TransCanada feels such a reasonable buyer would have offered, an explanation of the foundation for that price, and a statement of any and all conditions to purchase such buyer would reasonable have required.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is asking Mr. Hachey to speculate about the motives or reasons others have for taking a particular action or for expressing a particular opinion (See Order No. 25,445 in this docket, at 29, denying a motion to compel on the basis that “it would require discovery into the thought process of elected representatives”) or to speculate about information that he does not possess and that was not the basis of his testimony; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH’s actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH’s investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were “not relevant to the policy aspect of the docket.”)); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

141. Does TransCanada agree that if PSNH had the legal ability to retire Merrimack Station and did so, it would still be the owner of that facility, absent a divestiture? If TransCanada does not agree, please provide the reasoning for such disagreement. **[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].**

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.
- a. Please provide a listing of all possible “benefits” that the Legislature may have included in the referenced “balancing.” If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.
- b. Do you admit maintenance of a tax base for state and local property taxes such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is a repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.

c. Do you admit continued viability of the local rail line such a potential "benefit"? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is a repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.
- d. Do you admit fuel diversity in electric generation in the region a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.

e. Do you admit reliability of the electric grid in the region a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.

f. Do you admit lessening of the state's dependence upon other sources of electrical power which may, from time to time, be uncertain a potential "benefit"? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.

g. Do you admit retention in-state of energy expenditures a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.
- h. Do you admit creation of jobs such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

142. The purpose clause of the Scrubber Law, RSA 125-O:11 finds installation of the scrubber to be in the public interest of the citizens of New Hampshire and the customers of the affected sources; it also refers to the careful and thoughtful balancing of the cost and benefits. TransCanada discusses some of the costs, but not the potential benefits.

i. Do you admit retention of jobs such a potential “benefit”? If not, please explain the basis for your opinion.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is repeated question. See the response to question 24.

Question:

143. Does TransCanada agree that RSA 125-O:13, I requires the owner of the affected sources to “install and have operational scrubber technology to control mercury emissions at Merrimack Units 1 and 2 no later than July 1, 2013.”?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person’s understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

145. Does TransCanada agree that during the 2009 legislative session, when the General Court was considering Senate Bill 152 and House Bill 496, the Legislature was aware of the \$457 million cost estimate for the Scrubber Project?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

146. Does TransCanada agree that the August 22, 2008 Secretarial Letter from the Commission to PSNH which initiated Docket No. DE 08-103 expressly stated, "RSA 125-O:11, enacted in 2006, requires PSNH to install new scrubber technology at Merrimack Station by July 1, 2013 that will achieve at least an 80 percent reduction in mercury emissions."?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

147. Provide any and all documents related to positions TransCanada has taken, including the development of such positions, regarding any pollution control projects at the "affected sources" as defined in RSA 125-O:12, I (including the Scrubber), including, but not limited to:
- a. Board meeting minutes or notes (formal or informal);

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

147. Provide any and all documents related to positions TransCanada has taken, including the development of such positions, regarding any pollution control projects at the "affected sources" as defined in RSA 125-O:12, I (including the Scrubber), including, but not limited to:
- b. Meeting minutes or notes of any Board subcommittees or special committees;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

147. Provide any and all documents related to positions TransCanada has taken, including the development of such positions, regarding any pollution control projects at the "affected sources" as defined in RSA 125-O:12, I (including the Scrubber), including, but not limited to:
- c. notes or minutes from any committees within TransCanada,

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

147. Provide any and all documents related to positions TransCanada has taken, including the development of such positions, regarding any pollution control projects at the "affected sources" as defined in RSA 125-O:12, I (including the Scrubber), including, but not limited to:
- d. Any internal notes or memoranda of any TransCanada employee, agent, officer or board member; and any electronic mail message, including attachments, or any other electronic communications.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

148. Is it TransCanada's position that if PSNH suspended and cancelled the scrubber project after prudently incurring costs, but before the scrubber actually provided service to consumers, PSNH would be able to recover the costs it had expended? If not, why not?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

149. Please provide copies of all economic analyses in the possession of TransCanada concerning the flue gas scrubber at Merrimack Station.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

150. Please provide copies of all economic analyses in the possession of TransCanada concerning the ability of PSNH to request a "variance" under RSA 125-O:17.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

151. Please provide all fuel price forecasts relating to the price of coal, oil and natural gas available to TransCanada from 2005 through 2012.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

152. Please provide a copy of any document provided to any elected or appointed government official in New Hampshire by TransCanada related to "An ACT relative to the reduction of mercury emissions" that took effect on June 8, 2006.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

153. Please identify any individual employed by or otherwise compensated by TransCanada to work on its behalf concerning "An ACT relative to the reduction of mercury emissions" that took effect on June 8, 2006.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

154. Please provide a copy of any document provided to any elected or appointed government official in New Hampshire by TransCanada related to Senate Bill 152 and House Bill 496 in 2009.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

155. Please identify any individual employed by or otherwise compensated by TransCanada to work on its behalf concerning Senate Bill 152 and House Bill 496 in 2009.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

156. Please provide all documents exchanged between TransCanada and the U.S. Environmental Protection Agency from 2006 to the present related to the "affected sources" as defined in RSA 125-O:12, I.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

157. Please provide copies of any and all correspondence that TransCanada had with NHDES that pertains to the "affected sources" as defined in RSA 125-O:12, I.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

158. Please provide copies of any and all documents that TransCanada provided to DES, any legislator or any state official concerning the "affected sources" as defined in RSA 125-O:12, I.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

159. Please provide copies of any and all documentation that TransCanada has regarding estimates of newly proposed coal and natural gas combined cycle generating stations in the 2008-2009 time frame.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

160. Please provide copies of any and all documentation in TransCanada's possession regarding the forward market for natural gas delivered to New England in the 2008 through 2011 time frame.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

161. Please provide any and all documentation in TransCanada's possession related to the bus bar costs of power for a new coal or natural gas combined cycle plant in New England during the 2008 to 2012 time period.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Question:

162. Who if anyone attended hearings or testified before the Legislature on behalf of TransCanada relating to the consideration of House Bill 1673 during the 2006 legislative session? Provide copies of all documents provided to the legislature by TransCanada.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

163. Who if anyone testified before the Legislature on behalf of TransCanada relating to the consideration of House Bill 496 and/or Senate Bill 152 during the 2009 legislative session? Provide copies of all documents provided to the legislature by TransCanada.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

164. Does TransCanada have any requirement, such as but not limited to a corporate compliance program, that mandates compliance with applicable laws? If so, please provide copies of all documents describing such programs.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 12.

Question:

165. Does TransCanada contend that the Scrubber Law, RSA 125-O:11 - 18 does not mandate the installation and operation of scrubber technology at Merrimack Station?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to questions 11 and 136.

Question:

166. Does TransCanada contend that installation and operation of scrubber technology at Merrimack Station resulted from a discretionary decision made by PSNH management?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 137.

Answer:

167. Does TransCanada agree that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, the new owner would have been subject to the requirements of the Scrubber Law? If not, explain your answer in full.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 138.

Question:

168. Does TransCanada contend that if a decision had been made to divest Merrimack Station during the 2008 to 2010 time period, a willing buyer would have been available? If so, please detail the price that TransCanada believes a reasonable a buyer would have offered, an explanation of the foundation for that price, and a statement of any and all conditions to purchase such buyer would reasonably have required.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 139.

Question:

169. Does TransCanada agree that if PSNH had the legal ability to retire Merrimack Station and did so, it would still be the owner of that facility, absent a divestiture? If TransCanada does not agree, please provide the reasoning for such disagreement. **[Note: this question is asked subject to PSNH's pending Motions to Strike. If the Commission rules in PSNH's favor on the relevant Motion, PSNH will withdraw this question].**

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 141.

Question:

170. Is it TransCanada's position that the Scrubber Law included a not to exceed price of \$250 Million?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 18.

Question:

170. Is it TransCanada's position that the Scrubber Law included a not to exceed price of \$250 Million?

a. If so, please identify with specificity where that not to exceed price is located in the Scrubber Law.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 18.

Question:

170. Is it TransCanada's position that the Scrubber Law included a not to exceed price of \$250 Million?

b. Does TransCanada agree with the contention that in 2006 the legislature mandated for PSNH to install the scrubber without placing a limit on the costs?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question18.

Question:

170. Is it TransCanada's position that the Scrubber Law included a not to exceed price of \$250 Million?

c. Is it TransCanada's position that the words of the law itself do not control?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question18.

Question:

171. Is TransCanada intending to challenge in any manner the final reports produced by Jacobs Consultancy Inc. which was retained by the NHPUC to monitor and report on PSNH's Clean Air Project at Merrimack Station? If so, please explain and identify in detail all areas of the Jacobs' reports you are challenging.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission; and the Companies object to the request on the basis that it is asking Mr. Hachey, who is not an attorney, to provide a legal conclusion. While Mr. Hachey is able to read the law and to provide a lay person's understanding of what the law says, he is not qualified to provide a legal conclusion. In addition, a response to this request is unnecessary in that PSNH can and has argued to the Commission how it thinks the Commission should interpret the law and the final

determination on how to interpret the law in this docket will be made by the Commission and, if appealed, by the Supreme Court.

Question:

172. Does TransCanada agree that economic analyses of the scrubber project performed in the 2008 to 2009 time period would have required educated guesses about what the energy market might be going forward over the subsequent five to ten years?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is repeated question. See the response to question 79.

Question:

173. Provide copies of any requests for documents under the Freedom of Information Act related to Merrimack Station or the Scrubber Project during the period 2005 to present that TransCanada made to any federal agency and all responses received pursuant to those requests.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

174. Did TransCanada make any requests for documents under RSA 91-A related to Merrimack Station or the Scrubber Project during the period 2005 to present with any agency, instrumentality or municipality of the State of New Hampshire? If so, please provide copies of all such requests and all responses received pursuant to those requests.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

a. The identity of the agency;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

b. The identity of agency officials who participated in or were present at the discussions;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

- c. The dates of those discussions;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

d. The subject matter of those discussions;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

e. The location of those discussions;

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

f. The reason for those discussions; and

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

175. Did TransCanada have any discussions with and state or federal agencies related to Merrimack Station or the Scrubber during the period 2005 to present?

If so please provide details of such conversations, including but not limited to

g. Copies of all documents produced by TransCanada at those discussions or received from the agency.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; and the Companies object to the request on the basis that it seeks information that is readily available from publicly available sources and PSNH is asking the Companies to find information and conduct research for it.

Question:

176. Please provide all information in the possession of TransCanada regarding the future direction of gas prices from 2007 through 2011 not otherwise provided in response to any previous question.

Answer:

Objection for the reasons set forth in the General Objections above. More specifically, the Companies object to the request on the basis that it is beyond the scope of and not related to the testimony that Mr. Hachey filed in this docket, Mr. Hachey has no knowledge of the information being requested, and providing a response to the data request would either require Mr. Hachey to conduct further research than what he did to prepare and proffer his testimony or it would require the Companies to put forth another witness to respond and substantiate a response. The Companies therefore object to the request as beyond the scope of this proceeding and this witness's testimony in this proceeding; the Companies object to the request on the basis that it is overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of information that is relevant and admissible in this proceeding; the Companies object to the request on the basis that it seeks confidential and proprietary information from entities that are not a party to the docket. Confidential and proprietary information is protected under RSA 91-A:5 and Commission rules and precedent. The Companies' witness, Mr. Hachey, has no knowledge of the information being requested; the Companies' witness, Mr. Hachey, is asked questions he may not even seek the answer to due to regulated codes of conduct that prevent him from having any access to or knowledge of the information being requested; the Companies object to the request on the basis that it is to an entity that is not a party to the docket; the Companies object to the request on the basis that it seeks information that is irrelevant to this proceeding—a proceeding to determine whether PSNH's actions with regard to a specific investment in a scrubber project in a specific geographic region and market were prudent; the Companies object to the request on the basis that it is not relevant to the determination of the prudence of PSNH's investment in the scrubber at Merrimack Station and is not relevant to the policy aspects of this docket. (See *Re Investigation into Whether Certain Calls are Local*, 86 NH PUC 167, 168-169 (2001) (where the Commission, based on a recommendation from Staff, required answers to some but not all discovery questions, following an analysis that denied questions that were too narrow or too broad because they were "not relevant to the policy aspect of the docket.")); and the Companies object to the request on the basis that it is unnecessarily argumentative; it is seeking an admission on an issue that is contested in the docket, which will be decided by the Commission.

Attachment C

Questions from PSNH that TransCanada Provided No Responses To

10	12	22	23	24	30c,d
31	32	33b	32	34	36
37	41	42	43	44	45
48	49	50	51	52	57d
61d,e,f	64c,d,g,h,i	65	66	67	68
71	74b,c	75	81	83	84
85	87	91	92	94	95a,b,c,d
96	97	98	99	100	101
102	103	107	108	109	110
111	113a	114	117a	119b,c	120a
121	125	126	129c	133	135
136	139	141	142	143	147
148	150	151	152	153	154
155	156	157	158	159	160
161	162	163	164	165	166
167	168	169	170	171	172
173	174	175	176		

Attachment D

PSNH's Questions to TransCanada for Which PSNH Deems TransCanada's Responses to be Inadequate

Q Issue

- 3 PSNH requested an organization chart for TransCanada Corporation. The response has only one branch of such an organization chart.
- 28 PSNH asked whether TransCanada had employed Power Advocate during the 2005 to present time period. The response did not include all of TransCanada.
- 30a PSNH asked how Mr. Hachey would predict whether or not costs in a competitive marketplace had or had not reached a peak. The answer was not responsive to this question.
- 38 PSNH asked questions about TransCanada's gas price forecasts. The response was inadequate, as it was limited to what Mr. Hachey claims he knows – which is nothing. The response did not include all of TransCanada.
- 39 PSNH asked questions about TransCanada's gas price forecasts. The response was inadequate, as it was limited to what Mr. Hachey claims he knows – which is nothing. The response did not include all of TransCanada.
- 40 PSNH asked questions about TransCanada's gas price forecasts. The response was inadequate, as it was limited to what Mr. Hachey claims he knows – which is nothing. The response did not include all of TransCanada.
- 57a,b PSNH asked whether TransCanada ever relied on futures prices to forecast the future price of natural gas? The response did not include all of TransCanada.
- 62 PSNH asked Mr. Hachey whether he deemed the FERC Enforcement Staff's June 19, 2008 report to the FERC Commissioners included in PSNH's September 2, 2008 Report to the Commission in Docket DE 08-103 to be flawed or outdated. The response merely said that FERC's Office of Enforcement is not an expert in gas price forecasts, which is not responsive to the question.
- 63 PSNH asked whether there was a gas price forecast from 2008 that predicted the price "crash" testified to by Mr. Hachey. The answer provided is not responsive to this question.

- 64e,f PSNH asked Mr. Hachey whether he agreed with the view of TransCanada's CEO that "gas prices are obviously volatile." The answer provided is not responsive to this question.
- 69 PSNH asked Mr. Hachey whether in his opinion a cost of gas in New Hampshire of \$12/MMBtu in the Fall of 2008 was unreasonably high? The answer provided is not responsive to this question.
- 70c,d PSNH asked about certain aspects of gas price forecasts referenced in Mr. Hachey's testimony. The answer provided is not responsive to this question.
- 72a PSNH asked questions about TransCanada's gas price forecasts. The response was inadequate, as it was limited to what Mr. Hachey claims he knows – which is nothing. The response did not include all of TransCanada.
- 76a Mr. Hachey testified that, "A prudent company taking such a significant risk on behalf of ratepayers should have exhaustively researched natural gas supply developments and been aware of this looming issue." PSNH asked him to identify the "looming issue" referred to. The answer provided is not responsive to this question.
- 77 Mr. Hachey provided an excerpt from the EIA 2008 AEO forecast. PSNH asked whether this forecast accurately anticipated the drop in natural gas prices experienced in the market or the actual spike realized in unconventional onshore natural gas production. The answer provided is not responsive to this question.
- 89 Mr. Hachey testified that he used the Brattle Group's forecast as one that "contradicted the NYMEX-based analysis presented to the NH PUC". PSNH asked whether the Brattle Group forecast relied on NYMEX prices to project natural gas prices from 2007 through 2012. The answer provided is not responsive to this question.
- 90 Mr. Hachey testified that he used the Synapse AESC 2007 natural gas price forecast as one that "contradicted the NYMEX-based analysis presented to the NH PUC". PSNH asked whether the Synapse AESC 2007 natural gas price forecast relied on NYMEX prices to project natural gas prices from 2007 through 2012. The answer provided is not responsive to this question.
- 95e,f PSNH asked questions about TransCanada's regulatory reactions to changes in the gas marketplace. The response was inadequate, as it was limited to what Mr. Hachey claims he knows – which is nothing. The response did not include all of TransCanada.
- 104a PSNH asked whether there presently a reliable source of gas available in New Hampshire to allow a gas-fired combined cycle power plant to run at all times of the year. The response was inadequate, as it was limited to what Mr. Hachey claims he knows – which is nothing. The response did not include all of TransCanada.

- 115 Mr. Hachey's testimony referenced PSNH's calculation that the impact that the scrubber project would have on default service customers was going to be approximately .31 cents per kWh." PSNH asked whether Mr. Hachey disputes that number. The answer provided is not responsive to this question.
- 120b Mr. Hachey testifies that PSNH could have sought "an alternative reduction requirement based on technological or economic infeasibility (RSA 125-O:17)." PSNH asked what "alternative reduction requirement" as that term is used in RSA 125-0:17, II Mr. Hachey feels PSNH should have sought? The answer provided is not responsive to this question.
- 122 Mr. Hachey testifies that PSNH could have divested Merrimack Station in lieu of installing the scrubber. PSNH asked Mr. Hachey's to provide the basis for his opinion that divestiture was a feasible and cost- effective option for PSNH at the time. The answer provided is not responsive to this question.
- 140 PSNH asked TransCanada for any analysis performed on the costs/benefits and ratepayer impact of selling Merrimack and the likely market interest in the plant in the proposed timeframe. The answer provided is not responsive to this question.

Attachment E

TransCanada's Full Responses Deemed by PSNH to be Inadequate

Question:

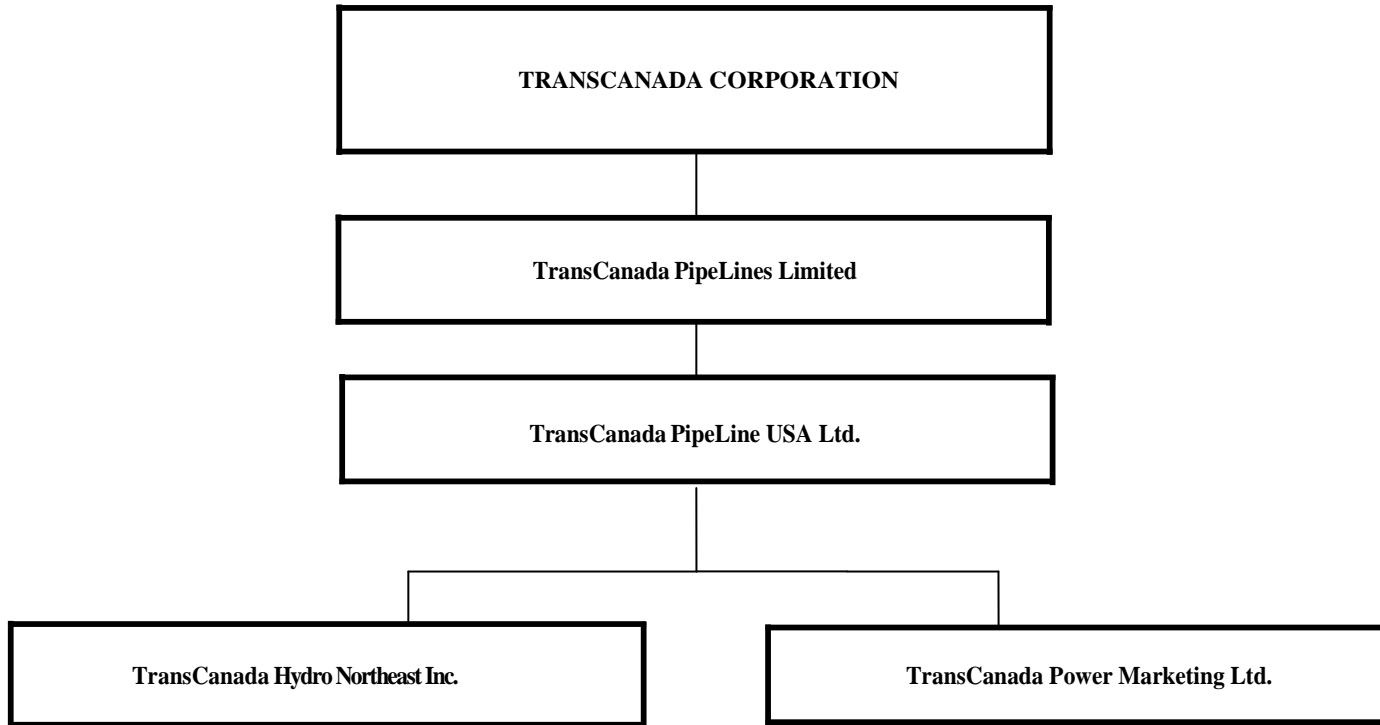
3. Page 2, Line 2 – Please provide a corporate organization chart for TransCanada Corporation, showing the parent entity and all subsidiary and affiliate companies.

Answer:

See attached.

Provided by: Michael Hachey

Organizational Chart of TransCanada Corporation and TransCanada PipeLines Limited as it relates to TransCanada Hydro Northeast Inc. and TransCanada Power Marketing Ltd.



Question:

28. Page 9, Line 18 – You testify about the PowerAdvocate report. Has TransCanada used PowerAdvocate as a contractor or consultant during the time period from 2005 to present? If so, please provide details of all work performed by PowerAdvocate on behalf of TransCanada.

Answer:

The Companies have not used PowerAdvocate as a contractor or consultant during the time period from 2005 to present to my knowledge.

Provided by: Michael Hachey

Question:

30. Page 10, Line 3 – You testify “With respect to cost predictions, the [PowerAdvocate] report concludes that capital construction costs for new generation remained at historic levels with no clear understanding of whether or not a peak had been reached due to recent volatility of costs associated with the supply market.”
- a. Please describe in detail how you would predict whether or not costs in a competitive marketplace had or had not reached a peak?

Answer:

The statement referred to was taken directly from the PowerAdvocate report. There was no analysis in the PowerAdvocate report that I could find that indicated how PowerAdvocate would predict whether or not costs in a competitive marketplace had or had not reached a peak.

Provided by: Michael Hachey

Question:

38. On June 6, 2012, the “Globe and Mail” < <http://m.theglobeandmail.com/report-on-business/streetwise/transcanada-to-revise-optimistic-natural-gas-outlook/article4235240/?service=mobile> > (Exhibit I to these questions) reported that: “Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”
- a. Identify the TransCanada gas forecasts that were referenced in this article.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, I don’t know what forecasts the authors are referring to.

Provided by: Michael Hachey

Question:

38. (Exhibit I to these questions) reported that: “Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”
- b. For each forecast, identify the factors that led to the overly optimistic forecasts.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, see my response to question 38a.

Provided by: Michael Hachey

Question:

38. (Exhibit I to these questions) reported that:“Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”
- c. Provide copies of each forecast.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, see my response to question 38a.

Provided by: Michael Hachey

Question:

38. (Exhibit I to these questions) reported that:“Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”
- d. Identify any TransCanada capital projects that relied in any way on the forecasts which turned out to be overly optimistic.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, see my response to question 38a.

Provided by: Michael Hachey

Question:

38. (Exhibit I to these questions) reported that: "Things are bad and getting worse for Canada's natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic."

e. Did TransCanada discuss the cause or impacts of its overly optimistic gas forecasts at any of its board meetings or at any meetings among senior executives?

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, see my response to question 38a.

Provided by: Michael Hachey

Question:

38. (Exhibit I to these questions) reported that: “Things are bad and getting worse for Canada’s natural gas sector, whose battle with tough prices and U.S. competition has forced TransCanada Corp. to admit its earlier forecasts were too optimistic.”
- f. Please provide all notes, minutes or any other memorialization of any such meetings.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, see my response to question 38a.

Provided by: Michael Hachey

Question:

39. Reference Exhibit I attached hereto at page 1: “TransCanada is a pipeline company, but its forecasts carry substantial heft, given that it touches most molecules of natural gas pulled from the earth in Canada. It pointed last year to a strong rebound in the works, on the strength of buoyant gas prices - \$6.30 per million BTU by 2015 was its prediction - and a production surge to 17.2 billion cubic feet a day by 2020. But it was clear those forecasts were outliers....”

a. Does TransCanada agree that its gas price forecasts “carry substantial heft.” Please explain your answer.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, I have no knowledge of these forecasts and do not know what the authors meant by “carry substantial heft”.

Provided by: Michael Hachey

Question:

39. Reference Exhibit I attached hereto at page 1: “TransCanada is a pipeline company, but its forecasts carry substantial heft, given that it touches most molecules of natural gas pulled from the earth in Canada. It pointed last year to a strong rebound in the works, on the strength of buoyant gas prices - \$6.30 per million BTU by 2015 was its prediction - and a production surge to 17.2 billion cubic feet a day by 2020. But it was clear those forecasts were outliers....”
- b. Does TransCanada agree its forecasts were outliers? Please explain your answer.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, I have no knowledge of these forecasts and do not know what the authors meant by “those forecasts were outliers”.

Provided by: Michael Hachey

Question:

40. Reference Exhibit I at page 1: “TransCanada didn’t have much choice in changing its figures. The company’s forecast for 2012 was already wildly off.” Does TransCanada agree that its 2012 gas price forecast was “wildly off”. Please explain your answer.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, I have no knowledge of these forecasts and do not know what forecasts are being referred to or what the authors meant by “wildly off”.

Provided by: Michael Hachey

Question:

57. Page 16 - You contend that it was unreasonable for PSNH to use NYMEX futures prices for its natural gas price forecast.
- a. Has TransCanada ever relied on futures prices to forecast the future price of natural gas?

Answer:

Please see answer to 54a; the Companies use NYMEX futures to hedge as discussed in 54a not to speculate.

Provided by: Michael Hachey

Question:

57. Page 16 - You contend that it was unreasonable for PSNH to use NYMEX futures prices for its natural gas price forecast.

b. If so, please provide information on when and how these futures prices were used.

Answer:

Please see PSNH letter to the NH PUC dated 9/2/2008 in Docket DE 08-103 and accompanying materials.

Provided by: Michael Hachey

Question:

62. Page 19, Line 2 – You refer to PSNH’s September 2, 2008 Report to the Commission. On June 19, 2008, approximately 10 weeks prior to the submission of PSNH’s Report, FERC’s Office of Enforcement presented its assessment of likely electricity costs in coming years to the FERC Commissioners. In that presentation, which was included in PSNH’s September 2, 2008 Report to the Commission in DE 08-103, at Exhibit 2, the FERC Commissioners were told by FERC Staff, “[H]igher future prices are likely to affect all regions.” The basis for this forecast was “The primary reason for the electric power price increases this year is high fuel prices. All current market indications suggest that they will remain high. Let’s look at natural gas, which often determines prices because it is so frequently on the margin. The slide shows futures prices for the next few years. The futures prices are somewhat lower for 2009 than for 2008. Even so, they are a good deal higher for all years than the prices people actually paid last year, and they are much higher than the prices many of us remember from earlier in the decade. The implication is that markets anticipate continuing high prices, even though they know that the United States has seen a significant increase in domestic natural gas production over the last year and a half. The anticipation of further high prices makes more sense when one considers the likely increase in gas demand for generation and the global nature of competition for LNG.” Is it your opinion that FERC Staff’s presentation to the FERC was “flawed or outdated”?

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, to the best of my knowledge, the FERC’s Office of Enforcement is not an expert in gas price forecasting.

Provided by: Michael Hachey

Question:

63. Page 19 - You contend that delivered natural gas prices “crashed” down to the five dollar level following the price spike in 2008. Can you provide a forecast from 2008 that anticipated this price drop?

Answer:

The forecasts at issue are those available to PSNH, one of which, Energy Ventures Analysis, has not been produced in its entirety to the Companies. The forecasts speak for themselves.

Provided by: Michael Hachey

Question:

64. On May 1, 2009, during the “Q1 2009 TransCanada Corporation Earnings Conference Call,” Mr. Kvisle stated:

“I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13BcF a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range.”

- e. Do you agree with Mr. Kvisle's statement that “gas prices are obviously volatile”?

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, “volatile” is a relative term. The historic or future period of interest must be referenced, in addition to the commodity natural gas it being compared to.

Provided by: Michael Hachey

Question:

64. On May 1, 2009, during the "Q1 2009 TransCanada Corporation Earnings Conference Call," Mr. Kvisle stated:

"I don't think anybody would proceed with a Mackenzie or Alaska pipeline project based on this month's gas price versus what gas prices were eight months ago. Gas prices are obviously volatile and we look at them today and we would say that our gas price outlook for the longer term is somewhere in the 6 to 10 range. And you could see over that period, gas prices going well above 10 and you can see them going down into the 3 or 4 range, as we're seeing right now. But we don't think gas prices are going to remain below CAD4 because you can't actually offset the annual decline that occurs in the supply base. Every year, we lose about 13BcF a day through declining production in North America and that much has to be brought back on just to maintain flat production. And if the price is below 4, that simply can't occur. So, we would expect gas prices to move back up into that 6 to 10 range."

- f. If not, please explain in detail why Mr. Kvisle was incorrect.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, please see the response to question 64e.

Provided by: Michael Hachey

Question:

69. Is it your opinion that a cost of gas in New Hampshire of \$12/MMBtu in the Fall of 2008 was unreasonably high?

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, the EIA data for the fall of 2008 in New Hampshire was limited to a small number of sources and was withheld by EIA due to confidentiality concerns. For Massachusetts, however, the price of gas sold to electric power consumers for Fall of 2008 ranged between \$7.68 and \$8.50.

Provided by: Michael Hachey

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:
- c. whether "engineering analysis of future supply and demand" were used in the forecast and if so, how;

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, please see the response to question 70b.

Provided by: Michael Hachey

Question:

70. Page 20 - You indicate that "I am aware of four different forecasts available to PSNH as of September 2, 2008. These four forecasts were prepared by EVA, Synapse, EIA, and Brattle. For each of these forecasts, could you indicate the following:

d. whether regulatory and technological trends" were used in the forecast and, if so, how; and

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, please see the response to question 70b.

Provided by: Michael Hachey

Question:

72. Page 21 - You contend that PSNH did not rely on any particular forecast for its gas prices estimate, but instead relied on the \$11 per MMBtu assumption that was based on actual reported Natural Gas Prices for dispatch at PSNH generating units.
- a. Has TransCanada ever used futures market prices to forecast the price of natural gas?

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, please see answer to 54a.

Provided by: Michael Hachey

Question:

76. Page 22, Line 1 – You testify, “A prudent company taking such a significant risk on behalf of ratepayers should have exhaustively researched natural gas supply developments and been aware of this looming issue.”

a. Is the “looming issue” you refer to the impact of shale gas on future gas prices? If not, what are you referring to?

Answer:

In general, developments in natural gas supply.

Provided by: Michael Hachey

Question:

77. Page 21 - You provide an excerpt from the EIA 2008 AEO forecast. Does this forecast accurately anticipate the drop in natural gas prices experienced in the market or the actual spike realized in unconventional onshore natural gas production?

Answer:

The forecast speaks for itself.

Provided by: Michael Hachey

Question:

89. Page 24 - You explain that you use the Brattle Group's forecast as one that "contradicted the NYMEX-based analysis presented to the NH PUC". Does the Brattle Group forecast rely on NYMEX prices to project natural gas prices from 2007 through 2012?

Answer:

The forecast is available to PSNH and speaks for itself.

Provided by: Michael Hachey

Question:

90. Page 24 - You explain that you use the Synapse AESC 2007 natural gas price forecast as one that “contradicted the NYMEX-based analysis presented to the NH PUC”. Does the Synapse AESC 2007 forecast rely on NYMEX prices to project natural gas prices from 2007 through 2012?

Answer:

Please see the response to question 89.

Provided by: Michael Hachey

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”

e. Describe the so-called “radical restructuring” TransCanada recommended.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, I don’t know what the article was referring to.

Provided by: Michael E. Hachey

Question:

95. On July 1, 2012, an article titled “**TransCanada Corp. grapples with fate of its Mainline**” appeared in “Alberta Oil,” available on-line at < <http://www.albertaoilmagazine.com/2012/07/transcanadas-mainline-is-in-trouble-can-it-be-saved/> > (Exhibit II to these questions). At page 1, this article states, “At least, that’s the way it was until the troubles – some call it ‘the death spiral’ – hit. Now, the country’s energy establishment is mired in a lengthy attempt to free the Mainline from the weeds, an effort that began last September when TransCanada recommended a radical restructuring intended to save the Mainline.”

f. Explain why TransCanada believed that restructuring was necessary.

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, I don’t know what the article was referring to.

Provided by: Michael E. Hachey

Question:

104. Page 26, Line 21 – You testify that the cost of the Scrubber was “roughly the cost to build an entire new gas-fired combined cycle power plant.”

a. Is there presently a reliable source of gas available in New Hampshire to allow a gas-fired combined cycle power plant to run at all times of the year?

Answer:

There are several natural gas fired plants in New Hampshire. None are owned by TransCanada, and I have not investigated gas supply matters in New Hampshire.

Provided by: Michael Hachey

Question:

115. Page 27, Line 18 – You testify that “Company officials indicated a number of times that the impact that the scrubber project would have on default service customers was going to be approximately .31 cents per kWh.”
- a. Do you dispute the 0.31¢/kWh estimate?

Answer:

Please see lines 8-12 on page 27 of my testimony.

Provided by: Michael Hachey

Question:

115. Page 27, Line 18 – You testify that “Company officials indicated a number of times that the impact that the scrubber project would have on default service customers was going to be approximately .31 cents per kWh.”
- b. If so, please provide all calculations and workpapers upon which you base such dispute.

Answer:

See the response to question 115a.

Provided by: Michael Hachey

Question:

120. Page 28, Line 15 – You testify that PSNH could have sought “an alternative reduction requirement based on technological or economic infeasibility (RSA 125-O:17).”
- b. What “alternative reduction requirement” as that term is used in RSA 125-O:17, II do you feel PSNH should have sought?

Answer:

The Companies previously objected to this request.

Notwithstanding the objection and without waiving the same, the testimony stated the variance was an option available to PSNH.

Provided by: Michael Hachey

Question:

122. Page 28 - You contend that PSNH could have sought approval to sell the plant. Please provide the basis for your opinion that selling the plant was a feasible and cost-effective option for PSNH at the time.

Answer:

The testimony states that was an option available to PSNH.

Provided by: Michael Hachey

Question:

140. Please provide any analysis performed on the costs/benefits and ratepayer impact of selling Merrimack and the likely market interest in the plant in the proposed timeframe.

Answer:

See testimony page 28.

Provided by: Michael Hachey