

THE STATE OF NEW HAMPSHIRE

BEFORE THE

PUBLIC UTILITIES COMMISSION

DE 14-238

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
DETERMINATION REGARDING PSNH'S GENERATION ASSETS

GRANITE STATE HYDROPOWER ASSOCIATION'S
FIRST SET OF DATA REQUESTS TO EVERSOURCE

NOW COMES Granite State Hydropower Association ("GSHA"), by and through its attorneys, and respectfully submits the following data requests to Eversource.

Instructions

1. These data requests seek answers in writing as of the date propounded (i.e. July 29, 2015) 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 in writing promptly after such information is acquired or becomes known.
2. In answering these data requests, you are requested to divulge all information in your possession, control or available to you, including information in the possession or control of your agents, 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.
3. If you feel that any data request is ambiguous, please notify counsel for GSHA so that the request may be clarified prior to the submission of a written response.
4. Please 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.

5. 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.

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

7. 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.

8. Unless indicated otherwise herein, the names "Eversource," "Public Service Company of New Hampshire," and "PSNH" are used interchangeably to refer to the New Hampshire electric distribution company known as Public Service Company of New Hampshire d/b/a Eversource Energy.

9. Unless indicated otherwise herein, the term "Agreement" refers to the 2015 Public Service Company of New Hampshire Restructuring and Rate Stabilization Agreement.

DATA REQUESTS

GSHA 1-1. Please explain why Eversource's July 6, 2015 prefiled testimony in Docket DE 14-238 submitted in support of the 2015 Public Service Company of New Hampshire Restructuring and Rate Stabilization Agreement ("Agreement") does not address the following Agreement provisions: III. C. Avoided Costs for IPPs; and VI. B. Purchases from Qualifying Facilities ("QFs"), Independent Power Producers ("IPPs") and Power Purchase Adjustments.

GSHA 1-2. Please identify all independent power producers ("IPPs") [other than those who sell power to Eversource under a power purchase agreement ("PPA")] from whom Eversource purchased output from January 1, 2015 to June 30, 2015 pursuant to the terms of the Agreement to Settle PSNH Restructuring dated August 2 1999, as revised and redated June 23, 2000.

GSHA 1-3. Please identify the amount of output (kWh) that Eversource purchased for each hour beginning January 1, 2015 to June 30, 2015 from each of the IPPs listed in response to data request GSHA 1-2.

GSHA 1-3.a. Please state your understanding of Eversource's current obligation to purchase IPP output pursuant to LEEPA (NH RSA 362-A) and PURPA (Public Utility Regulatory Policies Act of 1978 as amended, generally 16 U.S. Code §2601).

GSHA 1-4. Please state whether Eversource took legal title to the output purchased from each IPP identified in response to data request GSHA 1-2. With regard to future purchases of IPP output, will Eversource continue to take title to such output? If not, please explain why.

GSHA 1-5. Please provide the energy rate (cents/kWh) paid by Eversource to each of the IPPs identified in response to GSHA data request 1-2 for each hour from January 1, 2015 to June 30, 2015.

GSHA 1-6. Please state the amount (kWh) of Default Service (also known as Energy Service) provided by Eversource to each of its rate categories (LG, GV, G, R, and OL) for each hour from January 1, 2015 to June 30, 2015.

GSHA 1-7. Please state the amount of energy (kWh) generated by each Eversource owned generating asset for each hour from January 1, 2015 to June 30, 2015. For purposes of this question, please interpret "Eversource generating asset" to mean each of the Eversource generating category (i.e. hydro, coal, biomass and peaking turbines).

GSHA 1-8. The following questions relate to Eversource's purchases from ISO-NE for the period January 1, 2015 through June 30, 2015.

- A. Please identify those hours from January 1, 2015 to June 30, 2015 when Eversource purchased energy from ISO-NE.
- B. Please identify the quantity of energy (kWh) Eversource purchased from the ISO-NE day ahead market during those hours identified in response to data request GSHA 1-8.A.
- C. Please identify the quantity of energy (kWh) Eversource purchased from the ISO-NE real time market during those hours identified in response to data request GSHA 1-8.A.
- D. Please provide the energy rate (cents/kWh) for the energy Eversource purchased from the ISO-NE day ahead market during those hours identified in response to data request GSHA 1-8.A.
- E. Please provide the energy rate (cents/kWh) for the energy Eversource purchased from the ISO-NE real time market during those hours identified in response to data request GSHA 1-8.A.

GSHA 1-9. The following questions relate to Eversource's sales into ISO-NE during the period January 1, 2015 through June 30, 2015.

A. Please identify those hours from January 1, 2015 to June 30, 2015 when Eversource sold energy into ISO-NE.

B. Please identify the quantity of energy (kWh) Eversource sold into the ISO-NE day ahead market for those hours identified in response to data request GSHA 1-9.A.

C. Please identify the quantity of energy (kWh) Eversource sold into the ISO-NE real time market for those hours identified in response to data request GSHA 1-9.A.

D. Please provide the energy rate (cents/kWh) for the energy sold into the ISO-NE day ahead market for those hours identified in response to data request GSHA 1-9.A.

E. Please provide the energy rate (cents/kWh) for the energy sold into the ISO-NE real time market for those hours identified in response to data request GSHA 1-9.A.

GSHA 1-10. Please provide the Default Service Energy Rate (cents/kWh) charged to Eversource customers in each rate category (LG, GV, G, R, and OL) for each hour from January 1, 2015 to June 30, 2015.

GSHA 1-11. Does the Default Energy Service Rate reflect Eversource's actual, prudent and reasonable costs of providing power, as approved by the Commission?

GSHA 1-12. Please identify the major non energy cost categories that are included in Eversource's Default Energy Service Rate.

GSHA 1-13. Does Eversource include IPP generation as a source of power to meet Eversource's load requirements? Please explain your response.

GSHA 1-14. Under Section III. B. of the Agreement, no later than six months after final financial closing resulting from divestiture of Eversource's generating assets, Eversource will be required to transition to a competitive procurement process for Default Service. If Eversource divests only some but not all of its generating assets, will the competitive procurement process for Default Service commence after final financial closing resulting from the partial divestiture? Please explain your response.

GSHA 1-15. Will the suppliers selected to provide Eversource's Default Service under the competitive procurement process supply all of Eversource's Default Service energy needs? Please explain your response.

GSHA 1-16. Under the contemplated competitive procurement process for Default Service will Eversource purchase any energy from ISO-NE to meet Default Service needs? Please explain your response.

GSHA 1-17. Under the contemplated competitive procurement process will the rates set forth in the winning competitive bid(s), subject to NHPUC review, be used to establish the

rates to be charged by Eversource to Default Service customers? Please explain your response.

GSHA 1-18. Please refer to line 306 of the Agreement and provide the definition of the term "market price for sales into the ISO-NE power exchange" appearing therein. Please state the basis for your definition, including citations to legal authority.

GSHA 1-19. For the period January 1, 2015 – June 30, 2015 please identify the cumulative dollar value difference between the ISO-NE NH day ahead LMP and the real time LMP.

GSHA 1-20. For the period January 1, 2015 – June 30, 2015, please identify the percent value for the cumulative difference between the ISO-NE NH day ahead LMP and the real time LMP.

GSHA 1-21. Under the contemplated competitive procurement process for Default Service post divestiture, please state whether Eversource be obligated to purchase IPP output pursuant to PURPA and LEEPA as presently enacted.

GSHA 1-22. Assuming Eversource purchases such IPP output, will Eversource take title to IPP output that is purchased? If not, why not?

GSHA 1-23. Please explain the reason(s) for including section III.C. ("Avoided Costs for IPPs") in the Agreement.

GSHA 1-24. Please refer to section III.C. of the Agreement, and explain why the term "avoid costs rates for purchases of IPP power pursuant to PURPA and LEEPA" appearing therein is defined as "the market price for sale into the ISO-NE power exchange, adjusted for line losses, wheeling costs, and administrative costs."

GSHA 1-25. For the period January 1, 2015 – June 30, 2015, what percentage of PSNH's power purchases were from the ISO-NE day ahead market?

GSHA 1-26. For the period January 1, 2015 – June 30, 2015, what percentage of PSNH's power purchases were from the ISO-NE real time market?

GSHA 1-27. The following questions relate to the June 10, 2015 Restructuring and Rate Stabilization Agreement ("Agreement") at page 12, lines 305-307:

A. Does the phrase "avoided cost" used in line 305 mean "avoided costs" as defined at 18 C.F.R. Part 292, Section 101 (b) (6)? If not, please provide its definition and explain how it is consistent with the above-referenced definition.

B. Did PSNH conduct, or have conducted on its behalf or for its use, any report, study, evaluation, or analysis, or make or have made any determination that its avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) is "equal to the market price for sales into the ISO-NE power exchange" adjusted as noted in the Agreement?

C. If the response to 1-27 B. is affirmative, please provide copies of all such reports, studies, evaluations, analyses, or determinations and all related work papers, data and other supporting documents.

D. If no such reports, studies, evaluations, or analyses exist, please explain how PSNH determined that its avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) prior to the divestiture of its generation assets is "equal to the market price for sales into the ISO-NE power exchange" adjusted as noted in the Agreement?

GSHA 1-28. The following question relates to the June 10, 2015 Restructuring and Rate Stabilization Agreement ("Agreement") at page 11, lines 297-300 and following on page 12 lines 301-302.

A. Is PSNH's avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) after it transitions to the competitive procurement process noted on line 298 equal to the "market price for sales into the ISO-NE power exchange" adjusted as noted in the Agreement?

GSHA 1-29. The following question relate to the June 10, 2015 Restructuring and Rate Stabilization Agreement ("Agreement") at page 11, lines 294-300 and following on page 12 lines 301-302.

A. Does PSNH maintain that default service should be procured from a wholesale supplier on a full requirements, load following basis for the entire default service load for the duration of a particular rate term?

B. If so, is PSNH's avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) under such default service procurement equal to the "market price for sales into the ISO-NE power exchange" adjusted as noted in the Agreement? Please explain.

C. If your answer to data request 1-29.B. is no, please explain the basis for PSNH's avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) under the noted default service procurement.

GSHA 1-30. Please provide any and all documents in the possession or under the control of PSNH (whether or not prepared by PSNH or on its behalf) that address, evaluate, consider, state a position regarding, or determine:

A. That, prior to divestiture of its generation assets PSNH's avoided cost is "equal to the market price for sales into the ISO-NE power exchange" as stated in the June 10, 2015 Restructuring and Rate Stabilization Agreement ("Agreement") at page 12, lines 305-307.

B. PSNH's avoided cost under the competitive procurement process referenced in the Agreement at page 11, lines 297-300 and following on page 12 lines 301-302.

C. The basis for or calculation of avoided cost (including as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) for any electric distribution company that procures default service from a wholesale supplier on a full requirements, load following basis for the entire default service load for the duration of a particular rate term.

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August 3, 2015
Via email and U.S. Mail

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Re: NHPUC Docket No. DE 14-238
Objections to Data Requests of Granite State Hydropower Association

Dear Attorney Geiger:

On July 29, 2015, Granite State Hydropower Association ("GSHA") submitted discovery questions to PSNH in the above-captioned docket. Pursuant to Rule Puc 203.09(f), PSNH objects to GSHA's questions on both general and specific bases.

During the July 9 prehearing conference in this proceeding, you indicated that GSHA's interest in this proceeding was very limited, focused on the provisions in the Settlement Agreement regarding avoided costs paid to independent power producers pursuant to PURPA. As you are no doubt aware, the avoided cost provisions included in the Settlement Agreement are substantially identical to the same provision included in the earlier 1999 PSNH Restructuring Agreement, which was approved by the Commission in Docket No. DE 99-099. GSHA's dispute regarding the avoided cost methodology is not limited to the post-divestiture period; instead, you stated that it is GSHA's position that the current Commission-approved avoided cost standard does not comply with the law. This is peculiar in light of the fact that the Commission approved the existing standard during the PSNH Restructuring proceeding in Order No. 23,443.

The purpose of including the avoided cost provision in the new Settlement Agreement was to continue the status quo until the Commission determines that some other methodology should be implemented. But, implementation of a new avoided cost standard is a generic issue affecting all PURPA-jurisdictional utilities in the State, not just Eversource, as all the State's utilities will be operating similarly going forward.

Moreover, the avoided cost provision contained in both the 1999 PSNH Restructuring Settlement and the present Settlement Agreement is consistent with the avoided cost standard contained in the Commission's Rules at Puc 903.02. A Commission determination

regarding an appropriate avoided cost standard that changes existing regulations must be considered in a properly-noticed rulemaking proceeding, not an adjudicative proceeding per RSA Chapter 541-A.

GSHA's intention to litigate the generic avoided cost issue in the midst of this settlement proceeding is misplaced, and inapposite to the statutory requirement that this docket be an "expedited proceeding." RSA 369-B:3-a, as amended by 2015 N.H. Laws, Ch. 221. Changing the existing avoided standard is beyond the scope of this proceeding as set forth in the Commission's June 26th Supplemental Order of Notice.

For these reasons, PSNH objects to all of the questions asked of it by GSHA in the July 29, 2015 data request submission. PSNH would not object to the initiation of a rulemaking docket to determine the appropriate avoided cost standard to comply with PURPA; but PSNH does object to GSHA's attempt to hijack this proceeding to deal with this generic issue.

In addition to the general objection set forth above, PSNH also objects to the following identified questions for the specific reasons set forth for each:

GSHA 1-3. Please identify the amount of output (kWh) that Eversource purchased for each hour beginning January 1, 2015 to June 30, 2015 from each of the IPPs listed in response to data request GSHA 1-2.

PSNH objects to Q-GSHA-1-3 based upon relevance and materiality. The amount of output purchased by PSNH from qualifying facilities under PURPA has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

GSHA 1-3.a. Please state your understanding of Eversource's current obligation to purchase IPP output pursuant to LEEPA (NH RSA 362-A) and PURPA (Public Utility Regulatory Policies Act of 1978 as amended, generally 16 U.S. Code §2601).

PSNH objects to Q-GSHA-1-3a because it seeks a legal opinion and not facts within the possession or control of PSNH. *See* Order 25,646 dated April 8, 2014, Docket DE 11-250: "We review all testimony, but we rely upon the parties' briefs and our own analysis to reach the proper legal conclusions. Therefore, we will generally not compel lay witnesses to respond to discovery questions that seek legal interpretations."

GSHA 1-4. Please state whether Eversource took legal title to the output purchased from each IPP identified in response to data request GSHA 1-2. With regard to future purchases of IPP output, will Eversource continue to take title to such output? If not, please explain why.

PSNH objects to Q-GSHA-1-4 based upon relevance and materiality. Whether or not PSNH took legal title to the output purchased from qualifying facilities pursuant to PURPA has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence." PSNH objects to the second question contained in Q-GSHA-1-4 as it requires speculation. Moreover, the question will not reveal information material to this proceeding. *See* Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation.

GSHA 1-6. Please state the amount (kWh) of Default Service (also known as Energy Service) provided by Eversource to each of its rate categories (LG, GV, G, R, and OL) for each hour from January 1, 2015 to June 30, 2015.

PSNH objects to Q-GSHA-1-6 based upon relevance and materiality. The amount of default service provided to retail customer classes has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

GSHA 1-7. Please state the amount of energy (kWh) generated by each Eversource owned generating asset for each hour from January 1, 2015 to June 30, 2015. For purposes of this question, please interpret "Eversource generating asset" to mean each of the Eversource generating category (i.e. hydro, coal, biomass and peaking turbines).

PSNH objects to Q-GSHA-1-7 based upon relevance and materiality. The amount of energy generated by PSNH's generating assets has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

GSHA 1-8. The following questions relate to Eversource's purchases from ISO-NE for the period January 1, 2015 through June 30, 2015.

A. Please identify those hours from January 1, 2015 to June 30, 2015 when Eversource purchased energy from ISO-NE.

PSNH objects to Q-GSHA-1-8.A based upon relevance and materiality. The hours that PSNH purchased power from ISO-NE has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

- B. Please identify the quantity of energy (kWh) Eversource purchased from the ISO-NE day ahead market during those hours identified in response to data request GSHA 1-8.A.**

PSNH objects to Q-GSHA-1-8.B based upon relevance and materiality. The quantity of energy PSNH purchased from the ISO-NE day-ahead market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

- C. Please identify the quantity of energy (kWh) Eversource purchased from the ISO-NE real time market during those hours identified in response to data request GSHA 1-8.A.**

PSNH objects to Q-GSHA-1-8.C based upon relevance and materiality. The quantity of energy PSNH purchased from the ISO-NE real-time market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

- D. Please provide the energy rate (cents/kWh) for the energy Eversource purchased from the ISO-NE day ahead market during those hours identified in response to data request GSHA 1-8.A.**

PSNH objects to Q-GSHA-1-8.D because the information sought, i.e., ISO-NE day-ahead market prices, is publically available to the requestor. *See* Order 25,646 dated April 8, 2014, Docket DE 11-250: "The Commission weighs 'the effort needed to gather [the requested information], the availability of the information from other sources, and other relevant criteria.' *Public Service Co. of N.H.*, Order 25,595 at 2-3 (Nov. 15, 2013); *City of Nashua*, Order No. 24,485 at 4."

- E. Please provide the energy rate (cents/kWh) for the energy Eversource purchased from the ISO-NE real time market during those hours identified in response to data request GSHA 1-8.A.**

PSNH objects to Q-GSHA-1-8.E because the information sought, i.e., ISO-NE real-time market prices, is publically available to the requestor. *See* Order 25,646 dated April 8, 2014, Docket DE 11-250: "The Commission weighs 'the effort needed to gather [the requested information], the availability of the information from other sources, and other relevant criteria.' *Public Service Co. of N.H.*, Order 25,595 at 2-3 (Nov. 15, 2013); *City of Nashua*, Order No. 24,485 at 4."

GSHA 1-9. The following questions relate to Eversource's sales into ISO-NE during the period January 1, 2015 through June 30, 2015.

- A. Please identify those hours from January 1, 2015 to June 30, 2015 when Eversource sold energy into ISO-NE.**

PSNH objects to Q-GSHA-1-9.A based upon relevance and materiality. The hours when PSNH sold energy into the ISO-NE market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

- B. Please identify the quantity of energy (kWh) Eversource sold into the ISO-NE day ahead market for those hours identified in response to data request GSHA 1-9.A.**

PSNH objects to Q-GSHA-1-9.B based upon relevance and materiality. The quantity of energy PSNH purchased from the ISO-NE real-time market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

- C. Please identify the quantity of energy (kWh) Eversource sold into the ISO-NE real time market for those hours identified in response to data request GSHA 1-9.A.**

PSNH objects to Q-GSHA-1-9.C based upon relevance and materiality. The quantity of energy PSNH sold into the ISO-NE real-time market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. *See* RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

- D. Please provide the energy rate (cents/kWh) for the energy sold into the ISO-NE day ahead market for those hours identified in response to data request GSHA 1-9.A.**

PSNH objects to Q-GSHA-1-9.D because the information sought, i.e., ISO-NE day-ahead market prices, is publically available to the requestor. *See* Order 25,646

dated April 8, 2014, Docket DE 11-250: "The Commission weighs 'the effort needed to gather [the requested information], the availability of the information from other sources, and other relevant criteria.' *Public Service Co. of N.H.*, Order 25,595 at 2-3 (Nov. 15, 2013); *City of Nashua*, Order No. 24,485 at 4."

E. Please provide the energy rate (cents/kWh) for the energy sold into the ISO-NE real time market for those hours identified in response to data request GSHA 1-9.A.

PSNH objects to Q-GSHA-1-9.E because the information sought, i.e., ISO-NE real-time market prices, is publically available to the requestor. See Order 25,646 dated April 8, 2014, Docket DE 11-250: "The Commission weighs 'the effort needed to gather [the requested information], the availability of the information from other sources, and other relevant criteria.' *Public Service Co. of N.H.*, Order 25,595 at 2-3 (Nov. 15, 2013); *City of Nashua*, Order No. 24,485 at 4."

GSHA 1-10. Please provide the Default Service Energy Rate (cents/kWh) charged to Eversource customers in each rate category (LG, GV, G, R, and OL) for each hour from January 1, 2015 to June 30, 2015.

PSNH objects to Q-GSHA-1-10 based upon relevance and materiality. The company's retail default service rate has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. See RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

GSHA 1-12. Please identify the major non energy cost categories that are included in Eversource's Default Energy Service Rate.

PSNH objects to Q-GSHA-1-12 based upon relevance and materiality. The major non-cost components of the Company's retail default service rate have no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. See RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

GSHA 1-14. Under Section III. B. of the Agreement, no later than six months after final financial closing resulting from divestiture of Eversource's generating assets, Eversource will be required to transition to a competitive procurement process for Default Service. If Eversource divests only some but not all of its generating assets, will the competitive procurement process for Default Service commence after final financial closing resulting from the partial divestiture? Please explain your response.

PSNH objects to Q-GSHA-1-14 as it requires speculation. *See* Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation.

GSHA 1-15. Will the suppliers selected to provide Eversource's Default Service under the competitive procurement process supply all of Eversource's Default Service energy needs? Please explain your response.

PSNH objects to Q-GSHA-1-15 as it requires speculation. *See* Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation.

GSHA 1-16. Under the contemplated competitive procurement process for Default Service will Eversource purchase any energy from ISO-NE to meet Default Service needs? Please explain your response.

PSNH objects to Q-GSHA-1-16 as it requires speculation, because the competitive process to be utilized to obtain default service shall be consistent with the process determined by the Commission in its Docket No. IR 14-338, "Review of Default Service Procurement Processes for Electric Distribution Utilities," as may subsequently be modified by the Commission, a docket that has not yet been completed. *See* Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation.

GSHA 1-17. Under the contemplated competitive procurement process will the rates set forth in the winning competitive bid(s), subject to NHPUC review, be used to establish the rates to be charged by Eversource to Default Service customers? Please explain your response.

PSNH objects to Q-GSHA-1-17 as it requires speculation, because the competitive process to be utilized to obtain default service shall be consistent with the process determined by the Commission in its Docket No. IR 14-338, "Review of Default Service Procurement Processes for Electric Distribution Utilities," as may subsequently be modified by the Commission, a docket that has not yet been completed. *See* Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation.

GSHA 1-19. For the period January 1, 2015 – June 30, 2015 please identify the cumulative dollar value difference between the ISO-NE NH day ahead LMP and the real time LMP.

PSNH objects to Q-GSHA-1-19 because the information sought, i.e., the cumulative dollar value difference between the ISO-NE NH day ahead LMP and the real time LMP is publically

available to the requestor, and the requested calculation has not been performed by PSNH. See Order 25,646 dated April 8, 2014, Docket DE 11-250: "The Commission weighs 'the effort needed to gather [the requested information], the availability of the information from other sources, and other relevant criteria.' *Public Service Co. of N.H.*, Order 25, 595 at 2-3 (Nov. 15, 2013); *City of Nashua*, Order No. 24,485 at 4."

GSHA 1-20. For the period January 1, 2015 – June 30, 2015, please identify the percent value for the cumulative difference between the ISO-NE NH day ahead LMP and the real time LMP.

PSNH objects to Q-GSHA-1-20 because the information sought, i.e., the percent value for the cumulative difference between the ISO-NE NH day ahead LMP and the real time LMP is publically available to the requestor, and the requested calculation has not been performed by PSNH. See Order 25,646 dated April 8, 2014, Docket DE 11-250: "The Commission weighs 'the effort needed to gather [the requested information], the availability of the information from other sources, and other relevant criteria.' *Public Service Co. of N.H.*, Order 25, 595 at 2-3 (Nov. 15, 2013); *City of Nashua*, Order No. 24,485 at 4."

GSHA 1-21. Under the contemplated competitive procurement process for Default Service post divestiture, please state whether Eversource be obligated to purchase IPP output pursuant to PURPA and LEEPA as presently enacted.

PSNH objects to Q-GSHA-1-21 because it seeks a legal opinion and not facts within the possession or control of PSNH. See Order 25,646 dated April 8, 2014, Docket DE 11-250: "We review all testimony, but we rely upon the parties' briefs and our own analysis to reach the proper legal conclusions. Therefore, we will generally not compel lay witnesses to respond to discovery questions that seek legal interpretations."

GSHA 1-22. Assuming Eversource purchases such IPP output, will Eversource take title to IPP output that is purchased? If not, why not?

PSNH objects to Q-GSHA-1-22 as it requires speculation, because the competitive process to be utilized to obtain default service shall be consistent with the process determined by the Commission in its Docket No. IR 14-338, "Review of Default Service Procurement Processes for Electric Distribution Utilities," as may subsequently be modified by the Commission, a docket that has not yet been completed. See Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation.

GSHA 1-25. For the period January 1, 2015 – June 30, 2015, what percentage of PSNH's power purchases were from the ISO-NE day ahead market?

PSNH objects to Q-GSHA-1-25 based upon relevance and materiality. The percentage of

energy PSNH purchased from the ISO-NE day-ahead market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. See RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

GSHA 1-26. For the period January 1, 2015 – June 30, 2015, what percentage of PSNH's power purchases were from the ISO-NE real time market?

PSNH objects to Q-GSHA-1-26 based upon relevance and materiality. The percentage of energy PSNH purchased power from the ISO-NE real-time market has no relevance to the proper avoided cost standard under FERC's PURPA regulations at 18 CFR Part 292. Moreover, the question will not reveal information material to this proceeding. See RSA 541-A:33, "the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence."

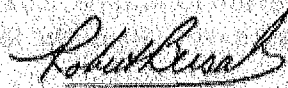
GSHA 1-29. The following question relate to the June 10, 2015 Restructuring and Rate Stabilization Agreement ("Agreement") at page 11, lines 294-300 and following on page 12 lines 301-302.

- A. Does PSNH maintain that default service should be procured from a wholesale supplier on a full requirements, load following basis for the entire default service load for the duration of a particular rate term?**
- B. If so, is PSNH's avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) under such default service procurement equal to the "market price for sales into the ISO-NE power exchange" adjusted as noted in the Agreement? Please explain.**
- C. If your answer to data request 1-29.B. is no, please explain the basis for PSNH's avoided cost (as defined at 18 C.F.R. Part 292, Section 101 (b) (6)) under the noted default service procurement.**

PSNH objects to Q-GSHA-1-29 as it requires speculation, because the competitive process to be utilized to obtain default service shall be consistent with the process determined by the Commission in its Docket No. IR 14-338, "Review of Default Service Procurement Processes for Electric Distribution Utilities," as may subsequently be modified by the Commission, a docket that has not yet been completed. See Order No. 25,718 dated September 17, 2014 in Docket No. DE 11-250, upholding objection based upon question requiring speculation. Moreover, PSNH objects to subpart 1-29.A as that question is beyond the scope of this proceeding and instead should be addressed in Docket No. IR 14-338. As a result of these objections, no responses are necessary under subparts 1.29.B or 1.29.C.

Thank you for your consideration of these objections. If you have any questions, please let me know.

Sincerely,



Robert A. Bersak
Chief Regulatory Counsel

cc: Service List, per Rule Puc 203.09(d), via email.