

THE STATE OF NEW HAMPSHIRE

before the

PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire

Docket No. DE 14-238

**Objection of Public Service Company of New Hampshire
to
Supplemental Motion to Compel of Terry Cronin
filed September 18, 2015**

Pursuant to Puc 203.07(e), Public Service Company of New Hampshire d/b/a Eversource Energy ("PSNH" or "Eversource" or the "Company") hereby objects to intervenor Terry Cronin's "Motion to Compel Public Service Company of New Hampshire (Eversource Energy) to Answer the Supplemental Data Requests ("Supplemental Motion") filed September 18, 2015.

In support of this Objection, PSNH states as follows:

1. Although Mr. Cronin's filing and cover letter total 40 pages in length, the Supplemental Motion addresses only one question (with six subparts) (the "Data Request"), to wit:

When did Eversource Energy decide that it wanted to avoid final disposition of the prudence determination of the scrubber project in DE 11-250 by settlement? Who made the decision? Please provide the contact information for those parties. Was the decision part of company planning processes? Please provide each and every document, including electronic documents, referring to the decision to ask the Commission to defer disposition of the prudence determination. Please also provide all Merrimack station planning documents dating back to January 1, 2008, prior to the "Plan" filed in DE 10-261 or to the commencement of the construction of the scrubber project, whichever was earlier.

2. The purpose of this proceeding is to review the "2015 Public Service Company of New Hampshire Restructuring and Rate Stabilization Agreement" (2015 Settlement Agreement)

pursuant to the requirements of 2015 N.H. Laws, Chapter 221 (SB 221), “an act relative to electric rate reduction financing.” See June 26, 2015 Supplemental Order of Notice in Docket No. DE 14-238 at 1. Such review is required to be performed in an “expedited proceeding.” (“Before January 1, 2015, the commission shall commence and expedite a proceeding... .” 2014 N.H. Laws 310:2, amending RSA 369-B:3-a, I. “As part of an expedited proceeding, the commission shall review the 2015 settlement proposal... .” 2015 N.H. Laws 221:10, amending RSA 369-B:3-a, II.)

3. The procedural schedule adopted by the Commission on July 14, 2015, was discussed during the July 9, 2015, prehearing conference attended by Mr. Cronin. During that prehearing conference, all Parties were given an opportunity to comment on or disagree with that procedural schedule – Mr. Cronin raised no comment or any disagreement.¹ The procedural schedule approved only one round of “Data Requests to Settling Parties”, with such data requests due on July 29, 2015. Following the responses from the Settling Parties to those data requests, a “Technical Session/Settlement Conference” was scheduled for, and held on, August 20, 2015, with responses to any unanswered Technical Session questions due by September 1, 2015.

4. In response to Settling Parties’ prefiled testimony of July 6, 2015, on July 29th Mr. Cronin propounded 8 numbered discovery questions to the Settling Parties (7 to PSNH and 1 to the Settling Parties generally). Pursuant to Puc 203.09 (g), on August 3, 2015, PSNH timely served Mr. Cronin with objections to a number of his questions. Mr. Cronin filed his initial “Motion to Compel” regarding PSNH’s objections to his July 29 data requests on August 19, 2015, and PSNH filed its Objection thereto on August 21. The Commission is still considering that initial Motion to Compel.

5. Following the August 20 Technical Session, on August 26, 2015, Mr. Cronin submitted additional data requests addressed to Settling Staff and to PSNH. Mr. Cronin’s Exhibit 1 to the Supplemental Motion is identified as his “Supplemental Data Requests.”² The Data Request which is the subject of the Supplemental Motion is identified in Mr. Cronin’s Supplemental Data Requests as “Data Request 4” on page 2. (PSNH subsequently identified this question as Q-CRONIN TS 1-001-SP01.)

¹ See Transcript, July 9, 2015 Prehearing Conference, p. 16, line 17: “CHAIRMAN HONIGBERG: Do any of the intervenors who are not signatories to the Stipulation have questions or want to comment on the proposed schedule? I see one hand. Commissioner Harrington.”

² The Supplemental Motion’s Exhibit 1 is incomplete and has had its pages renumbered. Included as Attachment 1 hereto is the complete set of “Supplemental Data Requests” served by Mr. Cronin on Settling Staff and PSNH.

6. Per the procedural schedule, on September 1, 2015, PSNH responded to the Data Request by objecting to it, and including a substantive response notwithstanding that objection. See Attachment 2 hereto. Following discussions with counsel for Mr. Cronin required by Rule Puc 203.09(i)(4), PSNH supplemented its response to the Data Request and provided responses to each of the six subparts without waiving its objections thereto. See Attachment 3.

7. The 2015 Settlement Agreement is a comprehensive settlement of myriad issues intended to resolve ongoing litigation and complete the implementation of a long-standing state policy, as well as to resolve the issues identified in the 2014 law concerning PSNH's ownership of generating assets. Resolution of issues via settlement was an express desire of the Legislature. As set forth in 2014 N.H. Laws 310:1, the "Purpose" section of that law: "The purpose of allowing the public utilities commission to determine if divestiture of Public Service Company of New Hampshire's (PSNH) remaining generation assets is in the economic interests of PSNH's retail customers should be to . . . promote the settlement of outstanding issues involving stranded costs... ."

8. The Data Request is neither relevant nor material to the issues before the Commission in this proceeding. Yet, in a good faith effort to avoid the instant discovery dispute, PSNH answered each of the six subparts contained in the Data Request.

9. The questions contained in the Data Request -- When PSNH decided to enter into settlement discussions; who made that decision; contact information; whether that decision was part of a planning process; documents related thereto; and, planning documents from January 1, 2008 through the filing of the Company's 2010 Least Cost Integrated Resource Plan -- all have no relevance or materiality to this proceeding. The Legislature placed a specific statutory duty on the Commission when it enacted 2015 N.H. Laws Ch. 221:10, the provision that repealed and replaced RSA 369-B:3-a, where the Legislature said: "As part of an expedited proceeding, the commission shall review the 2015 settlement proposal and determine whether its terms and conditions are in the public interest." The information sought in the Data Request has no relevance or materiality to the required determination of whether the terms of the 2015 Settlement Agreement are in the public interest. Would the public interest impact of the 2015 Settlement Agreement change if employee A made the decision to engage in settlement discussions rather than employee B? Would the public interest impact of the 2015 Settlement Agreement change if the decision was made on one date or another? The answer to these questions is clearly "No." The Data Request is neither relevant nor material to the issues to be decided in this proceeding. Therefore, the Supplemental Motion should be denied.

10. Furthermore, PSNH has objected to the Data Request because the question was untimely submitted. It is not related to any relevant questions posed by Mr. Cronin on or before the July 29, 2015 date set in the procedural schedule for "Data Requests to Settling Parties." The procedural schedule, which Mr. Cronin concurred with, does not call for a second round of data requests to settling parties. Instead, that agreed-upon schedule called for a Technical Session, an informal proceeding wherein parties can seek clarifications or additional detail in response to questions that have already been asked and answered. Had Mr. Cronin desired to have a second round of data requests included in the procedural schedule, he could have, and should have, asked for it at the Prehearing Conference – he did not. A second round of data requests was incompatible with the statutory call for “an expedited proceeding.” A second round of data requests would only delay the process by creating additional opportunities for discovery disputes such as that created by the instant Supplemental Motion.

11. Mr. Cronin asserts that he is not bound by the terms of the Commission-approved Procedural Schedule. In footnote 2 of the Supplemental Motion, Mr. Cronin states:

Eversource Energy objected to the Data Request because it was not timely arguing that the Procedural Schedule barred new requests. Nothing in the Procedural Schedule bars follow up questions from a Technical Session nor should an intervenor have to confront procedural obstacles in the search for evidence going to the merits of a case. It is Eversource Energy that has the burden of proof in this docket. RSA 374-F:4.

12. The issue of who bears the burden of proof in a proceeding has nothing to do with whether a party has the right to issue data requests whenever it chooses to do so, contrary to a Commission-approved procedural schedule. Under RSA 541-A:33, II, “The rules of evidence shall not apply in adjudicative proceedings.” Per RSA 541-A:30-a, I, “[E]ach agency shall adopt rules pursuant to RSA 541-A governing the nature and requirement of all formal and informal procedures available in an adjudicative proceeding.” Under this authority, the Commission has promulgated rules governing discovery at Puc 203.09. Puc 203.09(b) requires that discovery be conducted in a manner consistent with “an applicable procedural order.” Such an “applicable procedural order” was issued following the prehearing conference in this proceeding; i.e., the Secretarial Letter of July 14, 2015 establishing the procedural schedule.³ Finally, under RSA 541-A:22, II, “Rules shall be valid and binding on persons they affect, and shall have the force of law... .” Therefore, the procedural schedule issued by the Commission does indeed control

³ “The PUC utilized secretarial letters in lieu of Commission orders in some instances. The PUC Chairman during the audit period and the General Counsel stated secretarial letters were the equivalent of Commission orders.” April 12, “Performance Audit of the Public Utilities Commission,” Office of the Legislative Budget Assistant.

when a party, including Mr. Cronin, has a right to propound discovery.

13. The Data Request that is the subject of the Supplemental Motion is unrelated to Mr. Cronin's prior data requests. It was not a follow-up question; it did not seek an explanation or further detail regarding an earlier question that was timely filed. The Data Request is nothing more than an irrelevant and immaterial second round question in a docket where the Commission has only approved a single round of discovery. That untimely, second round Data Request has now pushed this discovery dispute past the time when responsive testimony has been filed, raising the potential for disruptions to the remaining procedural schedule.⁴ Mr. Cronin's determination that he is not bound by the procedural schedule is also counter to his representation made in his petition for intervention that, "This intervention will not impair the interests of justice and nor the prompt conduct of the proceedings." Therefore, the Supplemental Motion should be denied.

14. Another reason why the Data Request is objectionable is because it seeks information that is part of the confidential settlement process. Settlement processes are privileged and the resulting settlement agreement represents a compromise between the myriad settling parties. The Settlement Agreement itself provides that, "The agreements contained herein are interdependent and not severable..." The Settlement Agreement also notes that "This Agreement is the product of settlement negotiations. The content of those negotiations shall be privileged..." See also Puc 203.20(a). Further, as the Commission held in Order No. 23,410, *In Re Pub. Serv. Co. of New Hampshire*, 89 NH PUC 226, 230-31 (Apr. 16, 2004), "In furtherance of the policy of favoring settlements in contested cases, we will not compel responses to questions designed to penetrate settlement negotiations. ... [R]equiring PSNH to produce such information in discovery would have the effect of chilling future settlement negotiations by undermining frank and candid exchange among the participating parties." The Commission has clearly upheld the sanctity of the settlement process. Requests for irrelevant information relating to the settlement process such as those asked in the Data Request are contrary to the settlement privilege principle. Therefore, the Supplemental Motion should be denied.

15. The Supplemental Motion filed by Mr. Cronin to demonstrate why the Commission should compel a discovery response is replete with statements that bear no relationship to the matters at issue in this proceeding – or even to the single Data Request in dispute. For example, in the Supplemental Motion at page 3, Mr. Cronin states, "The data Request to William Smagula must be fully answered. Rate payers need to know when Merrimack Station


⁴ See the September 18, 2015, cover letter to the prefiled testimony of Mr. Cronin, wherein he states via counsel that, "Mr. Cronin reserves the right to supplement his testimony after Commission disposition of his Motions to Compel dated August 19, 2015, and September 18, 2015."

became uneconomic to operate and when Eversource Energy management decided it would publically confront that reality.”⁵ The Data Request in dispute does not ask the question that Mr. Cronin states (i.e., when did Merrimack Station become uneconomic). Later in the Supplemental Motion at page 4, Mr. Cronin states, “[R]ate payers have the right to demand proof by Eversource Energy that the costs of the scrubber project were lawfully incurred, compliant with RSA 369-B:3a, RSA 125-O:13, IV and were prudently incurred. RSA 125-O:18.” This statement bears no relationship to the Data Request in dispute, nor does it form a basis in support of the Supplemental Motion; the very issues Mr. Cronin raises were the subject of Docket No. DE 11-250 – a proceeding that he did not ask to participate in as an intervenor. On page 5 of the Supplemental Motion, Mr. Cronin raises additional issues unrelated to the Data Request in dispute, such as mitigation of stranded costs, reduction of expenses, and renegotiation of contracts. A careful reading of the Supplemental Motion reveals that it barely, if at all, relates to the disputed Data Request, and provides no legal basis for granting Mr. Cronin’s request.

WHEREFORE, PSNH respectfully requests that this Commission deny Mr. Cronin’s supplemental “demand” that his Motion to Compel be granted. (Supplemental Motion, p. 5.)⁶

Respectfully submitted this 22nd day of September, 2015.

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

By: _____

Robert A. Bersak, Chief Regulatory Counsel
Robert.Bersak@Eversource.com

Matthew J. Fossum, Senior Counsel
Matthew.Fossum@Eversource.com

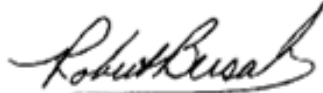
⁵ There is no evidence that Merrimack Station has become “uneconomic to operate.” Indeed, Merrimack Station does get dispatched by ISO-NE to operate based upon the economics of the station in the wholesale marketplace. Divestiture of PSNH’s generating assets is intended to implement a legislative public policy.

⁶ In his closing “demand,” Mr. Cronin again seeks “relief under RSA 365:38-a.” Because Mr. Cronin has failed to address the statutory requirements set forth in that statute, PSNH will not address this request for relief. See “ORDER ON REQUEST FOR INTERVENOR COMPENSATION” in Docket No. DE 99-099, 89 NH PUC 466 (2004).

Public Service Company of New Hampshire
780 N. Commercial Street, Post Office Box 330
Manchester, New Hampshire 03105-0330

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2015, I served an electronic copy of this filing with each person identified on the Commission's service list for this docket pursuant to Rule Puc 203.02(a).



Robert A. Bersak
Public Service Company of New Hampshire
780 North Commercial Street
Post Office Box 330
Manchester, New Hampshire 03105-0330

(603) 634-3355

Robert.Bersak@Eversource.com

ATTACHMENT 1

THE COMPLETE SET OF "SUPPLEMENTAL DATA REQUESTS" SERVED BY MR. CRONIN ON
SETTLING STAFF AND PSNH

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DE 14-238

Determination Regarding PSNH's Generation Assets

Supplemental Data Requests

Procedural History

Intervener, Terry Cronin, attended the August 20, 2015, Technical session/ Settlement Conference conducted by Commission Staff. The Session largely involved Data Request follow up by Commission Staff and Staff consultants and Interveners to Eversource Energy witnesses and company consultant witnesses. Substantial testimony and argument was also provided by Tom Frantz¹, designated Commission Advocate for the "Settlement Agreement".

Additional Data Requests as Follow Up to Technical Session Responses

Thomas Frantz

Mr. Frantz was referred to DE 11-250, Commission Order No. 25,346, page 25 where the Commission discussed the testimony of then Commission Staff Mr. Mullen. Mr. Mullen had provided testimony of his recommended methodology to establish temporary rates for the scrubber project. Mr. Mullen recommended that the costs originally estimated for the scrubber of \$250,000,000 divided by the average of the actual gross plant balances of \$378,773,000 be used to establish a cost recovery temporary rate.

Data Request 1. What amount of the scrubber project costs upon which Eversource Energy claims an equity return have been deferred beyond those recommended by Mr. Mullen? (Mr. Frantz was asked, but did not answer this question.)

¹ Mr. Frantz heads the Commission Electric Division.

Data Request 2. Was the Mullen number of \$378,773,000 an accurate amount of scrubber project costs as of the date of Order 25,346? If no, what is the correct number?

Data Request 3. Is Eversource Energy collecting an equity return from the proceeds of the temporary rate bump? If yes, what is the rate? If yes, how much in dollars has Eversource Energy received? Has the Commission audited the receipts? What is the legal basis for the Eversource Energy collection of an equity return prior to Commission determination that the project costs were prudently incurred as required by RSA 125-O:18?

William Smagula

Eversource Energy witness William Smagula was asked when Eversource Energy filed its last IRP. It was established that the last company IRP was filed in docket DE 10-261. It was also noted that Terry Large, an Eversource Energy witness admitted to the Commission in testimony that the “planning” presented by the company in DE 10-261 was not the planning that the company used for its operations.

Data Request 4. When did Eversource Energy decide that it wanted to avoid final disposition of the prudence determination of the scrubber project in DE 11-250 by settlement? Who made the decision? Please provide the contact information for those parties. Was the decision part of company planning processes? Please provide each and every document, including electronic documents, referring to the decision to ask the Commission to defer disposition of the prudence determination. Please also provide all Merrimack Station planning documents dating back to January 1, 2008, prior to the “Plan” filed in DE 10-261 or to the commencement of the construction of the scrubber project, whichever was earlier.

Eric H. Chung, Christopher J. Goulding

Please provide the following clarification on PSNH’s response to Mr. Cronin’s Data Request 4, received by PSNH on July 29, 2014.

1. On Request No. CRONIN 1-004, page 2, line 14, please define “Avoided SO₂ Cost” and confirm that this contra account reduces expenses?
2. On Request No. CRONIN 1-004, page 2, line 15, please show how the annual depreciation costs from 2011-2015 are calculated on a monthly basis. Please show how this expense is calculated and explain the flow of accounting entries that impact the calculation of depreciation expense, i.e., month-end (or average monthly) balance of the asset and accumulated depreciation, estimated average life, depreciation method and any other variables that are factored into the depreciation expense calculation.
3. On Request No. CRONIN 1-004, page 2, line 17, please show how the annual return on rate base costs from 2011 to 2015 are calculated on a monthly basis. Please show how this expense is calculated and explain the flow of accounting entries that impact the calculation of return on rate base expense, i.e., month-end (or average monthly) balance of the asset or accumulated depreciation, rate of return earned (percentage) and any other variables that are factored into the return on rate base calculation.
4. On Request No. CRONIN 1-004, page 2, line 25, please show how the annual carrying cost on under-recovery from 2011 to 2015 are calculated on a monthly basis. Please show how this expense is calculated and explain the flow of accounting entries that impact the calculation of the carrying cost on under-recovery, i.e., month-end (or average monthly) balance of all under-recovered costs, rate of return earned (percentage), estimated number of years to amortize and any other variables that are factored into the carrying costs on under-recovery calculation.

5. On Request No. CRONIN 1-004, page 2, line 21, please show how the actual Merrimack scrubber revenue from 2011-2015 impacts the various scrubber costs on a monthly basis: explain the flow of accounting entries and how scrubber revenue is allocated to recovery of deferred expenses, return on rate base, etc.?

Respectfully submitted,

Arthur B. Cunningham, Attorney for Intervener Terry Cronin

Bar # 18301

PO Box 511, 79 Checkerberry Lane, Hopkinton, NH 03229

603-746-2196 (O); 603-219-6991 (C)

gilfavor@comcast.net

Certificate of Service

I served notice of these Supplemental Data Requests pursuant to Commission rules.

Arthur B. Cunningham

ATTACHMENT 2

PSNH'S SEPTEMBER 1, 2015, RESPONSE TO DATA REQUEST

(Responses to other Supplemental Questions of Mr. Cronin not included)



780 N. Commercial Street, Manchester, NH
03101

Eversource Energy
P.O. Box 330
Manchester, NH 03105-0330
(603) 634-2701
Fax (603) 634-2449

Christopher J. Goulding
Manager, NH Revenue Requirements

E-Mail: Christopher.goulding@eversource.com

September 1, 2015

By Electronic Mail Only

Terry Cronin
terry.cronin@tds.net

DE 14-238 Determination Regarding PSNH's Generation Assets

Dear Mr. Cronin:

I enclose Public Service Company of New Hampshire's responses to requests from you at the August 20, 2015 technical session in the above-captioned proceeding. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Goulding", written in a cursive style.

Christopher J. Goulding
Manager
NH Revenue Requirements

CJG:kd
Enclosures
cc : Discovery Service List (by electronic mail only)

Public Service of New Hampshire d/b/a Eversource Energy
Docket No. DE 14-238

Date Request Received: 08/26/2015

Request No. CRONIN TS 1-001

Request from: Terry Cronin

Date of Response: 09/01/2015

Page 1 of 1

Witness: Eric H. Chung

Request:

When did Eversource Energy decide that it wanted to avoid final disposition of the prudence determination of the scrubber project in DE 11-250 by settlement? Who made the decision? Please provide the contact information for those parties. Was the decision part of company planning processes? Please provide each and every document, including electronic documents, referring to the decision to ask the Commission to defer disposition of the prudence determination. Please also provide all Merrimack Station planning documents dating back to January 1, 2008, prior to the "Plan" filed in DE 10-261 or to the commencement of the construction of the scrubber project, whichever was earlier.

Response:

PSNH objects to this question on multiple bases. The information requested is neither relevant nor material to the issue before the Commission in this proceeding. The question is untimely as it is not related to any relevant questions posed by Mr. Cronin on or before the July 29, 2015, date set in the procedural schedule for "Data Requests to Settling Parties." The procedural schedule, which Mr. Cronin concurred with, does not call for a second round of data requests to settling parties. Instead, that agreed-upon schedule called for a Technical Session, an informal proceeding wherein parties can seek clarifications or additional detail in response to questions that have already been asked and answered. The question also seeks to obtain information that is part of the confidential settlement process.

Notwithstanding this objection, to the extent it is responsive to this question, please see PSNH's "Motion to Stay Proceedings" dated December 26, 2014, docketed in Docket No. DE 11-250.

ATTACHMENT 3

PSNH'S SEPTEMBER 10, 2015, SUPPLEMENTAL RESPONSE TO DATA REQUEST
WITH COVER LETTER



780 N. Commercial Street
P.O. Box 330
Manchester, NH 03105-0330

Robert A. Bersak
Chief Regulatory Counsel

603-634-3355
robert.bersak@eversource.com

September 10, 2015
Via e-mail only

Arthur B. Cunningham Esq.
P. O. Box 511
Hopkinton, NH 03229

**Re: Docket No. DE 14-238, Determination Regarding PSNH's Generation Assets
Supplemental Responses to Data Request Questions of Mr. Terry Cronin**

Dear Attorney Cunningham:

On August 26, 2015, you submitted Supplemental Data Requests to PSNH and other Settling Parties in this proceeding on behalf of Intervenor Terry Cronin. On September 1, 2015, PSNH responded to those questions, interposing a number of objections thereto.

Pursuant to Rule Puc 203.09(i)(4), on September 9, 2015, you contacted me to discuss the possibility of resolving the issues in dispute regarding the supplemental questions objected to by PSNH. As a result of that communication, PSNH is providing the attached supplemental responses to Mr. Cronin's supplemental data requests as a good-faith effort to resolve the outstanding objections.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Robert A. Bersak".

Robert A. Bersak
Chief Regulatory Counsel

Attachment

cc: Discovery Service List, Docket No. DE 14-238

Public Service of New Hampshire d/b/a Eversource Energy
Docket No. DE 14-238

Date Request Received: 08/20/2015

Date of Response: 09/01/2015

Date Supplement Request Received: 09/10/2015

Date of Supplement Response: 09/10/2015

Request No. CRONIN TS 1-001-SP01

Page 1 of 2

Request from: Terry Cronin

Witness: Eric H. Chung, William H. Smagula

Request:

When did Eversource Energy decide that it wanted to avoid final disposition of the prudence determination of the scrubber project in DE 11-250 by settlement? Who made the decision? Please provide the contact information for those parties. Was the decision part of company planning processes? Please provide each and every document, including electronic documents, referring to the decision to ask the Commission to defer disposition of the prudence determination. Please also provide all Merrimack Station planning documents dating back to January 1, 2008, prior to the "Plan" filed in DE 10-261 or to the commencement of the construction of the scrubber project, whichever was earlier.

Response:

Notwithstanding, and without waiving the Company's prior objections to the questions contained in Q-CRONIN-TS 1-001, PSNH provides this supplemental response as a good-faith effort to resolve those objections per the requirement of Rule Puc 203.09(i)(4).

When did Eversource Energy decide that it wanted to avoid final disposition of the prudence determination of the scrubber project in DE 11-250 by settlement? Please see PSNH's "Motion to Stay Proceedings" dated December 26, 2014, docketed in Docket No. DE 11-250.

Who made the decision? The decision to request the opportunity to seek a collaborative resolution to the myriad issues that are under consideration in the Dockets identified in PSNH's referenced "Motion to Stay Proceeding" was made by PSNH management.

Please provide the contact information for those parties. PSNH's attorneys of record for this proceeding are Robert A. Bersak and Matthew J. Fossum. Any contact with the Company should be initiated through such counsel.

Was the decision part of company planning processes? The reference to "company planning processes" is vague. The bases for the Company's request to stay the proceedings are set forth in the referenced "Motion to Stay Proceedings."

Please provide each and every document, including electronic documents, referring to the decision to ask the Commission to defer disposition of the prudence determination. Please refer to the monthly updates filed with the Commission by PSNH pursuant to PUC Order No. 25,755 dated January 15, 2015, available from the NHPUC's web docket book for Docket Nos. DE 11-250

Please also provide all Merrimack Station planning documents dating back to January 1, 2008, prior to the "Plan" filed in DE 10-261 or to the commencement of the scrubber project, whichever was earlier. The reference to "planning documents" is vague. "Plan[s]" filed prior to the referenced DE 10-261 filing are available from the NHPUC web docket book. The Company's most recent filing prior to the one in DE 10-261 was made on September 28, 2007, and was docketed as DE 07-108.