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September 26, 2022

Paul Dexter, Esq.
New Hampshire Department of Energy
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301

**Re: Docket No. DE 22-030
Public Service Company of New Hampshire d/b/a Eversource Energy
Petition for Third Step Adjustment-Data Requests to Department of Energy**

Dear Mr. Dexter:

Enclosed on behalf of the Public Service Company of New Hampshire d/b/a Eversource Energy (the "Company"), please find the Company's First Set of Data Requests issued to the Department of Energy in the above-referenced matter.

Please contact me if you have any questions. Thank you for your attention to this filing.

Sincerely,



Jessica Buno Ralston

cc: Discovery Service List, Docket DE 22-030

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION
Docket DE 22-030

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
d/b/a EVERSOURCE ENERGY

Petition for Approval of Third Step Adjustment

Eversource Energy's First Set of Data Requests to Department of Energy

September 26, 2022

NOW COMES Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or the “Company”) by and through its attorneys, and submits the following data requests to New Hampshire Department of Energy (“DOE”) pursuant N.H. Admin. R. Puc 203.09 in the above-captioned docket.

INSTRUCTIONS

1. These data requests seek answers as of the date hereof (*i.e.*, September 26, 2022) but shall be deemed to be continuing so that any additional information relating in any way to these data requests that DOE acquire or becomes known to it up to and including the time of a hearing in this matter shall be provided to the Company promptly after such information is acquired or becomes known.

2. The persons answering these data requests on behalf of DOE shall divulge all information and documents (if requested) in their possession, control or available to them, including information and documents (if requested) in the possession or control of DOE's employees, agents, representatives,

or any other persons acting on their behalf, and not merely such information as is known by the person answering these data requests based on his or her personal knowledge.

3. If DOE and/or its representatives feel that any data request is ambiguous, please immediately notify the Company's attorney, Jessica Ralston, 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 the data request to which the document has already been submitted as a response, and state specifically which portion or portions of the document are responsive to each portion of each of the data request(s) 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 and use the following format:

**DE 22-030
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a
EVERSOURCE ENERGY**

Petition for Approval of Third Step Adjustment

Date Request Received:

Data Request No:

Date of Response:

Witness(es):

7. Before each response, please reproduce the request to which the response is provided.

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

9. For purposes of these data requests, the term “document” is used in its broadest sense and means all writings of any nature whatsoever and all non-identical copies and drafts thereof, 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.

10. For purposes of these data requests, 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; (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.

11. For purposes of these data requests, references to the “Transcript” are to the unofficial transcript excerpt of the September 20, 2022 evidentiary hearing provided by the court reporter on September 23, 2022.

12. Please provide responses to these data requests to the Company’s counsel and other parties listed on the discovery service list in this docket within ten (10) days in accordance with Puc 203.09(f).

Dated: September 26, 2022

Eversource Energy Data Requests to DOE-Set 1

- 1-1. Please refer to the Transcript at 6, lines 14-17. Mr. Dudley stated in his testimony that the Department “can only assess the prudence of the project based on information provided by the Company.” With respect to an individual project or program, please state the criteria that Mr. Dudley applies to determine that a project is prudent.
- 1-2. Please refer to the Transcript at 8, lines 20-22. Mr. Dudley stated in his testimony that a “growth-related project” is a “project that the Company is undertaking in response to load growth in a particular area.” Please state Mr. Dudley’s definition of “new business/growth-related projects,” as used in Section 10, part (c)(ii) of the Settlement Agreement approved in Docket No. DE 19-057. Please provide documentation from Docket No. DE 19-057 supporting Mr. Dudley’s definition.
- 1-3. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:
 - a. What is the name of the consulting firm hired to conduct the Business Process Audit (the “Consultant”)?
 - b. Please provide a description of the firm and the representatives conducting the audit.
 - c. What was the start date of the engagement with the Consultant?
 - d. What is the term of the engagement agreement?
 - e. What is the cost to date of the audit?
 - f. What entity is bearing the cost of the audit?
- 1-4. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:
 - a. Has the Consultant conducting the audit issued data requests to the Company to perform the audit?
 - b. If yes, how many data requests has the Company responded to through September 26, 2022?
 - c. Over what dates were the data requests issued and responded to by the Company?
 - d. Please provide a copy of the data requests issued and responded to by the Company during the course of the Business Process Audit.

1-5. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:

- a. Has the Consultant conducted interviews with Eversource management in the course of performing the audit?
- b. If yes, how many interviews did the consulting firm conduct for purposes of the Business Process Audit through September 26, 2022?
- c. Please provide a list of the interviews conducted, including the name and title of the Eversource employee interviewed and the date of the interview.
- d. Did DOE Staff receive a transcript and/or video recording of each interview from the Consultant?

1-6. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:

- a. Has the Consultant conducted field visits in the course of performing the audit?
- b. If yes, how many field visits did the Consultant conduct for purposes of the Business Process Audit through September 26, 2022?
- c. Please provide a list of the field visits conducted, including the location visited, the purpose of the visit, and the date of the interview.

1-7. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:

- a. Has the Consultant conducted meetings with DOE staff?
- b. If yes, please provide the dates of those meetings and a list of attendees.
- c. What instructions has DOE staff given to the Consultant regarding the purpose or objective of the Business Process Audit?
- d. Were meetings conducted between the Consultant and the Company during the course of the audit? Was DOE staff provided notice of those meetings? Was DOE staff provided with a copy of the meeting agenda?

- e. Please provide a copy of written agendas used for meetings between the Consultant and the Company in the possession of DOE staff, if any.

1-8. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:

- a. Has the Consultant conducting the Business Process Audit submitted a draft or final report to DOE staff?
- b. If so, what date was the report submitted to DOE staff?
- c. What actions has DOE staff taken in relation to the draft and/or final report? Has DOE staff submitted comments to the Consultant?
- d. Please provide a copy of any email correspondence or other written documentation submitted by DOE staff to the Consultant relating to the timing, distribution or content of the draft and/or final report.
- e. If the Consultant has provided a draft or final report to DOE staff, please provide a copy of the draft and/or final report obtained from the Consultant in its original form.
- f. If DOE staff has provided comment on the draft and/or final report, please provide a copy of those comments or edited version of the draft and/or final report.

1-9. Please refer to the Transcript at 24, lines 9-19. In his testimony, Mr. Dudley agreed that it is correct that “one of the things that led the parties [to the settlement] to stipulate to the Business Process Audit that’s ongoing now of Eversource’s capital expenditure policies and practices” was that “some costs should have been known or and should have been taken into consideration during the scoping process.” Please answer the following questions:

- a. Please provide a detailed description of next steps in the process to finalize the report associated with the Business Process Audit and submit the report to the Commission.
- b. What instructions has DOE staff given to the Consultant regarding the final steps on the Business Process Audit?

STATE OF NEW HAMPSHIRE

COMMISSIONER
Jared S. Chicoine

DEPUTY COMMISSIONER
Christopher Ellms, Jr.



DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

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October 4, 2022

Jessica Buno Ralston, Esq.
Keegan Werlin, LLP
99 High Street, Suite 2900
Boston, MA 02110

Re: Docket No. DE 22-030; Petition for Third Step Adjustment; Department of Energy
Objection to Eversource's First Set of Data Requests to Department of Energy

Dear Attorney Buno Ralston:

Attached is the New Hampshire Department of Energy's , Objection to Eversource's First
Set of Data Requests to Department of Energy.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Paul B. Dexter

Paul B. Dexter
Staff Attorney/Hearings Examiner
New Hampshire Department of Energy

Cc: Discovery Service List

BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 22-030

Public Service Company of New Hampshire d/b/a Eversource Energy

Petition for Third Step Adjustment

Department of Energy Objection to Eversource's First of Data Requests to Department of Energy

The Department of Energy, pursuant to Puc Rule 203.09(g), hereby objects to the First Set of Data Requests propounded by Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) on the Department of Energy (the Department or DOE) on the grounds that such discovery is not provided for in any established procedural schedule, is not timely, and largely seeks irrelevant information. In support of this objection, the Department states as follows:

1. On May 2, 2022, Eversource petitioned the Public Utilities Commission (Commission or PUC) for approval of a Third Step Adjustment.
2. On June 9, 2022, the Commission issued a Procedural Order in this matter, scheduling a hearing for July 19, 2022. By Procedural Order dated July 7, the Commission rescheduled the hearing in this matter to September 13. On September 6, Eversource and DOE submitted a Joint Witness List which identified Jay E. Dudley as a witness for DOE at the hearing. By Procedural Order dated September 9, the Commission rescheduled the hearing to September 20. None of these procedural orders established a schedule providing Eversource an opportunity to issue discovery to the Department of Energy.
3. The PUC held a hearing on September 20, where Mr. Dudley provided live, direct testimony. Cross examination was postponed at Eversource's request to a date to be determined.

Eversource did not request, nor was Eversource granted, an opportunity to conduct discovery.

4. With this case now in the hearing phase, any time for Eversource to request approval to conduct discovery, and to issue discovery requests, has passed. Parties' efforts are necessarily dedicated to preparing for and conducting the hearings that are underway.
5. Even if Eversource had a right to discovery at this late stage, the requests propounded are objectionable because they largely seek information that is irrelevant to this proceeding. Requests 1-3 through 1-9 all ask for specific details concerning the ongoing Business Process Audit undertaken pursuant to the approved settlement in DE 19-057. The conduct, progress, and conclusion of the Business Process Audit are not at issue in this step adjustment proceeding. Answers to Requests 1-3 through 1-9 will not lead to any evidence that is relevant or useful to the Commission in deciding whether to approve the requested rate increase which is designed to recover Eversource's 2021 plant additions.
6. Requests 1-1 and 1-2 can be asked when the hearings in this matter resume.

New Hampshire Department of Energy
By its Attorney,

/s/ Paul B. Dexter

21 South Fruit Street, Suite 10

Concord, NH 03301

603-271-6592

Paul.B.Dexter@energy.nh.gov

October 4, 2022