

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire
Least Cost Integrated Resource Plan

Docket DE 10-261

Public Service Company of New Hampshire's Motion to Strike the Expert Report of
Dr. Ranajit Sahu

Public Service Company of New Hampshire ("PSNH" or the "Company"), in accordance with Puc 203.07, hereby moves to strike the "Expert Report of Dr. Ranajit (Ron) Sahu" ("Report") submitted in this proceeding by the New Hampshire Sierra Club. The stated purpose of Dr. Sahu's Report is "to discuss pending regulations and requirements" as they relate to Merrimack Station. Report at 4. These discussions are irrelevant to the issues in this proceeding, compliance with the requirements of RSA 378:38 et seq. and Order No. 24, 945 in the previous least cost plan proceeding. In support of this motion, PSNH states as follows:

1. On November 3, 2010, the Commission issued an order of notice opening this docket. In its Order, the Commission described the contents of PSNH's Least Cost Integrated Resource Plan ("LCIRP") as follows:

In its filing consistent with RSA 378:38, PSNH describes the following items: 1) the methodology and assumptions used to develop PSNH's delivered energy and peak demand forecasts, and illustrated forecast scenarios; 2) PSNH's participation in the State's CORE energy-efficiency programs, and other PSNH demand-side management programs, and their interrelation to PSNH's resource planning; 3) assessment of PSNH's supply options; 4) the energy market currently administered by the Independent System Operator-New England (ISONE) and how ISO-NE coordinates and plans transmission in New England, including PSNH's transmission system; 5) PSNH's provision for diversity in power supply sources; 6) assessment of PSNH's planning compliance with the Clean Air Act Amendments of 1990 and the National Energy Policy Act of 1992; 7) assessment of the LCIRP's long-and short-term environmental, economic, and energy price and supply impact on the state; 8) PSNH's compliance with the New Hampshire

Renewable Portfolio Standard; and 9) a continuing unit operation study for PSNH's Newington Station, pursuant to Commission Order No. 25,061.

Order of Notice at 1.

The Order of Notice also identified the issues that would be considered in this docket:

“The filing raises, inter alia, issues related to whether PSNH's planning process is adequate as defined by the requirements set forth in RSA 378:38 and 39 and Order No. 24,945 and whether it is consistent with RSA Chap. 374-F and RSA 369-B:3a.” *Id.* at 2.

2. On July 25, 2011, NHSC filed the Report authored by Dr. Sahu’s in this proceeding.

The Report states:

“It is not the purpose of this report to discuss all of the currently applicable requirements at the station nor assess Merrimack’s current state of compliance with these regulations. Rather, the purpose of this report is to discuss pending regulations and requirements. Of necessity, this discussion is general at this point since not all of the upcoming regulations have been finalized at the time of this writing. Also, their exact impact on Merrimack cannot be fully analyzed for several reasons. First, not all of the regulations not [sic are]final, as noted.” *Id.* at 4.

3. Dr. Sahu’s Report does not relate to any of the requirements of RSA 378:38 or 378:39, or the dictates of Order 24,945, which created requirements for the content of this LCIRP.¹

Order 24,945 only requires that the Company include in future LCIRP’s “an economic analysis

¹ Order 24,945 required that the Company’s next LCIRP address the following: (1) the manner in which PSNH should conduct an analysis of demand-side potential; (2) an analysis of demand response programs; (3) a sensitivity analysis of the Total Resource Cost Test; (4) a supply-side analysis of biomass and wind units; (5) a supply-side analysis of solar photovoltaic; (6) a ranking of supply-side resource options; (7) an economic analysis of retirement for units where significant sums must be invested to meet new emissions standards; (8) certain parameters for an operational analysis of Newington; (9) a basis for performing wholesale price forecasts; and (10) consideration of the potential for plug-in electric vehicle market penetration.

of retirement for any unit in which the alternative is the investment of significant sums to meet new emissions standards and/or enhance or maintain plant performance.” Order 24,945 at 16.

4. The Company did not include an economic analysis of the retirement of Merrimack Station in its LCIRP because the facts surrounding Merrimack Station, in the summer of 2010 when the Least Cost Plan was written, do not meet the threshold requirement of Order 24,945. In fact, the Commission denied motions for rehearing regarding a continued unit operations study for Merrimack Station in Order No. 24,966. PSNH cannot be expected to perform an economic analysis of proposed requirements for Merrimack Station that have not been finalized on the date when Dr. Sahu wrote his Report (Report at 4) and were no better known in mid-2010 when PSNH compiled its Least Cost Plan. The Report is nothing more than an effort to expand the scope of this docket to litigate the environmental issues which the Commission has already ruled are not part of this proceeding. Order No. 25,220. The Commission has the authority to and shall exclude material offered which is irrelevant. RSA 541-A:33, II; N. H. Code Admin Rule Puc 203.23(d), which it should do here.

5. For these reasons, the Company moves the Commission to strike the Export Report in its entirety.

WHEREFORE, PSNH respectfully requests that the Commission:

- A. Strike the Export Report of Dr, Ranajit Sahu; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

Public Service Company of New Hampshire

By Its Attorneys

Dated: December 19, 2011

By: 

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Certificate of Service

I hereby certify that a copy of this Motion to Strike has been served electronically on the persons on the Commission's service list this 19th day of December, 2011.


Gerald M. Eaton