

Public Service Company of New Hampshire
Docket No. DE 11-250

Data Request TC-03
Dated: 08/24/2012
Q-TC-016
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Witness: No Witness
Request from: TransCanada

Question:

During the period of 2006 - 2009 what other proposed or adopted environmental regulatory requirements (other than the requirements in RSA 125-O) for Merrimack Station or other existing, coal-fired power plants from the state or federal government was PSNH monitoring or otherwise made aware? Please include in your response any internal assessments, discussions with federal or state regulators or other internal or third party communications with respect to Clean Water Act, Clean Air Act, Resource Conservation and Recovery Act and any applicable air, water or waste regulations. Please provide any and all documentation in the possession of PSNH or its agents related to these requests, including estimated costs for compliance with any proposed or anticipated requirements that would be applicable to Merrimack Station. See Re Investigation of PSNH's Installation of Scrubber Technology at Merrimack Station, 93 NH PUC 564, 572 (2008). "RSA 125-O:17 does, however, provide a basis for the Commission to consider, in the context of a later prudence review, arguments as to whether PSNH had been prudent in proceeding with installation of scrubber technology in light of increased cost estimates and additional costs from other reasonably foreseeable regulatory requirements..."

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

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Witness: No Witness
Request from: TransCanada

Question:

When did PSNH first become aware that the U.S.E.P.A. was contemplating a finding that closed cycle cooling water technology would be considered "best technology available" under the Clean Water Act for purposes of Merrimack Station compliance with thermal discharge or other water-related standards? Was PSNH aware of the status of Phase II rules adopted by U.S.E.P.A. in 2004 regarding compliance with Clean Water Act requirements related to entrainment and thermal discharges? What was PSNH's understanding in 2008 with regard to the potential requirement that Merrimack Station would be required to install closed cycle cooling water technology? Please include in your response reference to all discussions between PSNH or its agents and U.S.E.P.A. officials regarding the agency's review of PSNH's NPDES renewal application at any time between 2006 and issuance of the draft NPDES permit. Please also include in your response whether and when PSNH was made aware of the U.S.E.P.A. proposed finding on closed cycle cooling water technology at the Brayton Point coal-fired power plant.. Please indicate whether and when PSNH prepared or submitted to any agency the estimated costs for installation of closed cycle cooling water technology at Merrimack Station and provide copies of all such estimates. Please provide any and all documentation in the possession of PSNH or its agents that explains the responses to these requests, including all notes of discussions with U.S.E.P.A. officials and internal cost estimates.

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

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Witness: **No Witness**
Request from: **TransCanada**

Question:

Was any thought given to either: (1) retirement of Merrimack Station; or (2) retirement of Merrimack Station as a coal unit as an option and conversion to natural gas for both economic and environmental compliance reasons? Recent media reports regarding coal retirements have been lauding the switch to gas for both price and environmental quality and have been recognized by public health and environmental organizations. "The trend is good. We like it. We are pleased that we're shifting away from one of the dirtiest sources to one that's much cleaner," said Janice Nolen, an American Lung Association spokeswoman. 'It's been a real surprise to see this kind of shift. We certainly didn't predict it.' Power plants that burn coal produce more than 90 times as much sulfur dioxide, five times as much nitrogen oxide and twice as much carbon dioxide as those that run on natural gas, according to the Government Accountability Office, the investigative arm of Congress. Sulfur dioxide causes acid rain and nitrogen oxides lead to smog." (Nashua Telegraph, 8/20/12)

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

PSNH also objects to the testimonial narrative included in this question following subpart 2. TransCanada will have an opportunity to present testimony in accordance with the procedural schedule established for this docket.

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Q-TC-020
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Witness: **No Witness**
Request from: **TransCanada**

Question:

Based on the recent ruling by the NH Air Resources Council affirming the New Hampshire Department of Environmental Services determination of the baseline mercury emissions pursuant to RSA 125-O:14, II and assuming that this ruling remains in effect pending or following any appeal, what if any additional control technologies, equipment, capital or operating costs has PSNH determined can be reasonably anticipated or otherwise may be necessary to comply with the mercury reduction requirements of RSA 125-O? Please provide any and all documentation in support of your answer.

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

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Witness: **No Witness**
Request from: **TransCanada**

Question:

Please indicate whether any alternative scenario, technology or cost analyses/estimates were performed between 2006 and present with regard to mercury reduction levels and associated costs that would be required under potential mercury baseline determinations, including the determination recently affirmed by the Air Resources Council and, if so, provide copies of such analyses. If no such analyses/estimates were conducted, please explain the reason for not doing so and provide any and all documentation that explains your answer.

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

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Witness: **No Witness**
Request from: **TransCanada**

Question:

Please identify the means by which PSNH intends to comply with the U.S. E. P. A. final rule on "National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units" published in the Federal Register on February 16, 2012 at 77 Fed. Reg. 9304, and whether such compliance would require any additional technologies, equipment, capital or operating costs , or any additional costs whatsoever, for Merrimack Station. Please provide any and all documentation that explains your answer.

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

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Witness: **No Witness**
Request from: **TransCanada**

Question:

Has PSNH developed a compliance strategy with regard to state and federal mercury reduction requirements? Please provide any and all documentation in support of your response, including but not limited to any plans for operational limitations on Merrimack Station.

Response:

PSNH objects to this question. The requested information is not relevant to the prudence of PSNH's compliance with the mandate contained in the Mercury Reduction law, nor is it reasonably calculated to lead to the discovery of admissible evidence in this proceeding.