

STATE OF NEW HAMPSHIRE

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OFFICE OF CONSUMER ADVOCATE

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December 6, 2017

6 DEC '17 AM 8:33

Ms. Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301

Re: Docket No. DE 15-464  
Public Service Company of New Hampshire d/b/a Eversource Energy  
Petition for Approval of Lease Agreement with Northern Pass Transmission LLC

Dear Ms. Howland:

In connection with the above-referenced docket, please be advised that the Office of the Consumer Advocate (OCA) concurs with the objection filed yesterday by Public Service Company of New Hampshire d/b/a Eversource Energy to the "Motion for a Finding on Affiliate Transaction Compliance" submitted on December 4 by the New England Power Generators Association (NEPGA).

In particular, the OCA agrees that the issues raised by the NEPGA motion are untimely given NEPGA's failure to present any evidence or argument at the merits hearing conducted on November 30. The OCA wishes to maintain the integrity and fundamental fairness of the processes employed by the Commission in contested cases and therefore believes, consistent with the assertions in Paragraph 4 of the Eversource objection, that NEPGA has waived its opportunity to raise the issues set forth in its motion.

As I noted at the hearing, and as Eversource Energy points out in paragraph 16 of its pleading, because of the initial reliance on an independent appraiser to establish the lease payment – and, ultimately, because of the reliance on two independent appraisers to establish a revised lease payment pursuant to the settlement agreement now pending before the Commission – there is no question that the two parties to the lease at issue have complied with N.H. Code Admin. Rules

Puc 2105.09(a)(7). In these circumstances, the OCA respectfully requests that the Commission deny the NEPGA motion and approve the pending settlement agreement.

Please feel free to contact me if there are any questions or concerns about the above.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Maurice Kreis". The signature is fluid and cursive, with a long horizontal stroke at the end.

D. Maurice Kreis  
Consumer Advocate

cc: Service list, via e-mail