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THE STATE OF NEW HAMPSHIRE



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September 14, 2012

Re: DE 11-250, Public Service Company of New Hampshire Investigation of PSNH Installation and Cost Recovery of Scrubber Technology at Merrimack Station Change to Procedural Schedule

To the Parties:

On August 30, 2012, the Office of Consumer Advocate (OCA) filed a letter requesting a change in the procedural schedule in the above-captioned docket pursuant to Puc 202.04. According to the existing procedural schedule, the deadline for discovery was August 31, 2012. The OCA said that the Commission's Audit Staff had publicly released its final report on August 29, 2012 and that the final report of Jacobs Consultancy (Jacobs) had not yet been released. The OCA asked that discovery be extended until 15 days following the public release of the final Jacobs report. Staff filed the final Jacobs report on September 12, 2012. The OCA also stated that, given that TransCanada had filed a motion to compel PSNH to respond to certain discovery requests, and that the motion is pending, the procedural schedule may require an extension at some point regardless of OCA's request.

In its request, the OCA represented that Conservation Law Foundation, TransCanada and Sierra Club consent to the extension of the deadline so long as the extension permits discovery, if necessary, in response to the Commission's determination on the pending TransCanada motion to compel. The OCA reported that PSNH consents to an extension of the discovery deadline at this time so long as the extension only relates to discovery on matters contained in the Commission's final audit report and the final Jacobs report. The OCA stated that Staff consents to an extension as requested by the OCA and takes no position on whether the extension should, or should not, permit discovery on issues related to TransCanada's motion to compel.

Subsequent to the date of the OCA's letter, on September 11, 2012, TransCanada filed a second motion to compel with respect to other discovery requests.

The Commission has determined that the extension will not unduly delay the proceeding or adversely affect the rights of any party. Accordingly, the deadline for discovery of PSNH on issues contained in the reports prepared by the Audit Staff and Jacobs has been extended through September 27, 2012. Responses to any data requests will be due by October 11,

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2012. The Commission will address discovery related to issues raised in TransCanada's outstanding motions to compel, including those issues that were the subject of briefs filed by the parties on August 28, 2012, when an order is issued on the motions.

Sincerely,

Deli A. Houlard

Debra A. Howland Executive Director

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Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND EXEC DIRECTOR

NHPUC 21 S. FRUIT ST, SUITE 10 CONCORD NH 03301-2429

- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.