

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DE 14-238, Public Service Company of New Hampshire
Determination Regarding PSNH's Generation Assets

**MOTION OF THE NEW ENGLAND POWER GENERATORS ASSOCIATION, INC.
AND THE RETAIL ENERGY SUPPLY ASSOCIATION TO ALLOW ADDITIONAL
DISCOVERY AND FOR LEAVE TO FILE SUPPLEMENTAL OR AMENDED
TESTIMONY**

Pursuant to N.H. Admin. Rule Puc 203.07, the New England Power Generators Associations, Inc. ("NEPGA") and the Retail Energy Supply Association ("RESA") respectfully move the New Hampshire Public Utilities Commission ("Commission") for leave for parties to the proceeding to conduct additional discovery on all settling parties in Docket 14-238 and for leave to supplement or amend its pre-filed testimony if necessary until November 5, 2015 to ensure that all issues are appropriately presented to the Commission.

In support of this Motion, NEPGA and RESA state the following:

1. On June 10, 2015, Public Service New Hampshire ("PSNH") filed the "2015 Public Service Company of New Hampshire Restructuring and Rate Stabilization Agreement" ("Settlement Agreement") with New Hampshire District 3 Senator Jeb Bradley, New Hampshire District 15 Senator Dan Feltes, the Office of Energy and Planning, Designated Advocacy Staff of the New Hampshire Public Utilities Commission, the Office of the Consumer Advocate, the City of Berlin, New Hampshire, the International Brotherhood of Electrical Workers

Local 1837, RESA, NEPGA, the Conservation Law Foundation, the New Hampshire Sustainable Energy Association, TransCanada Power Marketing, Ltd. and TransCanada Hydro Northeast, Inc., Public Service Company of New Hampshire d/b/a Eversource Energy and Eversource Energy for the purpose of divesting PSNH of its remaining generating assets. PSNH filed testimony on July 6, 2015 and the remaining settling parties, including NEPGA and RESA, filed testimony supporting the Settlement Agreement on July 17, 2015. Non-Advocate Staff and Intervenor testimony was filed September 18, 2015. Rebuttal Testimony by Settling Parties is due November 5, 2015.

2. On August 18, 2015, Public Service New Hampshire announced that it had entered into a 20-year firm power purchase agreement (“PPA”) with HydroQuebec.¹
3. Because this proceeding involves the divestiture of generation assets in a fully restructured energy market, an additional PPA outside of a competitive procurement for default service that was not considered during the settlement negotiations has the potential to impact whether the Settlement Agreement is in the public interest. Moreover, as provided the Settlement Agreement,

¹ <https://www.eversource.com/content/general/about/news-room/new-hampshire/newspost?Group=newhampshire&Post=northern-pass-will-now-go-under-roadways-in-treasured-areas-including-white-mountain-national-forest>

“Completing the transition to a competitive procurement process for default service”² was a “key component of this Agreement.”³

4. As a result of the recently-announced PPA, NEPGA and RESA assert that additional discovery is required in order to explore further (1) whether the PPA is violates the express terms of the Settlement Agreement; (2) the impact, if any, of the PPA on the Settlement Agreement; and (3) whether it is necessary for NEPGA and RESA to supplement or amend its previously filed joint testimony.
5. The Commission would benefit from any additional discovery or testimony that analyzes the PPA within the context of the Settlement Agreement.
6. The Procedural Schedule can accommodate both additional discovery and the filing of supplemental or amended testimony prior to the November 16-17 hearing on the merits.
7. Granting this motion for additional discovery and the opportunity to file supplemental or amended testimony until November 5, 2015 will not cause undue burden on any party to the proceeding or judicial delay.
8. Despite efforts to obtain the consent from all parties with respect to this Motion, unanimous agreement could not be reached.

² 2015 Public Service Company of New Hampshire Restructuring and Rate Stabilization Agreement at 3, line 66.

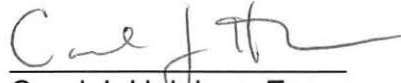
³ *Id.* at 2, line 30.

For the reasons set forth above, the NEPGA and RESA respectfully request that this motion be granted.

Respectfully submitted,

NEW ENGLAND POWER GENERATORS ASSOCIATION, INC.

By its attorney,



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Dated: October 1, 2015

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2015, an original and 6 copies of the above-entitled Motion were hand-delivered to the Public Utilities Commission and served an electronic copy of this filing with each person identified on the Commission's service lists for Docket No. DE 14-238 pursuant to Rule Puc 203.02(a).

A handwritten signature in dark ink, appearing to read "Carol J. Holahan", written over a horizontal line.

Carol J. Holahan