

**STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION**

Docket No. DE 15-459 HPUC JUL19'16 PM 4:06

**NORTHERN PASS TRANSMISSION LLC**

**Petition to Intervene of Terry Cronin in the NPT LLC Petition to Commence Business as a  
Public Utility**

Terry Cronin, by and through himself, respectfully petitions the New Hampshire Public Utilities Commission (“PUC”) for intervention in the above-captioned proceedings pursuant to RSA 541-A:32 and PUC rule 202.17. As recently proposed in the settlement agreement between the PUC staff and NPT in this docket, the commencement of this company’s business as a public utility will impact the rights, duties privileges, immunities and other substantial interests of mine as a residential ratepayer, Furthermore, this intervention will not impair the orderly, prompt conduct of the proceedings nor the interests of justice. I offer the following in support of this entreaty:

1. On May 16, 2016 Donald M. Kreis, Consumer Advocate, wrote to Debra Howland, Executive Director of the New Hampshire Public Utility Commission, that “The OCA is not a party to the agreement in principle, which was negotiated without our involvement.” Without the Office of Consumer Advocate as party to this settlement agreement, much less without the OCA having taken part in negotiating the deal, this proposed agreement will abrogate my rights, duties, privileges, immunities and other substantial interests in NPT, LLC’s commencing business as a public utility.

2. On May 20, 2016 NPT LLC and the staff of the Commission jointly sponsored and presented to the New Hampshire Public Utility Commission a settle agreement regarding NPT LLC’s Petition to Commence Business as a Public Utility.

Among requirements of the settlement terms under **B. Scope of Regulation** NPT shall be subject to RSA 374: 4 **Duty to Keep Informed**. – “The commission shall have power, and it shall be its duty, to keep informed as to all public utilities in the state, their capitalization, franchises and the manner in which the lines and property controlled by them are managed and operated, not only with respect to the safety, adequacy and accommodation offered by their service, but also with respect to their compliance with all provisions of law, orders of the commission and charter requirements.”

On January 10, 2016 Dave Solomon reported in the Union Leader that FERC Commissioners issued an order to investigate New England transmission rates that appeared, according to them, “unjust, unreasonable and unduly discriminatory or preferential.” Further, he cites from their order that “The rates appear to lack sufficient detail in order to determine how certain costs are derived and recovered...” and, that “Rate protocols should afford adequate transparency to affected customers, state regulators or other interested parties, as well as provide mechanisms for resolving potential disputes...” adding that “integrity and transparency... are critically important to ensuring just and reasonable rates.<sup>1</sup>”

His reported rates put New England at the top nationally, running a freakish 82 percent higher than the next highest region in the country. (Solomon says Eversource customers pay 2 cents per kilowatt hour in NH while in the Pennsylvania PJM market customers pay 1.1 cents.)

3. The Northern Pass Transmission Project Executive Summary declare the applicants, NPT and Public Service Company of New Hampshire d/b/a Eversource Energy, “... wholly owned subsidiaries of Eversource Energy, New England’s largest utility system....<sup>2</sup>”

FERC’s questions about Eversource Energy’s compliance with provisions of transmission law go to the heart of PUC’s consideration of NPT LLC’s petition to begin business as a public utility. After all, NPT LLC is a wholly owned subsidiary of Eversource Energy, a company under FERC investigation over matters of integrity and transparency with regard to its transmission business.

Indeed, the NPT LLC’s petition quotes the Commission in the International Generation and Transmission Company proceeding “... that although RSA 374:22 and 374:26 ‘do not spell out the specific criteria for determining when the granting of public utility status or franchise is in the public good, it has long been a tenet of public utility regulation that the granting of that the applicant is fit and able to carry out the function it proposes.’”

But how can NPT LLC meet the ethical standard of fitness in fulfilling the public interest as a public utility constructing and operating “... one of the largest [transmission] infrastructure projects in state history,<sup>3</sup>” with its parent company, Eversource Energy, under FERC investigation over its compliance with provisions of transmission law?

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<sup>1</sup> Dave Solomon, New England electric rates to be investigated, Union Leader, Sunday News (January 10, 2016) available at <http://www.unionleader.com/article/20160110/NEWS05/160119977/0/SEARCH>

<sup>2</sup> [http://www.nhsec.nh.gov/projects/2015-06/application/Volume-I/2015-06\\_2015-10-19\\_nptllc\\_psnh\\_app\\_executive\\_summary.pdf](http://www.nhsec.nh.gov/projects/2015-06/application/Volume-I/2015-06_2015-10-19_nptllc_psnh_app_executive_summary.pdf)

<sup>3</sup> Eversource names contractors, suppliers for Northern Pass project, Union Leader (April 22, 2016) quoting Bill Quinlan, President of Eversource Operations in New Hampshire available at <http://www.unionleader.com/apps/pbcs.dll/article?avis=UL&date=20160422&category=NEWS05&lopenr=160429764&Ref=AR&template=printart>

4. Finally, the NPT LLC's and the staff of the Commission settlement agreement **RATE TREATMENT** as proposed could saddle New Hampshire ratepayers with costs of the 357 kV radial AC line. However remote the settling parties would like portray the possibility of such charges coming from an ISO-NE "Reliability Upgrade," NPT LLC promised the project "at no cost to New Hampshire customers<sup>4</sup>."

Pre-filed Direct Testimony of Michael J. Ausere in the Joint Application of Northern Pass and PSNH tells us that FERC determined in Docket No. EL09-20, consistent with longstanding open access policies, this was a participant-funded cost-based transmission project. As a ratepayer I want to discover by data requests what changed this transmission project from its participant-funded, cost-based structure.

**WHEREFORE**, Terry Cronin respectfully requests that the Public Utilities Commission:

- A. Grant Terry Cronin's Petition to Intervene; and
- B. Grant such other and further relief as may be just.

Respectfully Submitted,

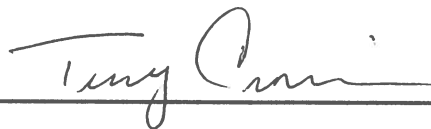


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**CERTIFICATE OF SERVICE**

I hereby certify that on this day , July 19, 2016, a copy of the foregoing petition was sent by electronic mail to persons named on the Service List of this docket.

By:   
Terry Cronin

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<sup>4</sup> [http://www.nhsec.nh.gov/projects/2015-06/application/Volume-I/2015-06\\_2015-10-19\\_nptllc\\_psnh\\_app\\_executive\\_summary.pdf](http://www.nhsec.nh.gov/projects/2015-06/application/Volume-I/2015-06_2015-10-19_nptllc_psnh_app_executive_summary.pdf)