

STATE OF NEW HAMPSHIRE

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August 4, 2016

Ms. Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, New Hampshire 03301-7319

RE: Docket No. DE 15-459, Northern Pass Transmission LLC  
Petition to Commence Business as a Public Utility

Dear Ms. Howland:

Please treat this letter as my office's response to the motion for reconsideration filed yesterday in the above-referenced docket by Mr. Terry Cronin in connection with his intervention request as denied by the Commission at hearing on July 20.

The Office of the Consumer Advocate (OCA) takes no position on Mr. Cronin's reconsideration motion. However, in an effort to avoid misunderstandings and to clarify the record, I write to disagree respectfully with one of the key assertions in Mr. Cronin's motion.

According to Mr. Cronin's motion, the interests of residential utility customers were "nullified" in this proceeding because, although the OCA indicated at the prehearing conference that it would be engaging in discovery and participating fully, "there has been no OCA discovery or negotiations in this docket" and thus no "OCA representation."

Mr. Cronin appears to have misunderstood my statements at the July 20 hearing. I explained that my office did not participate in the negotiations that led to the pending settlement agreement between Northern Pass LLC and the Staff of the Commission. However, the OCA did conduct discovery, did receive and review copies of the discovery conducted by Staff, and did participate in the informal conversations among the parties that preceded and followed the negotiation of the settlement agreement. In addition, we were given an opportunity to become a signatory to the settlement agreement but declined. The OCA's reasons for declining, and for taking no position on the merits of the settlement agreement, were explained in detail at the July 20 hearing and I will not belabor them here.

In other words, contrary to the suggestion in Mr. Cronin's reconsideration motion, the OCA had a full and fair opportunity to participate in all aspects of this proceeding, we used that opportunity responsibly, and we are confident that the interests of residential utility customers were effectively represented as a result. In that regard, I note that at hearing I asked the witness testifying for the Staff of the Commission whether signing the settlement agreement meant that Staff was recommending ultimate approval of the Northern Pass project. He answered in the negative, much as the OCA has not taken a position on questions that must eventually be resolved not by the Commission but by the Site Evaluation Committee, in a proceeding to which the OCA is not a party.

Thank you for this opportunity to clarify the nature and scope of our participation in this proceeding. As the Commission is well aware, the Northern Pass transmission project is a matter of considerable controversy. Therefore, I hope these comments are helpful in limiting the extent to which misunderstandings proliferate about our role in addressing that controversy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Donald M. Kreis", with a small superscript "1" above the final "s".

Donald M. Kreis  
Consumer Advocate

cc: Service list via electronic mail