

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

DE 15-460

NORTHERN PASS TRANSMISSION LLC

Petition to Cross Public Waters

OBJECTION TO MOTION OF KRIS PASTORIZA

NOW COMES Northern Pass Transmission LLC (“NPT”) by and through its attorneys, McLane Middleton, Professional Association, and respectfully submits this Objection to the Motion of Kris Pastoriza in the above-captioned docket.

On April 27, 2016, the New Hampshire Public Utilities Commission (“Commission” or “PUC”) denied Ms. Pastoriza’s petition to intervene in the above-captioned proceeding. Nonetheless, on May 3, 2016, Ms. Pastoriza made four requests in the above-captioned proceeding that the Commission take certain actions. Ms. Pastoriza lacks standing to make such requests.

In the cover letter to her May 3, 2016 filing, Ms. Pastoriza refers to her filing as a comment but in the pleading itself she lays out four requests, which she later characterizes as motions. The Commission’s rule, Puc 102.08, defines a motion as “a request made to the commission...after the commencement of a proceeding for an order or ruling directing some act to be done in favor of the party making the motion.” Ms. Pastoriza’s filing is clearly a motion under the Commission’s rules.

Furthermore, Puc 203.07 (a) says that a motion “may be filed by any party” to a proceeding. The Commission denied Ms. Pastoriza’s petition to intervene, therefore, she is not a party to this proceeding.

As for public comment, Puc 203.18 states that a person who is not a party to a proceeding “shall be provided with an opportunity at a hearing or prehearing conference to state their position.” Ms. Pastoriza did not attend the prehearing conference in this proceeding but she did file a petition to intervene, as well as a motion to stay and a pleading that she called an objection to an objection, in each of which she stated her position, and all of which are public records in this proceeding pursuant to Puc 201.04.

Ms. Pastoriza continues to demonstrate her disregard for the Commission’s practices and procedures as that standard is used in Puc 203.16 (c). She seeks to do indirectly, under the guise of a so-called comment, what she lacks standing to do directly because she is not a party. As for the substance of her motion, she offers a combination of misapprehensions and misstatements, repeats points she made previously, and takes positions not relevant to this proceeding.

WHEREFORE, NPT respectfully requests that the Commission:

- A. Disregard Ms. Pastoriza’s motion and requests; and
- B. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

NORTHERN PASS TRANSMISSION LLC

By Its Attorneys,

EVERSOURCE ENERGY and
MCLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: May 11, 2016

By: 

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Certificate of Service

I hereby certify that on the 11th of May, 2016, an original and one copy of the foregoing Motion was hand-delivered to the New Hampshire Public Utilities Commission and an electronic copy was served upon the Service List and the Consumer Advocate.



Thomas Getz