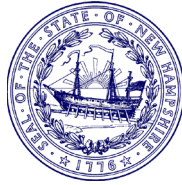


STATE OF NEW HAMPSHIRE

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May 6, 2022

Daniel C. Goldner, Chair
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, NH 03301-2429

Re: DE 21-020, Eversource Energy and Consolidated Communications
Joint Petition to Approve Pole Asset Transfer
Department of Energy Support For OCA Rehearing Request

Dear Chair Goldner:

The Department of Energy (DOE) submits this letter to express its support for the arguments made in Section II of the *Motion for Rehearing of Order No. 26,609 and Opposition to Motion for Rehearing of Consolidated Communications of Northern New England Company, LLC* filed by the Office of the Consumer Advocate (OCA) on May 4, 2022.

In particular, the DOE agrees the Commission incorrectly determined that the terms of settlement regarding vegetation management expenses entered into between the two Joint Petitioners¹ are entitled to confidential treatment under RSA 91-A and Commission rules because the settled claims are of “negligible” public interest as they are only “tangentially related to public utilities” and involve “purely private disputes between private parties.” Order No. 26,609 at 12.

That characterization is inaccurate as Eversource may seek to recover from its ratepayers vegetation management expenses it has incurred that were billed or billable to Consolidated and would have been payable by Consolidated in the absence of the settlement. *See* Transcript of Hearing on March 15, 2022 at 96-98. Therefore, there exists a direct link “between rates payable by customers and the extent to which Eversource compromises away its right to seek recovery of the same costs from Consolidated.” OCA Motion at 4.

The DOE agrees with the OCA that the Commission should correct that flawed finding in its order on rehearing of Order No. 26,609.

¹ The Joint Petitioners are Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications (Consolidated).

Pursuant to current Commission policy, this filing is being made electronically only.

Sincerely,

/s/ David Wiesner

David K. Wiesner
Legal Director/Sr. Hearings Examiner

cc: Docket Service List

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