

**Public Service Company of New Hampshire d/b/a Eversource Energy**  
**Docket No. DE 21-020**

**Date Request Received: March 15, 2022**  
**Data Request No. RR-002**

**Date of Response: March 25, 2022**  
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**Request from: Department of Energy**

**Witness: Horton, Douglas P**

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**Request:**

Marked as Exhibit 69: Does Eversource have any other similar disputes over vegetation management expenses, either in New Hampshire or in other jurisdictions? If so, describe how Eversource addressed or is addressing such disputes.

**Response:**

Yes. In 2014, Eversource's Connecticut affiliate, The Connecticut Light and Power Company d/b/a Eversource Energy ("CL&P"), initiated litigation in Connecticut State Court against a joint pole owner seeking to recover unpaid vegetation management expense. See CL&P v. Southern New England Telephone Co., Conn. Superior Court Docket No. HHD-CV14-6054472-S. That litigation was resolved pursuant to a settlement agreement dated June 30, 2015. In 2019, CL&P initiated an arbitration proceeding under the rules of the International Institute for Conflict Prevention and Resolution ("CPR") against a joint pole owner seeking to recover unpaid vegetation management expense. The arbitration was designated as CPR Docket No. G-20-07-O, The Connecticut Light and Power Company d-b-a Eversource Energy v. Frontier Communications Corp. The arbitration was resolved pursuant to a settlement agreement dated January 23, 2020.

The Company's Massachusetts affiliate has resolved its vegetation management cost disputes with Verizon through settlement negotiations that resulted in a revised joint operating agreement. The agreed-to revisions to the joint operating agreement reflects a revised understanding of Verizon's obligations to contribute to vegetation management costs only where there is a mutual benefit from the vegetation management. The Massachusetts Department of Public Utilities, in docket D.P.U. 17-05, determined that this resolution of the vegetation management cost dispute was reasonable in lieu of a formal legal process. The Department noted that "[a]s joint owners of an essential distribution asset, there is significant benefit from a cooperative resolution... ." Notably, the Department found that the agreement reached between the Company's Massachusetts affiliate and Verizon not only resolved outstanding costs but reduced future uncertainty related to storm costs. Finally, the Department allowed the Company's Massachusetts affiliate to recover the difference between the amount incurred for vegetation management and the amount reimbursed by Verizon from ratepayers.