

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire

Investigation of Merrimack Station Scrubber Project and Cost Recovery

Docket No. DE 11-250

OBJECTION TO PSNH'S MOTION FOR REHEARING OF ORDER NO. 25,445

NOW COMES the Office of the Consumer Advocate (“OCA”), a party in this docket, and objects to Public Service Company of New Hampshire’s (“PSNH”) Motion for Rehearing of Order No. 25,445 dated January 23, 2013 (“Motion”) pursuant to Admin. Rule Puc 203.07(f). In support of this Objection the OCA states as follows:

1. The Commission’s Order No. 25,445 resolves a discovery dispute between PSNH and TransCanada. The Order addresses discovery matters raised by TransCanada in its Motions to Compel filed on August 7, 2012, September 11, 2012 and October 9, 2012.
2. New Hampshire law favors liberal discovery. See *In Re PSNH*, Order No 25,445 (December 24, 2012) citing *Yancey v Yancey*, 119 NH 197, 198. (1979). The Commission properly analyzed each question submitted as to whether the information sought is “relevant to the proceeding or is reasonably calculated to lead to the discovery of admissible evidence.” *Id* at 3, citing *City of Nashua*, Order No. 24,681 (2006) at 2.
3. While neither TransCanada nor PSNH received all of its requested relief, the Commission did not commit legal error. The Commission reviewed TransCanada’s

discovery questions, PSNH's objections and TransCanada's motions to compel under the proper legal standard. PSNH offers no new evidence or other compelling reason for the Commission to grant a rehearing. Therefore no rehearing is required.

WHEREFORE, the OCA respectfully requests that this honorable Commission:

- A. Deny PSNH's Motion for Rehearing; and
- B. Grant any other such relief as it deems appropriate.

Respectfully submitted,

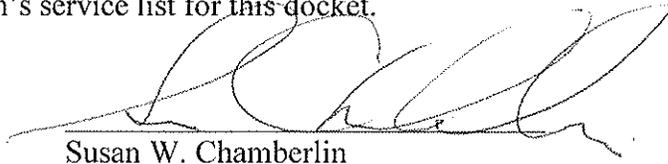


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January 28, 2013

Certificate of Service

I hereby certify that a copy of this Objection was provided via electronic mail to the individuals included on the Commission's service list for this docket.



Susan W. Chamberlin