

ATTACHMENT A

Data Request Cover Letter and Instructions



**Public Service
of New Hampshire**

780 N. Commercial Street, Manchester, NH 03101

Public Service Company of New Hampshire
P. O. Box 330
Manchester, NH 03105-0330

A Northeast Utilities Company

Robert A. Bersak
Assistant Secretary
and Chief Regulatory Counsel

(603) 634-3355
Robert.Bersak@psnh.com

January 16, 2014

**To: Parties to NHPUC Docket No. DE 11-250
Investigation of Scrubber Costs and Cost Recovery**

Re: PSNH's Data Requests

In accordance with N.H. Admin Rule Puc 203.09, accompanying this cover letter and Instructions please find Public Service Company of New Hampshire's data requests to the parties in Docket No. DE 11-250. Hard copies will not follow.

Please let me know if you have any questions.

Sincerely,

Robert A. Bersak
Assistant Secretary and
Chief Regulatory Counsel

Attachments

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

Docket No. DE 11-250

**Public Service Company of New Hampshire
Investigation of Merrimack Station Scrubber Project and Cost Recovery**

Public Service Company of New Hampshire (“PSNH” or the “Company”) hereby serves data requests upon the parties and Commission Staff in the above-captioned docket.

I. INSTRUCTIONS

1. Please answer these questions under oath and return them to PSNH’s attorneys by the date required in the procedural schedule for the above-captioned docket.
2. These data requests seek answers as of the date but shall be deemed to be continuing so that any additional information relating in any way to these data requests that you acquire or becomes known to you up to and including the time of hearing shall be provided to PSNH promptly after such information is acquired or becomes known.
3. In answering these data requests, you shall divulge all information in your possession, control or available to you, including information in the possession or control of your affiliates, parent companies, agents, employees, representatives, or any other persons acting on your behalf, and not merely such information as is known by you answering these data requests based on your personal knowledge.
4. If you feel that any data request is ambiguous, please notify PSNH’s attorneys so that the request may be clarified prior to the submission of a written response.
5. Organize the responses to each data request so that it is clear which specific information and/or documents are being furnished in response to each data request. In addition, describe with specificity precisely which portion or portions of a document are responsive to a particular data request. If a document is responsive to more than one data request, it is not necessary to supply duplicate copies. Instead, simply state that the document has already been provided, state which data request the document has already been provided under and state specifically which portion or portions of the document are responsive to each portion of each of the data requests to which the document applies.
6. If there is an objection to any data request, please state the basis of the objection. If the objection is based on privilege, identify the privilege and the facts on which the privilege is based. If a claim of privilege is asserted with respect to a document, provide the date, title or number of the document, the identity of the person who prepared or signed it, the identity of the person to whom it was directed, a general description of the subject matter, the identity of the person holding it and the location of its custody. If any document requested has been destroyed, lost or is otherwise unavailable, please list and identify the document, describe the document with as much detail as possible, and state the circumstances of its loss, destruction or unavailability.
7. Please begin each response to a numbered data request on a separate page.

8. For each response, please identify the person who provided the response and who will be responsible for cross-examination concerning each request. Also, for each response, identify each individual who supplied any information in response to the questions.

II. DEFINITIONS

1. The word "document" is used in its broadest sense and means all original writings of any nature whatsoever in your possession, custody or control, regardless of where located, and includes, without limitation the following items, whether printed or recorded or filmed or reproduced by any other mechanical or electrical process, or written or produced by hand, including all originals, masters and copies, namely: agreements, contracts, memoranda of understanding, correspondence or communications, including intra-company correspondence and communications, e-mail, cablegrams, telefax and telegrams, reports, notes and memoranda, summaries, minutes and records of telephone conversations, meetings and conferences, summaries and recordings of conversations, manuals, publications, calendars diaries, technical and engineering reports, data sheets and notebooks, photographs, audio and video tapes and discs, models and mockups, expert and consultant reports, drafts of originals with marginal comments or other markings that differentiate such copies from the original, and any other information containing paper, writing or physical thing.

2. The phrase "state the basis" for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefor, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.

3. The term "identify" or "identity" when used in connection with (1) a natural person means to state the person's name, employer and business address; (2) a corporation or other entity means to state the name of the entity, "d/b/a" designation if any, address of its principal place of business, and address of its principal place of business in New Hampshire, if any; (3) a document means to state a description, including name of author or source, date and addressee(s); (4) a communication means to state a description, including participants, date and content of the communication; and (5) a place means to state a description of a precise geographic location or address.

4. "PSNH" means Public Service Company of New Hampshire.

5. "DES" means the New Hampshire Department of Environmental Services.

6. "Project" means the Merrimack Station Clean Air Project.

7. "TransCanada" means TransCanada Corporation and all subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

8. "Sierra Club" or "SC" means the Sierra Club and all Sierra Club local chapters, including but not limited to the New Hampshire Sierra Club and the Upper Valley Sierra Club, and all subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

9. "Conservation Law Foundation" or "CLF" means the Conservation Law Foundation Inc. and all subsidiary and affiliated entities, their officers, employees, witnesses, agents, and attorneys.

10. “New England Power Generators Association” or “NEPGA” means the New England Power Generators Association, Inc., its members, and NEPGA’s and its members’ subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

11. “OCA” means the Office of the Consumer Advocate, and all employees, witnesses, agents, and attorneys.

12. “Staff” means the Staff of the New Hampshire Public Utilities Commission, and all employees, witnesses, agents, and attorneys.

13. References to the Scrubber Law mean 2006 N.H. Laws, Chapter 105, codified at RSA 125-O: 11 – 18.

ATTACHMENT B

PSNH Data Requests Submitted to NEPGA

STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Docket No. DE 11-250

Public Service Company of New Hampshire
Investigation of Merrimack Station Scrubber Project and Cost Recovery

Discovery for New England Power Generators Association

“New England Power Generators Association” or “NEPGA” means the New England Power Generators Association, Inc., its members, and NEPGA’s and its members’ subsidiary and affiliated entities, and their officers, employees, witnesses, agents, and attorneys.

1. Please list all members of NEPGA.
2. Do any member companies of NEPGA, or affiliates of such member companies, have any ownership interest in coal-fired electric generation? If so, please identify the companies with such ownership interest.
3. For all companies, if any, identified in response to the previous question, please provide the following information individually for each coal-fired generating station in which each company has any ownership interest:
 - a. Company name
 - b. Name and location of coal-fired generating station owned in whole or part
 - c. Percentage of station ownership
 - d. Generating capacity of station
 - e. Date station and each unit initially was placed in service
 - f. A description of all SO₂ and Mercury emissions reduction technologies installed at each such station, including the type of technology, the date placed into service, the cost of the project, the effectiveness of the facility in reducing SO₂ and Mercury emissions
 - g. Whether any of the emissions reduction technologies identified above were subject to a prudence review by any regulatory authority. If so:
 1. Identify all such proceedings by agency and docket number,
 2. Provide a copy of the agency’s decision for each docket.

3. Discuss all disallowances, if any, imposed on cost recovery by such agency including the amounts and the reasons therefore.
- h. If scrubber technology of any kind has been installed at the station,
 1. Provide the name of the scrubber manufacturer
 2. Provide copies of all SO₂ and Mercury reduction guarantees provided by the manufacturer.
 3. Was the scrubber technology installed as a result of a statute, order, settlement, or judgment of any court or administrative agency? If so, provide copies of all such statutes, orders, settlements, or judgments, and provide details of any penalties, fines, mitigation payments, or the like that were part of or related to such orders, settlements, or judgments.
 4. Provide the initial cost estimate for the complete scrubber installation project (from initial engineering design through installation and commissioning)
 5. Provide the final actual cost for the scrubber installation project (from initial engineering design through installation and commissioning)
 6. For each scrubber, provide all site specific design aspects and cost caused by the design of the boiler(s), draft system(s), site layout and congestion of buildings, bodies of water, and local community requirements.
 7. Please identify how many boilers each scrubber serves.
 8. If the cost of the scrubber project increased from the initial cost to the final cost, provide all reasons for such cost increases.
 9. If the station owner is or was a regulated utility, what was the total cost that utility sought to recover in its rates and what was the amount allowed by the regulatory agency.
 10. Provide all documents documenting public policy considerations that installation of the scrubber achieved, such as creation/retention of jobs, taxes, reliability, fuel diversity, etc.
 11. Provide a listing of all other air and water pollution control facilities at each station and the date each such facility was placed into service
4. Beginning on page 5 of Dr. Sahu's testimony filed on behalf of the Sierra Club, he lists "expected future environmental costs ... that would impact coal plants" that "that proper and prudent planning" would have accounted for. Did NEPGA or any of its members address in any manner in 2008 the "future environmental costs" that Dr. Sahu refers to in his testimony? If so, please provide any and all documents supporting your affirmative answer.

5. Please provide all forecasts of natural gas, coal and oil prices in the possession of NEPGA or its member companies for the period from January 1, 2006 through December 31, 2012.
6. Please provide copies of all economic analyses in the possession of NEPGA or any of its members concerning the flue gas scrubber at Merrimack Station.
7. Please provide copies of all economic analyses in the possession of NEPGA or any of its members concerning the ability of PSNH to request a “variance” under RSA 125-O:17.
8. Please provide a copy of any document provided to any elected or appointed government official in New Hampshire by NEPGA related to "An ACT relative to the reduction of mercury emissions" that took effect on June 8, 2006.
9. Please identify any individual employed by or otherwise compensated by NEPGA or any of its members to work on its behalf concerning "An ACT relative to the reduction of mercury emissions" that took effect on June 8, 2006.
10. Please provide a copy of any and all documents provided by NEPGA or any of its members to any elected or appointed government official in New Hampshire related to Senate Bill 152 in 2009 and House Bill 496 in 2009.
11. Please identify any and all individuals employed by or otherwise compensated by NEPGA or any of its members to work on its behalf concerning Senate Bill 152 and House Bill 496 in 2009.
12. Please provide all documents exchanged between NEPGA or any of its members and the U.S. Environmental Protection Agency from 2006 to the present related to the “affected sources” as defined in RSA 125-O:12, I.
13. Please provide copies of any and all correspondence that NEPGA or any of its members had with NHDES that pertains to the “affected sources” as defined in RSA 125-O:12, I.
14. Please provide copies of any and all documents that NEPGA or any of its members provided to DES, any legislator or any state official concerning the “affected sources” as defined in RSA 125-O:12, I.
15. Please provide copies of any and all document that NEPGA or any of its members has regarding estimates of newly proposed coal and natural gas combined cycle generating stations in the 2008-2009 time frame.
16. Please provide copies of any and all documents in NEPGA or any of its members’ possession regarding the forward market for natural gas delivered to New England in the 2008 through 2011 time frame.

17. Please provide any and all documents in NEPGA or any of its members' possession related to the bus bar costs of power for a new coal or natural gas combined cycle plant in New England during the 2008 to 2012 time period.
18. Is NEPGA intending to challenge in any manner the final reports produced by Jacobs Consultancy Inc. which was retained by the NHPUC to monitor and report on PSNH's Clean Air Project at Merrimack Station? If so, please explain and identify in detail all areas of the Jacobs' reports you are challenging.
19. During the period of 2008 to present, has NEPGA or any of its members (including affiliates, subsidiaries, and parent companies) taken any position, made any statement, or testified that a power purchase agreement with a utility or some other means of guaranteeing cost recovery is necessary to allow a prudent developer to invest capital in a generation project? If so, please provide copies of all such statements, and identify when they were made, by whom, and for what purpose.