

THE STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A  
EVERSOURCE ENERGY

Docket No. DE 16-241

Petition for Approval of Gas Infrastructure Contract with Algonquin Gas Transmission, LLC

**PARTIAL OBJECTION TO PETITION TO INTERVENE OF  
THE COALITION TO LOWER ENERGY COSTS**

Pursuant to New Hampshire Code of Administrative Rules Puc 203.07 and RSA chapter 541-A, Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or “Company”), hereby partially objects to the petition to intervene of the Coalition to Lower Energy Costs (“CLEC”). Eversource does not object to the intervention of CLEC generally, but only to the extent that the interests it represents must be identified with greater specificity, and its intervention appropriately limited, should it be permitted to intervene. In support of its objection, Eversource states as follows:

1. February 18, 2016, Eversource filed a petition and supporting testimony seeking Commission approval of a 20-year contract between Eversource and Algonquin Gas Transmission LLC whereby Eversource would purchase natural gas capacity on the Access Northeast pipeline. On April 11, 2016 CLEC timely petitioned to intervene in the docket.
2. Pursuant to RSA 541-A:32, I, the Commission “shall” grant a petition to intervene if the petitioner demonstrates that its “rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law.” Alternatively, pursuant to RSA 541-A:32, II, it “may” grant a petition if

“such intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceedings.”

3. In its petition, CLEC contends that it is a region-wide association of “industrial and commercial energy consumers, labor unions, and institutions” and that its mission is to “end the energy cost crisis facing New England” through “a sustainable energy portfolio that includes, and increasingly relies on, efficiency, demand response, and renewable energy such as wind, solar, and hydro.” CLEC Petition at 3-4. CLEC then goes on to describe some of its members and their general desires to reduce and control natural gas and electric costs. CLEC does not, however, make clear whether it is representing the interests of those described members, or some wider group of its members (which could include entities outside Eversource’s service territory and the State of New Hampshire). Moreover, it is not clear that the interests of the entities CLEC identifies in its petition are aligned with each other. CLEC also does not describe how it would represent its members in this case beyond offering general information about regional economic or energy issues.<sup>1</sup> Should CLEC be permitted to intervene, it should be required to demonstrate what members it represents, and to define what interests of those members CLEC would represent, and the Commission should limit CLEC’s participation in line with those demonstrations, consistent with the Commission’s recent orders relating to similar entities. *See, e.g., Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities*, Order No. 25,767 (March 6, 2015) in Docket No. DG 14-380 at 4; *Liberty Utilities (EnergyNorth Natural Gas)*

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<sup>1</sup> As the Commission has stated “merely being interested in such a proceeding is not the same as having a legal interest of some nature that may be affected by the proceeding. . . . Merely expressing a concern about a relevant issue, no matter how well-intentioned, does not confer party status.” *North Atlantic Energy Corporation, et al.*, Order No. 24,007 (July 8, 2002) at 3, 6. Additionally, as the Commission recently recognized in addressing requests for intervention on the basis of an interest in some policy concern, “all Commission rulings regarding such petitions implicate matters of policy of some interest” to some party, and allowing interventions on the basis of such policy concern would “result in unwarranted administrative burden.” *Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities*, Order No. 25,864 (February 4, 2016) at 3-4; *see also, PNE Energy Supply, LLC, et al. v. PSNH d/b/a Eversource Energy*, Order No. 25,881 (April 8, 2016) at 4 (stating that “generalized concerns and generic interests” did not warrant intervention).

*Corp. d/b/a Liberty Utilities*, Order No. 25,861 (January 22, 2016) in Docket No. DG 15-494 at 2-4.

4. In addition, Eversource notes that in its petition, CLEC contends:

Further, based on reviewing and synthesizing myriad independent studies, CLEC has proposed a unique and far-sighted energy strategy for New England that relies on expanding natural gas pipeline capacity as the foundation to lower energy costs, displace coal and oil, decrease emissions, increase reliance on renewable energy, and eventually electrify the heating and transportation sectors with a clean, reliable, and affordable electric mix. CLEC has concluded that, if adequate gas pipeline capacity is built to meet New England's heating and current power needs, New England's reliance on natural gas for electric energy will decrease. This decrease in usage will, in turn, create gains that will accrue to consumers from stable and low natural gas prices. These consumer gains will enable and encourage investments in efficiency and renewable energy.

CLEC Petition at 8-9. The references in CLEC's petition to its own "unique and far-sighted energy strategy," and issues such as the electrification of the heating and transportation sectors, indicate that CLEC may seek to introduce issues and concerns that go beyond the scope and purpose of the docket or beyond the jurisdiction of the Commission. If CLEC is permitted to intervene, the Commission should limit its participation in a manner that would avoid the introduction of such issues to avoid the possibility of delay caused by a need to address those concerns.

5. Accordingly, Eversource reemphasizes that CLEC should be required to identify the specific interests that it intends to represent and that it should be held to those interests in this proceeding. To do otherwise risks substantial expansion of the issues in the docket and the potential for undue delay.

**WHEREFORE**, Eversource respectfully requests that the Commission:

- A. Require CLEC to identify, with specificity, the interests it represents;
- B. Limit the participation of CLEC as described above; and
- C. Order such further relief as may be just and reasonable.

Respectfully submitted this 13th day of April, 2016.

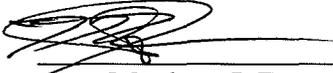
**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY**

By:   
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**CERTIFICATE OF SERVICE**

I hereby certify that, on the date written below, I caused the attached to be served pursuant to N.H. Code Admin. Rule Puc 203.11.

April 13, 2016  
Date

  
Matthew J. Fossum