

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DE 16-576

ELECTRIC DISTRIBUTION UTILITIES

Development of New Alternative Net Metering Tariffs and/or
Other Regulatory Mechanisms and Tariffs for Customer-Generators

NOTICE OF AGREEMENT BETWEEN THE ENERGY FREEDOM COALITION OF
AMERICA AND CONSUMER ENERGY ALLIANCE AND NOTICE TO WITHDRAW
PREFILED TESTIMONY AND A REPORT ENTITLED "INCENTIVIZING SOLAR
ENERGY" AND TO WITHDRAW THE REVISED REQUEST TO AUTHORIZE THE
DEPOSITIONS OF JAMES VOYLES AND DAVID HOLT

NOW COME the Energy Freedom Coalition of America ("EFCA"), by and through its attorneys, Preti Flaherty, Beliveau & Pachios, LLP, and Consumer Energy Alliance by its Attorney James Voyles and state as follows:

1. On October 21, 2016 Consumer Energy Alliance ("CEA") filed in the above-referenced proceeding the prefiled testimony of James Voyles. Appended to the prefiled testimony of Mr. Voyles was a report entitled "Incentivizing Solar Energy: In Depth Analysis of U.S. Solar Incentives," referred to in pleadings in this proceeding as the "Borlick Report."
2. On December 13, 2016 the Energy Freedom Coalition of America ("EFCA") filed a Revised Request to Authorize the Depositions of James Voyles and David Holt of CEA ("Revised Request").
3. As a result of an agreement reached by EFCA and CEA, CEA has agreed to withdraw the prefiled testimony of Mr. Voyles and the Borlick Report. CEA will file a brief in this proceeding that will cite to material in the Borlick Report with the understanding that the brief and its references will comport with the rules and orders of the New Hampshire Public Utilities Commission applicable to this proceeding. In consideration of the foregoing, EFCA has agreed

to withdraw its Revised Request and both parties have agreed that the record in this proceeding should neither contain the prefiled testimony of Mr. Voyles and the Borlick Report nor the Revised Request of EFCA.

WHEREFORE, EFCA and CEA respectfully request the Commission to strike from the record the prefiled testimony of Mr. Voyles and the Borlick Report and the Revised Request of EFCA and give these pleadings no further consideration in this proceeding

December 21, 2016

Respectfully submitted,

By: 

Peter W. Brown, New Hampshire Bar No. 149
Anthony W. Buxton, Maine Bar No.: 1714
Todd J. Griset, Maine Bar No.: 9326
Preti, Flaherty, Beliveau & Pachios, LLP
57 North Main Street
Concord, NH 03301
abuxton@preti.com
tgriset@preti.com
Counsel for Energy Freedom Coalition of America

And

By: 

James Voyles, Esq.
Counsel for Consumer Energy Alliance

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 2016, seven copies of the foregoing were hand delivered to the Commission, as well as copies to the Service List as listed on the NHPUC website.

By: 

Peter W. Brown