

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

**DE 17-124**

**PUBLIC SERVICE OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY  
Auction of Electric Generation Facilities**

**JOINT RESPONSE OF  
THE CITY OF BERLIN AND THE TOWNS OF NEW HAMPTON AND BRISTOL TO  
AUCTION PARTIES' JOINT MOTION FOR DISCOVERY CONFERENCE AND  
RULES WAIVER**

The City of Berlin (“**the City**”) and the Towns of New Hampton and Bristol (“**the Towns**”)(collectively “**the Municipal Intervenors**”), as full intervenors in this Docket and in the original Docket Nos. 14-238 and 16-817, hereby tender their Joint Response to the Joint Motion for Discovery Conference and Rules Waiver (“**the Joint Motion**”) filed by Public Service Company of New Hampshire d/b/a Eversource Energy (“**PSNH**”), J.P. Morgan Securities LLC (“**JP Morgan**”) and Commission Staff (“**Staff**”)(collectively “**the Auction Parties**”) and say as follows:

1. On the afternoon of October 26, 2017, the undersigned attorneys for the Municipal Intervenors and representatives of the Auction Parties held a lengthy telephone conference (“**the Telephone Conference**”) during which the Municipal Intervenors understood that the vast majority of the objections tendered by the Auction Parties as referenced in the Joint Motion were amicably resolved such that more complete answers and production of documents would be tendered by the Auction Parties on Friday, October 27, 2017, including in response to the six identified in the Auction Parties’ Objection.
2. During that Telephone Conference, the parties did discuss the filing of the Joint Motion to be able to get on the Commission’s busy docket; but the representatives of

both the Municipal Intervenors and the Auction Parties also referenced various dates that one or more of them could not be available for the Discovery Conference, namely October 30<sup>th</sup> and 31<sup>st</sup> and November 1<sup>st</sup>.

3. The Municipal Intervenors will obviously need some time to review the responsive materials actually produced by the Auction Parties and to evaluate whether a Discovery Conference is actually needed.
4. Accordingly, the Municipal Intervenors respectfully request that any Discovery Conference not be scheduled until November 2<sup>nd</sup> at the earliest.
5. Furthermore, the representatives of the Municipal Intervenors suggested during the Telephone Conference that any Discovery Conference could be held at the location of the Northern Pass Hearings in Concord before, during or after those proceedings to open up more dates when the Commission members could be available.
6. The Municipal Intervenors do not object to the requests for Rule Waivers contained in the Joint Motion; but the Municipal Intervenors request that additional Rule Waivers be granted as follows:
  - a. Puc 201.02 (a) concerning location of PUC hearings to allow any Discovery Conference to be held at the Northern Pass Hearing site to assist the Commission in accommodating the scheduling issues in this and other dockets; and
  - b. Puc 202.05(a) concerning the date of filing being when paper copies are received at the PUC to allow the date of filing in the remainder of this Docket to be the date emailed copies of materials are sent to the Service List so long as such emails are sent prior to 5:00 p.m. and so long as the requisite 7 paper

copies are mailed to the PUC that same day to accommodate the schedule in this Docket.

The Municipal Intervenors respectfully suggest that these waivers would serve the public interest and will not disrupt the orderly and efficient resolution of matters before the Commission in this Docket for the same reasons contained in the Joint Motion.

WHEREFORE, the City of Berlin and the Towns of New Hampton and Bristol request that the Commission:

- a. Waive the requirement of Puc 201.02 (a) to allow any Discovery Conference in this Docket to be held at the site of the Northern Pass Hearings if needed;
- b. Waive the requirement of Puc 202.05(a) to allow the date of filing in the remainder of this Docket to be the date emailed copies of materials are sent to the Service List so long as such emails are sent prior to 5:00 p.m. and so long as the requisite 7 paper copies are mailed to the PUC that same day;
- c. Schedule a potential Discovery Conference to be held no earlier than on November 2, 2017; and
- d. Order such other relief as deemed necessary and proper by the Commission.

Respectfully submitted,  
**The City of Berlin**  
By and through its City Attorney

10/22/17  
Date

By: Christopher L. Boldt (jcw)  
Christopher L. Boldt, Esq.  
Eric A. Maher, Esq.  
Donahue, Tucker & Ciandella, PLLC  
The Towle House, Unit 2  
164 NH Rt. 25  
Meredith, NH 03253  
(603) 279-4158  
[cboldt@dtclawyers.com](mailto:cboldt@dtclawyers.com)  
[emaher@dtclawyers.com](mailto:emaher@dtclawyers.com)

**The Town of New Hampton**  
By and through its Town Counsel

10/22/17  
Date

By: Judith E. Whitelaw (jcw)  
Judith E. Whitelaw, Esq.  
Walter L. Mitchell, Esq.  
Mitchell Municipal Group, P.A.  
25 Beacon Street East  
Laconia, NH 02246  
(603) 524-3885  
[jae@mitchellmunigroup.com](mailto:jae@mitchellmunigroup.com)  
[walter@mitchellmunigroup.com](mailto:walter@mitchellmunigroup.com)

**The Town of Bristol**  
By and through its Town Counsel

10/22/17  
Date

By: Shawn M. Tanguay (jcw)  
Shawn M. Tanguay, Esq.  
Matthew Decker, Esq.  
Gardner, Fulton, & Waugh, PLLC.  
78 Bank Street  
Lebanon, NH 03766  
(603)448-2221  
[stanguary@townandcitylaw.com](mailto:stanguary@townandcitylaw.com)  
[mdecker@townandcitylaw.com](mailto:mdecker@townandcitylaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that, on the date written below, I caused the attached Joint Response to be sent via electronic mail to the parties named in the Service List of this Docket.

10/27/17  
Date

CLB (Joan FL)  
Christopher L. Boldt, Esq.