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STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

November 20, 2008 - 1:37 p.m.
Concord, New Hampshire

RE: DE 08-066

NHPUC DECO2'08 PM 1:45

PUBLIC SERVICE OF NEW HAMPSHIRE:
Reconciliation of Revenues and Costs
Associated with its Energy Service
Rate and Stranded Cost Recovery Charge
for Calendar Year 2007.

PRESENT: Chairman Thomas B. Getz, Presiding
Commissioner Graham J. Morrison
Commissioner Clifton C. Below

Connie Fillion, Clerk

APPEARANCES: Reptg. Public Service of New Hampshire:
Gerald M. Eaton, Esq.

Reptg. Residential Ratepayers:
Meredith Hatfield, Esq., Consumer Advocate
Kenneth E. Traum, Asst. Consumer Advocate
Office of Consumer Advocate

Reptg. PUC Staff:
Suzanne G. Amidon, Esq.

Court Reporter: Steven E. Patnaude, LCR No. 52

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E X H I B I T S

EXHIBIT NO.	D E S C R I P T I O N	PAGE NO
1	Prepared Testimony of Robert A. Baumann, including attachments (05-01-08)	7
2	Direct Testimony of Richard C. Labrecque, including attachments (05-01-08)	9
3	Direct Testimony of William H. Smagula, including attachments (05-01-08)	10
4	Stipulation and Settlement Agreement (11-19-08)	13
5	Brief descriptions of various outages, including a summary of replacement power costs, with a summary of the backup analysis	14
6	Direct Testimony of Michael D. Cannata, Jr., including attachments (10-24-08)	24

P R O C E E D I N G S

1
2 CHAIRMAN GETZ: Okay. Good afternoon.
3 We'll open the hearing in docket DE 08-066. On May 1st,
4 2008, Public Service Company of New Hampshire filed
5 testimony and schedules in support of its proposed
6 reconciliation and revenues and costs associated with its
7 Energy Service Charge and Stranded Cost Recovery Charge
8 for calendar year 2007. Order of notice was issued on
9 June 4th, which, among other things, established a
10 prehearing conference that was held on June 26th.
11 Subsequent to that prehearing conference, a secretarial
12 letter was issued approving a procedural schedule
13 culminating in the hearing this afternoon. And, we have
14 for consideration this afternoon a Settlement Agreement
15 that was filed on November 19th.

16 Can we take appearances please.

17 MR. EATON: For Public Service Company
18 of New Hampshire, my name is Gerald Eaton. Good
19 afternoon.

20 CHAIRMAN GETZ: Good afternoon.

21 CMSR. MORRISON: Good afternoon.

22 CMSR. BELOW: Good afternoon.

23 MS. HATFIELD: Good afternoon,
24 Commissioners. Meredith Hatfield, from the Office of

1 Consumer Advocate, on behalf of residential ratepayers.

2 And, with me is Ken Traum.

3 CHAIRMAN GETZ: Good afternoon.

4 CMSR. MORRISON: Good afternoon.

5 CMSR. BELOW: Good afternoon.

6 MS. AMIDON: Good afternoon. Suzanne
7 Amidon, for Commission Staff. And, with me today is Steve
8 Mullen, who is the Assistant Director of the Electric
9 Division.

10 CHAIRMAN GETZ: Good afternoon.

11 CMSR. MORRISON: Good afternoon.

12 CMSR. BELOW: Good afternoon.

13 CHAIRMAN GETZ: I assume we have some
14 panel of some sort?

15 MR. EATON: Yes, Mr. Chairman. We
16 propose to put on the witnesses who prefiled testimony;
17 Robert A. Baumann, Richard Labrecque, and William Smagula.

18 CHAIRMAN GETZ: Okay. Is there anything
19 we need to address before we hear from the panel?

20 MS. AMIDON: No.

21 CHAIRMAN GETZ: Okay. Hearing nothing,
22 then please proceed, Mr. Eaton.

23 MR. EATON: Would Mr. Baumann and
24 Mr. Labrecque and Mr. Smagula please take the stand.

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 (Whereupon **Robert A. Baumann, Richard C.**
2 **Labrecque,** and **William H. Smagula** were
3 duly sworn and cautioned by the Court
4 Reporter.)

5 **ROBERT A. BAUMANN, SWORN**

6 **RICHARD C. LABRECQUE, SWORN**

7 **WILLIAM H. SMAGULA, SWORN**

8 **DIRECT EXAMINATION**

9 BY MR. EATON:

10 Q. Mr. Baumann, would you please state your name for the
11 record.

12 A. (Baumann) My name is Robert Baumann.

13 Q. For whom are you employed?

14 A. (Baumann) I'm employed by Northeast Utilities Service
15 Company that provides services to all of the Northeast
16 Utilities operating subsidiaries, including Public
17 Service Company of New Hampshire.

18 Q. What are your responsibilities and your position with
19 Northeast Utilities Service Company?

20 A. (Baumann) I'm the Director of Revenue Regulation and
21 Load Resources for Northeast Utilities. My
22 responsibilities include all the revenue requirement
23 calculations for Public Service Company of New
24 Hampshire, as well as various revenue requirement

{DE 08-066} {11-20-08}

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 calculations for the Connecticut Light & Power Company
2 and Western Massachusetts Electric Company.

3 Q. Did you prepare testimony that was filed in this
4 proceeding on May 1st, 2008?

5 A. (Baumann) Yes.

6 Q. Do you have that testimony in front of you?

7 A. (Baumann) Yes.

8 Q. Do you have any corrections to make to that testimony?

9 A. (Baumann) No.

10 Q. Is it true and accurate to the best of your knowledge
11 and belief?

12 A. (Baumann) Yes.

13 MR. EATON: Mr. Chairman, could we have
14 that marked as "Exhibit 1" for identification, the
15 "Prepared Testimony of Robert Baumann"?

16 CHAIRMAN GETZ: That will be so marked.
17 (The document, as described, was
18 herewith marked as **Exhibit 1** for
19 identification.)

20 BY MR. EATON:

21 Q. Mr. Labrecque, could you please state your name for the
22 record.

23 A. (Labrecque) Richard C. Labrecque.

24 Q. For whom are you employed?

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 A. (Labrecque) Northeast Utilities Service Company.

2 Q. And, what is your position with Northeast Utilities?

3 A. (Labrecque) I'm a Principal Engineer in the Wholesale
4 Power Contracts Department.

5 Q. And, did you have testimony prepared by you or under
6 your supervision, which was filed with the Commission
7 on May 1st, 2008?

8 A. (Labrecque) Yes.

9 Q. And, do you have that testimony in front of you?

10 A. (Labrecque) Yes.

11 Q. Is it true and accurate to the best of your knowledge
12 and belief?

13 A. (Labrecque) Yes.

14 Q. Do you have any corrections to make to that testimony?

15 A. (Labrecque) No, I don't.

16 Q. Do you adopt it as your testimony today?

17 A. (Labrecque) Yes.

18 MR. EATON: Mr. Chairman, could you
19 please mark -- premark for identification "Exhibit Number
20 2", the "Direct Testimony of Richard Labrecque"?

21 CHAIRMAN GETZ: Be so marked.

22 (The document, as described, was
23 herewith marked as **Exhibit 2** for
24 identification.)

{DE 08-066} {11-20-08}

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 BY MR. EATON:

2 Q. Mr. Smagula -- Mr. Labrecque, could you please tell us
3 what your testimony is about? What topics are you
4 testifying on?

5 A. (Labrecque) The power supply planning for 2007,
6 congestion management, how PSNH resources and
7 supplemental power were utilized to serve Energy
8 Service load requirements.

9 Q. Thank you. Mr. Smagula, could you please state your
10 name for the record.

11 A. (Smagula) Yes. My name is William H. Smagula.

12 Q. For whom are you employed?

13 A. (Smagula) I'm employed by Public Service of New
14 Hampshire.

15 Q. What is your position and what are your duties?

16 A. (Smagula) My position is Director of PSNH Generation,
17 and my duties encompass the overall responsibility for
18 operations, maintenance, and environmental performance
19 of our generating plants.

20 Q. Did you have testimony prepared by you or under your
21 supervision that was filed with the Commission on May
22 1st, 2008?

23 A. (Smagula) Yes, I did.

24 Q. Do you have that testimony in front of you?

{DE 08-066} {11-20-08}

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 A. (Smagula) Yes, I do.

2 Q. Is it true and accurate to the best of your knowledge
3 and belief?

4 A. (Smagula) Yes, it is.

5 Q. Do you have any corrections to make to that testimony?

6 A. (Smagula) No, I do not have any corrections.

7 Q. Do you adopt that testimony today?

8 A. (Smagula) I do.

9 MR. EATON: Mr. Chairman, I would like
10 Mr. Smagula's prefiled testimony to be marked for
11 identification as "Exhibit Number 3".

12 CHAIRMAN GETZ: So marked.

13 (The document, as described, was
14 herewith marked as **Exhibit 3** for
15 identification.)

16 BY MR. EATON:

17 Q. Mr. Smagula, would you briefly describe what your
18 testimony is about.

19 A. (Smagula) Yes. My testimony summarizes the operations
20 of our fossil and hydro units during 2007, providing a
21 summary of their performance and the maintenance
22 practices that took place during the year. The
23 testimony also provides additional detail for outages
24 that were of duration of more than two days at our

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 large plants, Newington and Merrimack Station, and a
2 duration of over four days at Schiller Station.

3 Q. Mr. Baumann, could you briefly describe or summarize
4 the Company's filing in this proceeding and what your
5 testimony contains?

6 A. (Baumann) Sure. The filing that was filed on May 1st
7 of 2008 was for the 2007 SCRC and ES reconciliation
8 period. So, it included the revenues and the
9 applicable expenses for the calendar year 2007. In
10 that filing -- well, during the filing process, there
11 were many interrogatories and a technical session to
12 discuss some of the issues raised in my testimony with
13 respect to recovery and really explanatory type of
14 issues. And, there no issues found that needed to be
15 what I would call, you know, discussed and/or
16 adjudicated. And, basically, the revenues and the
17 expense reconciliation, we cleared up all the questions
18 that may have been raised concerning them.

19 Also, as part of this docket, we've had
20 -- Liberty Consulting Group was hired by Staff to
21 review the generation and the entitlements of PSNH
22 through 2007, as well as the capacity and energy
23 transactions that are necessary to fulfill the load
24 requirement over and above the own load generation for

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 PSNH.

2 We filed a Settlement to this docket.
3 And, in that Settlement, in essence, the Liberty
4 Consulting findings found that there were five outages
5 that had -- that Liberty felt replacement power costs
6 should not be recovered for. The Settlement calls for
7 the -- and the parties agreed that PSNH would not
8 recover \$8,145 in replacement power costs associated
9 with that group of unit outages. The Settlement --
10 Well, the Liberty report also recommended eight
11 specific items for improvement, seven of which have
12 been adopted in the Settlement by PSNH. The eighth, it
13 was agreed to in the Settlement that PSNH would work
14 with the Staff to work on additional clarity and
15 definitions of the recommendation, and that we would
16 take any necessary steps, once that clarification was
17 received.

18 So, we present it here today, that
19 Settlement, along with our voluminous filing from May
20 1st, and all of the data requests. And, Mr. Labrecque
21 and I and Mr. Smagula are here to answer any questions
22 that anyone might have.

23 Q. Mr. Baumann, was the Settlement reduced to writing?

24 A. (Baumann) Yes.

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 Q. Do you have that in front of you?

2 A. (Baumann) Yes, we do.

3 Q. And, could you please describe the cover page to that.

4 A. (Baumann) That Settlement was filed on November 19th,
5 2008 with the Commission. And, it's a six-page
6 Settlement document that outlines the agreed upon
7 issues in the case. And, again, highlighting that,
8 it's pretty much the five unit outages and the \$8,000
9 at issue, as well as the recommendations that were
10 adopted, the eight recommendations that I mentioned
11 before.

12 MR. EATON: Mr. Chairman, could we have
13 the Settlement Agreement marked as "Exhibit 4" for
14 identification?

15 CHAIRMAN GETZ: So marked.

16 (The document, as described, was
17 herewith marked as **Exhibit 4** for
18 identification.)

19 BY MR. EATON:

20 Q. Mr. Labrecque, did you have any involvement in the
21 calculation of the replacement power costs?

22 A. (Labrecque) Yes, I did.

23 Q. And, the total is a number that you came up with?

24 A. (Labrecque) Yes, I did.

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 Q. Did you prepare a narrative to describe how those
2 calculations were done?

3 A. (Labrecque) Yes, I did.

4 Q. And, do you have that in front of you?

5 A. (Labrecque) Yes, I do.

6 Q. What's the first line on that, on that narrative?

7 A. (Labrecque) It's a header "Ayers Island Outage 1-E".

8 Q. And, could you briefly describe what's contained in
9 this document?

10 A. (Labrecque) This has a brief write-up for each of the
11 five outages for which Mr. Cannata recommended
12 disallowance of the replacement power costs. It
13 summarizes the replacement power costs for each outage
14 and presents a summary of the backup analysis that went
15 into those numbers.

16 MR. EATON: Thank you. Mr. Chairman,
17 could we have this marked for identification as "Exhibit
18 5"?

19 CHAIRMAN GETZ: So marked.

20 (The document, as described, was
21 herewith marked as **Exhibit 5** for
22 identification.)

23 BY MR. EATON:

24 Q. Gentlemen, do you have anything to add to your

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 testimony before you're subject to cross-examination?

2 A. (Baumann) No.

3 A. (Smagula) No.

4 A. (Labrecque) No.

5 MR. EATON: Thank you, Mr. Chairman.

6 They're available for cross.

7 CHAIRMAN GETZ: Thank you. Ms.

8 Hatfield.

9 MS. HATFIELD: Thank you, Mr. Chairman.

10 **CROSS-EXAMINATION**

11 BY MS. HATFIELD:

12 Q. Mr. Labrecque, I have a question about Exhibit 5, which
13 you just briefly discussed. If you turn to the second
14 page, which includes your description of Schiller CT1
15 Outage H.

16 A. (Labrecque) Yes.

17 Q. And, in your discussion -- actually, could you just
18 briefly discuss that outage, especially with respect to
19 the impact discussed in the final paragraph with
20 respect to the Forward Reserve Market?

21 A. (Labrecque) This outage occurred, you know, at 7:25 in
22 the morning. There was a very short duration price
23 spike at ISO-New England.

24 Q. If I could interrupt you, I actually was referring to

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 the next one, the Outage H.

2 A. (Labrecque) Oh, Outage H.

3 Q. Yes.

4 A. (Labrecque) Okay. What was your question?

5 Q. If you could just briefly describe it and then discuss,
6 in the final paragraph, where you described how this
7 "was coded by ISO-New England as a "failure to reserve"
8 event"?

9 A. (Labrecque) Yes. Schiller CT1 was called to dispatch
10 by ISO-New England, again, in response to high prices.
11 The unit did not start and was declared unavailable
12 until roughly 10:45 a.m. on the following morning. The
13 write-up describes my assessment of the replacement
14 power costs relative to energy for a roughly 25 minute
15 period, during which the CT would have been producing
16 economic energy and thus creating customer benefits.
17 That calculation, which you can read, concludes that
18 the lost value was approximately \$521 during that 25
19 minute period.

20 In addition to the lost energy value,
21 this particular outage of the unit was assessed a
22 failure to reserve penalty by ISO-New England.
23 Schiller CT1 and all of the PSNH CTs routinely
24 participate in ISO-New England's Forward Reserve

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 Market. And, when you participate in that market, you
2 have a commitment to provide in every on-peak hour of
3 the commitment period a certain level of reserves, in
4 this case, 19 megawatts of what's termed "10 minute
5 non-spinning reserve", basically, off-line reserve.
6 When the unit suffered this forced outage, it failed to
7 meet the standard for providing these reserves until it
8 was declared operable again the following morning. So,
9 this calculation here includes the economic impact of
10 that "failure to reserve" event.

11 Q. Thank you. And, does that event in 2007 have any
12 impact on that unit's capacity credits for 2008?

13 A. (Labrecque) There will be -- There will be some minor
14 I'd almost say imperceptible decrease in their forced
15 outage factor, their equivalent forced outage rate,
16 which is one of the determinants of your capacity
17 credit in the, say, the subsequent 12 month period.
18 So, there would be some, some dollar impact to their
19 capacity credit.

20 Q. And, when will -- does PSNH know what that is now? Or,
21 if not, when will you know what that number is?

22 A. (Labrecque) We have not made any attempt to calculate
23 that number. The true difficulty lies in trying to
24 determine the impact on the forced outage factor. It's

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 a very complicated calculation that, you know, we had
2 -- we have not made that calculation or attempted to.

3 Q. Would PSNH be willing to discuss providing that in the
4 2008 reconciliation?

5 A. (Labrecque) What do you mean by that?

6 Q. Well, if you don't know the number now, and it impacts
7 the year 2008, perhaps we could discuss it when we're
8 reconciling the year that it would impact?

9 A. (Labrecque) I have no problem with that.

10 MS. HATFIELD: Okay. Thank you. No
11 further questions.

12 CHAIRMAN GETZ: Thank you. Ms. Amidon.

13 MS. AMIDON: Thank you. I'm going to
14 turn the questioning over to Mr. Mullen.

15 MR. MULLEN: Good afternoon.

16 BY MR. MULLEN:

17 Q. Looking at that same exhibit, the same issue we were
18 just talking about, the "failure to reserve" event?

19 A. (Labrecque) Yes.

20 Q. I was just wondering if you could help me, just looking
21 at this quickly, get to the 140.6 megawatt-hours?

22 A. (Labrecque) Yes. That would be -- well, if we divide
23 that by 19, what do we get? It's roughly 19 megawatts
24 per on-peak hour. So, there would be some maybe six

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 hours from December 13th and two to three hours from
2 the 14th. Somewhere in there is the math that gets you
3 to 140.6.

4 Q. I was actually just doing the math. And, if you -- the
5 140.6, I divided that by 19, and it's 7.4. So, then,
6 looking at the time frames on here, I said, well, tell
7 me if I get any of this wrong. If I was to take, on
8 December 13th, from 5:15 to 11:00, that's about five
9 and three-quarter hours.

10 A. (Labrecque) Okay.

11 Q. And, if I take, on the 14th, from 7:00 a.m. to 10:45,
12 that's about three and three-quarter hours. Which gets
13 me to like 9, over 9 hours, compared to 7.4. So, I was
14 just trying to --

15 A. (Labrecque) Yes. The discrepancy there, well, I can
16 assure you the 140.6, I didn't calculate. That was
17 straight from ISO Settlements. So, whereas the time
18 frame on the header here is the time frame of the
19 outage as was coded in the GIS system, which I believe
20 is the basis for Mr. Cannata's review. ISO-New England
21 may have assessed a different duration to this
22 particular outage. Regardless, the 140.6 is directly
23 from ISO-New England Settlements.

24 So, for example, they may not have

{DE 08-066} {11-20-08}

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 penalized us beginning exactly at 5:15. They may not
2 have started until 6:00 or 7:00. I would have to
3 double check the settlements.

4 Q. Okay. Thank you. Now, if we look at the first page of
5 this exhibit. Just looking at your little table on the
6 bottom of the first page, as I look at the columns for
7 "Dispatch (Megawatts)" and "PSNH Share (Megawatts)", if
8 I look at the first line, where it's "400" megawatts,
9 could you explain why the PSNH share is less than the
10 lines below that have a lower dispatch?

11 A. (Labrecque) Yes. That first row in the table is
12 associated with a 35 minute period, a partial hour.
13 That's why it's less than you would think it might
14 ought to be.

15 Q. Okay. Thank you. Turning to Exhibit 4, the Settlement
16 Agreement. And, I'm looking at -- There's some
17 additional recommendations from Mr. Cannata on Pages 4
18 and 5. If you look on Page 5, and this might be for
19 Mr. Smagula, after Number 8, there's a paragraph that
20 talks about "PSNH accepting the recommendations". And,
21 there's a little bit of different discussion regarding
22 Recommendation Number 8, compared to the other seven.
23 If you could explain why that is?

24 A. (Smagula) Yes. As we've reviewed the testimony from

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 Mr. Cannata and looked at the recommendation, we
2 understand the intent of it, but we want to understand
3 it more specifically and more clearly. So, we will
4 seek additional clarification on exactly what his
5 interests were, to make sure that we didn't interpret
6 it with a different opinion. So, we're acceptable to
7 that effort. We just want to make sure we're doing it
8 consistent to what his intentions are.

9 Q. Now, there's also a little bit of -- this involves more
10 than just the Generation Group, correct?

11 A. (Smagula) That's correct, yes.

12 Q. To take that a little further, it involves the
13 Distribution Group, so the two groups will have to kind
14 of work together to figure this out?

15 A. (Smagula) Yes. We have been working together on
16 recommendations from prior years. So, we have a
17 positive working group that would focus on this issue.
18 We just want to make sure we focus on it properly.

19 MR. MULLEN: Okay, thank you. Thank
20 you. I have nothing further.

21 BY CHAIRMAN GETZ:

22 Q. I just have one question on Exhibit 4, Page 4, one of
23 the new recommendations from Mr. Cannata. I guess it's
24 for you, Mr. Smagula. The third recommendation, I

[WITNESS PANEL: Baumann|Labrecque|Smagula]

1 mean, I guess my question basically is, am I imagining
2 things? It seems very familiar. Is it like something
3 we've approved, very much like something we've approved
4 in the past or --

5 A. (Smagula) No, I don't believe it is. I think we have a
6 very strong database and experienced management who
7 understands the frequency upon which we review and
8 maintain and replace equipment. And, I think this
9 challenges to look at newer equipment with a little bit
10 more focus, in order to make sure we are ahead of the
11 curve on managing each item. So, I don't believe
12 that's an item we've discussed with Mr. Cannata in the
13 past.

14 CHAIRMAN GETZ: Okay. Mr. Eaton, any
15 redirect?

16 MR. EATON: No thank you, Mr. Chairman.

17 CHAIRMAN GETZ: Okay. Then, the
18 witnesses are excused. Thank you, gentlemen. Ms. Amidon,
19 is Mr. Mullen going to be testifying this afternoon?

20 MS. AMIDON: No.

21 CHAIRMAN GETZ: And, I take it then
22 Mr. Traum will not be testifying either. Okay. Is there
23 any objection to striking identifications and entering the
24 exhibits into evidence?

1 MS. AMIDON: No.

2 CHAIRMAN GETZ: Hearing no objection,
3 they will be admitted into evidence. Anything we need to
4 address before providing the opportunity for closings?

5 (No verbal response)

6 CHAIRMAN GETZ: Hearing nothing, then we
7 will start with Ms. Hatfield.

8 MS. HATFIELD: Thank you, Mr. Chairman.
9 The OCA thanks the Staff and PSNH for allowing the OCA to
10 participate fully in the docket, including settlement
11 discussions. And, we do not object to the Settlement
12 that's been proposed. Thank you.

13 CHAIRMAN GETZ: Thank you. Ms. Amidon.

14 MS. AMIDON: Thank you. Staff supports
15 the Settlement Agreement and the reconciliation as set
16 forth in PSNH's petition.

17 CHAIRMAN GETZ: Thank you. And, Mr.
18 Eaton.

19 MR. EATON: Thank you, Mr. Chairman.
20 I'm happy to say that we had a good year in 2007. Mr.
21 Cannata did find a few of the outages where we could have
22 done a better job. But we support the Settlement. And,
23 we look forward to working with the Staff and Mr. Cannata
24 on the eight recommendations that are contained in the

1 Settlement Agreement. We ask the Commission to approve
2 the Settlement.

3 CHAIRMAN GETZ: Okay. Then, we will
4 close the hearing and take the matter under advisement.
5 Thank you, everyone.

6 (Whereupon the hearing ended at 2:05
7 p.m.)

8 (Following the close of the hearing,
9 through the request of the PUC Staff,
10 with the agreement of PSNH and no
11 objection from the OCA, the hearing
12 record was re-opened for the sole
13 purpose of marking and entering the
14 Direct Testimony of Michael D. Cannata,
15 Jr. as Exhibit 6.)

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