

THE STATE OF NEW HAMPSHIRE

BEFORE THE

PUBLIC UTILITIES COMMISSION

DE 14-238

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE DETERMINATION
REGARDING PSNH'S GENERATION ASSETS**

AND

DE 11-250

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE INVESTIGATION
OF SCRUBBER COSTS AND COST RECOVERY**

**OFFICE OF ENERGY AND PLANNING'S OBJECTION TO
INTERVENOR CRONIN'S MOTION FOR RECONSIDERATION**

NOW COMES the New Hampshire Office of Energy and Planning ("OEP"), through counsel, the Office of the Attorney General, and pursuant to N.H. Admin. Rules Puc 203.07(f) submits this objection to Intervenor Terry Cronin's Motion for Reconsideration of Orders 25,831 and 25, 837. In support of this objection, OEP states as follows:

1. On November 6, 2015, Intervenor Terry Cronin, through counsel, filed a motion for reconsideration seeking to vacate two Commission orders (Order 25,831 in Docket DE 11-250 and Order 25,387 in Docket DE 14-238) related to Mr. Cronin's desire to obtain discovery concerning the prudence of the Merrimack Station Scrubber.¹

2. In his motion, Mr. Cronin makes substantive arguments regarding the prudence of the Scrubber, but fails to address the Commission's reasoning in issuing either Order 25,831 or

¹ OEP is a party to Docket DE 14-238, but is not a party to Docket DE 11-250. Because Mr. Cronin filed his motion for reconsideration in both Docket DE 11-250 and Docket DE 14-238, OEP likewise files this objection in both dockets.

Order 25,837, and specifies no grounds for the Commission to reconsider its decisions. *See* RSA 541:3 (A party “may apply for a rehearing . . . [by] specifying in the motion all grounds for rehearing, and the commission may grant such rehearing *if in its opinion good reason for the rehearing is stated in the motion.*”) (emphasis added)

3. Mr. Cronin appears to argue that the Commission “overlooked or mistakenly conceived” evidence regarding the prudence of the Scrubber in Docket 11-250. *See Dumais v. State*, 118 N.H. 309, 311 (1978). Because there is no final prudency order in Docket 11-250, however, there is no order from which to seek rehearing or reconsideration.

4. More to the point, Mr. Cronin’s arguments are entirely irrelevant to the Commission’s orders from which he requests reconsideration, which address the scope of his intervention in Docket 11-250 and his motions to compel discovery in Docket 14-238. Mr. Cronin has failed to address the substance of the challenged orders, much less offered “good reason” for the Commission to reconsider the challenged orders. Consequently, Mr. Cronin’s motion fails to sustain his burden in seeking rehearing or reconsideration of Orders 25,831 and 25,837. *See* RSA 541:3.

5. OEP has been authorized to represent to the Commission that designated Settling Staff in Docket DE 14-238 join in this objection.

WHEREFORE, the Office of Energy and Planning objects to the requested relief and respectfully requests that the Commission deny Mr. Cronin’s Motion for Reconsideration.

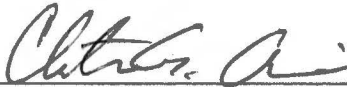
Respectfully submitted,

New Hampshire Office of Energy and Planning

By its attorneys,

Joseph A. Foster,
Attorney General

Dated: November 16, 2015

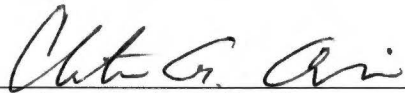
By: 

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cc: Service lists (DE 11-250 & DE 14-238

Certificate of Service

I hereby certify that a copy of this objection has been served electronically on the persons on the Commission's service list in the above captioned dockets in accordance with Puc 203.11 this 16th day of November, 2015.


Christopher G. Aslin, Esq.