



BY ELECTRONIC MAIL

March 19, 2014

Debra Howland, Executive Director
State of New Hampshire
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

Re: RSA 91-A Right-to-Know Request

Dear Ms. Howland:

Please accept this correspondence as a formal request by Conservation Law Foundation ("CLF") for certain records, described below, pursuant to New Hampshire's right-to-know law, RSA 91-A.

Definitions

For purposes of this request, the following words and phrases are defined as follows:

"Communications" means communication in any form or medium including, without limitation, oral, telephonic, facsimile, written, e-mail, and electronic communications.

"Document" means any correspondence, letter, paper, record, or file kept in any medium, including hard copies, paper copies, and all electronic media; the term "document" specifically includes all e-mail communications.

"Electricity Market Participant" means any 'Individual Participant' recognized as such under the February 23, 2011 Restated Participants Agreement Among ISO-NE and NEPOOL and Individual Participants.

"FERC" means the Federal Energy Regulatory Commission.

"ISO-NE" means Independent System Operator-New England, the Regional Transmission Organization for New England designated and regulated by FERC.

"NESCOE" means the New England States Committee on Electricity.

"NESCOE Letter" means the attached letter dated January 21, 2014, from NESCOE to ISO-NE captioned "Re: Request for ISO-NE technical support and assistance with tariff filings related to electric and natural gas infrastructure in New England."

“New Hampshire Governmental Representatives” means any person acting for, on behalf of, the State of New Hampshire or any department or agency of the State of New Hampshire. It includes, without limitation, all elected officials; the staff members of all elected officials; and any employee of any state agency, department, or quasi-governmental entity, including without limitation the Public Utilities Commission, the Office of Energy and Planning, the Department of Environmental Services, and the Department of Resources and Economic Development.

Requested Documents

1. TRANSMISSION BUILD-OUTS. All Documents created and/or dated after June 30, 2012, constituting, memorializing, or otherwise relating to communications between or among New Hampshire Governmental Representatives and representatives of any other New England state, NESCOE, ISO-NE, FERC, Electricity Market Participant, or natural gas transmission or distribution companies regarding “New Electric Transmission Infrastructure” as referenced in the NESCOE Letter; this includes, without limitation:

- (a) All Documents relating to proposals for development of transmission infrastructure;
- (b) All Documents relating to the extent of, need for, reliability impacts of, and locations for development of new transmission infrastructure;
- (c) All Documents relating to the cost(s) of and cost allocation(s) for new transmission infrastructure;
- (d) All Documents relating to electrical system planning by ISO-NE for development of new transmission infrastructure;
- (e) All Documents relating to the development of, requests for and/or filing of tariff changes to facilitate development of new transmission infrastructure;
- (f) All Documents relating to analysis of non-transmission alternatives (NTAs) in lieu of new transmission infrastructure;
- (e) All Documents relating to analysis of greenhouse gas emissions impacts associated with the development of new transmission infrastructure.

2. GAS PIPELINE CAPACITY. All Documents created and/or dated after June 30, 2012, constituting, memorializing, or otherwise relating to communications between or among New Hampshire Governmental Representatives and representatives of any other New England state, NESCOE, ISO-NE, FERC, Electricity Market Participant, or natural gas transmission or distribution companies regarding “Increased Natural Gas Capacity” as referenced in the NESCOE Letter; this includes, but is not limited to:

- (a) All Documents relating to proposals for increased natural gas pipeline capacity into New England;
- (b) All Documents relating to the extent of, need for, reliability impacts of and locations for development of increased natural gas pipeline capacity into New England;
- (c) All Documents relating to the cost(s) and cost allocation(s) for the procurement of new pipeline capacity into New England;

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(d) All Documents relating to the development of, requests for, and/or filing of tariff changes for recovery of the cost of any such procurement of increased pipeline capacity through the electricity Regional Network Services rate, or by any other means;

(e) All Documents relating to analysis of alternatives to new or increased pipeline capacity, including, without limitation, energy efficiency;

(e) All Documents relating to analysis of greenhouse gas emission impacts associated with the development of increased pipeline capacity into New England.

3. HYDROPOWER. All Documents created and/or dated after June 30, 2012, constituting, memorializing, or otherwise relating to communications between or among New Hampshire Governmental Representatives and representatives of any other New England state, NESCOE, ISO-NE, FERC, Electricity Market Participant, or natural gas transmission or distribution companies regarding hydropower imports from Canada; this includes, but is not limited to:

(a) All Documents relating to any proposed project to import hydropower from Canada including but not limited to the Northern Pass project;

(b) All Documents constituting, memorializing, or otherwise relating to communications relating to hydropower purchases from Canada between or among New Hampshire Governmental Representatives and any officials, employees, or representatives of the Province of Quebec; Hydro Quebec or any division thereof; H.Q. Hydro Renewable Energy, Inc.; HQ Energy Services (US), Inc.; Northeast Utilities; Public Service Company of New Hampshire, Western Massachusetts Electric Company, NSTAR, Connecticut Light and Power, Northern Pass Transmission, LLC; and NU Transmission Ventures, Inc.

(c) All Documents relating to the costs to import and/or the financial terms applicable to importation of hydropower from Canada;

(d) All Documents relating to eligibility of hydropower from Canada under the Renewable Portfolio Standard or Renewable Energy Standard of any New England state.

(e) All Documents relating to the development of requests for, and/or filing of tariff changes for purposes of importing hydropower from Canada.

(f) All Documents relating to analysis of greenhouse gas emissions impacts associated with the importation of hydropower from Canada.

Inspection, Fees, Denial, and Appeal

I am happy to arrange for inspection of the requested records at the Commission's office or to receive copies of the requested records in email or hard copy. Should any copying charges exceed \$500.00, please call me to discuss authorization to incur additional charges.

If the Commission denies access to any requested record on the ground that it is exempt from disclosure, please state the basis for each and every such denial with sufficient specificity that an appeal can be taken. I further request that the Commission release all segregable portions of material that the Commission otherwise claims is exempt.

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In addition to RSA 91-A, CLF also invokes the New Hampshire Constitution (Part I, Articles 8 and 22) and the U.S. Constitution (First Amendment) in support of its right to access the above-referenced public records.

Thank you in advance for your assistance in this matter. Should you have any questions related to this request, please do not hesitate to call me at 603-225-3060 x3017 or email me at ccourchesne@clf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christophe G. Courchesne". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christophe G. Courchesne
Staff Attorney