STATE OF NEW HAMPSHIRE

BEFORE THE

NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 14-238

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Determination Regarding PSNH's Generation Assets

Response to PSNH's
Motion to Stay Proceedings

NOW COME the New England Power Generators Association, Inc.[1] ("NEPGA") and Retail Energy Supply Association[2] ("RESA"), parties to the above-captioned docket, and, pursuant to Admin. Rule Puc 203.07, submit this response to the "Motion to Stay Proceedings" filed by Public Service Company of New Hampshire ("PSNH") in this docket and DE 11-250.

1. On December 26, 2014, PSNH filed a Motion to Stay Proceedings ("Motion") in this docket and DE 11-250. The Motion asks the Commission to stay the proceedings in both dockets to allow collaborative and legislative efforts that may resolve the issues under consideration in both dockets.

2. The Motion indicates that the collaborative process would "promote the orderly and efficient conduct of the proceeding and will not impair the rights of any party." Motion at ¶ 7. The Motion also states that if it is granted, PSNH would update the Commission on the status of the collaborative process and if it proves unsuccessful,

[1] The comments expressed herein represent those of NEPGA as an organization, but not necessarily those of any particular member.

[2] The comments expressed in this filing represent only those of RESA as an organization and not necessarily the views of each particular RESA member.

PSNH would "expeditiously seek a re-initiation of Commission proceedings in both Dockets." Motion at ¶ 6.

3. The Motion provides no details about the collaborative effort. However, by email dated December 29, 2014, Commission Staff: reminded the parties to DE 14-238 of the January 7, 2015 deadline for filing reply briefs in this docket; indicated that the Commission would not likely extend or suspend that due date in light of PSNH's Motion; stated that objections to PSNH's Motion could be filed through January 5; and that the Commission was statutorily required to "expedite [this] proceeding." *See* RSA 369-B:3-a, I.

4. NEPGA and RESA are parties to DE 14-238, but not DE 11-250. While NEPGA and RESA support efforts to resolve the instant divestiture docket through constructive settlement discussions, the Motion raises a number of important threshold questions that should be resolved before the Commission rules on the Motion. Those questions include the following:

- Which parties or entities will participate in the collaborative process?
- Who will facilitate the process?
- What are the time frames for conducting the process and deadline for completion or for re-initiation of the docket if the settlement effort proves unsuccessful?
- Will the settlement process be conducted under the authority and rules of the Commission or will it be conducted by the Legislature?
- Should further parameters be established for the scope of settlement discussions?

- If a settlement is reached that covers both dockets and thus requires the Commission's approval in both dockets, which Commissioners will hear the settlement in light of Commissioner Scott's recusal from DE 11-250 and Commissioner Iacopino's status as special commissioner in DE 11-250?

5. NEPGA and RESA support collaborative efforts to resolve the divestiture docket but think it important that there be a clear understanding of the ground rules, timetable, performance milestones and the overall process before the Motion is ruled upon. They also request, as parties to DE 14-238, that they be allowed to fully and fairly participate in the collaborative effort/settlement process.

WHEREFORE, NEPGA and RESA respectfully request that the Commission:

A. Seek responses to the questions set forth above and obtain clarification on the collaborative effort prior to ruling on the Motion;

B. In its order ruling on the Motion, provide clear parameters, ground rules and deadlines for conducting and concluding the collaborative effort; and

C. Grant such other relief as the Commission deems just and equitable.

Dated: January 5, 2015

Respectfully submitted,

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and
Retail Energy Supply Association
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Certificate of Service

I hereby certify that a copy of the foregoing Response has on this 5th day of January, 2015 been sent by electronic mail to persons named on the Service List for this docket and DE 11-250.

By: _____
Susan S. Geiger

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