Pamela G. Monroe, Administrator NH Site Evaluation Committee 21 South Fruit St., Suite 10 Concord, NH 03301-2429

# Re: Application of Public Service Company of New Hampshire D/B/A Eversource Energy for a Certificate of Site and Facility Docket No. 2015-04

Dear Ms. Monroe:

Please find enclosed an original and one copy of a Motion to Intervene filed on behalf of the "Little Bay / Durham Point Abutters" that we wish to file at this time with the New Hampshire Site Evaluation Committee.

A copy of this letter and the enclosed Motion has this day been forwarded to the SEC Distribution List.

Sincerely,

Matthew Fitch

**Enclosure** 

cc: SEC Distribution List (via e-mail)

Jeffrey & Vivian Miller Lawrence & Anne Gans Thomas & Yael DeCapo

Deborah Moore

### STATE OF NEW HAMPSHIRE BEFORE THE

#### **NEW HAMPSHIRE SITE EVALUATION COMMITTEE**

SEC Docket No. 2015-04

Application of Public Service Company of New Hampshire d/b/a Eversource energy

For a Certificate of Site And Facility for the Construction of a New 115 kV

Transmission Line from Madbury Substation to Portsmouth Substation

## <u>Petition to Intervene on Behalf of the</u> <u>"Durham Point / Little Bay Abutters"</u>

NOW COMES Matthew & Amanda Fitch (291 Durham Point Rd., Durham, NH), Jeffrey & Vivian Miller (297 Durham Point Rd., Durham, NH), Lawrence & Anne Gans (289 Durham Point Rd., Durham, NH) and Deborah Moore (305 Durham Point Rd., Durham, NH) (collectively the "Durham Point / Little Bay Abutters") respectfully and jointly petition the New Hampshire Site Evaluation Committee ("Committee") for leave to intervene as one party in the above-captioned proceeding under N.H. Admin. Rule Site 202.11 and RSA 541-A:32. In support of this petition, the Durham Point / Little Bay Abutters represent that:

- 1. On April 12, 2015 the Committee received an Application for a Certificate of Site and Facility from Everousrce for the construction of a new 115 kV Transmission Line from the Madbury Substation to Portsmouth Substation ("Application"). The proposed Project described in the Application will be located in the Towns of Madbury, Durham, Newington and the City of Portsmouth and a portion of the Project will run through property owned by the parties comprising the Durham Point / Little Bay Abutters. The Committee accepted the Application as being administratively complete on June 1, 2016. See RSA 162-H:7, VI
- 2. The statutory standards for intervention are set forth in RSA 541-A:32, I and II. First, a petition for intervention *must* be granted if the petitioner states facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding (or the petitioner qualifies under any provision of law) and interests of justice and orderly and prompt conduct of the proceedings would not be impaired by allowing intervention. *See* RSA 541-A:32, I (b) and (c). Second, the Committee may grant a petition to intervene "at any time, upon determining that such intervention would be in the interests of justice and would not impair the orderly conduct of the proceedings." RSA 541-A:32, II. *See also* N.H. Admin. R. Site 202.11 (requiring the presiding officer to grant one or more petitions to intervene in accordance with the standards of RSA 541-A:32). For the reasons presented below the Durham Point / Little Bay Abutters meet both of the foregoing mandatory and discretionary intervention standards.

- 3. The Durham Point / Little Bay Abutters have rights, duties, privileges, immunities or other substantial interests that may be affected by this proceeding as property owners and/or abutters with Right of Way (ROW) easements as indicated in studies included with the Application (Application, Appendix 5, Engineering Design Drawings, page 8, Drawing Number: F10743008) for an approximately 2,738 linear foot portion of the Seacoast Reliability Project.
- 4. Further, the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing intervention.

WHEREFORE, the Durham Point / Little Bay Abutters respectfully request that the Site Evaluation Committee grant them intervenor status in the proceeding and grant such other relief as the Committee deems just and equitable.

Respectfully submitted,

The Durham Point / Little Bay Abutters

By:

Matthew Fitch

291 Durham Point Rd.

Durham, NH 03824

(919) 773-2383

mfitch@cal-chem.com

Dated: July 20, 2016

#### **Certificate of Service**

I hereby certify that a copy of the foregoing Petition has on this	20	day of July,	2016 been
sent via first class mail to the New Hampshire Site Evaluation Committee	and vi	ia electronic	mail to the
SEC Distribution list in the SEC Docket No. 2015-04.			

Matthew Fitch