

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2015-04

**Application of Public Service Company of New Hampshire
d/b/a Eversource Energy for Certificate of Site and Facility**

July 29, 2016

ORDER ON MOTION TO ADD STOP

I. Background

On April 12, 2016, Public Service Company of New Hampshire d/b/a Eversource Energy filed an Application for a Certificate of Site and Facility (Application) with the Site Evaluation Committee (Committee). The Application seeks the issuance of a Certificate of Site and Facility approving the siting, construction, and operation of a new 115kV electric transmission line between existing substations in Madbury and Portsmouth. The new transmission line will be approximately 12.9 miles in length and is comprised of a combination of above ground, underground, and underwater segments, and will be located in the Towns of Madbury and Durham in Strafford County, and the Town of Newington and the City of Portsmouth in Rockingham County.

On April 29, 2016, pursuant to RSA 162-H:4-a, the Chair of the Committee appointed a Subcommittee (Subcommittee) to consider the Application. On June 13, 2016, the Subcommittee issued an order finding that the Application contained sufficient information to carry out the purposes of RSA 162-H.

On July 22, 2016, the Town of Newington (Newington) filed a Motion to Add Stop to Proposed 90-Day Public Information Session Stop Location. On July 27, 2016, the Applicant filed an objection to Newington's motion.

II. Position of the Parties

Newington requests that the Subcommittee include a stop somewhere along Arboretum Drive and the National Wildlife Refuge. Newington asserts that a site visit along that route will “allow for a brief, informed discussion of alternate routes through Newington,” and that “it will allow the Committee to observe a portion of the land over which some say an alternate route for the transmission line project through Newington could have taken.”

The Applicant objects to Newington’s request. The Applicant argues that a proposed site stop along Arboretum Drive and the National Wildlife Refuge is unwarranted because the Applicant does not have the necessary property rights to construct the Project along Arboretum Drive and through the Great Bay National Wildlife Refuge and that it would be improper for the Committee to consider this, or any other alternative route that the Applicant does not consider available.

III. Standard

In previous proceedings, it is typical for the Subcommittee to conduct a site visit. The site visit is often conducted in conjunction with a public hearing for purposes of efficiency.¹ Site 202.13(a), provides that the “subcommittee, as applicable, and public counsel shall conduct a site visit of any property which is the subject of a proceeding if requested by a party, or on its own motion, if the committee or subcommittee determines that the site visit will assist the subcommittee in reaching a determination in the proceeding.” Site 202.13(b), provides the

¹ The Town of Newington asserts that the bus tour will be conducted in conjunction with the “90-day post-acceptance public information session.” That terminology is incorrect. The Subcommittee will not be conducting a “90-day post-acceptance public information session.” Pursuant to RSA 162-H: 10, I-c, the Subcommittee is required to conduct a public hearing within 90 days of acceptance of the Application. Public information sessions are required to be held within 45 days of acceptance of an application. It is assumed for the purposes of this order that Newington is referring to the public hearing, rather than the public information session.

presiding officer with the authority to determine the conditions and restrictions applicable to the site visit.

IV. Analysis

Arboretum Drive and the National Wildlife Refuge are not properties that are the subject of a proceeding before the Subcommittee. The Applicant does not have the necessary property rights to construct the Project along Arboretum Drive and through the Great Bay National Wildlife Refuge. As a result, neither Arboretum Drive nor the National Wildlife Refuge are available and cannot be used as an alternative route for the Project. A view along that route as proposed by Newington, will not assist the Subcommittee in reaching a determination in this proceeding. Therefore, the motion to add a stop is denied.

III. Order

It is hereby ordered that the Town of Newington's Motion to Add Stop to Proposed 90-Day Public Information Session Stop Locations is denied.

SO ORDERED this twenty-ninth day of July, 2016.



Robert R. Scott, Presiding Officer
Site Evaluation Committee