### 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

#### **October 31, 2018**

#### **ORDER ON EXHIBITS AND SCHEDULE FOR FINAL BRIEFS**

The Subcommittee held an adjudicative hearing that lasted for 15 days. At the conclusion of the testimony on October 26, 2018, the parties and the Presiding Officer convened to address the introduction of the exhibits that would be part of the record. The Presiding Officer heard and considered the objections, and determined that the exhibits identified as JCT Exhibit #1 through JCT Exhibit #6 and JCT Exhibit #8 through JCT Exhibit #20 should be struck from the record. The exhibit identified as JCT Exhibit #7 remains a full exhibit.

The evidentiary record was closed on October 26, 2018.

Prior to closing the record, the Subcommittee received the following two documents from the Department of Environmental Services (DES): (i) a Final Decision dated February 28, 2018; and (ii) a letter identifying revisions to the final decision dated August 31, 2018. On October 29, 2018, in response to a request from the Subcommittee, DES provided a Revised Final Decision and an Annotated Revised Final Decision. The Revised Final Decision and the Annotated Revised Final Decision do not provide new information. Rather these documents incorporate the information that was previously provided by DES into a single document. All four documents provided to the Subcommittee by DES are in the record. The reports filed by DES are admitted as evidence and are marked as follows: (i) Comm Ex. 12a, February 28, 2018 Final Decision; (ii) Comm Ex. 12b, August 31, 2018 letter; (iii) Comm Ex. 12c, October 29, 2018, Revised Final Decision; and (iv) Comm Ex. 12d, October 29, 2018 Annotated Revised Final Decision.

The Final Exhibit List attached to this order contains the exhibits admitted as part of the record of this proceeding.

Counsel for the Public and the intervenors shall file final briefs no later than November 13, 2018. The Applicant shall file its final brief no later than November 20, 2018. Any brief that is longer than ten pages shall contain a table of contents.

SO ORDERED this thirty-first day of October, 2018.

Patricia M. Weathersby, Presiding Officer Site Evaluation Committee

## 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

## October 31, 2018

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App Ex 003	Pre-Filed Testimony of Robert Andrew dated April 12, 2016
App Ex 004	Pre-Filed Testimony of Aaron Cullen dated March 29, 2017
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App Ex 008	Pre-Filed Testimony of David Plante dated April 12, 2016
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App Ex 033	Appendix 14 - NHDES Section 401 Water Quality Certification Request
App Ex 033	Appendix 15 - NHDES Shoreland Permit Applications
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App Ex 055	Maps all maps
App Ex 036	Appendix 17 - NH Department of Transportation Applications
App Ex 037	Appendix 18 - Overhead and Underground Municipal Highway Crossings
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CFP Ex 25	Northern Pass Transmission (SEC 2015-06) - Decision and Order
CFP Ex 26	Chalmers and Voorvart - High-Voltage Transmission Lines: Proximity,
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CFP Ex 27	Chalmers - HVTLs and Montana Real Estate Values, Final Report,
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CFP Ex 28	Chalmers - Transmission Line Impacts on Rural Property Value, Right of
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CFP Ex 29	Chalmers - High-Voltage Transmission Lines and Rural Western Real
	Estate Values, The Appraisal Journal, Winter 2012
CFP Ex 30	Headwaters Economics - Transmission Lines & Property Value Impacts,
	MSTI Review Project, 2012
CFP Ex 31	Towers, Turbines and Transmission Lines, Impacts on Property Value/
	edited by Sandy Bond, Sally Sims & Peter Dent 2013, Chapter 6
CFP Ex 32	Chalmers Memo re REAL Blog, May 9, 2012
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TD-UNH 1	Prefiled Direct Testimony of Todd Selig and attachments – July 28, 2017
TD-UNH 2	Prefiled Direct Testimony of Joseph J. Famely, Matthew F. Schultz,
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TD-UNH 10	2016 National Electric Safety Code Sections Rule 351-353
TD-UNH 11	NH PUC Staff Memorandum Docket No. DE 16-441 dated February 1,
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TD-UNH 12	DES – Technical Support Document for the Great Bay Estuary Aquatic
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TD-UNH 16	Supplemental Discovery Responses from Eversource – September 5, 2018

TD-UNH 17	Supplemental Discovery Responses from Eversource – September 12, 2018
TD-UNH 18	Oyster River Integrated Watershed Plan for Nitrogen Load Reductions – Final Report July 2014
TD-UNH 19	Letter dated August 7, 2017 from Rene Pelletier, NHDES to Pamela Monroe, NH SEC
TD-UNH 20	UNH/Eversource – draft Memorandum of Understanding
TD-UNH 21	Responses 1 and 2 to May 16, 2018 Technical Session from Todd Selig – May 31, 2018
TD-UNH 22	Great Bay Area Maps – Access Sites and Conservation Lands
TD-UNH 23	Email from Cynthia Copeland, Executive Director, Strafford Regional
	Planning Commission to Pam Monroe, copy of Copeland letter to Todd Selig – January 3, 2017
TD-UNH 24	Durham Master Plan Excerpts
TD-UNH 25	Todd Selig Photos of Little Bay, October 5, 2018
TD-UNH 26	Tide Chart for October 5, 2018
TD-UNH 27	SRP Stone Wall List for Durham
TD-UNH 28	SEC Docket No. 2012-02 Public Meeting and Hearing (including
	Deliberations) Transcript
TD-UNH 29	SEC Docket No. 2012-02 July 5, 2012 Order Granting Motion for
	Declaratory Ruling
TD-UNH 30	Durham Master Plan
TD-UNH 31	Durham Zoning Ordinances
TD-UNH 32	Durham Zoning Maps
Town of Newington	
NEW-Ex. 1	Prefiled Direct Testimony of Denis J. Hebert – 7/28/17
NEW-Ex. 1-1	Attachment DJH-1 (Map)
NEW-Ex. 1-2	Attachment DJH-2 (Map)
NEW-Ex. 1-3	Attachment DJH-3 (Master Plan Development Policies)
NEW-Ex. 1-4	Attachment DJH-4 (Master Plan – Utilities Easements Section)
NEW-Ex. 1-5	Attachment DJH-5 (Zoning Ordinance-Scenic Roads)
NEW-Ex. 1-6	Attachment DJH-6 (Master Plan Recommendations/Historic)
NEW-Ex. 1-7	Attachment DJH-7 (ISO-NE NH/VT Transmission System
	Solutions Update – January 18
NEW-Ex. 1-8	Attachment DJH-8 (Seacoast NH Solutions Cost Estimates)
NEW-Ex. 1-9	Attachment DJH-9 (Estimated \$/kWh per \$10million in
	Project Costs)
NEW-Ex. 1-10	Attachment DJH-10 (Regulations for Excavations in Town
	Streets and Rights-of-Way)
NEW-Ex. 1-11	Attachment DJH-11 (Blasting Regulations)
NEW-Ex. 1-12	Attachment DJH-12 (Town-wide Road Weight Limits)
NEW-Ex. 2	Supplemental Prefiled Testimony of Denis J. Hebert -7/20/18
NEW-Ex. 2-1	Attachment DJH-1/Supplemental (MOU)
NEW-Ex. 2-2	Attachment DJH-2/Supplemental (Addendum to MOU)
NEW-Ex. 2-3	Attachment DJH-3/Supplemental (Master Plan –Electrical Transmission

NEW-Ex. 2-4	Attachment DJH-4/Supplemental (Map showing Newington's requested
	burial locations
NEW-Ex. 3	Prefiled Direct Testimony of Eric Weinrieb-7/31/17
NEW-Ex. 4	Applicant's Responses to Newington's First Set Data Requests
NEW-Ex. 5	Applicant's Responses to Newington's Second Set Data Requests
NEW-Ex. 6	Seacoast Region Load Projections
NEW-Ex. 7	Map from PSNH Presentation to Newington Planning Board 1/29/15
NEW-Ex. 8	2017 Regional System Plan - Preface 11/02/17
NEW-Ex. 9	Central Maine Power Press Release 09/28/17
NEW Ex. 10	Pre-filed Direct Testimony of Robert W. Varney (10/16/15) SEC Docket
	No. 2015-06 – Northern Pass Transmission LLC
NEW-Ex. 11	Decision and Order Denying Application for Certificate of Site and
	Facility (03/30/18) - SEC Docket No. 2015-06 – Northern Pass
	Transmission LLC
NEW-Ex. 12	RSA 162-H:16 - Findings and Certificate Issuance
NEW-Ex. 13	RSA 674:2 - Master Plan; Purpose and Description
NEW-Ex. 14	SEC Rule Site 301.09 - Effects on Orderly Development of Region
NEW-Ex. 15	The Wall Street Journal: The Electrifying Factor Affecting Your
	Property's Value
NEW-Ex. 16	36 Code of Federal Regulations Appendix A to Part 61 – Professional
	Qualifications Standards
NEW-Ex. 17	Newington Zoning Ordinance
NEW-Ex. 18	July 26, 2018 Eversource letter to Newington re: Potential Impacts on
	Stone Walls
NEW-Ex. 19	Complete Newington Zoning Ordinance and Land Use Regulations
	v Foundation (CLF)
CLF Exhibit 1	Eversource Responses to CLF's First Set of Data Requests ("Response to CLF Set 1")
CLF Exhibit 2	Attachment ("Attach.") to Responses to CLF Set 1- NHFG Oyster Mtg
	8/15/16
CLF Exhibit 3	Attach. to Responses to CLF Set 1 - SRP Bay Sediment Testing 9/1/16
CLF Exhibit 4	Attach. to Responses to CLF Set 1 - 2014 Vibracore Logs
CLF Exhibit 5	Eversource Responses to CLF's Second Set of Data Requests ("Response
	to CLF Set 2")
CLF Exhibit 6	Attach. to Responses to CLF Set 2 - Pease PFOS-A Summary 5/11/16
CLF Exhibit 7	Attach. to Responses to CLF Set 2 - Soil and GW Letter Report Frink
CLF Exhibit 8	Attach. to Responses to CLF Set 2 - Frink PFC Cover Letter 1/23/17
CLF Exhibit 9	Attach. to Responses to CLF Set 2 - SRP Alignment w/NHDES
CLF Exhibit 10	Attach. to Responses to CLF Set 2 - SP Soil GW Agency Meeting
	Summary 3/10/17
CLF Exhibit 11	Attach. to Responses to CLF Set 2 - Eversource Email Corresp. w/PDA
CLF Exhibit 12	
CLF Exhibit 13	
CLF Exhibit 11 CLF Exhibit 12	Summary 3/10/17

CLF Exhibit 14	Attach. to Responses to CLF Set 2 - Frink GW Measurement Table 4/7/17		
CLF Exhibit 15	Attach. to Responses to CLF Set 2 - SRP Alignment in Vicinity of Pease		
CLI LAMOR 15	PFC Sample Locations		
CLF Exhibit 16	Attach. to Responses to CLF Set 2 - SRP Sediment Sampling		
CLF Exhibit 17	Attach. to Responses to CLF Set 2 - Sediment Sampling Location		
CLF Exhibit 18	Attach. to Responses to CLF Set 2 - SRP Bay Sediment Tstng Rpt. 9/1/16		
CLF Exhibit 19	Attach to Responses to CLF Set 2 - Star Day Sedment Tstig Rpt. 3/1/10 Attach to Responses to CLF Set 2 - S24 Marine Survey Report		
CLF Exhibit 20	Attach to Responses to CLF Set 2 - SRP Interagency Mtg. Min. 2/2/17		
CLF Exhibit 21	Attach. to Responses to CLF Set $2 - SKT$ interagency Mtg. Mill. $2/2/17$ Attach. to Responses to CLF Set $2 - SKT$ interagency Mtg. Mill. $2/2/17$		
CLF Exhibit 22	State of Our Estuaries Report, 2018		
CLF Exhibit 23	Letter dated February 9, 2012 from NH Attorney General to Atty.		
CLI EXHIBIT 25	Maureen Smith		
CLF Exhibit 24	NHDES/NHFG Announcement RE Shellfish Harvest Rules in Little Bay		
CLF Exhibit 25	Map – Piscataqua Estuary Oyster and Eelgrass Areas		
CLF Exhibit 26	2014 Annual Program Report, Expanding Oyster Reefs & Populations in		
CLI <sup>®</sup> EXIIIOIT 20	Great Bay Estuary, NH		
CLF Exhibit 27	Final Report of the Commission to Study the Causes, Effects, and		
CLI <sup>®</sup> EXHIBIT 27	Remediation of Siltation in the Great Bay Estuary		
Durbam Residents			
	Durham Residents - Donna Heald, Amanda and Matt Fitch, Viv and Jeff Miller, Regis C. Miller, Thomas and Yael DeCapo, and Nick Smith (DR)		
DR Ex 1	Testimony of Donna Heald		
DR Ex 2	Supplemental Testimony of Donna Heald		
DR Ex 3	Heald Data Response to Eversource 1-2		
DR Ex 4	Testimony of Matthew and Amanda Fitch		
DR Ex 5	Supplemental Testimony of Matthew and Amanda Fitch		
DR Ex 6	Fitch Data Responses to Eversource Set 1		
DR Ex 7	Testimony of Jeff and Vivian Miller		
DR Ex 8	Supplemental Testimony of Jeff and Vivian Miller		
DR Ex 9	Jeff and Vivian Miller Data Responses to Eversource Set 1		
DR Ex 10	Testimony of Dr. Regis Miller		
DR Ex 11	Supplemental Testimony of Dr. Regis Miller		
DR Ex 12	DR Ex 12 final_rsp18_project_list_june_2018		
DR Ex 13	GZA Matting Photojournal 06.29.12		
DR Ex 14	Photos of Poles		
DR Ex 15	Regis Miller Revised Data Response #5 Liquid Legacy Article		
DR Ex 16	Regis Miller Supp Testimony Web Reference Photos		
DR Ex 17	Copy of Donna Heald McCosker Subdivison Plan		
DR Ex 18	Supplemental Testimony of Jeff and Vivian		
	Miller Supplemental Attachment		
DR Ex 19	Fitch-Eversource Correspondence and Test		
	Association (DHA)		
DHA Ex 1	DHA pre-filed testimony dated 2017-07-31		
DHA Ex 2	Eversource cover letter re Protected Stone Walls in Durham 2018-05-17		
I			
DHA Ex 3	Eversource map set 'Stone Walls in Durham' 2018-05-17		

DHA Ex 5	Chart of Historic Districts, Scenic Roads/Byways by crossing, pole		
	number		
DHA Ex 6	Town Vote for Scenic Roads 1971, 1972, 1973 Annual Report extracts		
DHA Ex 7	Historic Resources Chapter of 2015 Durham Master Plan		
DHA Ex 8	Response to Applicant Data Requests 2018-04-11		
DHA Ex 9	Longmarsh Preserve Trails Map		
DHA Ex 10	East Foss Farm and Beaudet - Moriarty Conservation Lands Trails Map		
Keith Frizzell (KF)			
KF1	Pre-filed testimony of Keith Frizzel (07.31.2017)		
KF2	Landscape Plan (02.10.2017)		
KF3	High Voltage Transmission Lines and Montana Real Estate Values, Final Report (01.12.2012)		
Helen Frink (HF)			
HF Exh 1			
	Pickering house built 1812, Eligible for NH State Register of Historic Places and National Register		
HF Exh 2	Pickering house built 1812, photographed 2015		
HF Exh 3	Darius Frink Farm aerial view		
HF Exh 4	Darius Frink Farm buildings, 1840. National Register of Historic Places;		
	Newington Center Historic District		
HF Exh 5	Frink-Pickering boundary stonewall looking north		
HF Exh 6	Frink-Pickering boundary stonewall looking south		
HF exh 7	Frink-Pickering boundary line trees		
HF exh 8	Revised Environmental map 24 of 31: 7/16/18		
HF exh 9	Transition structure 3 pole		
HF exh 10	Transition structure monopole		
HF exh 11	ROW clear cut July 2018 looking west		
HF exh 12	Wetland NW 18 east of Knight's Brook tributary		
HF exh 13	Revised Environmental map 25 of 31: 7/16/18 shows Wetland NW 18		
HF exh 14	Knight's Brook tributary surface water tests March 2018		
HF exh 15	Knight's Brook tributary		
HF exh 16	Wetland adjacent to Knight's Brook tributary		
HF exh 17	Ancient white oak, Pickering property		
HF exh 18	white oak spring, Pickering property		
HF exh 19	Eversource truck; photo Durham Historic Association		
HF exh 20	Hayfield with distribution line looking east		
HF exh 21	Eversource access road; photo Durham Historic Association		
HF exh 22	Eversource access road; photo Durham Historic Association		
HF exh 23	Hayfield with distribution line looking west		
HF exh 24	Wetland NW 18 looking east		
HF exh 25	Wetland NW 18 looking east		
HF exh 26	Updated Soil and Water Investigation and Management Plan, Darius Frink		
	Farm, Newington, New Hampshire, GEI Consultants, Inc. December, 2017		
HF exh 27	Eversource Supplemental Pre-filed Testimony		
	34_Append_5b_SRP_Revised Engineering Design Drawings 7-27-18		
HF exh 28	Transition Tower location photographed 10-12-18		

FDS ExhibitPre-Filed Testimony of Jason Baker on Behalf of Fat Dog Shellfish Company, LLC dated July 30, 2017Mark Joyce and Karen Crowley (JCT)JCT Exhibit #1Plan No. 12,730 dated August 2, 1984 showing Gundalow Landing.STRUCKJCT Exhibit #2JCT Exhibit #2Little Bay Protective Covenants dated November 28, 1984.STRUCKJCT Exhibit #3JCT Exhibit #3MacFarland Easement dated November 8, 1950.STRUCKJCT Exhibit #4Report of the N.H. Public Utilities Commission and Order No. 5881 date	
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STRUCK     JCT Exhibit #4   Report of the N.H. Public Utilities Commission and Order No. 5881 data	
JCT Exhibit #4 Report of the N.H. Public Utilities Commission and Order No. 5881 da	
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	ted
STRUCK February 12, 1951.	
JCT Exhibit #5 Release Deed of PSNH dated June 30, 1997.	
STRUCK	
JCT Exhibit #6 Easement Deed of Paul Beswick dated July 28, 1997.	
STRUCK	
JCT Exhibit #7 Shoreline Photos showing Crowley Joyce Revocable Trust Property.	
JCT Exhibit #8 1974 Air Photo of Gundalow Landing.	
STRUCK	
JCT Exhibit #9 1992 /1998 Air Photo of Gundalow Landing.	
STRUCK	
JCT Exhibit #10 2005 Air Photo of Gundalow Landing.	
STRUCK	
JCT Exhibit #11 2016 Air Photo of Gundalow Landing.	
STRUCK	
JCT Exhibit #12 Town of Newington Site Plan Regulations dated February 16, 1979.	
STRUCK	
JCT Exhibit #13 Marked Copy of App Ex 122/123, Page 28.	
STRUCK	
JCT Exhibit #14 Eversource Response to SEC Data Request Newington 1 – 5.	
STRUCK	
JCT Exhibit #15 Deed to Paul Beswick dated November 19, 1990. STRUCK	
JCT Exhibit #16 Revised Environmental Map 22 of 31 (App Ex 148, P23).	
STRUCK	
JCT Exhibit #17 Shoreland Application Existing and Proposed Condition Plan (App Ex	34.
STRUCK PDF Page 29).	,
JCT Exhibit #18 July 2018 Crowley Joyce Trust Emails to/from Eversource.	
STRUCK	
JCT Exhibit #19 Photographs of the Crowley Joyce Trust Property Line.	
STRUCK	
JCT Exhibit #20 Newington Tax Map 22.	
STRUCK	

COMMITTEE		
Comm Ex. 1	Applicants Responses to Record Requests 8 and 12	
Comm Ex. 2	Applicants Response to Record Request Gosling Road Alternative	
Comm Ex. 3	Applicants Response to Record Request Gosling Road Alternative Map	
Comm Ex. 4	Applicants Response to Record Request Gosling Road Map	
Comm Ex. 5	Applicants Response to Record Request	
Comm Ex. 6	Applicants Response to Record Request Q-SEC 1-010 Warranty Deed Getchell to PSCNH Book 4380 Page 763	
Comm Ex. 7	Applicants Response to Record Request Q-SEC 1-010 Deed Rollins to NHGE Book 577 Page 475	
Comm Ex. 8	Applicants Response to Record Request Q-SEC 1-003 ISO New England Planning Procedure No. 4	
Comm Ex. 9	Applicants Response to Record Request Q-SEC 1-002 OATT Schedule 12c	
Comm Ex. 10	Applicants Response to Record Request Q-SEC 1-001 Seacoast Area Historical Loads 2007 to 2018	
Comm Ex. 11	Applicants Response to Record Request on Exhibit 164	
Comm Ex. 12a	DES Decision dated February 28, 2018	
Comm Ex. 12b	Correspondence from DES to the Subcommittee dated August 31, 2018	
Comm Ex. 12c	DES Revised Final Decision (Incorporating Comments Provided to the	
	Subcommittee on August 29, 2018)	
Comm Ex. 12d	DES Annotated Revised Final Decision (Annotating Comm. Ex. 12c)	