

TOWN OF BETHLEHEM



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May 9, 2016

Dear Ms. Monroe, Mr. Honigberg, and Members of the SEC,

RE: SEC Docket No. 2015-06
Comments: Municipal Groupings in the Order
Of Motions To Intervene of March 18, 2016.

The Bethlehem Select Board, Bethlehem Planning Board, and Bethlehem Conservation Commission are submitting a Request for Reconsideration of the Intervener Grouping you have assigned to our Town based upon the following information.

First, our concern is that the Town of Colebrook has altered their initial intervener status from opposed to neutral on burying the transmission lines. According to the minutes of the Colebrook Select board on March 28, 2016 the Town's position has become "neutral". As the Bethlehem Select board has applied for intervener status based upon our opposition to the construction of towers and overhead lines as well as a transmission substation within our Town it is incompatible for the two positions to result in constructive collaboration. In addition, your order concerning designation of groupings of 3/18/2016 indicated that groupings were based on geographic locations. You later allowed for Clarksville, Pittsburgh, and Stewartstown to separate out from Group I. Colebrook geographically is sited within this grouping and much more distant from Bethlehem than two of the three towns above. It is more logical and rational that Colebrook be included with Clarksville, et al than with Bethlehem.

Secondly, all but one of the towns (Dalton) you now have us grouped in with have legal representation. We do not at this time have any tax dollars committed to legal fees for the purpose of Northern Pass and have not nor do we intend to pay any counsel for other Towns, specifically, Littleton, Northumberland and Whitefield all of which have attorneys on file in their letters requesting intervener status. It is unlikely that their legal counsel will represent Bethlehem without compensation which forces our citizens to absorb a cost to communicate with other towns assigned to our group when there is already a Counsel for the Public at taxpayer expense. We have not received any guidance as to how we are supposed to interact with the towns currently in our grouping that have legal representation. Perhaps the SEC would like to clarify the questions concerning grouping where some have legal counsel and some do not. Does the RSAs or Administrative Rules address this issue?

Or would the SEC reconsider and combine the Bethlehem Select Board, Bethlehem Planning Board, Bethlehem Conservation Commission and the Town of Dalton into one Municipal Group?

We would like to request clarification of the SEC Chairman's authority to restrict the Intervener of Bethlehem from providing our own spokesperson rather than be required to have only one spokesperson for several Towns. RSA 541-A:32, IV sets the standard for intervention, limits that may be placed on an intervenor's participation and the SEC's ability to combine intervenors. In addition, combining intervenors is only permissible "so long as the limitations placed on intervenors do not prevent the intervenor from protecting an interest that formed the basis of intervention. "See Order, p. 2; RSA 541-A32, IV and Site 202.11 (e). We believe that the order to combine groups exceeded the chairman's authority and limits the Town of Bethlehem from protecting and representing the interests specific to our Town.

We have further concerns that we would like to put forth at this time. The time of posting and the date specified for Discovery is far too short. We are being put at a distinct disadvantage in the North Country. We are all volunteer boards, have jobs, and distances to travel. The schedule as proposed does not allow us the time needed to review all requests. As much of the North Country will be marred by this project it is incumbent upon the SEC to provide all Boards in the North Country adequate time to determine the discovery we need to make informed decisions. We request that a second opportunity be scheduled to allow for initial requests and follow up requests. The timeline should not be so restrictive as to shorten the process at the expense of New Hampshire residents. Therefore, we ask that we be allowed to join The Towns of Bridgewater, Bristol, Easton, Franconia, Littleton, New Hampton, Northumberland, Sugar Hill, Whitefield, and Woodstock, The City of Concord and Ashland Water & Sewer Department's Notice of Joiner in the Motion to Clarify Order and Temporary Procedural Schedule of April 22, 2016 filed by the Society for the Protection of New Hampshire Forests.

Submitted by,



Bethlehem Select Board



Bethlehem Planning Board



Bethlehem Conservation Commission