

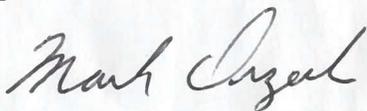
Mark Orzeck

To: pamela.monroe@sec.nh.gov
Cc: Adam Dumville; Collis; Joroff; Bob Baker; Alexandra - James Dannis; Allison Morris; Ammonoosuc Conservation Trust; Heiser; Amy Manzelli; Andrew D. Dodge; Anita Giulietti; Susan Arnold; Arthur Cunningham; Commission; Ashland Water & Sewer Department; BAE Systems; and Robert Mathews; Barbara Tetreault; Barry Needleman; BEAR ROCK; Southworth; Bethlehem Conservation Commission; Bill Carpenter; Bradley J. and Daryl D. Thompson; Brian Buonamano; Bruce A. Adami; Bruce Ahern; Bruce and Sondra Brekke; Burbank-Cenerizio-Corey-Steele; Campbell McLaren; Barbara Lakes; Carol Dwyer; Carol Currier; Caroline Bone; Cate Street Capital, Inc; Catherine M. Corkery; leoardc@nashuanh.gov; CGSB Mortgage Specialist; Hatfield; Charles and Donna Jordan; Jensen; Christopher Allwarden; Christopher Way; Cindy Kudlik; of Berlin; City of Manchester; City of Nashua; Conservation Commission Town of Franconia; Coos County Business and Employers Group; Corinne Pullen; Craig Wright; Commission; Dalton Selectboard; Dana Bisbee; Danielle L. Pacik; Dawn Gagnon; Deb Stever Selectboard; Deerfield Conservation Commission; Denise Frazier; Dennis Ford; Gooden; Dorene Hartford; Dorothy Uran; Inc; Edward Piatek; Elaine Planchet; Eli Emerson; Elisha Gray; Elizabeth Maldonado; Elizabeth Terp; the Webster Family; Elmer and Claire Lupton; Barbara Meyer; Eric and Sandra Lahr; Feldbaum, Jr.; Planning Board; Frank and Kate Lombardi; Frank Pinter; Frederic P. Fitts; Gegas, Vasilios (Bill) (Bill; Gerald and Vivian Roy; Manufacturing; Grafton County Commissioners; Gregory Reiss; Holderness Conservation Commission; Holly Gaietta; Dore; J David West; Ramsdell; James H Page Jr; Jason Reimers; Jeanette Foisy; Jeanne Menard; Jeremy Walker; Jo Anne Bradbury; Davidge; Jon and Lori Levesque; Bailey, Kate; Kathryn Lowe; Kelly Normandeau; Ken Kimball; Kevin & Lisa Cini; Kevin Spencer; Kris pastoriza; Laura M. Bonk; Laura Maynard; Laura Ring; Larry Rappaport; Lawrence and Maxine Phillips; marinolee@aol.com; Lee Sullivan & Stephen Buzzell; Linda Upham-Bornstein; Lisa Wolford; Lucille Wolf; Lynne Placey; Thomas Foulkes; Maggie Stier; Margaret Connors; Mark and Susan Orzeck; mark Beliveau; Martin Honigberg; Marvin Bellis; Mary A. Lee; RoseCottagePress; Maureen Quinn; Melissa Birchard; Meredith Hatfield; Michael Iacopino; Michael Skelton; Kleindienst; Mike Novello; Nancy L. Dodge; Nancy Martland; Association; Betsy Merritt; NH Preservation Alliance Nat'l Trust Historic Presevation; Nigel Manley and Judy Ratzel; Nik Coates; Pamela Martin; North Country Chamber of Commerce; North Country Scenic Byways Council; Patricia Weathersby; Paul and Dana O'Hara; Fitzgerald; Pemigewasset River Local Advisory Committee; Peter and Mary Grote; Roth, Peter; Philip H. Bilodeau; R. Eric and Margaret J. Jones; Rachel E.D. Whitaker; Rebecca Harris; Rebecca Hutchinson; Rebecca More; Rebecca Walkley; Peter Powell; Rick Samson; Rita M. Hibbard; Robert B. Craven; Robert Clarke; Robert R. Martin; Bob Thibault; Roy Stever; Russ Kelly; Russell and Lydia Cumbee; Sally Zankowski; Sam Evans-Brown; Sandra and Paul Kamins; Clarksville; Stanley Holz; State Legislators; Steven Whitley; Susan E Percy; Susan Schibanoff; Tara Bamford; Kucman; Thomas N. Masland; Thomas Mullen; Thomas Pappas; Brigitte White; Tina Munroe (cmunroe@brennanlenahan.com); Torin Judd; Town Administrator Canterbury; Ashland; Town of Bethlehem; Bethlehem Planning Board; Tracey Boisvert; Tracy Hatch; Viggo Fish; Virginia Jeffryes; Walter Palmer and Kathryn Ting; Deborah; Wendy Doran; Administrative Unit #35; Wilcox Industries Corp.; William L. Plouffe; William Oldenburg
Subject: SEC No. 2015-06

Ms. Monroe,

Please put me on record for supporting the Forest Society's Proposed Procedural Schedule in regards to this docket. If the SEC is to act in the Public's best interest, then surely they can see how unreasonable these grouping expectations are in regards to logistics and sheer distances within groups.

Mark Orzeck



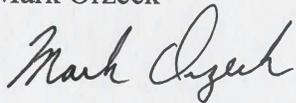
Ms. Monroe,

On December 7, 2015 , a letter from Mr. Jeffrey J. Rose of NH DRED ([DRED application review complete](#)) was submitted to the NH SEC (Docket 2015-06), stating "*DRED also takes the opportunity to point out that as noted in Appendix 15 of the Report, page 4, footnote #3 makes note of a current **title flaw** (emphasis mine) in the Eversource Easement across Cape Horn State Forest, which DRED is currently working with Eversource to fix*" I was not able to locate that particular reference, nor the details of the so-called "fix".

I had contacted DRED directly on December 29, 2015 requesting more information, and received this response (admonishment) from the SEC on December 30, 2015, stating "*The Department of Resources and Economic Development will advise the SEC during the process as to the status of the easement across Cape Horn Forest and will also be a participant in the process.*" Will this be after the "fix" is in?

I respectfully request that the issues with that particular deed, along with all actions required and/or performed by DRED and Eversource be disclosed for Interveners to review and comment upon.

Mark Orzeck

A handwritten signature in black ink that reads "Mark Orzeck". The signature is written in a cursive style with a large, prominent initial "M".

Dear Ms. Monroe and Chairman Honigberg:

Pursuant to Site 202.11(f), we hereby request a Review of the decision on our petition to intervene and the Grouping of Non-Abutters Clarkstown to Bethlehem. Because the proposed grouping denies our specific rights to due process, we request that each individual petitioner be treated equally. At the very least, we request that the proposed group be broken into two (2) Groups: 1) Pittsburg, Clarksville and Stewartstown; and 2) Dummer, Stark, Northumberland, Lancaster, Whitefield, Dalton and Bethlehem.

As property owners in Stark directly and materially affected by the proposed transmission lines, we believe we have the right to participate fully in the SEC's adjudicatory proceeding.

However, the intervention order lumps us together with a large group of landowners (over 60 persons) stretching the entire upper third of the State from Clarksville to Bethlehem. The proposed intervention order grouping takes away our right to participate directly in key elements of the adjudicatory process, such as cross examination and offering motions.

The order forces us into an unfair, conflicted and unworkable joint arrangement that will in substance effectively silence our voices. The intervention order deprives us of the most basic *due process rights*.

We would highlight the following:

- 1. A grouping of over 60 property owners (see Dixville Notch/Harvey Swell group) is too large to be workable in practice. This means the group's ability to participate is neutered from the start. If, as is likely with a group this large, disparate and spread over an immense geographical area, there is a failure to reach a group consensus on any given point -- whether to hire a lawyer, whether to retain expert witnesses, whether to cross examine the applicant or its experts or indeed, whether to designate a single representative -- the result will be inaction by the group. No consensus = no group action = no ability for direct participation by any group member = free pass for applicant.**
- 2. The likelihood of lack of consensus is heightened by the excessive Geographical spread of the group. This makes reasonable communication in person and as a group almost impossible for many in the group.**
- 3. The likelihood of lack of consensus is heightened by Differences in situations and impacts. At the northern end (Clarksville) the route is all new right-of-way; some of the route is buried; some of the route is above-ground. From Stark south, the route is on existing right-of-way and is all above-ground. Land uses, property values and project impacts differ markedly across the many communities. There is a fundamental lack of commonality.**
- 4. The group is inherently conflicted. As the history of the Northern Pass project has clearly shown, the Applicant continues to offer "concessions" to individuals and key**

groups, such as line burial. A central issue before the SEC in the adjudicatory process will be to assess the potential for additional line burial and identify what locations are most suitable for burial. Maybe a proposal will emerge to bury the lines in the most northern area of the state where there is no existing right of way. Or maybe a proposal will emerge to "save" Stark, Groveton, Lancaster, Whitefield, Dalton and Bethlehem, or some subset of them. In any of these cases, the landowners in one area will have sharply different interests than those in other areas. Indeed, the Weeks family (looking at the proposed 200 lines in the valley from a viewpoint on Mt. Prospect) may be in a zero-sum game with any other Petitioner or group of Petitioners if the lines may be buried in one place but not the other. These kinds of conflicts make the group unworkable, unfair and violative of basic due process.

5. Forcing this large, disparate group of property owners to designate a single spokesperson is unworkable and ineffective. Who would take the job as proposed? Will the person be entitled to immunity from civil actions and full indemnities, or will she be subject to lawsuits by disgruntled group members who believe their interests weren't pursued? And how would a single person effectively speak for such a group? Or, to be specific, how would a single spokesperson handle the black-and-white conflict between one group's interests and those of another group? Or between the northern landowners and the southern landowners if a compromise emerges at the SEC to bury more of the lines either north or south, but not both? What if Northern Pass, taking a cue from history, buys off some group members but not all of them? How will the group be represented? It simply doesn't work. And if there might theoretically be a single spokesperson, how will she be appointed? By one property, one vote? By acreage? By land value? By arm-wrestling? By loudest voice? And what if there is no consensus to appoint any group spokesperson? Do we just disappear? The SEC has offered no structure and no safeguards. This approach denies the rights of landowners to have ANY voice to protect their own, specific interests or common interests.

These are just selected examples of how the intervention order is unfair, unjust, effectively silences property owners and violates fundamental due process.

The SEC's process appears to be grievously unfair to the many property owners from Deerfield to Pittsburg who are affected by this proposal.

We respectfully request that as property owners materially impacted by Northern Pass, the SEC grant us full party rights in this proceeding. Due process requires no less in these circumstances. And please don't hide behind the statutory language allowing grouping. The statute does not allow grouping that takes away due process.

Thank you for considering this Request.

Mark Orzeck

Mark Orzeck

Stark, NH

