

Orr&Reno

Douglas L. Patch
dpatch@orr-reno.com
Direct Dial 603.223.9161
Direct Fax 603.223.9061
Admitted in NH and MA

December 15, 2021

Via Email

Daniel C. Goldner, Chairman
New Hampshire Site Evaluation Committee
c/o New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301-2429

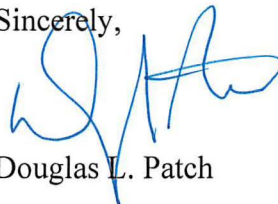
Re: SEC Docket No. 2021-05, Application of New Hampshire Transmission, LLC for a Certificate of Site and Facility for the Seabrook Capacitor Bank Project – Request to Waive Certain Application Filing Requirements

Dear Chairman Goldner:

Enclosed for filing with the New Hampshire Site Evaluation Committee (“the Committee”) in the above-captioned docket is a Request to Waive Certain Application Filing Requirements. We are seeking a waiver pursuant to Admin. Rule Site 302.05 from some of the requirements of Admin. Rule Site 301.01 regarding the number of copies to file with the Committee. We have copied the Attorney General’s Office and the Town of Seabrook this filing. We would be happy to work with you to ensure that the Committee, the Town and state agencies receive an appropriate number of copies of the Application and accompanying materials in the most useful format.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,



Douglas L. Patch

DLP/eac
Enclosure

cc (via email): Service List in SEC Docket 2021-05

3377882_1

**THE STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

SEC DOCKET NO. 2021-05

**APPLICATION OF NEW HAMPSHIRE TRANSMISSION, LLC FOR A
CERTIFICATE OF SITE AND FACILITY FOR THE CAPACITOR BANKS
PROJECT IN SEABROOK, NEW HAMPSHIRE**

Applicant's Request to Waive Certain Application Filing Requirements

NOW COMES New Hampshire Transmission, LLC ("NHT"), by and through its attorneys, and submits this request pursuant to Admin. Rule Site 302.05 to waive the requirement that an applicant submit an original and 15 copies of the Application and accompanying materials to the New Hampshire Site Evaluation Committee ("Committee" or "SEC") and that it submit oversized documents by folding them and putting them in protective tubes. In support of this request, NHT states the following:

1. NHT will soon file an Application for a Certificate of Site and Facility to construct a capacitor banks project in a parking lot on the site of Seabrook Station in Seabrook, New Hampshire ("the Application"). As part of that application NHT will also be seeking an exemption from the SEC full application process or a determination that this project is not a sizeable addition to an existing facility, and will ask that these requests be considered by a three-member subcommittee as authorized by RSA 162-H:4-a, III and N.H. Admin. Rule Site 103.03(d). NHT held a public information session in Seabrook on December 1, 2021 as required by law and notified the Committee of this public information session. As a result of that notification the Committee opened the above-captioned docket.

2. Site 301.01(a) requires that an applicant file an original and 15 copies of the Application with the Committee, as well as an electronic version of the Application in PDF format “unless otherwise directed by the chairperson or the administrator...” Site 301.02(2) requires that oversized documents be folded to an 8 1/2 x 11 inch sheet size and provided in protective tubes.

3. Site 302.05 gives the Committee the authority to waive any provisions of the rules, except where precluded by statute, upon the request of an interested party, provided that the Committee finds that the waiver services the public interest, and that it will not disrupt the orderly and efficient resolution of matters before the Committee. In determining the public interest, the Committee shall waive the rule if compliance would be onerous or inapplicable or the purpose of the rule would be satisfied by an alternative method. The Committee has granted such waivers in the past. *See*, for example, Order on Procedural Waiver Request, April 6, 2016 in SEC Docket No. 2015-04 (“Order on Waiver Request”); *see also*, Order on Procedural Waiver Request, September 5, 2019 in SEC Docket No. 2019-02.

4. NHT anticipates that the Application will be hundreds of pages long, that many documents will be oversized, and that meeting these requirements would require a number of three ring binders. When this is multiplied by 15 copies and by the number of pages involved, as well as the number of documents that will have to be folded and put into protective tubes, the effort will be substantial and will require a significant amount of time and resources.

5. In order to conserve resources and to make it more convenient for the agencies involved, as well as Public Counsel, the Town of Seabrook (the “Town”), and

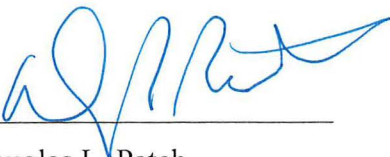
any intervenors, NHT respectfully requests that the Committee waive the requirement that it generate complete paper copies for each recipient. NHT will still provide an original of the Application materials to the Committee, including the pre-filed testimony, all related appendices and reports in 8 ½ x 11 inch binders, and the Project maps, visual impact assessment report and related photo simulations unfolded in an 11 x 17 inch binder, 6 paper copies of the Application and pre-filed testimony, and 10 electronic copies of the Application and all associated attachments in PDF format on USB thumbdrives or other electronic media. *See* Order on Waiver Request, pp. 3-4. NHT will also coordinate with Public Counsel and the Town and provide them with copies that will meet their preferences, and provide such other copies as directed by the Committee.

6. NHT submits that granting this request will serve the public interest, and that it will not disrupt the orderly and efficient resolution of matters before the Committee. The alternative method described above, which was approved by the Committee in SEC Docket No. 2015-04 and SEC Docket 2019-02, will serve the public interest by conserving resources but still satisfying the purpose of the rule.

WHEREFORE, NHT respectfully requests that the Committee:

- A. Grant a waiver pursuant to Site 302.05 as described above; and
- B. Grant such other relief as the Committee deems appropriate.

Respectfully submitted,
New Hampshire Transmission, LLC
By Its Attorneys



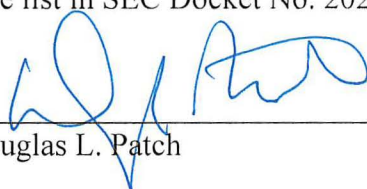
Douglas L. Patch
Orr & Reno, P.A.

45 South Main Street
PO Box 3550
Concord, NH 03302
(603) 223-9161
dpatch@orr-reno.com

Dated: December 15, 2021

Certificate of Service

I hereby certify that a copy of the foregoing request has on this 15th day of December 2021 been sent by email to the service list in SEC Docket No. 2021-05.

By: 

Douglas L. Patch

3375537_1