

Orr&Reno

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

April 1, 2022

Via Hand Delivery and Email

Daniel C. Goldner, Chair
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, New Hampshire Transmission, LLC, Seabrook Capacitor Bank Project – Applicant’s Petition for an Exemption, for a Declaratory Ruling that this Project is not a Sizeable Addition, or for Expedited Review – Motion for Protective Order – Request to Waive the Requirement to Submit an Economic and Employment Effects Assessment of the Proposed Facility - Appearance

Dear Chairman Goldner:

Enclosed for filing with the New Hampshire Site Evaluation Committee (“the Committee”) in the above-captioned docket is New Hampshire Transmission LLC’s (“NHT” or the “Applicant”) Petition for an Exemption, for a Declaratory Ruling that this Project is not a Sizeable Addition, or for Expedited Review (“Petition”). We have included an original and 10 copies of this Petition as required by Admin. Rule Site 203.01. Also enclosed are a Motion for Protective Order and Confidential Treatment, a Request to Waive the Requirement to Submit an Economic and Employment Effects Assessment of the Proposed Facility, and an Appearance by Orr & Reno, as well as a check in the amount described below to cover the Committee’s application fee. As noted below and in the Petition, NHT is requesting the appointment of a three-member subcommittee to hear this Petition as authorized by RSA 162-H:4-a, III and N.H. Admin. Rule Site 103.03(d).

The Request for Exemption is being submitted in accordance with RSA 162-H:4, IV and Admin. Rule Site 301.11. In the alternative, the Request for a Declaratory Ruling that this Project is not a Sizeable Addition is being submitted in accordance with RSA 162-H:5, I and Admin. Rules Site 203.01, with an accompanying affidavit as required by the rules. In addition, NHT has filed an Application for a Certificate of Site and Facility at the same time as it is filing this Petition in order to provide the Committee with comprehensive information about the proposed Facility, to assist in expediting the process to meet ISO-NE timelines, and to meet the requirement in the exemption statute, RSA 162-H:4, IV, that it provide “sufficient information to enable the committee to determine whether the proposal meets the [exemption] requirements.” In addition, if the Committee decides not to grant an exemption or determines that this Project is

a sizeable addition that requires full review, the Application is being submitted in order to facilitate expedited review so that NHT can meet the ambitious schedule imposed by ISO-NE.

Because the Application contains confidential financial information, information from the New Hampshire Natural Heritage Bureau regarding rare plants, and an ISO System Impact Study, we are submitting a Motion for Protective Order and Confidential Treatment regarding these materials. We have submitted one hard copy to the Committee of these confidential materials and one thumb drive containing these materials marked as "Confidential". The additional paper and electronic copies have redacted versions of these materials. The Applicant also requests that the Committee only post and/or release the redacted copies of the Application and supporting materials to the Committee's website or to individual members of the Committee or the public.

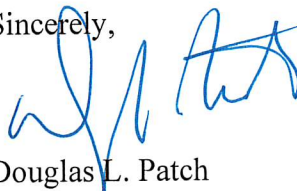
Because we are requesting an exemption and a review by a three-member subcommittee, we have included a check payable to the Treasurer-State of NH in the amount of \$3,600 to cover the filing fee required by RSA 162-H:8-a(d)(4), in accordance with the revised fee schedule (eff. October 19, 2018) posted on the Committee's website. In the event that the Committee does not grant the exemption request, or determines that this Project is a sizeable addition which requires a full review of this Project, NHT will submit a new application fee in accordance with that determination.

We are filing the requisite number of copies of the Application and accompanying materials in accordance with NHT's Request to Waive Certain Application Filing Requirements filed in this docket on December 15, 2021. We are also delivering the alteration of terrain and shoreland permits accompanying the Application, and the AOT and shoreland application fees, directly to the New Hampshire Department of Environmental Services. In accordance with RSA 162-H:7, V(f) a copy of the Petition and accompanying materials have been provided to the Town of Seabrook, the host community for the Project.

We are prepared to assist the Committee and state agencies in any way that we can to ensure as expeditious review of the Petition and/or the Application as possible. We also respectfully request that the determination whether to grant an exemption be made within 60 days of the filing of this request as provided for in RSA 162-H:4, IV and Site 301.11.

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

Sincerely,



Douglas L. Patch

DLP/eac
Enclosures
cc (via email): Service List in SEC Docket No. 2021-05