

**Dorothy M. McPhaul**

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New Hampshire Site Evaluation Committee  
c/o David Weisner, Staff Attorney  
NH Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301

Re: New Hampshire Site Evaluation Committee Rulemaking

Dear Mr. Weisner,

As a resident of New Hampshire, I have been involved in many aspects of the Pre-Rulemaking process for the Site Evaluation Committee (per SB 99 regarding public involvement). I am including a number of issues I feel are essential for inclusion in the new rules. In some cases, immediately following the new rule, in italics, I have offered an additional comment, only for clarification.

**RULES:**

*“Site 301.03 (c) (6)”* “Evidence that the applicant has a current right of legal access to and control of the site, in the form of ownership, ground lease, easement, option or other contractual rights or interests.”

*(Remove the added “or the ability to acquire control of”)*

*“Site 301.03 (c) (6a) REINSTATE:”* “Information related to whether the proposed site and facility will unduly interfere with the orderly development of the region having given due consideration to the views of municipal and regional planning commissions and municipal governing boards.

*“New”* “Every project brought before the Site Evaluation Committee shall be labeled “Essential” or “Elective.” “Essential” is a project necessary to “keep the lights on” and as such will receive certain benefits “Elective” projects will not. “Elective” is an optional project not necessary to “keep the lights on.” *(Currently, ISO New England determines whether a project is “essential” or “elective.”)*

*“New”* “Essential” projects shall consider the municipality or town government's master plan and regulations.”

*“New”* “Elective” projects shall abide by the municipality or town government's master plan and regulations.”

*“New”* “All elective transmission lines shall be buried unless proven it is not possible for a variety of reasons.”

*“New”* “If a town or municipality votes to place certain restrictions on an “Elective” project, the project shall abide by the will of the people.”

“New” “Every project with transmission lines and towers shall submit with the application a map of the entire project with the height and location of each tower and the distance between each tower.”

“New” “Every project shall submit with the application a map of the entire project showing buildings in the affected areas with their distance from the project. They shall also include the buildings' purpose.”

“New” “If additional lines or voltage is to be added to the lines and towers, there shall be a further application made to the Site Evaluation Committee to consider the new parameters.”  
*(Currently, once a line is approved, additional lines may be added without any further authorization.)*

“New” “Transmission lines or towers shall have an appropriate buffer zone from any public or private building.”

“New” “Transmission lines in areas with residences or public buildings shall have a routine inspection by an electrical engineer, unrelated to the project, to ascertain the EMFs or mGs are within the updated (at that time) guidelines for safety.”

“New” “The decline in property values due to the towers and transmission lines shall be included in the application form, verified by a certified appraiser of the affected area, unrelated to the project.”

“New” “Loss of property value shall be compensated to the owner by the offending project.”

“New” “The application shall include the realistic estimated numbers of jobs lost, due to a project.”  
*(Currently it only includes the number of jobs created due to a project.)*

“New” “The potential effect on the economy of the region, with the towers and transmission lines, shall be considered. If an “elective” project, there shall be no negative effect allowed.”

“New” “Private views, as well as public views, shall not be damaged for an “elective” project.”

“New” “Day and night visits to the area for a project shall be made by the SEC members. A balloon shall demonstrate the highest point of the project.”

“New” “There shall be unannounced visits to the area of a project under construction by an inspector unrelated to the project.”  
*(The purpose being to ascertain building practices are according to the rules. The current five day notice for a visit defeats the entire purpose.)*

“New” “Any departure from the specific rules for a project shall be fined on a daily basis, and collected, until the matter is corrected. Failure to correct the situation within ten days shall result in the termination of the project with the total restoration of the location to its original condition.”

“New” “The funds for decommissioning shall be proved available at the beginning of the project and remain available. Bankruptcy shall not be an acceptable reason to negate the obligation to totally restore the area to its original condition.”

“New” “All rules regarding “permanent” residences, shall be changed to “all” residences and facilities.”  
*(Second homes should have equal protections as permanent residences; ultimately these second homes often become full time retirement homes.)*

Thank you very much.

Some of these rules may sound prohibitive, but most of the rules can be fulfilled by the burial of the lines. Burial would make the application itself so much easier, save most line and tower repair monies, omit harmful EMF's (as buried lines do not emit EMFs) protecting people's health, preserve property values, tourism and the integrity of the landscapes.

As I pointed out in the public hearing, your committee has incredible power; the power to destroy or change for the worst thousands of thousands of lives. It has been pointed out a myriad of times the governments job is to protect the people and I urge you to bear this in mind as you consider the rules.

It is not your job to consider how to make life easier for energy projects, even though many of the involved people may be friends or former colleagues; your duty is to the people and the state of NH. Competition and the desire to make money will enable energy companies to find ways to adapt to the rules and make money. There is currently competition on both side of NH, in Vermont and Maine. They are finding ways to make the system work. The people of NH should not sacrifice for a larger corporate profit for any energy company. Now is your opportunity to prove the SEC is not biased, but an entity in which the people may have faith.

Sincerely,  
Dorothy (Dolly) McPhaul  
Sugar Hill, NH