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VIA ELECTRONIC MAIL AND HAND DELIVERY

October 31, 2017

New Hampshire Site Evaluation Committee
Pamela G. Monroe, Administrator
21 South Fruit Street, Suite 10
Concord, NH 03301

New Hampshire Department of Environmental Services
Rene Pelletier, PG – Assistant Director
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

**Re: SEC Docket No. 2015-04: Public Service Company of New Hampshire d/b/a
Eversource Energy for a New 115k Transmission Line from Madbury Substation to
Portsmouth Substation
Applicant's Response to Town of Newington Filing with NHDES**

Dear Ms. Monroe and Mr. Pelletier:

This letter responds to the filing of the Town of Newington submitted to Mr. Pelletier on October 26, 2017. The Town's letter is procedurally improper and contrary to the practice and procedures of the New Hampshire Site Evaluation Committee.

Pursuant to RSA 162-H

State agencies having permitting or other regulatory authority may participate in committee proceedings as follows:

- (a) Receive proposals or permit requests *within the agency's permitting or other regulatory authority, expertise, or both*; determine completeness of elements required for such agency's permitting or other programs; and report on such issues to the committee;
- (b) Review proposals or permit requests and submit recommended draft permit terms and conditions to the committee; [and]
- (c) Identify issues of concern on the proposal or permit request or notify the committee that the application raises no issues of concern.

RSA 162-H:7-a, I (emphasis added). Pursuant to the statute, NHDES purview here properly focuses on the Wetlands Permit Application, the Alteration of Terrain Permit Application, the Application for Water Quality Certification, and the Shoreland Permit Application—all those are “*within the agency’s permitting or other regulatory authority [and] expertise.*”

The filing by the Town of Newington, particularly the discussion of the “Gosling Road Autotransformer Alternative” and the “NH/VT Transmission System Solutions Study Update”, not only go far beyond those NHDES areas of jurisdiction under RSA 162-H, but they also fail to acknowledge that the “Gosling Road Alternative” is not actually an alternative at all, is not before the SEC in the pending proceeding, and was long ago dismissed as a viable option. Indeed, ISO-New England selected the Seacoast Reliability Project and related suite of projects as the preferred option for numerous reasons—Eversource did not select which project should be built to address the Seacoast’s regional electric load issues. *See* Pre-filed testimony of Mr. William Quinlan at page 2 to 3 for an overview of how and why the Seacoast Reliability Project arose.

In addition, the pre-filed testimony of Mr. Robert Andrews at page 3 clearly lays out the ISO-NE project selection process, including, a description of the ISO-NE Planning Advisory Committee (PAC) that seeks inputs from stakeholders, the development of a detailed power flow analysis and development of a needs assessment, and the undertaking of a detailed technical analysis. Mr. William Quinlan at page 4 further makes clear how local communities, like the Town of Newington, could have been involved in the ISO-NE planning process, should they have chosen to do so.

Moreover, the SEC has explicitly stated both in this docket and in other dockets that other potential project alternatives are not under consideration. *See e.g.*, Docket 2015-04, Order on Motion to Add Stop at 3 (July 29, 2016) (denying consideration of alternative project routes that are not the subject of the proceeding before the Site Committee); Docket 2015-06, Order on Motions to Compel at 40 (September 22, 2016) (denying motion to compel seeking information that does not relate to the proposed project route). Indeed, RSA 162-H does not authorize permitting agencies to review any so-called “alternative projects” that others may *believe* are better suited.¹

In its Application to the SEC, the Applicant has thoroughly addressed the Gosling Road Autotransformer. The Town of Newington is well aware that the Gosling Road Autotransformer is not practicable and is not available as a solution to meet to the needs of the regional electric grid—therefore, it is not available for consideration. Indeed, the lay testimony of Mr. Hebert, does not bring to light any additional facts about this so-called alternative, and misstates the facts on this matter. On the other hand, the Applicants have comprehensively addressed the claims of

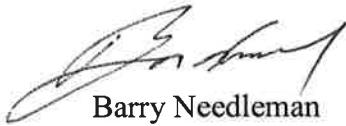
¹ The pre-filed testimony submitted along with the October 26, 2017 letter is from a member of the Town Planning Board, with no stated experience assessing electric load issues, electric power flow, or the operation of the New England electric grid. The pre-filed testimony should be considered lay opinion testimony and holds no weight on this particular topic.

the Town of Newington. *See generally* Pre-filed testimony of Mr. William Quinlan and Mr. Robert Andrews.

The Department currently has in its possession all relevant information that is required to review the Project’s permit applications. As discussed in-depth above, the filing by the Town includes information that is not subject to review by the SEC as an alternative and is not within the Department’s permitting or other regulatory authority. Therefore, we believe the Department should not consider the filing during its review of the Project’s permit applications.

Please contact me directly should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Barry Needleman", is written over the typed name.

Barry Needleman

BN:amd

Cc: SEC Distribution List