

**THE STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE  
SEC DOCKET NO. 2015-04**

**APPLICATION OF  
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
D/B/A EVERSOURCE ENERGY  
FOR A CERTIFICATE OF SITE AND FACILITY**

**TOWN OF NEWINGTON'S OBJECTION  
TO APPLICANT'S MOTION TO PARTIALLY WAIVE SITE 301.03(c)(3)-(5)**

NOW COMES The Town of Newington, New Hampshire ("Newington") by and through its undersigned attorneys, and respectfully objects to the Motion to Partially Waive N.H. Code Admin. R. Site 301.03(c)(3)-(5) filed by Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource") in the above-captioned docket by stating as follows:

1. On April 12, 2016, Eversource filed with the New Hampshire Site Evaluation Committee ("SEC" or "Committee") an Application for a Certificate of Site and Facility ("Application") for the so-called Seacoast Reliability Project, a 115kV transmission line proposed to be located, in part, in Newington.
2. Along with its Application, Eversource filed a Motion seeking waivers of SEC rules Site 301.03(c)(3)-(5) requiring that an application for a certificate of site and facility contain certain information with respect to the site of the proposed energy facility and alternative locations that the applicant considers available for the proposed facility. More specifically, the above-referenced rules require that an application contain: (1) a map showing the location of

property lines, residences, industrial buildings, and other structures and improvements within the site, on abutting property with respect to the site, and within 100 feet of the site if such distance extends beyond the boundary of any abutting property; (2) identification of wetlands and surface waters of the state within the site, on abutting property with respect to the site, and within 100 feet of the site if such distance extends beyond the boundary of any abutting property, except if and to the extent such identification is not possible due to lack of access to the relevant property and lack of other sources of the information to be identified; and (3) identification of natural, historic, cultural, and other resources at or within the site, on abutting property with respect to the site, and within 100 of the site if such distance extends beyond the boundary of any abutting property, except if and to the extent such identification is not possible due to lack of other sources of the information to be identified.

3. Eversource's Motion asserts that Eversource has identified all property lines, residences, industrial buildings, other structures and improvements, wetlands and surface waters, and natural, historic, cultural and other resources within the Project right-of-way ("ROW") and adjacent to the Site. *Motion* at 2. Although Eversource states it has expanded the identification of the resources listed in Site 301.03(c)(3)-(5) to "the entire geographic area shown on their Project Maps" irrespective of individual property boundaries, it admits that "there are some large abutting properties whose boundaries extend beyond the edges of the Project maps." *Id.*

4. In support of its waiver request, Eversource asserts that requiring it to strictly comply with the Committee's rules and identify all resources on each butting property would be "onerous and would not provide the Committee with any additional meaningful information to inform their decision about whether to issue a Certificate of Site and Facility." Newington respectfully disagrees.

5. Although Newington has not had an opportunity to fully review Eversource's voluminous Application, from its brief review, Newington is concerned that Eversource's failure to fully comply with the rules from which it seeks waivers will present the Committee with incomplete and inaccurate information about the overhead transmission line's impacts on individual abutting properties and its impacts on the Town of Newington as a whole. The following are but a few observations concerning the Application's Project Maps of Newington locations contained in Volume 2, Appendix 2:

- A. The "entire geographic area" depicted on the application's Project Maps of Newington locations contained in Volume 2, Appendix 2 does not include the entirety of properties abutting the Project site, and is, in some instances, limited to a distance of 300 feet of the Project boundary.
- B. Newington's Historic District, an important historic resource which is listed in the National Register of Historic Places and which will be transected by the Project, is not depicted in its entirety.
- C. Map 22 does not show the entire Frink Farm, an abutting property that is listed in the National Register of Historic Places.
- D. Map 21 fails to identify the Pickering Farm (which is eligible for listing on the National Register of Historic Places) as an historic resource and does not show the entire property.
- E. The aforementioned Project Maps contain charts and illustrations that obliterate sections of the Maps, making it impossible to determine what lies beneath them.

6. Eversource has not satisfied the requirements of Site 302.05(a) for waivers.

Eversource has not demonstrated that a waiver of the Committee's rules would serve the public interest and would not disrupt the orderly and efficient resolution of the matters before the Committee. First, it is unclear whether affected property owners are aware that the Application has been filed and/or that Eversource has sought waivers of rules intended to protect property owners. Granting a waiver at this juncture – before affected landowners are provided with notice of and an opportunity to respond to the waiver request- would not be in the public interest and would create serious due process questions. In addition, because Eversource's failure to fully comply with the rules referenced in its Motion call into question the completeness of the Application, the orderly and efficient resolution of this docket would be impacted by granting the waiver request at this time.

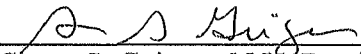
7. Newington files this objection within the deadline set forth in Site 202.14(f) to protect its rights and expressly reserves its right to supplement this objection after it has had the opportunity to fully review the entire Application, or at such other time as directed by the Committee.

WHEREFORE, Newington respectfully requests that the Committee:

- A. Deny Eversource's Motion; and
- B. Grant such further relief as the Committee deems appropriate.

Respectfully submitted,

Town of Newington  
By Its Attorneys  
**Orr & Reno, P.A.**

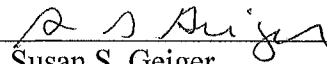
  
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Dated: April 22, 2016

Certificate of Service

I hereby certify that on this 22nd day of April, 2016, a copy of the within Objection was sent to the Service List via electronic mail.

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Susan S. Geiger