



For a thriving New England

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July 22, 2016

**VIA EMAIL AND HAND-DELIVERY**

Ms. Pamela G. Monroe, Administrator  
New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

**RE: New Hampshire Site Evaluation Committee Docket No. 2015-04  
Application of Public Service Company of New Hampshire d/b/a  
Eversource Energy for a Certificate of Site and Facility for Construction  
of New Transmission Line (Madbury to Portsmouth)**

Dear Ms. Monroe:

Please find enclosed for filing in the above-referenced matter an original plus eight copies of the Motion to Intervene of Conservation Law Foundation, as well as my Appearance.

Copies of this filing have, this date, been forwarded via email to all parties on the Service List in this docket.

Please feel free to contact me should you have any questions or concerns.

Sincerely,

Thomas F. Irwin

TFI/dlh

Encls.

cc: Docket No. 2015-04 Service List

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

Docket No. 2015-04

Application of Public Service Company of New Hampshire  
d/b/a Eversource Energy for a Certificate of Site and Facility for  
Construction of New Transmission Line (Madbury to Portsmouth)

**MOTION TO INTERVENE OF CONSERVATION LAW FOUNDATION**

Conservation Law Foundation (“CLF”), pursuant to Site 202.11 and RSA 541-A:32, hereby moves to intervene in the above-captioned proceeding before the New Hampshire Site Evaluation Committee (“SEC”). In support of its motion, CLF states as follows:

1. On April 12, 2016, Public Service Company of New Hampshire d/b/a Eversource Energy submitted an application for a certificate of site and facility for the proposed construction of a new 115kV transmission line from Madbury substation to Portsmouth substation, including a portion thereof crossing Little Bay. The SEC accepted the application by order dated June 13, 2016 and subsequently, in its June 23, 2016 procedural order, established a deadline of July 22, 2016 for motions to intervene.
2. CLF is a non-profit, member supported environmental advocacy organization dedicated to the protection and responsible use of New England’s natural resources, including resources affected by the generation, transmission, and distribution of electric power. CLF has approximately 3,300 members, approximately 450 of whom reside in New Hampshire, including members in communities in the path of the proposed transmission project at issue in this docket. CLF has members who use and enjoy the Great Bay estuary, of which Little Bay is a significant part.
3. Consistent with its mission to promote thriving, resilient communities, CLF is dedicated to advancing solutions that strengthen New England’s – and New Hampshire’s –

environmental and economic vitality. CLF has a long history of working to restore and protect water quality and ecosystem health in the Great Bay estuary, including Little Bay, which has been designated an estuary of national significance. CLF's work to protect this essential natural resource has included advocacy before the New Hampshire Wetlands Bureau, the New Hampshire Water Council, the United States Environmental Protection Agency ("EPA"), and the EPA's Environmental Appeals Board. CLF has strong expertise in matters pertaining to water quality in the Great Bay estuary, including Little Bay, through its legal and regulatory advocacy, and through its Great Bay-Piscataqua Waterkeeper program, which is devoted solely to restoring and protecting the health of the Great Bay estuary.

4. Intervention before the SEC is supported by "facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests might be affected." Site 202.11(b)(2). CLF and its members have a substantial interest in this proceeding, including but not limited to the impacts of the proposed project on Little Bay and other resources, and the extent to which such impacts are necessary or can be avoided, and CLF members may be directly affected by its outcome. *See id.* In addition, CLF's participation will be in the interests of justice and will aid the committee's decision-making. *See id.* at 202.11(b)(3).
5. CLF's expert participation will enhance the Committee's thorough review of the project application. CLF intends to submit evidence and analysis on subjects relative to, *inter alia*, the adverse effects of the proposed project on Little Bay and associated resources, and whether those effects are necessary or can be otherwise avoided.

6. CLF seeks full intervenor status and appreciates the opportunity this proceeding provides to offer rigorous analysis of the impacts of the proposed project.
7. CLF's participation will neither delay nor disrupt the instant proceedings.

**WHEREFORE**, Conservation Law Foundation respectfully requests that the Site Evaluation Committee grant its petition to intervene in Docket No. 2015-04.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

BY: 

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Thomas F. Irwin, Esq.  
V.P. and CLF New Hampshire Director  
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tirwin@clf.org

July 22, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion to Intervene has on this 22<sup>nd</sup> day of July 2016 been sent by email to the service list in Docket No. 2015-04.



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Thomas F. Irwin, Esq.  
Conservation Law Foundation

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

Docket No. 2015-04

Application of Public Service Company of New Hampshire  
d/b/a Eversource Energy for a Certificate of Site and Facility for  
Construction of New Transmission Line (Madbury to Portsmouth)

**APPEARANCE**

Please enter my Appearance for Conservation Law Foundation in the above-captioned docket. I am an attorney in good standing and duly licensed to practice law in New Hampshire (N.H. Bar No. 11302) and before the U.S. District Court for the District of New Hampshire. I agree to adhere to the Committee's rules of practice and procedure and to adhere to any orders of the Committee or agreements between the parties in the docket, including orders or agreements addressing confidentiality. I will represent the interests of Conservation Law Foundation in this docket.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

BY: 

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Thomas F. Irwin  
V.P. and CLF New Hampshire Director  
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July 22, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Appearance has on this 22<sup>nd</sup> day of July 2016 been sent by email to the service list in Docket No. 2015-04.

Handwritten signature of Thomas F. Irwin in black ink, written over a horizontal line.

Thomas F. Irwin, Esq.  
Conservation Law Foundation