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Please respond to our Exeter office.

July 22, 2016

Pamela G. Munroe, Administrator
NH Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: Application of Public Service Company of New Hampshire D/B/A
Eversource Energy for a Certificate of Site and Facility
Docket No. 2015-04**

Dear Ms. Munroe:

Please find enclosed an original and one copy of a Motion to Add Stop to Proposed 90-Day Public Information Session Stop Locations filed on behalf of the Town of Newington that we wish to file at this time with the New Hampshire Site Evaluation Committee.

A copy of this letter and the enclosed Motion has this day been forwarded to the SEC Distribution List.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC

John J. Ratigan
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JJR:nes
Enclosure

cc: Town of Newington
SEC Distribution List (via e-mail)

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THE STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

DOCKET NO. 2015-04

**Seacoast Reliability Project – Application of Public Service Company of New Hampshire
d/b/a Eversource Energy for a Certificate of Site and Facility for the Construction of a New
115 kV Transmission Line from Madbury Substation to Portsmouth Substation**

**INTERVENOR TOWN OF NEWINGTON’S MOTION TO ADD STOP TO PROPOSED
90-DAY PUBLIC INFORMATION SESSION STOP LOCATIONS**

NOW COMES the Town of Newington, by and through its attorneys, Donahue Tucker and Ciandella, PLLC, and states in support thereof:

1. On July 6, 2016, the Applicant, through its attorneys, submitted to Pamela Monroe its proposed bus tour route and locations along the Seacoast Reliability Project route to be conducted in conjunction with the 90-day post-acceptance public information session.
2. The proposed route omits a stop requested by Newington along Arboretum Drive and the National Wildlife Refuge. The ostensible reason for the applicant’s omission of Newington’s request was that this proposed stop was not along the Project route as proposed by the Applicant.
3. RSA 162-H:16, IV requires the Site Evaluation Committee that,
“After due consideration of all relevant information regarding the potential siting or the routes of a proposed energy facility, including potential significant impacts and benefits, the site evaluation committee shall determine if issuance of a certificate will serve the objectives of this chapter. In order to issue a certificate, the committee shall find that:

- (a) The applicant has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate.
- (b) The site and facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.
- (c) The site and facility will not have an unreasonable adverse effect on aesthetics, historic sites, air and water quality, the natural environment and public health and safety.
- (e) Issuance of a certificate will serve the public interest.

4. The stop along Arboretum Drive will take all of 5 minutes. It will allow the Committee to observe a portion of the land over which some say an alternate route for the transmission line project through Newington could have taken. The statute requires the Committee to give “due consideration of all relevant information regarding...the routes of a proposed energy facility...”.

5. The Applicant appears to have parsed this statutory language so as to contend that since it has proposed one particular route, any input on alternatives, whether the deviation be large or small, is something that the Committee cannot look at. Newington suggests that the word “proposed”, as used in RSA 162-H:16, IV, modifies the term “energy facility”. “Routes”, as used in that same sentence, is a noun that stands separate and apart from “energy facility” and it is plural. If the Legislature meant that the SEC had authority to examine only the singular route proposed by the Applicant, the singular form “route” would appear in RSA 162-H:16, IV, rather than “routes”.

6. Newington officials believe that a drive by Arboretum Drive and the National Wildlife Refuge is necessary to allow for a brief, informed discussion of alternate routes through

Newington, in the context of the statutory criteria discussed above. Further, the record of the Committee's subsequent decision making will be enhanced by having made this brief stop.

WHEREFORE, Intervenor Town of Newington respectfully requests that the Commission:

- A. Grant this Motion to Add Stop; and,
- B. Grant such other relief as it deems just and equitable.

Dated this 21st day of July, 2016.

Respectfully submitted,
TOWN OF NEWINGTON


By its attorneys:
DONAHUE, TUCKER & CIANDELLA, PLLC

By: _____


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CERTIFICATE OF SERVICE

I hereby certify that an original and one copy of the foregoing Motion has this 21st day of July, 2016 been sent via first class mail to the New Hampshire Site Evaluation Committee and via electronic mail to the SEC Distribution List.



John J. Ratigan, Esquire