

**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**

**ORDER ON PROCEDURAL WAIVER REQUEST**

**April 6, 2016**

**I. BACKGROUND AND DESCRIPTION OF THE PROJECT**

On April 7, 2015, Public Service Company of New Hampshire d/b/a Eversource Energy (Applicant) submitted a letter stating that it intended to submit an application for a Certificate of Site and Facility (Application) with the New Hampshire Site Evaluation Committee (Committee) in accordance with RSA 162-H, to construct a new 115 kilovolt (kV) transmission line, approximately 13 miles in length, that will run from the Madbury Substation in Madbury, through the Towns of Durham and Newington to the Portsmouth Substation in Portsmouth. On September 8, 2015, the Chair of the Committee issued a Notice Regarding Requests by Interested Parties for Waiver of Committee Filing Rules (Notice). The Notice stated the Committee would consider requests for waivers filed by interested parties under Site 202.15 and Site 302.04 with respect to the Committee's filing requirements for energy facility certificate applications, regarding the place of filing and the number of copies to be included with such filings. Effective December 16, 2015, Site 100-300 was readopted with amendments and the waiver provisions are now at Site 202.15 and Site 302.05. On February 2, 2016, the Committee received a procedural waiver request from the Applicant.

## **II. APPLICANT'S PROCEDURAL WAIVER REQUEST**

Site 301.01 requires an Applicant for a certificate to file one original and 15 paper copies of its application and an electronic version in PDF format with the Committee. Further, Site 301.02 provides that the format of the application shall be on standard 8 1/2 x 11 inch sheets, and that plans, maps, photosimulations, and other oversized documents shall be folded to that size. In its request, the Applicant stated that the Application in its entirety will total over 5,000 pages, many of which will be printed on oversized paper. To conserve resources and to make it more convenient for the agencies and towns that receive a copy of the Application, the Applicant requested that the Committee waive the requirement that it generate complete paper copies of the Application for each recipient, and proposed providing complete copies of the Application in a combination of paper and electronic format as set-forth below. In addition, the Applicant stated that should an individual agency involved in the Committee proceeding or a town where the proposed energy facility will be sited request a paper copy of an electronic report or attachment, the Applicant will comply with such a request.

As an alternative to the requirements in the rules, the Applicant proposed to provide: (1) a complete original paper copy of the Application, pre-filed testimony, and all related appendices and reports to the Committee; (2) 15 paper copies of the application and pre-filed testimony; and (3) 15 electronic copies, in .pdf format on a DVD, of all appendices, including permit applications with attachments, and attachments to expert reports that are exceedingly lengthy and subject-matter specific. The Applicant also proposed providing paper copies of the Application and pre-filed testimony and electronic copies of all reports to each town, along with electronic copies of the entire application. Last, the Applicant stated that it anticipates filing

numerous project maps, engineering drawings, plan and profile sheets, and a visual impact assessment that includes multiple maps and photo simulations, all of which will be printed on 11 x 17 inch paper and proposed that it provide these documents unfolded in an 11 x 17 binders.

### **III. ANALYSIS AND FINDINGS**

Site 302.05(a) provides that the Committee shall waive the provisions of the chapter, upon request be an interested party if the Committee finds both that the waiver will serve the public interest, and that the waiver will not disrupt the orderly and efficient resolution of matters before the Committee. In determining the public interest, Site 302.05(b) provides that the Committee shall waive a rule if compliance with the rule would be onerous or inapplicable given the circumstances of the affected person; or the purpose of the rule would be satisfied by an alternative method proposed. Requiring the Applicant to provide paper copies to the Committee and to the affected towns would be an unnecessary waste of resources and the public interest will be served by providing the information via electronic means and avoid the printing of thousands of pages. The alternative method proposed by the Applicants will satisfy the purpose of the rules by providing: (1) the Committee and the towns electronic copies of the entire Application; (2) providing paper copies upon request by the Committee; and (3) providing Project maps, engineering drawings, plan and profile sheets, and a visual impact assessment that includes maps and photo simulations in 11 x 17 inch format, and by placing them in 11 x 17 inch binders.

### **IV. ORDER**

**It is hereby ordered**, that the Applicant shall provide to the Committee: (1) a complete original copy of the Application, the pre-filed testimony, all related appendices and reports in 8 ½ x 11 inch binders, and the Project Maps, visual impact assessment report and related photo simulations shall be provided unfolded in an 11 x 17 binder; (2) 6 paper copies of the

Application and pre-filed testimony; and (3) ten electronic copies of the Application and all associated attachments in .pdf format on a DVD or other electronic media.

**It is hereby further ordered,** that one paper copy of the Application and pre-filed testimony and one electronic copy, in .pdf format on a DVD or other electronic media, of the application and all associated attachments and reports be delivered via first-class mail to Patricia Weathersby, Public Member, and Rachel Whitaker, Alternate Public Member. The Administrator will provide the Applicant with the appropriate addresses for delivery of this information.

**It is hereby further ordered,** that one paper copy of the Application and pre-filed testimony, one paper copy of any reports or attachments related to historic, cultural or archaeological resources, and one electronic copy, in .pdf format on a DVD or other electronic media, of the application and all associated attachments and reports be delivered via hand-delivery or first-class mail to the Department of Cultural Resources, Division of Historical Resources, 19 Pillsbury Street, Concord, NH, 03301, Attn: Elizabeth Muzzey.

**It is hereby further ordered,** that one paper copy of the Application, pre-filed testimony, and a one paper copy of the NH Department of Environmental Services (DES) Alteration of Terrain Permit Application and the attachments thereto be delivered via hand-delivery or first-class mail to the DES offices, 29 Hazen Drive, Concord NH 03302-0095, Attn: Ridgely Mauck, Administrator.

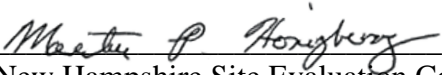
**It is hereby further ordered,** that one paper copy of the Application, pre-filed testimony, and on paper copy of the DES Wetlands Permit Application, the attachments thereto and the attachments to the US Army Corps of Engineers Application be delivered via

hand-delivery or first-class mail to the DES offices, 29 Hazen Drive, Concord NH 03302-0095,  
Attn: Collis Adams, Administrator.

**It is hereby further ordered,** that the Applicant coordinate with each of the towns where the proposed transmission line will be sited and provide either a paper or electronic copy of the application, depending on the preference of each town.

**It is further ordered,** that the Applicant provide additional electronic and/or paper copies of any of the documents provided in the Application upon request of the Committee.

**By Order of the Site Evaluation Committee, this sixth day of April, 2016.**

  
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New Hampshire Site Evaluation Committee  
Martin P. Honigberg, Chair