

**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 Certificate of Site and Facility**

April 24, 2018

**ORDER ON PARTIALLY ASSENTED-TO MOTION  
TO CONSULT WITH ISO-NEW ENGLAND**

**I. BACKGROUND**

On April 12, 2016, Public Service Company of New Hampshire d/b/a Eversource Energy applied to the Site Evaluation Committee (Committee) to construct a new 115kV electric transmission line approximately 12.9 miles in length between existing substations in Madbury and Portsmouth (Project.)

On November 22, 2017, the Town of Newington (Newington) filed a Partially Assented-To Motion to Consult with ISO-New England (ISO-NE). The Applicant objected.

On March 14, 2018, the Subcommittee held a hearing on the Motion.

**II. POSITIONS OF THE PARTIES**

Newington asserts that the Project was selected by ISO-NE as the preferred solution to address transmission system issues in the Seacoast Region. Newington argues that it was deprived of the opportunity to participate in the selection process because it was not directly notified about the ISO-NE Process or its Planning Advisory Committee (PAC) meetings. Newington requests that the Subcommittee request that ISO-NE change its process and rules to require actual, written notice to the host and affected communities of their rights to participate in the PAC process.

It argues that ISO-NE considered another alternative to the Project – the Gosling Road Solution. That project was denied because of cost. Newington requests that the Subcommittee consult with ISO-NE to determine whether it continues to find that the Project presents the preferred solution to the Seacoast Region transmission issues. It also requests that the Subcommittee require ISO-NE to examine current information about costs associated with construction of the Project and the Gosling Road Solution to determine whether the Project remains the less costly alternative. Newington asserts that the Subcommittee has authority to consult with ISO-NE under RSA 162-H:16, III, that authorizes the Subcommittee to “consult with interested regional agencies and agencies of border states in the consideration of certificates.”

The Applicant argues that the Subcommittee does not have authority to grant the relief requested by Newington, and asserts that RSA 162-H:16, III does not authorize the Subcommittee to consult with ISO-NE because ISO-NE is not “interested” or “an agency,” but a not-for-profit corporation. The Applicant also asserts that the Subcommittee should not investigate the Gosling Road Solution because: (i) it is not subject to review in this docket; and (ii) it is not an interchangeable substitute because it is a subpart of an entirely different proposed solution. The Applicant argues that Newington’s request to reconsider finding of a preferred solution should have been made to ISO-NE, as opposed to this Subcommittee.

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

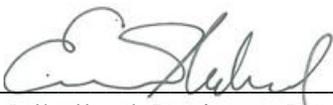
RSA 162-H:16, III, provides that the Subcommittee “may consult with interested regional agencies and agencies of border states in the consideration of certificates.” *See* RSA 162-H:16, III. The Subcommittee “shall conduct such reasonable studies and investigations as [it] deems necessary or appropriate to carry out the purposes of [RSA 162-H].” *See* 162-H:10, V.

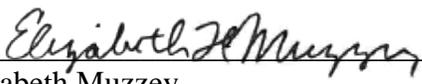
After a hearing and deliberations, the Subcommittee declined to consult with ISO-NE. The Applicant continues to update its filings with ISO-NE, including filings related to the estimated costs of the Project. ISO-NE could, in theory, change its determination that the Project is the best alternative and the preferred solution as it relates to reliability impacts and its cost effectiveness. To date, ISO-NE has not done so and has not indicated that any information submitted by the Applicant renders this Project as less preferable. Newington's request to consult with ISO-NE is denied.

For the same reasons, the Subcommittee declined to request that ISO-NE provide a letter to the Subcommittee confirming that ISO-NE's position regarding the Project remains unchanged.

The Subcommittee also decided that it does not have the authority, nor is it the Subcommittee's role, to request that ISO-NE modify its rules and proceedings. Newington's request that the Subcommittee ask ISO-NE to modify its rules and procedures is denied.

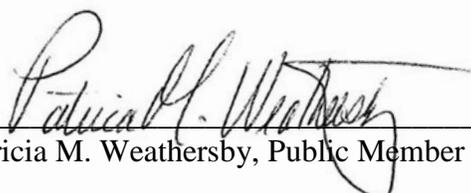
SO ORDERED this twenty-fourth day of April, 2018.

  
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Evan Mulholland, Designee, Presiding Officer  
Administrator  
Department of Environmental Services

  
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Elizabeth Muzzey  
Director  
Division of Historical Resources  
Department of Natural and Cultural Resources

  
\_\_\_\_\_  
David Shulock, Designee  
Director of Legal Division  
Public Utilities Commission

  
\_\_\_\_\_  
Charles Schmidt, Designee  
Administrator  
Bureau of Right of Way  
Department of Transportation

  
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Patricia M. Weathersby, Public Member