

State of New Hampshire
Site Evaluation Committee

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Robert R. Scott
Vice-Chair

October 4, 2019

VIA E-MAIL AND FIRST-CLASS MAIL

Adam Dumville
McLane Middleton
11 South Main Street, Suite 500
Concord, NH 03301

**Re: SEC Docket No. 2015-04-Eversource Energy
Response to Request for Clarification of Work Hours or in the Alternative Request
for Minor Modification**

Dear Attorney Dumville:

On January 31, 2019, the Site Evaluation Committee (Committee) issued an Order and Certificate of Site and Facility with Conditions (Certificate) to Eversource for construction of the Seacoast Reliability Project (Project). Contemporaneous with the Certificate, the Committee issued a Decision and Order Granting Application for Certificate of Site and Facility (Decision). Page 12 of the Certificate contains a condition that specifies the hours when construction can occur adjacent to the property of Jeffrey and Vivian Miller (297 Durham Point Road, Durham). The Certificate, in part, provides:

“Further Ordered that construction adjacent to the property of Jeffrey and Vivian Miller (297 Durham Point Road, Durham) will be conducted only from 7:00 a.m. to 6:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturday. If weekend work is required, the Millers will be provided with advance notice.”

The Certificate and Decision do not provide for any exceptions of the specified condition. The record also demonstrates that the Subcommittee considered language that would have allowed certain exceptions to the specified hours, but did not adopt that language.

By letter dated October 1, 2019, you sought “clarification” of the condition in the Certificate that would allow Eversource to perform construction activities related to the Little Bay crossing outside of the approved hours of construction. The Certificate is clear and does not allow for such exception. Therefore, I do not have any basis to grant the clarification you seek.

In the alternative, you requested approval of a “minor modification” to the Certificate that would allow construction adjacent to the Miller property outside the specified hours. Based

upon my review of the information provided, as well as the Certificate and the Decision, I do not have the authority, under these circumstances, to approve a minor modification of the Certificate.

Should Eversource continue to seek a change in the constructions hours, you must file a request to modify the Certificate. If you file such a request, please include the filing fee specified in RSA 162-H:8-a, II, and indicate whether you request a three-person subcommittee for the proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Monroe', written in a cursive style.

Pamela Monroe
Administrator

Ec: Service List Docket No. 2015-04