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NOTED AS PRESENT:

COUNSEL FOR THE APPLICANT:

Barry Needleman, Esq. (McLane Middleton)
Christopher J. Allwarden, Esq. (Eversource Energy)

COUNSEL FOR THE PUBLIC:

Christopher G. Aslin, Esq.
Asst. Attorney General
N.H. Department of Justice

*Also noted as present from the
Applicant (as well as others who
are not listed below) who provided
the presentation* and provided
answers to questions:*

Jim Jiottis*

David Plante

James Chalmers

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I N D E X

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P R O C E E D I N G

1
2 PRESIDING OFCR. SCOTT: Thank you.
3 Good evening. It's, what, 6:06 right now. So,
4 we'll start.

5 First of all, welcome to the public
6 hearing of the New Hampshire Site Evaluation
7 Committee. We have one docket for
8 consideration tonight for the agenda. It's a
9 public hearing. So, it's our chance to hear
10 from you on the Application of Public Service
11 Company of New Hampshire, doing business as
12 Eversource Energy, for a Certificate of Site
13 and Facility. That's SEC Docket Number
14 2015-04.

15 Before we turn to our agenda, I'll
16 ask the Subcommittee members to introduce
17 themselves. If we could start on my right,
18 please.

19 MS. WHITAKER: Good evening. I'm
20 Rachel Whitaker, public member.

21 MR. SHULOCK: David Shulock, Public
22 Utilities Commission.

23 MR. SCHMIDT: Chuck Schmidt, New
24 Hampshire DOT.

1 MR. MULHOLLAND: I'm Evan Mulholland,
2 New Hampshire Department of Environmental
3 Services.

4 MS. WEATHERSBY: Good evening.
5 Patricia Weathersby, public member.

6 DIR. MUZZEY: Elizabeth Muzzey,
7 Department of Cultural Resources.

8 PRESIDING OFCR. SCOTT: And I should
9 introduce myself. My name is Bob Scott. I'm a
10 Public Utilities Commissioner in New Hampshire.
11 I'm also the Presiding Officer for this
12 Subcommittee.

13 I'd like to also point out our
14 Counsel for the Subcommittee, Mr. Iacopino.

15 Also, while I'm doing introductions,
16 I would like to point out Mr. Aslin, if you
17 want to stand up and introduce yourself, the
18 Counsel for the Public please.

19 MR. ASLIN: Come to the mike? Good
20 evening. My name is Chris Aslin. I'm an
21 Assistant Attorney General. And I've been
22 assigned by the Attorney General as Counsel for
23 the Public for this proceeding. It's a
24 statutory role under 162-H:9.

1 Basically, Counsel for the Public
2 represents the public interests broadly. And
3 the statutory obligation is to consider the
4 project on two -- two sort of competing fronts.
5 One is, it's impact on the environment, and the
6 other is its impact on access to energy in New
7 Hampshire.

8 My role is to represent the public at
9 large, not individual members of the public.
10 So, if you have interest in this docket, I'd be
11 happy to hear about them, but I can't act as
12 your personal counsel. I will be acting
13 generally for the public at large.

14 So, happy to talk to anyone after the
15 meeting. Thank you.

16 PRESIDING OFCR. SCOTT: Thank you.
17 The other person I'd like to introduce is
18 Ms. Pamela Monroe. She's the Administrator for
19 the Site Evaluation Committee. She's doing
20 multiple things for you all and us. She has
21 yellow sign-up sheets, for anybody who hasn't
22 seen that coming in the door, if you wish to
23 make a public comment. I'll talk about that in
24 a moment.

1 We have green forms for those who
2 would like to ask -- have me ask questions for
3 you, frankly, after the presentation from the
4 Applicant. So, if you're interested in that,
5 please do so.

6 And, then, these, I think this is
7 blue, right? I'm colorblind, I apologize. We
8 have also these blue comment cards. If you
9 don't wish to actually speak, but you would
10 like to lodge your comment in the docket, in
11 record, if you fill these out legibly, these
12 will be basically typed into the --

13 MS. MONROE: Scanned.

14 PRESIDING OFCR. SCOTT: -- excuse me,
15 scanned into the record for the docket. So,
16 you would have yet another way to have a voice,
17 if you feel you'd rather not actually come to
18 microphone and speak.

19 So, again, Pam Monroe, if you have
20 questions on how the Site Evaluation Committee
21 operates.

22 Also, I'd like to point out, if you
23 go to our website for the Site Evaluation
24 Committee, for this docket and any docket that

1 we're actively working on, all -- everything
2 that goes into the record is posted on the
3 website. So, you should have full access to
4 those things that are public on the website.
5 So, I would like to draw your attention to that
6 also.

7 So, we'll now open, again, the public
8 hearing on Docket Number 2015-04. By way of
9 background, on April 12th, 2016, the Public
10 Service Company of New Hampshire, again doing
11 business as Eversource Energy, filed an
12 Application for a Certificate of Site and
13 Facility, we're calling it the "Application",
14 with the Site Evaluation Committee.

15 In this Application, they seek
16 issuance of a Certificate of Site and Facility,
17 approving the siting, construction, and
18 operation of a new 115 kV electric transmission
19 line between existing substations in Madbury
20 and Portsmouth. We're calling that the
21 "Project". The new transmission line will be
22 approximately 12.9 miles in length. The
23 Project is comprised of a combination of above
24 ground, underground, and underwater segments.

1 The Project will be located in the Towns of
2 Madbury and Durham, in Strafford County, and
3 the Town of Newington and the City of
4 Portsmouth, in the Rockingham County.

5 On April 29th, 2016, pursuant to RSA
6 162-H:4-a, the Chairman of the Site Evaluation
7 Committee appointed a Subcommittee in this
8 docket, which you see before us -- before you,
9 also known as the "Subcommittee".

10 On June 1st, 2016, the Subcommittee
11 reviewed the Application. The Subcommittee
12 determined that the Application contained
13 sufficient information to satisfy the
14 Application requirements for each state agency
15 having jurisdiction under state and federal law
16 to regulate any aspect of construction or
17 operation of the proposed facility, under RSA
18 162-H:7, IV.

19 The Subcommittee also made an
20 independent determination that the Application
21 contained sufficient information to carry out
22 the purposes of RSA 162-H.

23 On June 23rd, the Presiding Officer
24 issued an Order and Notice of Public

1 Information Sessions, scheduling public
2 information sessions in Durham and Newington.
3 Pursuant to this Order, the public information
4 sessions were conducted on July 14th and the
5 21st of July, respectively.

6 The Subcommittee received nine
7 motions to intervene in this docket. On
8 August 5th, 2016, the Subcommittee issued an
9 Order and a Notice Scheduling Joint Public
10 Hearings in Newington and Durham for
11 August 31st and, tomorrow, September 1st,
12 respectively.

13 We're here today for a public hearing
14 in this docket under RSA 162-H:10. The
15 Subcommittee is required to hold at least one
16 public hearing in each county in which the
17 proposed Project is to be located. This
18 hearing which we're having tonight must be held
19 within 90 days after acceptance of an
20 Application of Certificate.

21 Notice of this public hearing was
22 served upon the public by publication in the
23 New Hampshire Union Leader on August 11th,
24 2016.

1 In this docket, we'll proceed as
2 follows. First, we will hear a presentation
3 from the Applicant. Following that
4 presentation, the Subcommittee members, at this
5 table, any agency representatives who are here,
6 and I don't see any, and the Committee Staff
7 will have the opportunity to pose questions for
8 the Applicant. Thereafter, the public will be
9 permitted to pose questions to the Applicant.

10 And, again, if you wish to have a
11 question -- which one is it? Again, this green
12 form here, if you'd like to have a question
13 asked of the Applicant, please do so. And you
14 can give it to Pam, if we've already started
15 and you decide to do that, please give it to
16 Pam.

17 If you have a -- okay, I already --
18 excuse me. We'll try to organize the questions
19 by subject matter, and as the way to have the
20 Applicant basically look -- depending on the
21 questions we get, we'll try to organize those
22 to help you answer those.

23 Once we have asked all the questions
24 that the public may have, we'll then take

1 public statements. And, again, that would be
2 the yellow form, if you'd like to ask a public
3 statement. Within that, I'll bring you -- ask
4 you to come to the microphone to make your
5 statement.

6 If you wish to make one, I'll just
7 ask that you be as succinct as possible, and
8 try not to be repetitive. If somebody before
9 you said basically you want to say, feel free
10 to -- it will all be transcribed. We have a
11 transcriptionist here, Mr. Patnaude. And, for
12 his sake, I'll ask a couple things, and maybe I
13 don't always do this either, Steve, is to speak
14 slowly and clearly, so we can make sure he
15 accurately gets it in the public record.

16 And what else do we have here? And,
17 with that, we'll now hear a presentation by the
18 Applicant.

19 Again, while this is going on, feel
20 free to fill out the forms at the back table.

21 So, with that, you're free to go
22 ahead.

23 MR. JIOTTIS: Good evening. My name
24 is Jim Jiottis. I'm with Eversource, here to

1 do the presentation.

2 FROM THE FLOOR: Can you speak up,
3 please?

4 MR. JIOTTIS: Good evening. My name
5 is Jim Jiottis. I'm with Eversource. I'll be
6 doing the presentation on the Project this
7 evening.

8 Just a little background, I know
9 we've had several meetings here before, but
10 just to reiterate the background of the
11 Project, why it's needed. It's really needed
12 to address the load in the Seacoast area. The
13 Seacoast area continues to grow, it continues
14 to grow at a much faster pace than the rest of
15 the state, upwards of twice as fast as any
16 other region in the state.

17 I think, currently, it doesn't take
18 much to look around and see all the building
19 and see all the development that's going on in
20 the area. With that increased load growth,
21 with that expansion, comes the need for
22 infrastructure to support that. In this case,
23 the transmission line is being proposed to
24 support that structure.

1 The line is -- excuse me -- the need
2 for the line is determined through studies done
3 by ISO-New England. They're the regional
4 transmission operator. They're responsible for
5 doing studies and looking at projects in the
6 future. They have gone through, they have done
7 their studies, they have done their load
8 projections, and they have looked at it and
9 they have determined that the Seacoast area
10 needs reinforcement in order to continue to
11 supply reliable power.

12 Now, ISO identified the problem, and
13 Eversource has presented the transmission line
14 as a solution to that problem. That's what
15 we're here to talk about this evening, the
16 Seacoast Reliability Project. As mentioned
17 before, it's about a 13-mile line, 12.9 miles,
18 connecting our Madbury Substation, in Madbury,
19 to our Portsmouth Substation, in Portsmouth.

20 It's primarily run in existing
21 rights-of-way, both utility corridors and rail
22 corridors. The line consists of segments of
23 overhead and underground and underwater. It
24 goes to the Town -- starts in the Town of

1 Madbury, goes to the Town of Durham, Newington,
2 eventually ending in Portsmouth.

3 A little background on how we got
4 here. It's been a little while. We started in
5 2015 with our initial public information
6 sessions. Application was submitted in 2016.
7 We received our determination of completeness.
8 We had the 45-day session back in July, now
9 we're in the 90-day sessions.

10 And one other thing I wanted to touch
11 on a little bit here, and this came up somewhat
12 on the tour, talked about a Fall of 2016
13 anticipated amendment.

14 The Project we're going to talk about
15 tonight is what is in the Application. It's an
16 overhead -- primarily an overhead Project
17 through Newington. There's a pending amendment
18 that we're working on securing land rights for,
19 that, once we get those, we'd be filing the
20 amendment that provides an underground design
21 through most of Newington. But, tonight, the
22 Application that's filed is the overhead
23 Project, and that's what we'll be discussing.

24 We started back in 2013. That's also

1 when ISO gave us the okay for this Project. We
2 received our PPA, our Proposed Plant
3 Application. We started with municipal
4 outreach, reaching out to folks. 2014, we
5 continued that. We also started looking at
6 route analysis, which route we should travel.
7 We knew where we needed to get to, we needed to
8 tie Madbury and Portsmouth. But we wanted to
9 make sure we analyzed all the possible options
10 to get there.

11 In 2015, we started a lot of the
12 public -- more of the public outreach. That's
13 really when we started rolling the Project out
14 and getting a lot of feedback from the
15 stakeholders about the Project design. And we
16 were able to take a lot of that feedback and
17 adjust our design accordingly. We couldn't do
18 everything that everybody wanted, but we were
19 able to make a lot of modifications to the
20 Project. 2016 we submitted the Application to
21 the SEC. And, essentially, that's where we are
22 today.

23 With this Project, I think we've done
24 a tremendous amount of outreach on it. Just

1 without reading the slide, over 120 different
2 meetings with folks, briefings, individual
3 stakeholders, groups, committees, towns'
4 officials, really just trying to get out there.
5 A lot of residential meetings, that's with
6 abutters and non-abutters, people who are
7 close, people who felt they were going to be
8 affected by the line, meeting with them,
9 getting their concerns. They were providing us
10 feedback on the Project.

11 Another bus tour for just the Town of
12 Dorham -- Town of Durham. And, also, just
13 working with some of the other groups, you see
14 there are letters of collaboration, letters of
15 support.

16 Just kind of run through some of the
17 design changes we made upon receiving the
18 feedback. I'll start from Madbury and work
19 towards Portsmouth. In Madbury, the line runs
20 along the existing rail corridor. What we were
21 able to do there was make that -- our
22 right-of-way wider, which allowed us to lower
23 structure heights and limit the number of
24 structures. This had a significant effect

1 where Madbury Road crosses. We were able to
2 really lower the structure there by over
3 20 feet.

4 In Durham, again, the line starts by
5 running along the rail tracks. There we were
6 able to work with some property owners, secure
7 additional right-of-way width, and also to work
8 directly with UNH to secure additional property
9 width. And, again, the same result; we were
10 able to lower structures and reduce the number
11 of structures.

12 We actually worked with the Town of
13 Durham, UNH, and other stakeholders in the area
14 to offer up part of our Project as an
15 underground design. So, the Project is planned
16 to go underground, across Main Street, through
17 most of the University of New Hampshire campus.

18 Leaving there, we went through a
19 number of residential areas in Durham. And
20 there, we had initially proposed a design that,
21 working with the town, the town thought was
22 what everybody wanted. We took that design, we
23 started reaching out to stakeholders, people
24 who live along the line, got feedback that they

1 didn't want that, they wanted something else.

2 So, for us, we were able to go with
3 either option. So, we selected the option that
4 most of the folks along the route asked us to
5 go with. It was a monopole design versus a
6 side-by-side design.

7 At Little Bay, where we go into
8 the -- where we transition from an overhead
9 design to an underwater design, initially,
10 Eversource owns property right on the shores of
11 Little Bay. That would have put the initial
12 structure right at the shores. Again, working
13 with the landowner there, we were able to
14 secure property rights and move that structure
15 off the bay. And that was particularly one of
16 the hot points the Town of Durham asked us to
17 really look at and focus on. And, also, from
18 an infrastructure perspective, it helps protect
19 our infrastructure, getting it further off the
20 bay.

21 So, along the route, we were able to
22 make a lot of, you know, minor moments. We
23 were able to move a structure up and down the
24 line. Really, if we can work with the

1 landowner to say "get it out of their
2 viewshed", obviously, we're not going to hide
3 the entire structure, but, if we can move it so
4 it's not directly outside of a window, we can
5 move it. We have some latitude with that and
6 we really exercised that.

7 One other thing we've done with this
8 Project is some upgrades to the local
9 distribution system. In order to construct the
10 Project, it's in an exist -- getting built in
11 an existing right-of-way with an existing 34
12 and a half kV line. That we needed to keep in
13 service to serve the load in Durham. We were
14 going to look at doing a lot of temporary work
15 and push that off to the side and build the
16 line around it. Instead, we selected to
17 upgrade some distribution along the road, which
18 becomes a permanent upgrade, a permanent
19 betterment to the distribution system, allows
20 us to do our work, and leaves the Durham Point
21 Road area in better shape than when we started.

22 Part of the Project goes under Little
23 Bay. And we're well aware of all the -- I
24 guess, I'd say the passion around Little Bay.

1 There's a lot of concern for it. It's, you
2 know, it's one of the jewels of the Seacoast,
3 and we didn't take that lightly. We spent a
4 lot of time working with a lot of different
5 groups listed on there, just to get input on
6 the Project, to see how they would view our
7 Project, to see how they would view our
8 methods, solicit feedback on what we can
9 change, what methods we could add. So, we
10 spent a number of time with those folks, and we
11 continue to.

12 In Newington, a number of changes
13 here. The right-of-way, as soon as we come out
14 of Little Bay, the initial right-of-way, if you
15 were to go down there, runs, well, straight up
16 the shore line, in a really rocky area.

17 Again, working with the landowner
18 there at the bay shore, we were able to secure
19 some additional right-of-way width, swing the
20 line around, which results in less ledge, less
21 impacts, less impact on the abutter also, on
22 the landowner.

23 As in Durham, most of the
24 right-of-way contains an existing distribution

1 line. In the case of Newington, we're able to
2 actually remove the line from the right of way
3 and feed the area off the street our local
4 distribution system.

5 Moving that out of the right-of-way,
6 allowed us to go with lower structures, fewer
7 structures, reducing the number of items in the
8 right-of-way.

9 Through the historic district, we're
10 able to reduce structure heights, go with a low
11 design, an H-frame design. Where we cross the
12 road into the malls, we're able to locate our
13 structure, so we don't use up parking lot
14 space. We're able to put them in islands off
15 to the side, again, taking their businesses
16 into consideration.

17 Now, I mentioned earlier about a
18 potential amendment for underground work. When
19 that goes forward, we're looking at
20 undergrounding, additional underground or
21 design changes through Gundalow Landing,
22 currently our Application is filed to come up
23 the road.

24 Again, we've worked with some of the

1 landowners along there, so that will be moved
2 off of the road. It's less disturbance to
3 people, less rebuild for us on the road. When
4 we get to the Flynn Pit, the Application has
5 the riser being right on the edge of the town.
6 Working with the town, we've been able to
7 negotiate some property rights, so we can move
8 that riser structure off to the side and
9 further off the road, getting it out of the
10 viewshed as much as possible.

11 Finally, through the historic
12 district, which is primarily the Frink Farm,
13 we've been able to work with the Frink family,
14 the conservation easements on it. We're almost
15 there with getting the rights done, we're still
16 working on it. But that section will be
17 underground. Essentially, for underground,
18 from the edge of the Frink Farm, starting on
19 their property, through the farm, underneath
20 Nimble Hill Road, adjacent to the Hannah Lane
21 development, rising towards the end of the
22 cul-de-sac there.

23 Again, as I mentioned, we're still
24 getting all the approvals for that. There's a

1 number of hurdles to go through with that.
2 It's more than just the individual property
3 owners. In some of these cases, we have
4 conservation easements we're working with the
5 folks to get that solved.

6 We talked about benefits. Obviously,
7 the most important one is the improved
8 reliability. As the slide mentioned earlier,
9 we have issues today. If we were to get the
10 right set of contingents, the right set of
11 equipment out of service, we could end up
12 interrupting load in the area.

13 Part of this work, as I mentioned
14 also, will improve the local distribution
15 system. What would have been temporary work,
16 we've made permanent, to make improvements to
17 the distribution system.

18 Obviously, the jobs, folks have got
19 to build this, there's also the folks who
20 support it, whether it's restaurants, whether
21 it's delivery people, those folks are going to
22 see some benefits. And, then, and an obvious
23 one, is the tax -- the investment in tax base.
24 Our facilities are taxed. There's fairly

1 significant investment being made in each town,
2 it's broken down there. That is taxed, that is
3 added as revenue on the property tax side.

4 So, that wraps it up. Hope I didn't
5 go too fast. And turn it back over to the
6 Committee, if you have any.

7 PRESIDING OFCR. SCOTT: Thank you.
8 So, first, we'll start with any questions from
9 the Committee. And, again, as Administrator
10 Monroe's signaling, if you would like a
11 question to ask, please fill out a green form.

12 I'll take the Presiding Officer's
13 prerogative and ask the first question. So,
14 you mentioned a couple times the pending
15 amendment with the Frink Farm. Do you have a
16 timeframe you expect that?

17 MR. JIOTTIS: Yes. We're looking to
18 get it -- we're looking to get it done by early
19 fall. But it's very dependent on the approval
20 of others.

21 PRESIDING OFCR. SCOTT: Thank you.
22 Would any other Subcommittee members
23 like to ask a question of the Applicant?

24 *[No verbal response.]*

1 PRESIDING OFCR. SCOTT: Okay.

2 Ms. Monroe, where are you?

3 ADMINISTRATOR MONROE: I'm right
4 here.

5 PRESIDING OFCR. SCOTT: Okay. All
6 right. So, the first question we have is the
7 question I just asked. So, we'll move on.
8 I'll consider that asked and answered.

9 The next question, looks like two
10 parts, and excuse me while I digest it.

11 Okay. The first question is "When
12 were the rights-of-way being used for this
13 project established? Have they been all in use
14 since being granted? And, can you describe the
15 differences between the existing and proposed
16 uses in Rockingham County?"

17 Would you like me to read that again
18 for you?

19 MR. JIOTTIS: Sure.

20 PRESIDING OFCR. SCOTT: Okay. "When
21 were the rights-of-way being used for this
22 project established? Have they been in use
23 since being granted? And would you please
24 describe the differences between existing and

1 proposed uses in Rockingham County."

2 MR. JIOTTIS: Okay. Thank you.

3 First off, the right-of-way, when they were
4 established, there's a number of different
5 timeframes that go with that. The earliest
6 rights-of-way would have been roughly 100 years
7 ago. The first cable under Little Bay was put
8 in in 1912. So, that used part of the
9 right-of-way.

10 More recently, the lines that you see
11 in there today were done in the '40s. And,
12 then, in Newington, it was even more recent
13 than that. When the Air Force created Pease
14 Base, they moved a lot of existing
15 right-of-way. Our right-of-way used to go
16 across the base. They required us to
17 relinquish our rights to that and created a new
18 right-of-way where you see it today.

19 As far as use, again, several answers
20 on that. Most of the right-of-way has been in
21 use since it was put in. However, there are
22 some sections that have been out of use for a
23 while. The cable that crosses Little Bay has
24 been out of service. A short section of the

1 overhead lines has been out of service on
2 either ends of the -- on either end of the
3 underwater cable.

4 As far as a different use, obviously,
5 it's going to be a different voltage that's in
6 there. The line that's in there today at 34
7 and a half kV. At the time they were put in,
8 that was used as a transmission voltage. That
9 moved significant amounts of power. Again,
10 that was 50 plus years ago.

11 Now, that's considered a distribution
12 circuit and supplies distribution local load.
13 The difference with this line is that it will
14 be -- it's set up to move power from Madbury to
15 Portsmouth, really there's no stops in between.
16 So, it's moving power from one local region to
17 another local region.

18 PRESIDING OFCR. SCOTT: Thank you.
19 And this second question by the same person
20 was -- goes back to the amendments that we just
21 discussed. Really, the tone of it is asking is
22 "Will there be opportunity for more public
23 comment? How will the public be aware of the
24 amendment? How will they be notified?"

1 MR. JIOTTIS: I can answer some of
2 that. And I guess maybe some of that might go
3 back to you guys. We're not planning to have
4 any more public hearings or public comment on
5 it. The Committee could ask for that, it's my
6 understanding, if it felt the need for it.

7 The amendment will be filed, and,
8 like all the other information, will be posted,
9 I assume it will be posted on the website.

10 I guess some of the other
11 technicalities, I would leave it to how you
12 folks would handle that.

13 PRESIDING OFCR. SCOTT: And I'll ask
14 Mr. Iacopino. So, any intervenor would be
15 notified as part of their status, correct?

16 MR. IACOPINO: Yes. In every case
17 before the Site Evaluation Committee, we have a
18 distribution list. So that all intervenors
19 will get a copy of whatever amendment the
20 Applicant files. In addition, the amendment
21 will be posted on our website www. --

22 ADMINISTRATOR MONROE: NH--

23 MR. IACOPINO: -- nhsec.nh.gov. And,
24 so, it will be available there as well. So, it

1 will be available to the public through those
2 means.

3 Also, we take written comments up
4 until the very last day of our hearings. We
5 have one year to make a decision, and, in this
6 particular case, one year from the date that
7 the Application was accepted. And we take
8 written comments all the way up until that
9 decision is made and voted on.

10 And, in addition, there will be
11 another public hearing tomorrow night, where
12 more public comments can be made.

13 PRESIDING OFCR. SCOTT: And the next
14 question -- am I on now?

15 MR. IACOPINO: Yes.

16 PRESIDING OFCR. SCOTT: The next
17 question is asking "Whether alternative routes
18 or alternative solutions, such as step-down
19 transformer solutions, will be looked at as
20 part of this docket?"

21 MR. JIOTTIS: Okay. A couple things.
22 Those were looked at early on. Before we filed
23 our Application, before we finalized this
24 Project, the alternatives were looked at. I

1 guess I would refer back to the Application
2 itself, and, actually, my testimony in the
3 Application, we talked about some of the
4 alternatives.

5 Early on, if you go to the very
6 beginning, when ISO is looking -- ISO-New
7 England is looking at a problem, they did look
8 at an autotransformer solution at Newington
9 Station. They evaluated that against the line.
10 It ended up being more costly.

11 It also was not just a transformer
12 solution, like the Seacoast family of projects,
13 it was a suite of projects. It involved
14 rebuilding a lot of our existing lines, and it
15 involved building a new line, too.

16 As far as alternate routes, again, I
17 guess I would defer back to my testimony to
18 some of the details on it. But we did look at
19 three routes. As I mentioned earlier, we spent
20 most of 2014 doing that. We had a criteria for
21 looking at routes. We really tried to use
22 existing rights-of-ways, try to maximize our
23 existing corridors, rather than create new
24 ones.

1 So, that left us with three routes to
2 get from Madbury to Portsmouth. Essentially, a
3 northern route that went up through Dover, into
4 Maine, back around, down through Eliot, and
5 back into Portsmouth. We had a route that went
6 a little far further to the west, through
7 Durham, instead of making the turn to go to
8 Little Bay, it went around the southern side of
9 Little Bay, up through Greenland and back to
10 Portsmouth that way.

11 When we looked at both of those, they
12 were discounted for a number of reasons. They
13 really weren't available.

14 The route to the north, we would have
15 to relocate three transmission lines. So, for
16 every mile of line we would have built, we
17 would have had -- every mile of new line we
18 would have ended up really building three miles
19 of transmission line. So, it got extremely
20 expensive. Plus, getting across the Piscataqua
21 River, we would have had to have done it twice.
22 There really isn't a good way to do that right
23 now, especially if we don't have some property
24 rights on the other side that would allow us to

1 expand.

2 As far as the other, the southern
3 route, it just didn't work. It didn't work on
4 its own. If we tried to put a transmission
5 line in there, we would have to make other
6 improvements around the system to make that
7 line work. And it really doesn't solve a
8 problem when you have to start piling things on
9 to fix it.

10 PRESIDING OFCR. SCOTT: Thank you.
11 And, again, I have one more question. So, if
12 anybody has, while we're answering this last
13 question, give you one more chance if you want
14 to fill out a green form.

15 And this may be a little bit out of
16 our purview, but I'll ask it anyway, since
17 we've been asked to.

18 The question is is "why is Newington
19 Station being closed if additional power is
20 needed?" So, there's a couple factoids in
21 there you may want to talk about.

22 MR. JIOTTIS: That is beyond my
23 purview. But maybe I can just quantify a
24 little bit. This line isn't about bringing new

1 power. It's really using the power we have
2 today and getting it where it needs to be to
3 solve a given problem.

4 Very simply to think about, there's a
5 certain number of lines between Madbury and
6 Portsmouth. If you start taking those lines
7 out, we still have to supply the load in the
8 area. In Portsmouth, everybody knows there's a
9 couple generators in Portsmouth. If those are
10 not available, if they're off line, you still
11 need to keep the lights on, you still need to
12 have power flowing. So, what this line does is
13 it brings us another redundant route into the
14 area to bring power.

15 As far as the Newington question...

16 PRESIDING OFCR. SCOTT: And I was
17 incorrect, and, thankfully, Ms. Monroe
18 corrected me. So, we do have one more
19 question. So, that was not the last question.

20 So, the last question is "What if any
21 consideration will be given local property
22 owners whose property values may be adversely
23 affected by this Project?"

24 MR. JIOTTIS: Okay. I'm going to

1 have to ask -- we have, as part of our
2 Application, we did look at a number of real
3 estate values, real estate impacts, and the
4 gentleman who performed that for us, the study,
5 is here, and would like to have him answer it,
6 Mr. Jim Chalmers.

7 PRESIDING OFCR. SCOTT: Please.

8 MR. CHALMERS: Thank you. My name is
9 Jim Chalmers. We were asked, and I asked I
10 guess three years ago, to start looking at the
11 effect of transmission lines generally on
12 property values in New Hampshire. And, in the
13 context of these projects, in particular,
14 whether there would be any adverse impact on
15 local or regional real estate markets, and
16 whether that could even rise to a level of an
17 effect on regional development.

18 The answer to that, based on the
19 literature, which is considerable, and based on
20 the research that we've done in New Hampshire
21 over the last couple of years, is that I don't
22 think there will be any discernable effects on
23 local or regional real estate markets, and
24 certainly nothing that would rise to the level

1 of an effect on regional development.

2 But everybody finds that, I think, a
3 little counterintuitive. If, you know, if you
4 had a couple of houses, one with a transmission
5 line, another identical house without one near,
6 which one would you choose? And I think most
7 people would choose the one without the
8 transmission line. That is the direction of
9 the effect is perceived by most people to be
10 negative. There are a few exceptions. But, by
11 in large, people would perceive it to be
12 negative.

13 But, interestingly, that doesn't
14 translate necessarily into a market value
15 effect. And the reason is that, you know,
16 other things are never equal, and the number of
17 variables that go into the purchase and sale of
18 homes is so great, all the -- you sort of have
19 three bunches of variables.

20 You have all the variables associated
21 with the house itself, okay, the condition of
22 the roof, the layout, whether the kitchen has
23 been remodeled, and so on and so forth.

24 You then have all the characteristics

1 of the property itself, the landscaping, the
2 size of the lot, the perennial beds.

3 And, then, you've got the location.
4 Which, you know, what the neighborhood is like,
5 the location relative to your place of
6 employment, church, friends, and so forth.

7 So, you have all these variables.

8 And, even though we have intuition with respect
9 to the direction of the transmission line
10 effect, we know it's a negative, but what you
11 can't figure out *a priori*, you can't figure out
12 with your gut, how the market is going to
13 weight all these different variables, okay?

14 So, what do you do? You go look at market data
15 and you look at houses that have sold close to
16 transmission lines, and you look at other
17 similar houses away from transmission lines.

18 And, when you do that, you just very seldom
19 find an effect. And that doesn't mean the
20 effect isn't negative, it just means that
21 apparently the weight that's attached to that
22 effect is small enough that it just doesn't
23 show up in the data. Okay? So, that's the --
24 that's sort of what's going on here.

1 Now, when we did the research,
2 though, we did find there are some properties
3 that are vulnerable to effects, and they had
4 some very special characteristics, and they all
5 had these characteristics in common.

6 First, the homes themselves, not the
7 property line, but the homes themselves are
8 very close to the transmission lines. Okay?
9 The homes were, in fact, right on top of the
10 transmission lines. They were, on average,
11 30 feet. Every place we found an effect, the
12 home was within 100 feet of the transmission
13 line.

14 Secondly, the property itself was
15 actually crossed by the right-of-way easement.
16 You know, the technical word, the jargon that
17 appraisers use, so we say that that property is
18 "encumbered" by the easement. Is, you know,
19 somebody -- you've lost a whole bunch of rights
20 associated with that area on the property.

21 Third thing is the structure -- the
22 structures of the line that this house is next
23 to were fully visible. Okay? So, you have
24 houses that are very close. You have

1 properties that are actually crossed by the
2 easement, and you have full visibility of
3 structures.

4 And, in those cases, the probability
5 of an effect is fairly high, it's over 50
6 percent, based on the work that we've done.
7 Okay?

8 And, so, the question then is, "does
9 a project like this, to what extent is it going
10 to cause that collection of attributes to occur
11 for properties in the study area?" Well, it
12 therefore becomes really important that the
13 project is in an existing right-of-way. Okay?
14 Because "it's in an existing right-of-way"
15 means that the distance of any home to that
16 right-of-way isn't going to change, right? The
17 project isn't going to change that. The
18 project isn't going to change the extent to
19 which any property is crossed by an easement.
20 Okay?

21 The only thing the project could
22 change is that, for a home that was close, and
23 for a home that was crossed by the easement, it
24 might not have visibility of structures in the

1 "before" condition and would have visibility in
2 the "after" condition. And those homes would
3 be at some risk of impact.

4 And, happily, in the case of this
5 Project, I went out and looked at every
6 property that was within 100 feet, every home
7 that was within 100 feet of the right-of-way.
8 And most of the homes that are close already
9 have visibility of structures. There is a
10 small number, however, that are presently
11 screened, that will not be screened in the
12 "after" condition, and for which the
13 probability of impact would increase. The
14 number of that properties is probably on the
15 order of five or six, something like that.
16 It's just a handful.

17 So, it's a small number. It's a real
18 issue. But it wouldn't rise to the level of an
19 effect on the local real estate market or the
20 regional real estate market or regional.

21 PRESIDING OFCR. SCOTT: Thank you.
22 We now have two additional questions.

23 The first is regarding the cost of
24 the projects. And, specifically, it asks "How

1 much is the new amended route going to cost?"

2 MR. JIOTTIS: Just to let folks know,
3 in addition to myself up here tonight, we have
4 Sarah Allen is our environmental person and
5 Dave Plante is our Manager of Project
6 Management.

7 I guess I'll let Dave answer that
8 question.

9 MR. PLANTE: Thank you. Currently,
10 our proposed amended route, and with all the
11 design that we've done to date on that, the
12 estimated cost for that is approximately
13 \$5 million greater than the current Project
14 estimate of \$77.4 million. So, 82.1-ish is our
15 best guess today on what the amended Project
16 would cost.

17 PRESIDING OFCR. SCOTT: Thank you.
18 And I believe the last -- looks like we have
19 one more coming. Second to last question
20 maybe, is "Do you have photos of all the types
21 of structures to be used in Newington?" And
22 I'll add, I assume they also mean "and how can
23 they have access to those?"

24 MR. PLANTE: Yes. I don't know that

1 we have a photo library of each of the
2 structure types currently. But we can
3 certainly get them and provide that.

4 MR. IACOPINO: Are they in the
5 Application?

6 MR. PLANTE: I'm not sure if there
7 are photos. There are certainly general
8 arrangement diagrams of each structure type
9 that is proposed. And, well, the view
10 simulations have some of that, but they don't
11 necessarily have the whole structure.

12 PRESIDING OFCR. SCOTT: Okay. Thank
13 you.

14 The next question is back on property
15 values. It asks "Doesn't the magnitude of the
16 line, for instance, a transmission line versus
17 a distribution line, negatively impact property
18 values?"

19 MR. CHALMERS: In the research that's
20 been done, it's extensive, just in the property
21 value area, and not to mention the EMF area and
22 all the other related fields, there are
23 literally hundreds of studies. And voltage
24 simply has never risen to the fore, at least as

1 it relates to property values.

2 I would say, you know, its proximity,
3 which isn't really an issue here, but its
4 visibility of the structures would be the
5 issue. And the higher the voltage, typically,
6 the larger the structures, and the more
7 visibility could be an issue. But that would
8 be the linkage, not the voltage itself.

9 PRESIDING OFCR. SCOTT: But don't put
10 that away yet. So, we have another question.
11 You raise the issue of a small number of people
12 being impacted, what you just said earlier.
13 The question is is "What are you planning to do
14 for those small number of people that are
15 impacted?"

16 MR. CHALMERS: The -- I want to be
17 clear, that the probability of an impact or the
18 likelihood of an impact would increase for a
19 small number of people. Of the properties that
20 met those criteria that I discussed, not all of
21 them showed property value effects in the
22 studies that we did, but about half of them
23 did. Okay? So, the likelihood of an effect
24 goes up.

1 You know, my job was to study the
2 market and to discuss the issues, as I'm now
3 doing. The Company, I simply know, in having
4 had conversations, is involved in outreach with
5 the property owners.

6 And exactly what sort of
7 accommodations or mitigation they may have
8 arrived at, you'd have to ask them.

9 MR. PLANTE: Yes. I'll elaborate on
10 that a little bit. Throughout the development
11 of this Project, and post, and actually
12 throughout the remainder of the siting process,
13 we have been and will continue to work closely
14 with each of the potentially affected neighbors
15 to the Project, to do our best to mitigate any
16 perceived impacts to the change in visual
17 character of their property.

18 We've done that in numerous places,
19 using landscape architects and whatnot, to try
20 to develop a compatible screening plan that
21 serves the purpose from a visual perspective
22 for the property owner, as well as does not
23 create a future maintenance problem or a safety
24 problem for the operation of the transmission

1 line.

2 PRESIDING OFCR. SCOTT: I'm going to
3 read this one verbatim, because it sounds like
4 I didn't do a good job my first time. This is
5 back on the cost of the Project.

6 And the question is: "The original
7 cost question had to do with the increase as it
8 pertains to Newington", I assume that means
9 that route. "I remember three different
10 pieces, a low, middle, and high for cost. I
11 believe Eversource was going with the cheapest
12 route. I'd like to know what the additional
13 spending is for just the Newington route?

14 MR. PLANTE: I'm still not sure I
15 quite understand what the ask is. So, is this
16 the additional cost for the amended underground
17 proposal, should it come to fruition? Is that
18 the ask?

19 PRESIDING OFCR. SCOTT: I believe
20 it -- I don't think it's the amendment. I
21 believe it was to do with, there were two other
22 alternatives, what's the cost of the Newington,
23 compared to other alternatives? I believe
24 that's what this means.

1 MR. PLANTE: Does the -- I am not
2 sure I understand.

3 MR. JIOTTIS: I guess --

4 *[Court reporter interruption.]*

5 MR. JIOTTIS: Sure. I guess assume
6 maybe it's meaning the alternative routes,
7 looking at those, going back and looking at our
8 original estimates. And, even with the
9 amendments that we propose to file, the cost is
10 still less than those other alternatives.

11 And, again, the other alternatives,
12 it wasn't strictly a cost issue. It was
13 significant technical and siting issues that we
14 would have had to overcome.

15 PRESIDING OFCR. SCOTT: And one more
16 on the property values. I'll wait for you.

17 "Were the appraisals done with the
18 same amount and style of towers and voltage?"

19 MR. CHALMERS: No. No. We looked at
20 probably 300 miles of transmission lines around
21 the state, everything from 34 and a half kV
22 lines, in this area, to 345 kV lines in this
23 area, 115 kV lines in this area, 450 kV DC
24 lines. And we looked at every sale, for these

1 corridor segments that we studied, we looked at
2 every sale that occurred between roughly 2011
3 and 2014, that either was crossed by a
4 right-of-way containing those lines or was
5 adjacent to a right-of-way.

6 So, it was essentially every sale
7 that occurred of a property along a
8 transmission line in most of New Hampshire.
9 There would be a few exceptions to that. And
10 the lines ran from, as I say, from 345 up to
11 450.

12 PRESIDING OFCR. SCOTT: Thank you.
13 Thank you. The next question asked "What types
14 of poles, and, specifically, the heights, are
15 currently proposed to run along the back side
16 of the Pickering property Little Bay Road?"

17 MR. PLANTE: Okay. Currently, the
18 proposal in that area is for largely H-frame
19 structures, and there are also some monopole
20 davit arm structures. The above ground heights
21 range from, let's see, 65 feet, 70 feet, 70,
22 79, 75, 66, 70, and then 66 feet. And I think
23 that brings us right up to the Frink Farm area.

24 So, that's everything between the

1 road, where we propose to rise from underground
2 to overhead, up to the Frink Farm.

3 PRESIDING OFCR. SCOTT: Thank you.
4 And what I think is the last question, I'm
5 actually going to ask of Attorney Iacopino,
6 because it's really asking for the Committee.

7 "What is the authority of the
8 Committee to require the Company to mitigate
9 negative property value impacts?"

10 MR. IACOPINO: To the extent that the
11 Committee grants a Certificate of Site and
12 Facility, the Committee is permitted to
13 condition that Certificate or that license to
14 build the Project. And, if the Committee finds
15 that mitigation is required because of property
16 value impact, either because it has an undue
17 influence on the orderly development of the
18 region or because it unreasonably impacts the
19 public interest, the Committee does have the
20 right to -- the authority to condition the
21 Certificate.

22 And, of course, if the Committee felt
23 that the economics of the Project were such
24 that it interfered with the orderly development

1 of the region, because of that particular
2 impact, it could deny a certificate.

3 So, that's the authority of the
4 Committee with respect to those issues.

5 PRESIDING OFCR. SCOTT: Thank you.
6 So, -- okay. Go ahead, Mr. Mulholland.

7 MR. MULHOLLAND: When we heard today
8 at the site visit about the material of the
9 pole, of what process and how did you come to
10 the decision on the material that you chose? I
11 think the word was like "weatherable steel" or
12 something like that.

13 MR. PLANTE: Yes. We're proposing to
14 use a structure material that's known as
15 "COR-TEN", which is a self-weathering steel
16 product. Actually, our whole company is
17 migrating to use that material as a standard
18 product. It's actually now gotten to the point
19 where it's very cost-competitive with typical
20 round wood poles and even laminated wood. And,
21 obviously, steel has a lower maintenance cost.

22 And the self-weathering properties of
23 the steel allow it to not have to be a painted
24 or a galvanized product over a period of the

1 first year or so of it being in service and
2 exposed to the weather. The steel actually
3 rusts to a point that it forms a hardened
4 weather-proof coating. So, it will darken.
5 They start out kind of light-colored and almost
6 orange, as the rust is brand new. And, then,
7 over a period of about a year, they darken to a
8 rich brown.

9 MR. MULHOLLAND: Thank you.

10 PRESIDING OFCR. SCOTT: All right.

11 One more.

12 "Given the size of the lines, why
13 can't these lines be put through commercial
14 areas? And who's using the majority of the
15 power?" So, I guess that would be two
16 questions. Or, perhaps they're suggesting that
17 "commercial areas are using the majority of the
18 power".

19 MR. JIOTTIS: Sure. I'll take that.

20 I guess the reason why it can't go there, as I
21 mentioned earlier, our selection criteria, we
22 really want to use existing rights-of-ways, and
23 we're going where the right-of-way is.

24 As far as commercial power, it's --

1 everybody uses the power. I think, if you
2 looked at most of the load in New Hampshire
3 now, you'd find that a large majority is
4 residential, as opposed to
5 commercial/industrial. So, it's, really, it's
6 everybody's power. Everybody is going to use
7 it, everybody has got their air conditioning
8 on, that's driving the need for it.

9 PRESIDING OFCR. SCOTT: Thank you.
10 So, sounds like we have one more question, and
11 this will be the last one, before I move onto
12 public comment.

13 Unless a Committee member has
14 something while we're waiting? Or,
15 Mr. Iacopino, do you have any questions?

16 MR. IACOPINO: Do I have questions of
17 the Applicant?

18 PRESIDING OFCR. SCOTT: Yes.

19 MR. IACOPINO: No.

20 PRESIDING OFCR. SCOTT: So, while
21 they're caucusing, we're about to start the
22 public comment phase. And, again, if you'd
23 like to make a comment, please fill out a
24 yellow sheet so I can recognize you.

1 A couple rules of the road. One will
2 be, not required at all, but, if you have a
3 written statement that you're going to read
4 from, I know our transcriptionist,
5 Mr. Patnaude, would love to have that copy, so
6 that he can make sure he got everything you
7 said down properly. And he has a basket, I
8 think, right up front here. So, not a
9 requirement, but, if you went to all the
10 trouble of writing it down, he would love to
11 have that.

12 And, for him, again, as slowly and
13 clearly as you can speak, he would appreciate
14 that also.

15 So, the other thing I will ask is,
16 right now we don't have a lot of commenters,
17 which is fine. If you go too long, I will,
18 because of the rest of the people here, for all
19 your neighbors, I may stop you. And, if I do
20 stop you because you've gone too long, I
21 promise you, what I will do is, at the end,
22 I'll let you speak and finish. So, I'm not
23 going to stop you from your comments. But, if
24 you go too long, again, out of respect for

1 everybody in the audience here, I'll ask you
2 to -- I'll halt you, if you've gone too long,
3 and ask you, at the end, to come back and
4 finish your statement, if you go too long. But
5 we don't have a lot here, so that should not be
6 too much of an issue, I'm hoping.

7 And where are you? And this is --
8 we'll again pick on our own attorney,
9 Mr. Iacopino, about property values.

10 So, the premise is "If negative
11 property impacts do not present themselves
12 until the Project has been built, a condition
13 to address negative impacts can be prospective,
14 is that not correct?"

15 MR. IACOPINO: Yes. But, however,
16 any conditions that the Site Evaluation
17 Committee imposes has to be based on the record
18 that is before them. So, if they determine
19 that they're going to grant the Certificate,
20 and they're going to put conditions on it, any
21 ruling they make has to be based upon the
22 record that's before the Committee. So, it's
23 impossible for a Committee to impose a
24 condition on an impact that it does not know

1 about.

2 So, that's why we have an
3 adjudicative process as part of this. Where
4 Counsel for the Public will represent the
5 public, the intervenors will represent their
6 various interests, the Applicant will represent
7 its interests, and we'll have like a trial.
8 And, at that trial, hopefully, the adjudicative
9 process, that adversarial process, will reveal
10 those areas where there may be impacts. There
11 will be evidence that will be submitted on
12 them. And the Committee can appropriately
13 condition any certificate that it deems to
14 grant.

15 So, that's the best answer I can give
16 to the question. And, obviously, if the
17 Committee doesn't know that there's going to be
18 a certain impact, they can't set a condition in
19 advance.

20 PRESIDING OFCR. SCOTT: Thank you.
21 Thank you. We'll move on to the public
22 comment.

23 Again, if you decide you don't want
24 to give a verbal comment, which, again, will be

1 transcribed into the record, you can also fill
2 out one of these blue forms, which will be
3 scanned, and that will go in the record also.
4 So, again, if you'd rather not speak publicly,
5 you can write publicly, effectively.

6 So, again, what we'll do is, we'll
7 ask, as I call you, to come up to the podium,
8 so everybody can hear you. I'm going to start
9 with Susan Geiger, and she will be followed by
10 Helen Frink.

11 So, Susan Geiger, please.

12 MS. GEIGER: Thank you. And good
13 evening. My name is Susan Geiger. I'm with
14 the law firm of Orr & Reno in Concord, and I'm
15 one of the attorneys that represent the Town of
16 Newington in this proceeding.

17 Unlike other New Hampshire towns that
18 have opposed energy facility projects,
19 Newington has a demonstrated record of hosting
20 and accommodating utility and other
21 infrastructure that, for several years, has
22 been used for the region's and the state's
23 benefit. Within the small Town of Newington,
24 there are two large electric generating

1 facilities, a propane terminal (SEA-3), and a
2 section of Pease International Tradeport.
3 Consequently, there is only a very small
4 fraction of land left in Newington that is
5 unencumbered by large-scale utility and
6 infrastructure development.

7 For that reason, Newington has taken
8 steps in its planning documents to preserve the
9 existing character of its historic and
10 residential districts by requiring that all new
11 utility lines be buried. In addition,
12 Newington is a Certified Local Government, a
13 designation which entitles it to certain
14 protections under the National Historic
15 Preservation Act, including technical
16 assistance from the New Hampshire Division of
17 Historical Resources, to address preservation
18 issues and resolve concerns related to
19 federally-assisted activities, like wetlands
20 permitting, that may affect historic
21 properties.

22 Although Newington has historically
23 supported and hosted large energy
24 infrastructure projects, it cannot support this

1 Project as it is currently configured, because
2 an overhead high-voltage transmission line will
3 unduly interfere with the orderly development
4 of the region, unreasonably adversely affect
5 aesthetics and historic sites, and will not
6 serve the public interest.

7 On the orderly development of the
8 region, as the Committee is aware, RSA
9 162-H:16, IV(b), requires the Site Evaluation
10 Committee to give due consideration to the
11 views of the Town's Select Board and its
12 Planning Board in determining whether or not
13 the Project will have -- unduly interfere with
14 the orderly development of the region.

15 And the Town's preliminary views on
16 orderly development are as follows: From a
17 planning perspective, the installation of
18 approximately 50 very tall, above-ground
19 transmission poles and high-voltage wires in a
20 route extending for four miles through the very
21 small Town of Newington, in an easement that's
22 currently occupied by much smaller distribution
23 poles and a distribution line, would be
24 inconsistent with the historic and residential

1 character of much of the route in Newington.

2 The Town's policy has been to require
3 developers to bury electric utility service
4 improvements in the Residential District. This
5 policy is reflected in Section 5.H.1. of
6 Newington's subdivision regulations, which
7 require that all new utility lines be placed
8 underground in the street right-of-way or
9 dedicated easements. In addition, Newington's
10 Master Plan expressly states that new
11 transmission lines "should be placed
12 underground, and under no circumstances should
13 such improvements be permitted to be
14 constructed above ground within existing
15 easements that bisect the heart of the
16 Residential and Historic Districts."

17 While we understand that the
18 Committee's authority preempts local zoning and
19 planning requirements, the Committee must
20 nonetheless give the Town's view due
21 consideration. And the Town's views on the
22 placement of new utility infrastructure lines
23 are clearly stated in writing. In its planning
24 documents, the lines must be buried in the

1 Residential and Historic Districts.

2 To make its case on orderly
3 development of the region, the Applicant relies
4 very heavily on the fact that the new
5 high-voltage lines will be placed in an
6 existing utility easement. However, that fact
7 alone is not dispositive of whether the Project
8 will unduly interfere with the orderly
9 development of the region.

10 Eversource's slide presentation at
11 the July 21st, 2006 Public -- 2016 Public
12 Information Session in this docket likened the
13 transmission lines to interstate highways.
14 Using that analogy, the current distribution
15 line is akin to a town road. Therefore, one
16 cannot reasonably assume that using an existing
17 easement currently occupied by a distribution
18 line or a town road for a transmission line or
19 an interstate highway would be consistent with
20 the orderly development of the region.
21 Instead, this Committee must carefully examine
22 the physical attributes of the new overhead
23 voltage -- high-voltage facilities and whether
24 it would be appropriate to construct them in an

1 easement that has been historically occupied by
2 distribution system lines. And, as the
3 Committee is undoubtedly aware, there's a
4 significant difference between the visual
5 appearance of the existing and the proposed
6 facilities. A good illustration of this
7 difference is in the Application itself, in the
8 very large white Volume Number 2, which shows a
9 couple of photographs of Newington.

10 For all these reasons, Newington
11 believes that placing an overhead line -- a
12 high-voltage transmission line in the existing
13 distribution line easement will unduly
14 interfere with the orderly development of the
15 region.

16 Another major concern is the line's
17 impact on historical resources. The proposed
18 transmission route runs through the Town's
19 Historic District, which is listed in the
20 National Register of Historic Places, and a
21 portion of the line and poles will directly and
22 unreasonably adversely impact the historic
23 Frink Farm property, which is within the
24 Historic District and is also listed.

1 In addition, there are other historic
2 properties impacted by this Project, and the
3 Town is very concerned about those impacts, and
4 believes that the overhead high-voltage
5 transmission facilities that are, in some
6 cases, two and a half to three times taller
7 than the existing distribution structures are
8 of the size, scale, and scope and nature such
9 that they cannot be viewed as consistent with
10 the character of an historic working farm, such
11 as the Frink Farm.

12 Now, as the Committee is aware, its
13 rules require it to consider the size, scale,
14 and nature of the facility in determining
15 whether a proposed facility will have an
16 unreasonable adverse effect on historic sites.

17 Another concern is impact to
18 aesthetics. The height of the new transmission
19 poles will create new, adverse visual impacts
20 on historic sites, as I've just mentioned, and
21 on residential areas, such as Hannah Lane,
22 which the tour today viewed, and on scenic
23 resources, such as the Little Bay Road crossing
24 in Newington, also on the tour today. The

1 Applicant's Visual Assessment, in Volume 5,
2 Appendix 32, identifies several scenic drives
3 and locally designated scenic roads in
4 Newington within close proximity to the Project
5 and from which the Project will be visible.
6 The Visual Assessment also identifies the
7 Little Bay Road crossing as being "sensitive to
8 visual change", but concludes that such effect
9 does not result in an unreasonable adverse
10 effect for viewers.

11 Newington respectfully disagrees with
12 that conclusion.

13 And, in addition, it's important to
14 note that the Visual Assessment did not follow
15 the Committee's rules which require that
16 potential visual impacts be characterized as
17 "high, medium, and low". Instead, the Visual
18 Assessment used a scoring system with the
19 categories of Low, Low-Moderate, Moderate,
20 Moderate-High, and High. Newington urges the
21 Committee to carefully follow its own rules and
22 assess the Project's aesthetic effects under
23 the criteria outlined in the Committee's rules,
24 which require that the SEC consider, among

1 other things, the existing character of the
2 area of potential visual impact; the scope and
3 scale of the change in the landscape visible
4 from affected scenic resources, like Little Bay
5 Road; the extent to which the proposed facility
6 would be a dominant and predominant -- and
7 prominent feature within a natural or cultural
8 landscape of high scenic quality or as viewed
9 from scenic resources of high value or
10 sensitivity.

11 As for the public interest standard,
12 the SEC's rules state that "in determining
13 whether a proposed energy facility will serve
14 the public interest, the committee shall
15 consider [among other things] the welfare of
16 the population, private property, historic
17 sites and aesthetics."

18 Newington submits that, when all of
19 these factors are considered, an overhead
20 high-voltage transmission line running through
21 Newington's Historic and Residential Districts
22 will not serve the public interest, because it
23 adversely affects the public's welfare, private
24 property, historic sites and aesthetics.

1 With respect to mitigation, the
2 Committee's rules stating that, when the
3 Committee determines or making its
4 determination on whether a project will have
5 unreasonable adverse effect on aesthetics and
6 historic sites, the Committee must consider the
7 effectiveness of measures proposed by the
8 Applicant to avoid, minimize or mitigate
9 unreasonable adverse effects.

10 The Applicant has proposed to bury
11 the line in portions of Newington if it obtains
12 consent from affected landowners. Newington
13 remains supportive of Eversource's efforts to
14 bury the line, but because we don't have
15 concrete plans in hand, the Town cannot respond
16 with specificity to those plans. Nonetheless,
17 the Town maintains that, in order to satisfy
18 all the criteria under the SEC's statute and
19 rules, the section of the line that runs
20 through Newington's Residential and Historic
21 Districts must be buried, and therefore request
22 that the Committee include this condition in
23 any certificate granted for this Project. And,
24 in addition, and if necessary to effectuate

1 that condition, the Public Utilities
2 Commission, as part of this proceeding, should
3 grant Eversource eminent domain authority to
4 bury the line in areas where it cannot obtain
5 underground easement rights consensually.

6 Lastly, this is more of a comment, as
7 opposed to the criteria for reviewing an
8 Application, but, because this is a public
9 comment opportunity for the Town, the Town
10 feels compelled to make this statement for the
11 Committee's consideration. The Town is very
12 concerned about the ISO-New England planning
13 process that selected this overhead
14 transmission line to solve the Seacoast
15 reliability problem. A transformer was the
16 second preferred option identified in the
17 planning process, but was rejected because it
18 was more expensive than the overhead line. In
19 addition, the Town was not included in the
20 selection process and was not made aware of the
21 transformer option until the ISO had concluded
22 its process and selected the current project as
23 the solution to the Seacoast reliability issue.

24 The Town believes that the

1 transformer option could have had far fewer
2 adverse impacts and would provide a greater and
3 longer term reliability solution than a
4 transmission line. ISO-New England's planning
5 process, as many of you know, looks out only
6 ten years. The Town believes that if the
7 ISO-New England's planning horizon were longer
8 and took into consideration the physical
9 impacts of overhead line solutions on small
10 communities, like Newington, transformer
11 alternatives and perhaps others would be
12 selected to address reliability issues.

13 While we understand it may be too
14 late in the ISO-New England planning process to
15 abandon the transmission line solution, the
16 Town believes that it's important for the
17 Committee to obtain information from ISO-New
18 England to assure itself that the overhead
19 solution is, in fact, the best one for this
20 region. Thus, Newington would respectfully ask
21 the Committee to consult with ISO-New England
22 to determine if a transformer would be more
23 appropriate, least impactful, to address the
24 long-term solution for the reliability issue

1 here in the Seacoast. The SEC has the
2 authority under RSA 162-H:16, III, to consult
3 with interested regional agencies in the
4 consideration of certificates, and the Town
5 would respectfully urge the Committee to do
6 that in this case, and in all future
7 transmission line filings, to determine if
8 there is a system reliability solution that is
9 less impactful than building new overhead
10 transmission lines.

11 Lastly, again, representatives of the
12 Town and Eversource have been communicating
13 regularly for over a year and a half in an
14 effort to resolve the Town's concerns about the
15 portion of the Project that runs through
16 Newington. Newington appreciates very much
17 Eversource's willingness to engage in these
18 discussions, and we plan to continue those
19 communications throughout the SEC process in
20 the hope that we can reach a mutually agreeable
21 resolution to the Town's issues.

22 Thank you very much for your patience
23 in listening to my comments this evening.

24 PRESIDING OFCR. SCOTT: Thank you.

1 And, again, if you will --

2 *[Audience interruption.]*

3 PRESIDING OFCR. SCOTT: -- if you
4 will, and I know Mr. Patnaude would love to
5 have your written notes.

6 So, next, we'll go to Helen Frink,
7 and she will be followed by Gail Pare,
8 hopefully that's how she pronounces it.

9 MS. FRINK: Good evening. I want to
10 thank the Site Evaluation Committee for this
11 opportunity to address you.

12 Together with my brother, John Frink,
13 and my sister, Sara Ryder, I'm co-owner of the
14 Darius Frink Farm that you passed by on today's
15 bus tour. I know that you are all aware that
16 the farm is listed as part of the Newington
17 Center Historic District on the National
18 Register of Historic Places. What you will not
19 find fully explained in the Application that
20 you received from Eversource is the farm's
21 importance to agriculture. So, in my comments
22 this evening, I'm going to speak very directly
23 to the Project's impacts on agriculture, on
24 wetlands, and, finally, on historic resources.

1 Our farm produces grass-fed beef and
2 bailed hay. And Eversource has worked with us
3 to secure the underground rights. In several
4 places in the Application before you, it says
5 that the Frink family has refused to grant
6 underground rights. There's a little more to
7 it than that. Let me make clear that our farm
8 is encumbered by a conservation easement that
9 we signed with the Rockingham County
10 Conservation District. That conservation
11 easement refers very specifically to the 1952
12 Public Service of New Hampshire right-of-way.
13 And here is what the conservation easement says
14 with respect to that right-of-way: It refers
15 to the power company's rights to maintain and
16 repair the line, but the conservation easement
17 says "any granting of further use restrictions
18 that might diminish or impair the agricultural
19 viability or productivity of the property, or
20 otherwise diminish or impair the conservation
21 values of the property, are prohibited."
22 That's a prohibition against the underground
23 line.

24 For that reason, we've been involved

1 in the long process of negotiation with the
2 Rockingham County Conservation District so that
3 this Project can somehow be construed as an
4 improvement that would raise the agricultural
5 value of our land. It's difficult to conceive,
6 and it's an expensive process, whose costs will
7 appear in the amendment that's filed with you
8 later.

9 I also want to point out that the
10 Application inaccurately identifies our farm in
11 Volume 3, Appendix 7, a map on Pages 3 and 4
12 shows conserved lands, and identifies our farm
13 as a "quasi public entity"; in fact, it's
14 private land and it's conserved for
15 agricultural use.

16 Beyond agricultural resources, I want
17 to speak now to the impact on wetlands. The
18 underground trench will be 8 feet deep, because
19 this is a farmland trench. It involves
20 excavating through soils that are contaminated
21 by PFOA and PFOS contaminants drifting
22 downstream from Pease Air Force Base. The
23 Applicant's sections on natural resources or
24 existing natural conditions do not mention PFOA

1 and PFOS contaminants.

2 On October 1st of last year, 2015,
3 the Eversource team that met with my brother
4 John and me at the farm handed us an EPA fact
5 sheet on PFOA and PFOS contaminants, emerging
6 contaminants now known to be carcinogenic.
7 That information should have appeared in the
8 Application that was before you.

9 Furthermore, construction of the line
10 through the Pickering property will involve
11 working in soils that are far more contaminated
12 with PFOA and PFOS than our soils are.

13 Digging in these contaminated wetland
14 soils could very well spread contamination
15 downstream through Newington's other wetlands,
16 through Mott's [sic] Pond, and, ultimately,
17 into the Piscataqua River. That information
18 needs to be accurately represented in any
19 Eversource application and it needs to be
20 correctly addressed.

21 The third issue that I would like to
22 make you aware of is the impacts on historic
23 resources. On June 21st, we met with the
24 Eversource team in Brentwood, at the Rockingham

1 County Conservation District's Office, in order
2 to finalize the agreement to our farm
3 conservation easement. At that meeting, we
4 were astonished to learn for the first time
5 that there will be a transition structure on
6 our land consisting of three enormous poles,
7 65 feet high, placed at the western border of
8 the property close to the Pickering's land.
9 This is where the proposed line would go
10 through overhead on the Pickering property to
11 underground on our land.

12 I note that the National Historic
13 Preservation Act, which is 100 years old this
14 year, very clearly states that "an adverse
15 effect is the introduction of visual elements
16 that diminish the integrity of a property's
17 significant historic features." Those of you
18 on the bus tour today were able to evaluate for
19 yourselves the integrity of our fields. Very
20 little farmland has been preserved in this part
21 of New Hampshire, and very few historic farms
22 have remained largely intact for the past 200
23 years, as our farm has done.

24 You know also that the Pickering Farm

1 is eligible for the State and National
2 Registers of Historic Places. That will be
3 permanently disfigured by these overhead
4 transmission lines, with poles that we now know
5 will be 65 to 79 feet high. Location of this
6 transmission line through Newington's historic
7 and residential area is just a bad idea.

8 I want to leave the Committee members
9 with one thought: If Eversource is permitted
10 to ignore or to trespass against the
11 regulations intended to protect our
12 agriculture, our wetlands, and our historic
13 resources, is there anything that they can't
14 do?

15 Thank you for your time.

16 PRESIDING OFCR. SCOTT: Thank you.
17 Gail Pare, followed by Tom Irwin.

18 And I'll say up front, if I got your
19 name wrong, I do apologize.

20 MS. PARE: Thank you. Several
21 generations ago, I believe the name was "Paré",
22 the accent *aigu* was lost in the probably
23 1700's, and we pronounce it "Pare".

24 I stand before you as the Chairman of

1 Newington's Historic District Commission. I do
2 have prepared remarks that I will leave for
3 you, but I have a couple of other things to say
4 to begin with.

5 We have our next Historic District
6 Commission meeting tomorrow morning. So, this
7 is a preliminary statement from the Commission.
8 We reserve the right to submit something later
9 that will perhaps be a little bit -- a little
10 bit different.

11 We certainly appreciate Attorney
12 Geiger's and Mrs. Frink's statements, and we
13 fully support them.

14 The current Newington Historic
15 District Commission Response to the Seacoast
16 Reliability Project reads as follows:

17 It is the responsibility of the
18 Newington HDC to protect the Town's
19 300-year-old historic center. Over the last 65
20 years, this center has been severely cramped by
21 large-scale military, industrial, commercial,
22 and transportation projects on its immediate
23 periphery.

24 Until now, we have preserved this

1 vital center from further encroachment. The
2 center includes New Hampshire's oldest meeting
3 house, dating from 1712. It's still actively
4 being used as a church, as well as its adjacent
5 cemetery and parsonage. It also includes
6 several historically and architecturally
7 significant properties from the 1800's. Among
8 these is the Frink Farm, whose buildings and
9 fields contribute to magnificent views of an
10 unspoiled rural town center as it was two
11 centuries ago.

12 The current Eversource proposal to
13 place the power lines partially underground
14 through the Frink Farm does not go far enough
15 to protect this historic center. Constructing
16 a large transition tower on the edge of the
17 Frink Farm and running overhead power lines to
18 it will seriously detract from the historic
19 quality of the entire area.

20 It is the HDC's position that running
21 the new power line completely underground
22 through all of Newington Village, or rerouting
23 it totally around the historic center and the
24 Frink Farm, are the only two options that can

1 adequately protect these valuable historic
2 sites.

3 This is signed by the Newington
4 Historic District Commission, and our names are
5 listed.

6 Thank you.

7 PRESIDING OFCR. SCOTT: Thank you.

8 *[Audience interruption.]*

9 PRESIDING OFCR. SCOTT: Mr. Tom
10 Irwin, followed by Joseph Caldarola. Again, if
11 I got your name wrong, I do apologize.

12 MR. IRWIN: Thank you, Mr. Chairman,
13 Committee members. For the record, my name is
14 Tom Irwin. I direct the New Hampshire Office
15 of Conservation Law Foundation. Tonight, I'll
16 keep my comments brief, reserving CLF's right
17 to address other issues related to the Project.
18 Tonight, I'll focus my comments on aspects of
19 the Project relating to Little Bay.

20 Little Bay, as you know, is an
21 enormously important natural resource for the
22 Seacoast. It's something that Conservation Law
23 Foundation, including through its Great
24 Bay-Piscataqua Waterkeeper, along with many

1 partners, has been working to restore and
2 protect.

3 Little Bay, as you know, is part of
4 the larger Great Bay estuary, which has been
5 designated and estuary of national
6 significance. Now, unfortunately, the Great
7 Bay estuary, including Little Bay, is under
8 significant distress as a result of pollution.
9 Much of that pollution is as a result of the
10 sort of intense growth pressures in the
11 Seacoast region that were referenced in the
12 earlier presentation.

13 Importantly, Little Bay, like other
14 waters within the Great Bay estuary, has been
15 designated by the State of New Hampshire as an
16 "impaired water body", in part as a result of
17 the presence of PCBs and dioxin.

18 We are very concerned that, in the
19 analysis related to this Project to date,
20 there's been no consideration for what
21 pollutants might be present in the sediments
22 that will be disturbed or would be disturbed if
23 the jet-plow technology proposed by the
24 Applicant were, in fact, to be used. There has

1 been analysis of the dispersal of sediments,
2 but no real analysis of the ecological and
3 water quality impacts associated with stirring
4 up sediments, jet-plowing to a depth of 8 feet
5 in many places, and, again, no analysis of what
6 contaminants might be present in those
7 sediments.

8 We believe that it's essential to
9 determine what's in these contaminants through
10 core sampling, and to analyze what impacts
11 could be expected by stirring up buried
12 sediments that may, in fact, be contaminated.

13 So, until the Committee can fully
14 understand the water quality and ecological
15 impacts of the jet-plow technology that's being
16 proposed, and can fully address any such
17 impacts to avoid any detrimental impacts to
18 Little Bay's water quality and overall
19 ecological health, we oppose this Project.

20 Thank you.

21 PRESIDING OFCR. SCOTT: Thank you.

22 *[Audience interruption.]*

23 PRESIDING OFCR. SCOTT: And, lastly,
24 a Joseph Caldarola. Is he still here? There

1 he is.

2 MR. CALDAROLA: Good evening. That
3 is how you say my name. Joe Caldarola, of
4 Dennett Farm, LLC. I own the three lots on
5 Lydia Lane that adjoins the Town property --
6 Town Hall property and the Hannah Lane homes.
7 The Hannah Lane homeowners and I all signed
8 underground easement option agreements with
9 Eversource.

10 And, speaking for myself, I haven't
11 organized this with them, I ask that the
12 following conditions be included in any
13 approval:

14 One. The necessity that the lines go
15 underground, through the Frink Farm, through
16 Hannah Lane, and our property, to the proposed
17 riser pole location on the far side of our
18 property. Our property and all of the Hannah
19 Lane homes meet all three of the conditions
20 discussed, described earlier by the appraiser.
21 The lines are very close to the homes. The
22 easement crosses the lots. And the structures
23 are visible. So, if overhead -- if those
24 essentially street -- what's there now is the

1 same kind of power lines that go along a city
2 street, 35 kV, whatever it is. If they're
3 upgraded to larger structures, taller wires,
4 taller structures, they, by what the appraiser
5 said, they will have an impact on the values.

6 A second condition I'd ask is that
7 the lines go underground through the Pickering
8 Farm, even if eminent domain needs to be used.
9 This farm qualifies to be included in the
10 National Historic Register. And, when you look
11 at that in combination with the riser pole
12 required to be on the Frink Farm, if the lines
13 are run overhead through the Pickering Farm,
14 the lines that cross overhead through Pickering
15 Farm are counter to the public interest.

16 The third condition I would request
17 would be that the riser pole on our property be
18 located essentially where the stakes were
19 placed by Eversource. Now, they -- Eversource
20 represented in good faith that they were in
21 good faith representing the location of that
22 riser pole by placing those stakes there. But
23 there's nothing in the option agreement that
24 says what the required distance is from those

1 stakes to the actual location that the pole be
2 set at. The location of the pole -- of those
3 stakes right now is in a position where it
4 is -- the impact of that riser pole is
5 mitigated to the houses that we're building on
6 Lydia Lane, and also to the Hannah Lane
7 properties. And, if it were to move
8 substantially, and, originally, it was proposed
9 to be substantially closer to Hannah Lane and
10 our houses, and I raised the question about
11 whether it could be -- the underground could be
12 extended about 200 more feet, close to where
13 the existing telephone pole is in the easement
14 there. And Eversource was good enough to look
15 into, and found that they could, in fact,
16 extend it, and that's when the stakes were
17 placed there. So, I would like the approval to
18 include that as a condition, that the pole --
19 riser pole be placed essentially where the
20 stakes are sitting at.

21 The option agreement signed by
22 myself -- excuse me -- and the Hannah Lane
23 homeowners contain conditions. If you look at
24 the option agreements, they all contain very

1 similar conditions that we negotiated with
2 Eversource in the process of meeting with them
3 and discussing the option agreements. And I
4 would request that those conditions be made
5 specifically a part of its approval. Because,
6 if they aren't, then there's one less method of
7 enforcing them.

8 And, even -- I might be speaking for
9 Helen Frink, I don't know. But, similarly,
10 that the conditions in the Frink Farm option
11 agreement be also made a specific condition of
12 approval. I think it needs to be imposed from
13 two different directions.

14 And the last condition really is that
15 the construction procedures, and I assume this
16 is going to happen anyway, but maybe not to the
17 extent it needs to, that the construction
18 procedures be carefully prescribed beforehand,
19 before the approval is granted. I was
20 surprised to learn, during the public hearings,
21 that certain -- that the research, some of the
22 research that needs to be done to determine the
23 cost of the Project doesn't happen until after
24 the approval. And I'm concerned that the

1 research should be done about construction
2 procedures prior to the approval, so that they
3 become part of the approval. And this would
4 include research about crossing the farmlands,
5 what is to be expected there, the test pits,
6 *etcetera*.

7 For the street crossing, across
8 Nimble Hill Road and other streets, if they
9 happen to be impacted later on, you know, that
10 road has been there a while, it's subject to
11 frost heaves. It's not properly built to
12 current modern standards.

13 So, I think there should be a
14 condition that it be -- that any trenching be
15 rebuilt to state specs, that portion of the
16 road, the disturbance areas be rebuilt as if it
17 were a state road. Because that's the best
18 that can be done to at least ensure that it
19 doesn't get worse in those areas.

20 And, similarly, for the yards, again,
21 the construction is going to be very close to
22 the existing houses on Hannah Lane, and very
23 close to the houses I'm building on Lydia Lane,
24 will be essentially in their yards. So, I

1 think the construction procedures need to make
2 sure that the trenches are stable over the long
3 term, after the work is completed. So, I don't
4 think it's a matter of, just because it's a
5 yard, they can get up and putting in the same
6 kind of material back in the trench. Because,
7 if you do that, it's going to sink. So, I
8 think that the excavated soil, it's going to be
9 clay, that's what it's going to be, clay or
10 ledge. It should be disposed of, all excavated
11 material should be disposed of. And it should
12 be backfilled with compactible state-spec
13 structural material that could be stabilized,
14 and then loamed to probably a 6- or 8-inch loam
15 depth.

16 In summary, proper mitigation is to
17 bury the line, but we need to do it correctly.

18 Thank you.

19 PRESIDING OFCR. SCOTT: Thank you.

20 *[Audience interruption.]*

21 PRESIDING OFCR. SCOTT: Seeing no
22 other requests to speak?

23 *[No verbal response.]*

24 PRESIDING OFCR. SCOTT: And I'll

1 thank you for your time in coming tonight.

2 And, also, for those who came on the tour with
3 us, the site tour today, thank you for that.

4 Our next step is we do have a hearing
5 tomorrow night, at 6:00 p.m., in Durham. Then,
6 on September 7th, we have a prehearing
7 conference at 9:00 a.m., at the Public
8 Utilities Commission, in Concord, New
9 Hampshire.

10 This concludes tonight's hearing.
11 And, again, thank you for your time and
12 interest.

13 ***(Whereupon the Public Hearing***
14 ***was adjourned at 7:37 p.m.)***

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