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STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

August 29, 2018 - 9:25 a.m. DAY 1
49 Donovan Street Morning Session ONLY
Concord, New Hampshire

{Electronically filed with SEC 09-11-18}

IN RE: SEC DOCKET NO. 2015-04
Application of Public Service
Company of New Hampshire, d/b/a
Eversource Energy, for a
Certificate of Site and
Facility.
(Adjudicative Hearing)

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:

- | | |
|--|-----------------------------|
| Patricia Weathersby
(Presiding Officer) | Public Member |
| David Shulock, Esq. | Public Utilities Commission |
| Elizabeth Muzzey, Dir. | Div. of Historic Resources |
| Charles Schmidt, Admin. | Dept. of Transportation |
| Christopher Way, Dep.Dir. | Div. of Economic Dev. |
| Michael Fitzgerald, Dir. | Dept. of Env. Services |
| Susan Duprey | Public Member |

ALSO PRESENT FOR THE SEC:

- Michael J. Iacopino, Esq., Counsel for SEC
(Brennan, Lenahan, Iacopino & Hickey)
- Pamela G. Monroe, SEC Administrator

COURT REPORTER: Susan J. Robidas, LCR No. 44

1 APPEARANCES:

2 Counsel for the Applicant:
3 Barry Needleman, Esq.
4 Adam Dumville, Esq.
(McLane Middleton)
Elizabeth Maldonado, Eversource

5 Counsel for the Public:
6 Christopher Aslin, Esq.
Asst. Atty. General
N.H. Dept. of Justice

7 Reptg. Town of Durham and UNH:
8 Douglas L. Patch, Esq.
(Orr & Reno)

9 Reptg. Durham Residents:
10 Marcia Brown, Esq. (NH Brown Law)

11 Reptg. Conserv. Law Foundation:
12 Thomas F. Irwin, Esq.

13 Reptg. Town of Newington:
14 Susan S. Geiger, Esq.
(Orr & Reno)
John Ratigan, Esq.
(Donahue, Tucker...)

15 Reptg. Crowley-Joyce Rev. Trust:
16 Justin C. Richardson, Esq.
(Upton Richardson)

17 Reptg. Durham Historic Assoc.:
18 Janet Mackie

19 Reptg. Darius Frink Farm:
20 Helen Frink

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I N D E X

1
2 WITNESS:

3 WILLIAM J. QUINLAN
4

5 EXAMINATION PAGE

6 Direct Examination by Mr. Needleman 13

7 Cross-Examination by Mr. Patch 14

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12 Cross-examination by Mr. Richardson 88

13 Cross-examination by Ms. Frink 115

14 EXHIBITS PAGE

15 JCT 13 Environmental maps provided 03
16 by Eversource

17 (Exhibits otherwise referred to were premarked prior
18 to the hearing and distributed to all parties.)

19 RECORD REQUESTS BY ATTY. PATCH:

20 Demand growth in the Seacoast Region 37
21 over the last ten years.

22 Eversource provide citation in ISO 51
23 documents for "reasonableness standards"

24 Eversource provide guidelines on 52
transmission cost allocation

1 P R O C E E D I N G S

2 PRESIDING OFFICER WEATHERSBY: Okay.

3 Good morning. I'm Patricia Weathersby. I'm
4 the latest and hopefully last presiding
5 officer over this docket. Thank you for your
6 patience this morning. We were meeting in a
7 non-public session with our counsel to just
8 review a few things, but now we're going to
9 proceed with the public hearing.

10 So, welcome to the public hearing
11 of the Subcommittee of the New Hampshire Site
12 Evaluation Committee. This subcommittee
13 presides over the Application of Public
14 Service Company of New Hampshire, d/b/a
15 Eversource Energy, for a Certificate of Site
16 and Facility. It's Docket 2015-04. Our
17 purpose for meeting today is to begin the
18 adjudicative hearings on the Application.
19 We've reserved a number of days for this
20 hearing.

21 Before starting the hearing, I
22 would ask the Subcommittee members to
23 introduce themselves.

24 MR. FITZGERALD: Good morning,

1 Michael Fitzgerald. I'm the assistant
2 director of the Air Resources Division of the
3 Department of Environmental Services.

4 DIR. MUZZEY: Elizabeth Muzzey,
5 director of the Division of Historical
6 Resources.

7 MR. WAY: Christopher Way, deputy
8 director of the Commission on Economic
9 Development and Department of Business and
10 Economic Affairs.

11 MR. SHULOCK: Good morning. David
12 Shulock, general counsel at the Public
13 Utilities Commission.

14 MS. DUPREY: Susan Duprey, public
15 member.

16 MR. SCHMIDT: Chuck Schmidt. I'm
17 the administrator of right-of-way for the
18 Department of Transportation.

19 PRESIDING OFFICER WEATHERSBY: Also
20 with us is Attorney Mike Iacopino, to my
21 right, and our administrator, Pam Monroe, on
22 the far right. If I didn't mention it before,
23 I'm a public member of the Site Evaluation
24 Committee.

1 For the convenience of everyone
2 present, I'm going to review some of the
3 relative history of this docket.

4 On April 12th, 2016, Public Service
5 Company of New Hampshire, d/b/a Eversource
6 Energy, applied to the Site Evaluation
7 Committee to construct a new 115-kilovolt
8 electric transmission line, approximately
9 12.9 miles in length between existing
10 substations in Madbury and Portsmouth. The
11 Application was amended on March 29, 2017.
12 Over the course of the docket, the Applicant
13 also filed various supplements to the
14 information contained in the Application. We
15 also received reports from state agencies
16 with jurisdiction or other regulatory
17 authority over portions of the Application.

18 On February 19, 2015, the
19 Subcommittee received a letter from the state
20 fire marshal indicating there was no reason
21 for that agency to be involved in the
22 planning process.

23 On March 10, 2017, the Public
24 Utilities Commission issued an order granting

1 the Applicant's request to construct the
2 transmission line across and over the Oyster
3 River and under Little Bay in the Town of
4 Durham and over Pickering Brook and under
5 Little Bay in the Town of Newington. That
6 order is on file with the Subcommittee.

7 On June 14, 2018, the PUC granted
8 the Applicant's petition for seven additional
9 licenses to construct and maintain electric
10 lines, neutral wire and fiber optic cable
11 over and across public lands owned by the
12 State of New Hampshire in Durham.

13 On August 1, 2017, the Department
14 of Natural and Cultural Resources, Division
15 of Historical Resources, filed a final report
16 with recommendations and conditions.

17 On November 21, 2017, the
18 Department of Transportation filed a progress
19 report with the Subcommittee. That report
20 sought additional information from the
21 Applicant. As of today, the DOT has not
22 filed a final report or decision,
23 recommendation or proposed conditions.

24 On February 28, 2018, the New

1 Hampshire Department of Environmental
2 Services issued a final decision on parts of
3 the Application related to a wetland permit,
4 alteration of terrain permit, a 401
5 water-quality certificate and a shoreland
6 permit. Each of the DES permits contained a
7 number of conditions. In addition to the
8 conditions applicable to these permits, DES
9 recommended the Subcommittee consider
10 requiring additional studies and conditions
11 pertaining to the submarine construction in
12 Little Bay.

13 On April 20, 2018, the SEC issued a
14 Notice of Adjudicative Hearings. The
15 Attorney General has appointed Chris Aslin as
16 Counsel for the Public in this matter.

17 A number of people and agencies
18 were permitted to intervene in this
19 proceeding. The intervenors are: Town of
20 Newington, Town of Durham and UNH jointly,
21 the Conservation Law Foundation, Durham
22 Historical Society, the Nature Conservancy,
23 the Durham Residents Group, Helen Frink,
24 Keith Frizzell, Fat Dog Shellfish and the

1 Crowley-Joyce Trust.

2 The final prehearing conference
3 occurred on August 22, 2018. A prehearing
4 conference report was issued. That report
5 contains the order of presentation and the
6 order of examination that we will follow
7 during the adjudicative hearing.

8 At this point I will take
9 appearances from the parties who are present
10 here today, and then we will begin with the
11 Applicant's presentation.

12 MR. NEEDLEMAN: Good morning. Barry
13 Needleman from McLane Middleton, representing
14 the Applicant. And with me is also Adam
15 Dumville from McLane Middleton. And next to
16 Adam is Beth Maldonado, who is in-house
17 counsel at Eversource.

18 PRESIDING OFFICER WEATHERSBY: Thank
19 you.

20 Mr. Aslin.

21 MR. ASLIN: Good morning. Chris
22 Aslin, senior assistant attorney general,
23 acting as Counsel for the Public.

24 MR. PATCH: Good morning. Doug

1 Patch from the law firm Orr & Reno,
2 representing the Town of Durham and the
3 University of New Hampshire. And with me at
4 the table is Todd Selig, who is the town
5 administrator in Durham. Next to him is Wayne
6 Burton, who is a town councilor in Durham, and
7 also a state representative.

8 PRESIDING OFFICER WEATHERSBY: Thank
9 you.

10 MS. BROWN: Marcia Brown,
11 representing Donna Heald. And also as
12 spokesperson for the Durham Residents, with me
13 today is Matthew Fitch, who's at the table
14 behind me, and Regis Miller and Vivian Miller.
15 Thank you.

16 PRESIDING OFFICER WEATHERSBY: Thank
17 you.

18 MR. IRWIN: Good morning. Tom Irwin,
19 Conservation Law Foundation. With me today is
20 Leslie Ludtke, who also has filed an
21 appearance on behalf of Conservation Law
22 Foundation.

23 MS. GEIGER: Good morning. Susan
24 Geiger from the law firm of Orr & Reno,

1 representing the Town of Newington. And with
2 me today is Mr. Denis Hebert, who is chairman
3 of the Newington Planning Board.

4 MR. RATIGAN: Good morning. John
5 Ratigan representing --

6 PRESIDING OFFICER WEATHERSBY: Mr.
7 Ratigan, could you repeat and use the mic.

8 MR. RATIGAN: Oh, yes. I'm sorry.
9 John Ratigan from the law firm of Donahue,
10 Tucker & Ciandella, representing the Town of
11 Newington.

12 MR. RICHARDSON: Good morning, Ms.
13 Chair and Committee Members. Justin
14 Richardson here representing the Crowley-Joyce
15 Trust. With me at the table is Mark Joyce,
16 who's a trustee.

17 I apologize. It appears that we're
18 short a microphone, so I hope we might be
19 able to address that or find a place where I
20 can sit and speak. Thank you.

21 PRESIDING OFFICER WEATHERSBY: I'll
22 speak to the mic issue in just a moment.

23 Is there anyone else who would like
24 to file an appearance? Yes, ma'am.

1 MS. MACKIE: I'm Janet Mackie,
2 representing the Durham Historic Association.
3 And with me here today is Nancy Sandberg, our
4 museum curator.

5 PRESIDING OFFICER WEATHERSBY: Thank
6 you.

7 Mrs. Frink.

8 MS. FRINK: Helen Frink,
9 representing the Darius Frink Farm in
10 Newington.

11 PRESIDING OFFICER WEATHERSBY: Thank
12 you.

13 Is there anyone else who would like
14 to make an appearance? Mr. Frizzell? Is Mr.
15 Frizzell here? Mr. Baker?

16 [No verbal response]

17 PRESIDING OFFICER WEATHERSBY: Okay.
18 Concerning the microphones, we are --
19 Mr. O'Brien, Nature Conservancy?

20 Concerning the microphones, we are
21 short a few. If you do have something to
22 speak, it does need to be made into a
23 microphone. We can try and pass microphones
24 or move to a seat where there is a

1 microphone. And if you want to speak or
2 question a witness, you can always come up
3 and use the microphone here at the lecturn.
4 We are hoping to get more microphones for the
5 future days of hearings and apologize for
6 any inconvenience today.

7 The Applicant will now present its
8 first witness.

9 MR. NEEDLEMAN: Thank You.

10 WHEREUPON, WILLIAM J. QUINLAN was duly
11 sworn and cautioned by the Court Reporter.

12 DIRECT EXAMINATION

13 BY MR. NEEDLEMAN:

14 Q. Could you state your name and position,
15 please.

16 A. Yes. I'm William J. Quinlan. I'm the
17 President of Eversource New Hampshire,
18 formerly Public Service of New Hampshire.

19 Q. And you have three exhibits in front of you:
20 Applicant's Exhibit No. 2, which is your
21 April 12th, 2016 prefiled testimony;
22 Applicant's Exhibit No. 69, which is your
23 March 29th, 2017 amended prefiled testimony;
24 and Applicant's Exhibit 138, which is your

1 July 27, 2018 supplemental prefiled
2 testimony; is that correct?

3 A. That's correct.

4 Q. Do you have any changes or corrections to any
5 of those three pieces of testimony?

6 A. I do not.

7 Q. Do you then adopt and swear to all three of
8 those pieces of testimony today?

9 A. I do.

10 MR. NEEDLEMAN: All set, Madam
11 Chair.

12 PRESIDING OFFICER WEATHERSBY: Thank
13 you.

14 Town of Durham/UNH. Mr. Patch, do
15 you have questions?

16 MR. PATCH: Good morning. Thank
17 you.

18 CROSS-EXAMINATION

19 BY MR. PATCH:

20 Q. Good morning. My name's Doug Patch. I am
21 counsel representing the Town of Durham and
22 the University of New Hampshire.

23 A. Good morning.

24 Q. Could you tell us where this project began?

1 You know, what was its inception?

2 A. Its inception really was a study of system
3 reliability that happens from time to time
4 for the entire regional electric grid here in
5 New England and the need identified in the
6 Seacoast Region of New Hampshire as a result
7 of load growth over the last many years.

8 Q. And can you give us a time frame for that?

9 A. The initial study was, I believe, in the
10 2012-2013 time frame. You can direct that
11 question later to Robert Andrew, who is one
12 of our system planners and also a witness in
13 the case. But it was roughly in the
14 2012-2013 time frame at which point the need
15 was identified.

16 Q. And do you know when it was first filed with
17 the ISO?

18 A. Approximately 2013, I believe. In 2014 it
19 went through the ISO-New England review
20 process and was confirmed as a needed
21 upgrade, again, subject to check. And I
22 would direct the questions to Mr. Andrew for
23 specifics.

24 Q. Okay. I would just point out for the record

1 that I think in the Application, Page E-2,
2 there's a footnote that cites to a report
3 from the ISO in April of 2012. So,
4 presumably it was filed sometime before that.
5 I didn't see an exact date, but I'm thinking
6 it was 2011 or so. Would that be contrary to
7 your understanding?

8 A. Again, I would direct that question to
9 Mr. Andrew. He would know the specifics.
10 But it was roughly in that time frame that
11 the need was first identified. Again, these
12 are ongoing studies that have been
13 periodically for the entire tier of the New
14 England grid.

15 Q. Your original testimony, which I believe has
16 been identified as Exhibit 2, at Page 10,
17 Line 8, you said, and I'm quoting, "Since the
18 Project inception, PSNH has been committed to
19 working with the towns... potentially
20 impacted by the Project." Did I say that
21 correctly? Do you have that in front of you?
22 I left out a few words between "towns,"
23 but --

24 A. I was going to say you left out a clause in

1 the middle, "including municipal officials,
2 residents and businesses."

3 Q. And do you know when you first, or when
4 Eversource first contacted local officials in
5 Durham?

6 A. There may have been contact prior to my
7 involvement. My involvement in the Project
8 was in the 2014 time frame. I met directly
9 and personally with town officials.

10 Q. And what about the University of New
11 Hampshire?

12 A. Approximately the same time frame. I think
13 they were contemporaneous, 2014.

14 Q. I have an exhibit that I guess I would like
15 to put in the record and show to you if you
16 haven't seen it already.

17 MR. PATCH: In the marking of
18 exhibits, I'm just a little bit confused on
19 that. We didn't mark this in the electronic
20 version that we sent to you, and I have marked
21 it today. But in our list, it was -- it's an
22 article, a recent article. In our list it was
23 Exhibit 8. And I didn't know if you were
24 going to be marking exhibits sequentially. So

1 this would be the first exhibit. But at the
2 prehearing conference, we gave you five
3 exhibits. And yesterday we e-mailed around an
4 additional six exhibits. And so on that list
5 that we sent yesterday, it's marked as
6 Exhibit 8. But I don't know if you want to
7 stick with that identification or not.

8 PRESIDING OFFICER WEATHERSBY: We're
9 going to use the exhibit numbers that are on
10 the list submitted.

11 BY MR. PATCH:

12 Q. Okay. So this would be Exhibit 8. And I
13 don't know if you have what I e-mailed in
14 yesterday electronically, Mr. Quinlan.

15 A. I do not.

16 Q. Okay. I'm going to show you this article.

17 MR. IACOPINO: Mr. Patch, there is
18 an Elmo here if you want to display it.

19 BY MR. PATCH:

20 Q. And the real reason I'm showing you this
21 article is so I can direct your attention to
22 a comment that was made in the article by a
23 spokesperson for PSNH. It's actually, I
24 believe, on the second page of the article.

1 And the spokesperson's name in the article is
2 Kaitlyn Woods. And the third paragraph up
3 from the bottom on the second page says,
4 "Asked what Eversource learned from Northern
5 Pass that it used in the Seacoast Project,
6 Woods said Eversource, in 2013, started
7 reaching out to affected communities to
8 discuss the Project." Is that consistent
9 with your understanding?

10 A. Again, my personal involvement I believe
11 began in 2014. But I have no reason to doubt
12 that this is correct -- you know, the point
13 being that outreach commenced well in advance
14 of the filing of the Application, and we took
15 very seriously input from all stakeholders,
16 including communities.

17 Q. And so when you said in Exhibit 2, "Since the
18 Project inception, PSNH has been committed to
19 working with towns," that actually -- working
20 with towns didn't happen when the Project was
21 pending before the ISO, did it, when it was
22 originally filed and when meetings were held
23 with the ISO?

24 A. The Application wasn't filed until 2016.

1 Q. With the ISO or with the Site Evaluation
2 Committee?

3 A. With the Site Evaluation Committee.

4 Q. Okay. But my question was about working with
5 towns, which you identified in your testimony
6 when the Project was filed with the ISO and
7 while you were presenting information to the
8 ISO. Do you know whether any of the towns
9 were contacted at that point in time?

10 A. Again, I would direct some of these questions
11 to Mr. Andrew. But we don't file a project
12 with the ISO. There's an ongoing system
13 study that looks at reliability needs for the
14 entire New England grid. They identified the
15 Seacoast in the 2012 or 2013 time frame as an
16 "immediate need." The ISO-New England then
17 reviews and considers alternatives for
18 addressing the need. So we don't file the
19 Seacoast Reliability Project with the ISO-New
20 England for their consideration. They
21 determine what the best solution is to
22 address the need.

23 Q. So you don't give them options then?

24 A. Sure. It's a collaborative process. We and

1 other stakeholders have an opportunity to
2 share thoughts and options. But we do not
3 identify a preferred option, to my knowledge.
4 Again, I would direct that question to Mr.
5 Andrew.

6 Q. So when you say "other stakeholders," are the
7 towns part of that stakeholder group?

8 A. I believe there is an opportunity for the
9 towns to be involved in the ISO process.
10 There's certainly a wide number of
11 stakeholders involved at ISO-New England --
12 generators, transmission owners, retail
13 marketers, the New England Power POOL --
14 which does hold open, public meetings where
15 towns, state commissioners and others are
16 involved. So there's certainly a dialogue
17 and opportunity for a lot of stakeholder
18 input.

19 Q. Are the towns notified about those meetings?
20 Does Eversource notify towns of those
21 meetings, or to your knowledge, does the ISO
22 notify towns?

23 A. Any notice of an ISO meeting would be by the
24 regional grid operator itself. And I'm not

1 aware whether there is a public notification
2 to towns.

3 Q. So in your testimony, Page 4, Line 17,
4 Exhibit 2, you say that stakeholder input --

5 A. I'm sorry. Which page?

6 Q. Page 4, Line 17.

7 A. Yes.

8 Q. You say that stakeholder input into the ISO
9 process is critical and ongoing; correct?

10 A. Yes.

11 Q. And you say at Line 21 that local communities
12 are participants; correct?

13 A. They are participants in the NEPOOL Planning
14 Advisory Committee, which is what I think I
15 just said.

16 Q. So how can communities and participants in
17 that committee -- I guess I don't understand.
18 They have one representative for all
19 communities in New England? Or how, for
20 example, could the Town of Durham be a
21 participant, you know, with knowledge of the
22 fact that Eversource was developing a project
23 that would affect them?

24 A. Well, the point of that answer to the

1 question was that the meetings are open to
2 the public. Any community, for any project,
3 is welcome to attend those meetings and
4 provide input. And again, the PAC Committee
5 doesn't focus on any one particular project.
6 They're considering projects across all of
7 New England, and it's an open and public
8 process. Your earlier question was about
9 notice, and I personally am not familiar with
10 the notice process to communities.

11 Q. The reality is, though, isn't it, that there
12 is no meaningful participation from affected
13 communities because they're not aware of
14 what's going on?

15 A. I believe there is an opportunity for
16 community input, so I would not agree with
17 that.

18 Q. Okay. But only if they're notified. If they
19 don't know about it, they can't participate;
20 right?

21 A. Presumably, yes.

22 Q. Are you familiar with the ISO process that
23 was used to review alternative ways to
24 address the need for this project? In your

1 prefiled testimony, Page 2, Exhibit 2, you
2 said that the ISO process was to serve
3 current and projected electric loads in the
4 Seacoast Region. So it sounds like you're
5 not totally familiar with how that process
6 works.

7 A. I am not an expert in the ISO processes;
8 however, Mr. Andrew is. I'm generally aware
9 of how ISO identifies needs, evaluates
10 solutions and determines what the best
11 project is to address and identify the need.
12 But I don't participate in that process
13 directly. And it's been a long time since
14 I've attended a committee meeting with ISO.

15 Q. So I'm focusing on Page 4, Line 14 of
16 Exhibit 2, your original testimony. You said
17 that the ISO identified a suite of projects,
18 of which the Seacoast Reliability Project was
19 a part; is that correct?

20 A. That's correct. And what I was referring to
21 was the so-called "Seacoast Solution." So,
22 ISO-New England first evaluated the need, and
23 then they identified the necessary projects
24 to address that identified need. The

1 Seacoast Reliability Project, which is the
2 project we're talking about today, is one of
3 several other system upgrades required to
4 address the need. I believe all of the other
5 upgrades at this point have now been
6 constructed and are in service.

7 Q. You said in your testimony at Page 4,
8 Line 14, approximately, that it was the
9 lowest cost and best overall option; correct?

10 A. Yes.

11 Q. And you said that resulted from a
12 collaborative process; is that correct?

13 A. Yes. That's the stakeholder process that I
14 was referring to earlier. It is
15 collaborative, and they seek views and
16 opinions from many stakeholders.

17 Q. Could you tell the Committee what the other
18 projects in that suite are?

19 A. I cannot. I would direct that question to
20 Mr. Bowes. I know there are some line
21 upgrades and some substation work. But Mr.
22 Bowes and/or Mr. Andrew can provide the
23 details.

24 Q. To your knowledge, were the other projects in

1 the suite ever submitted to the Site
2 Evaluation Committee for review and approval?

3 A. No, they were not because they are -- they do
4 not rise to the level of a project requiring
5 siting approval here in New Hampshire. So,
6 they are smaller in nature and don't trigger
7 the need for a certificate for their
8 construction.

9 Q. That may be the case individually. But I
10 thought part of what Eversource has been
11 saying in its testimony and in its
12 Application is how these projects are all
13 interconnected, and so I guess I don't
14 understand. If they're so interconnected,
15 and part of your argument is, well, gee, we
16 did all these other projects, now you should
17 approve this, then why didn't you send the
18 whole suite of projects to this Committee?

19 MR. NEEDLEMAN: Objection. This
20 calls for a legal conclusion.

21 MR. PATCH: I think the witness is a
22 lawyer.

23 MR. NEEDLEMAN: But the witness is
24 not testifying as a lawyer.

1 MR. PATCH: Well, but he certainly
2 has that background and training.

3 PRESIDING OFFICER WEATHERSBY: Mr.
4 Quinlan, if you know the answer to that
5 question, you can answer it.

6 A. I did not use the word "interconnected." I
7 used the word "suite." You know, as I said,
8 ISO identified the suite of projects that
9 were necessary. I don't believe -- and
10 again, Mr. Bowes and Mr. Andrew are the
11 experts -- that they are technically
12 interconnected. And as I said, those other
13 projects and upgrades did not rise to the
14 level of requiring SEC review and approval
15 prior to construction.

16 BY MR. PATCH:

17 Q. Do you know how the ISO evaluates what is the
18 best overall option? You know, you, your
19 testimony, as we noted a couple of questions
20 ago, said "lowest cost and best overall
21 option." What are the criteria that they
22 use?

23 A. Yeah, first and foremost, it's reliability.
24 I mean, the reason we're here today and the

1 reason this project was approved is that
2 there was an identified reliability need back
3 in 2012, which means that ISO-New England
4 determined that this project and this
5 solution was necessary to ensure the grid
6 reliability in the Greater Seacoast Region.
7 So it starts their review with what is the
8 project that is the best technical solution
9 for that identified reliability need. That's
10 first and foremost.

11 Q. It sounds like, though, you don't know any
12 more specific than that what criteria the ISO
13 uses.

14 A. Well, I do. There are thermal and voltage
15 criteria that need to be satisfied, both of
16 which are right now compromised, which means
17 that under certain system conditions and
18 configurations we would either have a low
19 voltage situation or an overload situation,
20 in which case, we, as the transmission
21 operator, New Hampshire grid would have to
22 shed load in the region to ensure that the
23 grid did not collapse. So there are specific
24 technical criteria that are used to identify

1 need. In this instance, both were
2 compromised. Both are compromised today,
3 both thermal and voltage. So that is the
4 ISO-New England's primary criteria is need
5 and reliability. Beyond that, they do look
6 at cost.

7 Q. And so when they look at cost, presumably do
8 they develop the cost estimate, or does
9 Eversource?

10 A. We develop the cost estimate for the various
11 solutions that have been identified.

12 Q. And do they hold you to that cost estimate in
13 any way, or is it just that, an estimate, and
14 then whatever it ends up costing they let you
15 pass on to ratepayers?

16 A. Ultimately, any reliability project that we
17 complete we will have to submit the final
18 costs to ISO-New England for review,
19 consideration and determination as to whether
20 the costs were prudently incurred and should
21 therefore be borne by customers. And for a
22 project such as this, which is a reliability
23 project, it is what we refer to as a
24 "socialized" or "regionalized" cost, meaning

1 customers across New England would pay for
2 these upgrades necessary to New Hampshire.
3 We, as New Hampshire, constitute about
4 9 percent of New England's total load. So
5 New Hampshire customers would pay
6 approximately 9 percent of these regionalized
7 costs, and customers across New England would
8 pick up the balance. So there is a very
9 formal process where the actual costs are
10 reviewed and scrutinized by ISO-New England
11 to ensure they're consistent with Good
12 Utility Practice.

13 Q. When you were listing the criteria that ISO
14 uses, I didn't hear you say "impact on the
15 environment" or "impact on local communities"
16 or "impact on historic resources" or the
17 kinds of things that this Committee really
18 reviews. Is that fair to say?

19 A. Those are considerations and decisions that
20 ISO would defer to the siting board -- in
21 this case, the Site Evaluation Committee.

22 Q. In your testimony, Exhibit 2, Page 5, Line
23 19, you say --

24 A. I'm sorry. Which page?

1 Q. Page 5, Line 19.

2 A. Yes.

3 Q. You say that PSNH chose to use submarine
4 construction because there is an existing
5 underwater utility corridor in Little Bay;
6 correct?

7 A. That's one of the reasons we chose jet plow
8 for submarine crossing, yes.

9 Q. And when was that underwater utility corridor
10 first approved? Do you know?

11 A. I do not know. But it's been there since the
12 early 1900s. I'm not certain of the precise
13 year it was approved and constructed.

14 Q. And is it a distribution or transmission
15 utility corridor? Do you know?

16 A. It's a distribution line which is no longer
17 in service.

18 Q. Do you know when it went out of service?

19 A. I do not.

20 Q. Do you know whether there are any concrete
21 mattresses in Little Bay currently covering
22 any of those lines?

23 A. I do not know whether there are concrete
24 mattresses used.

1 Q. In terms of the need for the project, in your
2 testimony in April of 2016, I believe it's
3 Page 2, Line 29, you said there was an
4 "immediate need" for the project. Do I have
5 that correct?

6 A. Can you give me the reference again, please?

7 Q. Page 2, Line 29.

8 A. Of the original testimony?

9 Q. That's right, Exhibit 2.

10 (Witness reviews document.)

11 A. Correct. As I said, ISO-New England, when
12 they did their system study, determined that
13 the year of need I believe was 2012, which
14 means that as of 2012, their thermal and
15 voltage criteria were no longer satisfied.
16 So with the load growth since 2012, that need
17 has just grown. The problem has been
18 exacerbated, and the risk to customers has
19 gone up.

20 Q. So if this project is approved, it appears
21 that it will be at least three, maybe four
22 years after you said there was an "immediate
23 need" before the Project is completed; is
24 that correct?

1 A. Yes, at least three or four years.

2 Q. So when you said "immediate," I guess I'm
3 trying to put that together with the timing
4 of the --

5 A. Well, it is immediate. As I said, their
6 thermal and voltage criteria were not
7 satisfied as of 2012. It doesn't mean we are
8 immediately going to be shutting off
9 customers or doing load shedding, what we
10 refer to as "load shedding." It essentially
11 says that as of 2012, the criteria weren't
12 satisfied, and there is a risk under certain
13 system configurations that we would have to
14 do so. Thankfully, that risk has not become
15 a reality in the intervening years. That's
16 never a step that as a system operator we
17 want to take. Hopefully, it can be avoided
18 through the construction of this project.

19 Q. And so the other projects in the suite, has
20 construction on those been completed?

21 A. I believe so, yes. I believe all of them are
22 complete and in service.

23 Q. And the fact that they're complete and in
24 service, does that reduce the need for this

1 project? In other words, are we in a better
2 situation than we were when you filed this
3 testimony in 2016, now with the completion of
4 the other projects in the suite?

5 A. The suite in its entirety is needed to
6 address the need. This project is probably
7 the single, most significant contributor to
8 the risk reduction. There is no doubt that
9 those other projects are beneficial and
10 important, and that's why we've constructed
11 them. But this project is the linchpin of
12 the total package.

13 And I would also say that loads have
14 continued to grow in the Seacoast Region of
15 New Hampshire. So that identified need in
16 2012 has grown as a result of more customer
17 demand in the region, which generally is a
18 good thing. It's a sign of a healthy economy
19 in the Seacoast.

20 Q. So I don't think you answered my question.
21 Maybe if I ask it a different way -- my
22 question was basically, given the completion
23 of the other projects in the suite, are we in
24 a better place than we were in 2016?

1 A. I think I did answer, but let me try again.

2 The completion of those projects are
3 beneficial and should improve reliability,
4 each and every one of them. But ISO-New
5 England has determined that this project,
6 along with those, are required to address the
7 need and to get us out of the situation we're
8 in where we have violations of their design
9 criteria. So there is incremental benefit of
10 those projects, but we really do need this
11 project. And the reason I talked about load
12 growth is that pushes us in the other
13 direction. It just exacerbates the need.
14 So, while it's true we've completed those
15 upgrades, loads have grown, and that net-net
16 may have increased the overall need. I would
17 defer that to Mr. Andrew and perhaps Mr.
18 Bowes.

19 Q. So, along these lines, at Exhibit 2 again,
20 Page 4, Lines 2 to 3, I believe you said
21 that --

22 A. I'm sorry. Page 4?

23 Q. Page 4, Lines 2 to 3.

24 A. Yes.

1 Q. I believe you said that the existing capacity
2 of the electric system in this region must be
3 enhanced to meet current and growing customer
4 electrical demand; correct?

5 (Witness reviews document.)

6 A. Correct.

7 Q. And in conclusion to your testimony at
8 Page 14, Line 11 -- I'll let you get there.

9 A. Thank you. Yes.

10 Q. You refer to the "projected electrical demand
11 growth."

12 A. That's correct. As I say, demand continues
13 to grow in the Seacoast Region.

14 Q. Do you have any specifics on the growth in
15 the region? I mean, do you have anything
16 that you could offer to this Committee,
17 either today or through a record request, of
18 exactly what the demand growth is in the
19 Seacoast Region, say over the last ten years?

20 A. We can certainly provide that. I do not have
21 that information with me here today. But we
22 look at every region across New Hampshire
23 and, as a company, across New England for
24 pockets of load growth. I happen to know,

1 because I look at this frequently, that the
2 Seacoast continues to grow at a fairly strong
3 rate. But we could certainly provide that in
4 a record request.

5 MR. PATCH: Okay. I would like to
6 make that record request. So if you want me
7 to repeat it again, I will. It's the demand
8 growth in the Seacoast Region over the last
9 ten years.

10 PRESIDING OFFICER WEATHERSBY: Okay.
11 So noted.

12 Attorney Needleman, you got that?

13 MR. NEEDLEMAN: Yes.

14 PRESIDING OFFICER WEATHERSBY: Thank
15 you.

16 BY MR. PATCH:

17 Q. What's your understanding of what is
18 happening generally --

19 (Court Reporter interrupts.)

20 MR. IACOPINO: Mr. Patch, I want to
21 just make sure. With respect to that record
22 request, you've used two different terms, and
23 I think they probably mean the same thing. He
24 was talking about "demand growth" and you were

1 talking about "load growth" --

2 WITNESS QUINLAN: I'm using them
3 interchangeably --

4 (Court Reporter interrupts.)

5 MR. IACOPINO: Are you both talking
6 about the same thing?

7 MR. PATCH: As far as I'm concerned,
8 yes. And I think Mr. Quinlan confirmed that.

9 WITNESS QUINLAN: Yes. Yes.
10 "Customer demand" and "load" that we have to
11 serve in the region generally are synonymous.

12 PRESIDING OFFICER WEATHERSBY: Thank
13 you. You may continue.

14 BY MR. PATCH:

15 Q. What is your understanding of what's
16 happening to electrical demand generally in
17 New England in recent years? Is it growing?
18 Is it leveling off? Is it decreasing?

19 A. In New England?

20 Q. Yes.

21 A. By "recent years," do you mean last two or
22 three years?

23 Q. Well, I'd probably go a little bit further
24 back. Maybe five.

1 A. In general, over the last five years across
2 New England, load has been flat to declining
3 in New England. And just to provide a little
4 color on that, that does not include load
5 necessarily served by distributed energy
6 resources.

7 So, one of the reasons why the ISO-New
8 England load may be declining is that there
9 are customers who are generating power behind
10 the meter, and that wouldn't show up in a New
11 England load number. But generally flat
12 across New England.

13 Q. I have a couple of exhibits I'd like to show
14 you, and I think they basically confirm this.
15 I don't want to spend a lot of time on them,
16 but they are what I had premarked in what I
17 sent out yesterday as Exhibits 6 and 7. And
18 they're excerpts from ISO reports from this
19 year, from 2018. And I would just ask you to
20 take a look at those, and I just have one or
21 two quick questions about them.

22 MR. IACOPINO: Doug, can you use the
23 Elmo so folks can know what you're talking
24 about?

1 MR. PATCH: I don't know how to use
2 the Elmo. I've never used it.

3 MS. MONROE: I'll show you.

4 MR. IACOPINO: Pam will show you.

5 MS. MONROE: I'm here to help.

6 MR. PATCH: Okay.

7 (Pause in proceedings)

8 BY MR. PATCH:

9 Q. I mean, this is an ISO report. It's
10 identified on the first page. And on the
11 second page it has the language that I think
12 you see there about, you know, with regard to
13 the growth and load. This one, and then also
14 the next exhibit which I identified as an
15 excerpt, "Peak Demand and Overall Electricity
16 Use," that may be more relevant to the
17 question I just asked you. But that
18 includes, I believe, some information there
19 with regard to electric load growth or not,
20 really, in New England, which I think you
21 just discussed. I don't know if you could
22 just read what it says there.

23 A. "The annual growth rates for summer peak
24 demand and overall electricity use are

1 0.1 percent and negative 0.6 percent,
2 respectively, when energy efficiency and
3 behind-the-meter solar are factored into the
4 forecast."

5 Q. I think it's that bottom bullet there that
6 you just read; correct?

7 A. That's what I just read, yes.

8 Q. Yup. Thank you.

9 And then on the other exhibit which I
10 gave you, the one with the two charts at the
11 top, could you just read what the words below
12 that say basically about, you know, the
13 impact that energy efficiency has had. And I
14 think this is what you were talking about
15 when you said "behind the meter."

16 A. Well, it wasn't, but this is the other factor
17 that I can certainly speak to.

18 It says, "The New England states are
19 national leaders in energy efficiency, or
20 'EE.' Four are ranked in the top ten,
21 including Massachusetts at No. 1."

22 You want me to continue?

23 Q. That's okay. I mean, the point --

24 A. Yeah, so the point being, and I probably can

1 agree to this, that the combination of energy
2 efficiency and solar, which is
3 behind-the-meter generation, have flattened
4 what would otherwise be load growth in New
5 England. And, you know, there's a note on
6 the first exhibit you showed me that said
7 without energy efficiency and solar, the
8 region's peak demand is forecasted to grow
9 1 percent annually, and the region's overall
10 electricity demand is forecasted to grow 0.9
11 percent annually -- so the point being that
12 those two factors, solar and energy
13 efficiency, have reduced the growth of the
14 peak demand in New England, which is
15 interesting and it's true for New England,
16 but that's not true for the Seacoast. And I
17 think the exhibit we provide to you will
18 demonstrate that the Seacoast area has
19 continued to grow while overall demand in New
20 England is flat.

21 Q. So there certainly can be pockets within the
22 New England grid that grow at a different
23 rate than other pockets. And I guess what
24 you're saying is that in the Seacoast Region,

1 what is generally true in New England has not
2 happened; correct?

3 A. That is correct.

4 Q. Do you have an explanation as to why that's
5 the case, or do you have some logical --

6 A. Generally, it's a function of economic
7 activity. You know, over the last decade or
8 so there's been a lot of business growth in
9 the Greater Seacoast Area. A lot of
10 manufacturers have located in the region, and
11 others, and those are generally
12 energy-intensive operations. So as the
13 economy has grown in the region, demand for
14 electricity has also grown, notwithstanding
15 the fact that we have some very effective
16 energy-efficiency programs across New
17 England.

18 You know, this note that you shared
19 suggests that Massachusetts has the No. 1
20 energy-efficiency programs in the country.
21 We happen to run those in Massachusetts, and
22 they're very similar to the programs we run
23 here in New Hampshire, which are also, in my
24 mind, among the best in the country.

1 So, energy efficiency has clearly had an
2 impact on load growth in New Hampshire and
3 the Seacoast. It's just that the economic
4 activity has grown more quickly than those
5 programs.

6 Q. It would be surprising to me that the
7 economic activity in the Seacoast Region -- I
8 could be incorrect -- but that it would be
9 different than, say, New England-wide.
10 There's been good economic activity in
11 Boston, and probably in Hartford, probably in
12 Providence, probably in various places around
13 New England; yet, the region-wide numbers
14 don't indicate that there's demand growth.

15 A. Well, we happen to operate the electric grid
16 in most of those cities that you just named,
17 and I will tell you that Boston loads
18 continue to grow, and Stamford, Connecticut,
19 loads continue to grow. And it's a function
20 of economic activity. Hartford -- right now
21 the economy is not growing in Connecticut.
22 Loads are actually trending downward in
23 Hartford. Greater Seacoast Area in New
24 Hampshire is the area of growth in this

1 state. I think my testimony refers to the
2 fact that the Seacoast Region, if trends
3 continue, it will consume about 25 percent of
4 the energy for the entire state of the New
5 Hampshire in the coming years. And it really
6 is a function of economic activity and the
7 number of businesses that are located in the
8 region.

9 Q. And along these lines in your testimony,
10 Exhibit 2 at Page 7, Line 23, you said that
11 SRP will support future economic growth in
12 this expanding region.

13 A. That's correct. So when we complete these
14 upgrades, it will provide redundancy and
15 additional, new capacity to allow the economy
16 in the Seacoast Region to continue to grow
17 without violating the design criteria. So we
18 are building margin into that portion of the
19 grid.

20 Q. Do you know if there was another option in
21 the alternatives that the ISO and Eversource
22 looked at collaboratively that would have
23 done a better job of preparing that region
24 for future economic growth?

1 A. I don't believe there is any better
2 alternative, which is why ISO-New England
3 chose this alternative. They believed it was
4 the best technical solution to address the
5 reliability need. I know they studied
6 extensively the so-called "Gosling Road
7 autotransformer" as an alternative and
8 determined that was not as good a solution.

9 Q. Too expensive? Not technically a solution?

10 A. Well, as I said earlier, their first focus
11 area is on reliability. And I believe, as a
12 technical matter, the Seacoast Solution was a
13 preferred alternative to Gosling Road. It's
14 also a lower cost alternative.

15 Q. In your testimony at Page 7, and again it's
16 Exhibit 2, Lines 18 to 19, you said that this
17 project, and I'm quoting, "provides an
18 alternate parallel path for the transmission
19 of electricity."

20 A. That's correct. That's the redundancy that
21 I'm referring to. So as I said earlier, you
22 know, these overloads occur under certain
23 system configurations. As a grid operator,
24 we'd like to have multiple paths into our

1 region, so if one line is out for whatever
2 reason, maintenance or otherwise, we can
3 continue to meet the demands of customers.
4 And that's the "parallel path" that's
5 referred to here.

6 Q. Have there been any outages, to your
7 knowledge, in the Seacoast Region over the
8 last, let's say six years, since the Project
9 was first discussed, six or seven years at
10 the ISO level? Are there any outages in the
11 Seacoast Region that can be attributed to the
12 failure to construct this project sooner?

13 A. Thankfully, no. To my earlier point,
14 however, there is a risk of that occurring.
15 And we never as a grid operator want to be in
16 a situation where customers are out for that
17 reason, insufficient capacity.

18 Q. In your testimony, and I believe it's
19 Page 13, I think in the area of Lines 10 to
20 12, this gets back to a point you made
21 previously. If the SEC approves a design
22 with features deemed by the ISO to exceed
23 reasonableness standards, the cost of such
24 features would be recovered from New

1 Hampshire customers or a subset of those
2 customers; correct?

3 A. You're paraphrasing, but generally correct.

4 Q. And the example of that is the undergrounding
5 in that Connecticut project that happened a
6 number of years ago. At least that's what I
7 hear most of the people in the industry cite
8 as the example of that. Is that correct?

9 A. I believe you're referring to the
10 Middletown-Norwalk project, which was a line
11 connecting Middletown, Connecticut, to
12 Greater Norwalk, intended to serve a very
13 similar purpose as this project. In that
14 instance, through a portion of Fairfield
15 County we determined to place the facilities
16 underground. And ultimately, ISO-New England
17 determined that those costs should not be
18 borne by New England customers, but should be
19 localized. I believe Mr. Bowes was directly
20 involved in that project, so I would defer
21 specific questions to Mr. Bowes.

22 Q. And so your reference to "reasonableness
23 standards by the ISO," can you tell us what
24 those "reasonableness standards" are?

1 A. The standard is one of a reasonable man or
2 reasonable person, often referred to as "Good
3 Utility Practice." So it is the decisions
4 made by a reasonable person, given everything
5 they know at the time they make the decision
6 without the benefit of hindsight.

7 Q. On that same page you cite to guidelines. I
8 think it's Lines 21 and 22. Is that what
9 you're referring to, or is that something
10 different?

11 (Witness reviews document.)

12 A. No, the "reasonable person standard" and
13 "Good Utility Practice" is a legal standard.

14 Q. Okay. So is that codified in any way in ISO
15 tariffs, or is it -- are you just saying
16 generally that's what they use? Is there
17 anywhere that you can cite to that
18 specifically says what those standards are or
19 the fact that the ISO uses that standard?
20 And you can take this as a record request if
21 you don't know.

22 A. A record request would be appropriate.

23 MR. PATCH: Okay. I can repeat it
24 if necessary.

1 MR. IACOPINO: Thank you.

2 MR. PATCH: It's a request that
3 Eversource, or Mr. Quinlan, provide the
4 citation to where in the ISO tariffs or other
5 documents the reasonableness standards which
6 he refers to on Page 13 of his testimony in
7 Exhibit 2, where those standards are either
8 spelled out or referred to in those ISO
9 documents.

10 A. Just let me refer you to Page 6 and 7 of my
11 testimony, my prefiled testimony. It's where
12 I cite the Good Utility Practice standard and
13 the associated ISO-New England tariff
14 language. You can see the footnote.

15 Q. I do see that.

16 A. "Good Utility Practice" and the "reasonable
17 person" -- or "reasonable standard" are, in
18 my view, synonymous.

19 Q. Is there anything other than that that you're
20 aware of? I mean, we can eliminate the
21 record request if that's all you're referring
22 to?

23 A. Other than precedent and case law, I think
24 those are commonly used in the industry as

1 being one and the same, "reasonable standard"
2 and "Good Utility Practice." But perhaps we
3 can do a review and provide additional
4 citations. But that is the cite to the
5 ISO-New England Tariff that contains the
6 standard.

7 Q. So the record request, I guess, we would
8 still like to make.

9 A. Sure.

10 Q. And then what about the guidelines that I
11 asked you about on Lines 21 and 22? I mean,
12 I tried to go to that citation that you gave
13 to see if I could look at the guidelines, and
14 I couldn't find anything that was specific to
15 what you're referring to. I guess I would
16 like to make another record request, unless
17 you can identify more specifically --

18 A. Those are guidelines on transmission cost
19 allocations? Is that what you're referring
20 to?

21 Q. Yes.

22 A. You're saying there was no information when
23 you checked?

24 Q. Well, it refers you to a very general site,

1 and it's kind of hard to know -- I mean, I'm
2 65 years old, so maybe part of the problem is
3 not being as technologically savvy as I could
4 be. But I wonder if you could provide those
5 guidelines in a hard copy or a specific site
6 that would be more useful than just that
7 general citation.

8 PRESIDING OFFICER WEATHERSBY: Mr.
9 Needleman.

10 MR. NEEDLEMAN: I suppose we can.
11 But I'm wondering why, if this is 2016
12 testimony, we're getting record requests today
13 for this information. Seems to me this is all
14 things that could have been worked out long
15 ago in the discovery process.

16 PRESIDING OFFICER WEATHERSBY: Mr.
17 Patch.

18 MR. PATCH: Well, I think it's
19 typical for when you go through
20 cross-examination and you hear answers to
21 questions you haven't heard before to then ask
22 for a follow-up record request. And I don't
23 think it's a huge burden on the Applicant.

24 THE WITNESS: We can provide the

1 guidelines.

2 MR. PATCH: Thank you.

3 BY MR. PATCH:

4 Q. I just have a few more questions, and they're
5 a little bit more general in nature. I mean,
6 presumably you know the level of interest
7 this project has generated from local
8 residents, and I'm thinking particularly in
9 Durham. Correct?

10 A. Generally, yes.

11 Q. And this project, from the perspective of
12 people who live in Durham, is about impacts
13 on their community. I mean, it's not a large
14 urban community. It's a community that takes
15 a lot of pride in its surroundings and has a
16 number of very precious resources, including,
17 but not limited to, Little Bay. But I want
18 to make sure that you and Eversource have an
19 understanding of why the people in Durham are
20 concerned about the Project. Do you share
21 that concern? Do you understand that
22 concern?

23 A. I do. And I think it's certainly a valid
24 concern. I've personally spent a lot of time

1 in the town of Durham, meeting with municipal
2 officials in the right-of-way, looking at the
3 Little Bay crossing area. And I know we've
4 got an entire team of folks who have been
5 working with stakeholders to address concerns
6 and mitigate them where possible. And I
7 believe the team has done an extraordinary
8 job, in my mind, in that collaboration to try
9 to address the concerns that I do think are
10 valid. Anytime you're building large
11 infrastructure, you know, I believe there are
12 going to be questions and concerns that need
13 to be addressed, and that's part of the
14 process. But the mitigation efforts on this
15 particular project, in my experience, are
16 extraordinary.

17 Q. And do you -- I'm sorry. I didn't mean to
18 cut you off.

19 A. I was finished, yeah.

20 Q. Do you realize that people in the community
21 want there to be as little trace as possible
22 left once the Project is completed?

23 A. By "trace," I'm not sure I understand.

24 Q. Well, as little visual impact or

1 environmental impact or any sort of impact,
2 and as little as possible once the Project is
3 complete.

4 A. I do think there's a balance that has to be
5 struck whenever you're building
6 infrastructure. You have to balance those
7 legitimate concerns that, you know, local
8 residents and others may have with the
9 overall need for the project. And ultimately
10 there's a cost component to factor into the
11 equation. And our goal is to strike an
12 appropriate balance, which I believe we have
13 done here, and we're going to continue to
14 work on in our outreach locally in the towns
15 of Durham and Newington and Madbury and
16 Portsmouth.

17 Q. And do you realize how disruptive it can be
18 to a municipality, how many calls it can
19 generate from residents to town officials?

20 A. I don't personally know what the number of
21 contacts here are, but I suspect there could
22 be inquiries, and undoubtedly are.

23 Q. And if the Project impacts on an individual
24 resident's property -- I mean, you've cited

1 to the fact that some of the Eversource
2 officials have been trying to work with
3 them -- can you tell this Committee that they
4 will be well taken care of? Obviously,
5 within reason. But can you tell the
6 Committee that you're working with those
7 residents to try to do that?

8 A. Absolutely. And I think the changes we have
9 made to the Project thus far evidence our
10 commitment to work with all stakeholders to
11 mitigate impacts.

12 Q. And are there specific individuals within the
13 Eversource team that are watching out for the
14 interests of residents and interacting with
15 them? Can you give us names or --

16 A. Well, I won't name individuals by name. But
17 we have an entire community relations team
18 that works with individuals on a statewide
19 basis. We have a construction services team
20 that's part of our transmission business that
21 is keenly focused on this project and working
22 with individuals and other stakeholders. But
23 it actually goes right up to me. I mean,
24 oftentimes potential mitigation steps are

1 brought to my attention for a decision. And
2 I take them very personally. We're doing
3 what we can to mitigate impacts, both to
4 individuals, to municipalities and to others.
5 And I think many of the changes have been
6 made as a result of that input. This project
7 has changed significantly from when it was
8 first envisioned, and it was largely based on
9 attempts to mitigate impacts.

10 Q. And in an earlier question, when I mentioned
11 "precious resources within Durham," that
12 includes historic resources. And so the
13 impacts on historic resources are an
14 obviously significant concern to a number of
15 residents of Durham. So what you just said
16 about working with residents on their
17 property would also include impacts to
18 historic resources?

19 A. Yes. And that process is generally, as I
20 understand it, governed by the Division of
21 Historic Resources. And I know we've been
22 working very closely with DHR to identify and
23 address both cultural and historic resources,
24 an important part of the process.

1 Q. The only thing I will say about that is, and
2 I want to make sure you recognize this, is
3 that what the division recognizes as historic
4 impacts in this particular case at least
5 hasn't always been the same as what some
6 local residents identify. Some local
7 residents have identified additional historic
8 resources. And so is your team sensitive to
9 that and aware of that and willing to work in
10 light of that?

11 A. I am not personally aware of that. But if
12 you suggest that that's the case, I'm sure
13 our team is aware of it. And that's
14 something we will work with not only with the
15 stakeholders again, but with DHR.

16 Q. That's all the questions I have. Thank you,
17 Mr. Quinlan.

18 A. You're welcome. Thank you.

19 PRESIDING OFFICER WEATHERSBY: Next
20 questions will come from the Town of
21 Newington. Attorney Ratigan.

22 CROSS-EXAMINATION

23 BY MR. RATIGAN:

24 Q. Good morning. My name is John Ratigan. I

1 represent the Town of Newington. I have a
2 few questions for you.

3 I don't have the exhibit in front of me
4 that compares the Gosling Road
5 autotransformer comparison -- I have it in
6 front of me, but I don't have it so I can
7 show you. But in looking at that exhibit,
8 compared to the Madbury Road option that's
9 been chosen, other than cost, it looks as
10 though the autotransformer option was rated
11 more highly in the comparison that was done
12 by the ISO. Do you share that recollection?

13 A. I'm not aware of the exhibit you're referring
14 to. My understanding, however, is that when
15 ISO-New England looked at the two
16 alternatives, they determined that the
17 Seacoast Solution was the better technical
18 solution and the lower cost solution.

19 Q. Do you have an understanding of whether the
20 suite of projects that support this
21 particular transmission line, the Seacoast
22 Solution, also works technically with the
23 autotransformer solution?

24 A. Again, I would direct that question to either

1 Mr. Bowes or Mr. Andrew. I believe there are
2 some of those upgrades that would be required
3 in both solutions and others which are unique
4 and specific to one solution or the other.
5 So I think it's a mix. But the specifics can
6 be provided by Mr. Andrew or Mr. Bowes.

7 Q. And, you know, drawing upon I think the
8 heightened sensitivity that we now have, that
9 perhaps the ISO-New England was not aware of
10 back when it made that decision, impacts upon
11 the Great Bay have now been recognized to be
12 considerable; the impacts through the
13 historic and developed area of Durham, and
14 also through Newington, I think have been
15 recognized to be greater impacts than perhaps
16 when ISO looked at this. Would you agree
17 with me that, were this Committee to see the
18 merits in the autotransformer because of
19 these options, because of these impacts, that
20 impacts to Newington, impacts to Durham and
21 impacts to the Great Bay would largely go
22 away from that option? Would you agree with
23 that?

24 MR. NEEDLEMAN: Object to the

1 question. It's full of premises that are not
2 in the record and we believe incorrect.

3 PRESIDING OFFICER WEATHERSBY:

4 Sustained. Could you rephrase.

5 MR. RATIGAN: Sure. Be happy to.

6 Apologize.

7 BY MR. RATIGAN:

8 Q. The autotransformer option doesn't involve
9 any impacts to Great Bay, does it?

10 A. I believe that's correct, yes.

11 Q. And the autotransformer option would involve
12 no impacts to the town of Newington and no
13 impacts to the town of Durham.

14 A. Again, I would direct specific questions
15 around that alternative to Mr. Bowes and Mr.
16 Andrew. There would certainly be impacts to
17 the towns in which those upgrades would be
18 located. They may or may not be in Newington
19 and Durham. There would not be at Little Bay
20 Crossing.

21 Q. Right. But there would be a transmission
22 line in the full length of the current route.

23 A. No, but there would be another transmission
24 line elsewhere.

1 Q. That's right. I'm sure everyone appreciates
2 hearing Eversource's commitment to continue
3 to work with the communities. And Newington
4 certainly appreciates that.

5 Can you please confirm my understanding
6 that Eversource developed a property owner
7 guaranty program that was proposed for
8 property owners who had properties that were
9 abutted or near the Northern Pass
10 Transmission Line project?

11 A. Correct. I believe it was a property value
12 guaranty.

13 Q. And do you have an understanding of how that
14 worked?

15 A. Generally, yes.

16 Q. Could you please explain for the benefit of
17 the Committee.

18 A. Yeah. So, Northern Pass being not a
19 reliability project, in contrast to the one
20 we're talking about here, was what we refer
21 to as an "elective transmission project," so
22 the cost of Northern Pass would not be borne
23 by customers. In that instance, we, as the
24 project developer, have greater flexibility,

1 if you will, to consider things such as
2 property value guaranty, which we did offer
3 in that project. First time that Eversource
4 has ever considered such a program. In fact,
5 I'm not aware of any other utility in New
6 England or beyond who's ever had such a
7 program. But it was something that we
8 attempted to introduce in Northern Pass. We
9 did introduce it as a way to try to address
10 concerns with landowners who might believe
11 that the value of their property was
12 diminished as a result of the project. And
13 there were certain criteria that were
14 considered: Generally, proximity to the
15 transmission corridor, as well as whether the
16 property's viewshed had changed significantly
17 as a result of the construction. But for
18 landowners where those criteria were
19 satisfied, we were proposing an approach to
20 try to compensate them, if you will, for the
21 diminished value of the property. Again, it
22 was unique, something we've never done
23 before, and specific for an elective
24 transmission project.

1 Q. And I take it that's in recognition that
2 there can be impacts to property values from
3 high-tension transmission line projects.

4 A. Yeah. I'm certainly not an expert in the
5 field. I would refer those questions to Dr.
6 Chalmers. But my understanding is there's
7 very little empirical or other evidence of an
8 actual correlation between proximity to a
9 transmission line and impacts on property
10 values. Now, this is again paraphrasing, but
11 I believe Dr. Chalmers, after studying an
12 extensive amount of research in the field,
13 has determined that in very limited
14 instances. I think generally if you're
15 within 200 feet of a new transmission line,
16 your viewshed changes materially, and your
17 property actually is crossed by the
18 transmission line, in isolated instances he
19 has been able to identify an effect. But my
20 understanding is those instances are rare.
21 Again, I would defer the questions to Dr.
22 Chalmers.

23 Q. So it sounds like, from your perspective,
24 accepting Dr. Chalmers's conclusions, that

1 there's not a big economic impact to the
2 Company being able to make an offer like that
3 because, from your perspective, you really
4 don't think this happens very often. Would
5 that be fair to say?

6 A. Can you restate that question? I'm not
7 sure --

8 Q. Yeah. In other words, what I think I heard
9 you describe is that the Company doesn't
10 believe that these impacts are really
11 significant or that they happen very often.
12 And if that's true, then it's a good business
13 practice to make a decision like this because
14 you're really not going to trigger a lot of
15 payments out to people if you don't really
16 think it happens very often or that it's
17 significant.

18 A. I agree with the first part of your
19 statement, that we don't believe that these
20 instances are widespread and significant,
21 based upon the study performed by experts.
22 We believe they are rare. For a reliability
23 project like the one we're talking about here
24 today, as discussed earlier, we have to

1 exercise Good Utility Practice. And the
2 costs that we incur associated with this
3 project are borne by customers. To my
4 knowledge, there's been no reliability
5 project in New England where a property value
6 guaranty has been offered. So that would
7 certainly be a change, and one that I'm not
8 certain how ISO-New England would view from a
9 cost-recovery perspective.

10 Q. Well, you anticipated my next question, which
11 is would Eversource be willing to extend such
12 a program to the homeowners of these
13 properties adjacent, that fit these criteria,
14 particularly -- and what we're particularly
15 talking about is the Town of Newington,
16 where, you know, we have a very small,
17 concentrated, quintessential, rural New
18 England town. There aren't many homes that
19 are impacted by this, but the ones that are
20 impacted seem to be significantly impacted.
21 I can't speak with similar knowledge and
22 background about Durham, but I assume there
23 are some properties like that. And it would
24 seem to me that an offer like that would

1 demonstrate the Company's continuing
2 willingness to work with the community. And
3 I'd like to know if you're willing to
4 consider that.

5 A. The approach we're planning here is the one
6 we've used extensively throughout New
7 England. You know, we've developed thousands
8 of miles of transmission projects across the
9 three states that we serve. We're the
10 largest transmission owner and operator in
11 New England, and we've got extensive
12 experience dealing with property owners along
13 reliability projects. And I can tell you in
14 the vast majority of instances, we are able
15 to work with those individual landowners to
16 mitigate impacts. I think in this case we've
17 taken some very significant steps to do so,
18 which in my view are all in accordance with
19 Good Utility Practice.

20 You mentioned the Newington Historic
21 District. That's probably a good example
22 where, as a result of the issue you're
23 raising, you know, we elected to place the
24 line underground and actually move our

1 distribution facilities from the current
2 right-of-way over to the roadway. That's
3 just one example. There are any number on
4 this project. So I do believe we're already
5 demonstrating good faith in working through
6 these types of issues, and will continue to
7 do so on a landowner-by-landowner basis.
8 That's the approach we're proposing and the
9 one we're comfortable with for a reliability
10 project, which is to work one-on-one with
11 parties who believe their property values
12 have been impacted. And again, I think our
13 track record is very solid on this, not only
14 on this project but across New England.

15 Q. Thank you. I have no further questions.

16 A. Okay. Thank you.

17 PRESIDING OFFICER WEATHERSBY: Thank
18 you. I think we're going to take a ten-minute
19 break, and when we resume we'll hear from Mr.
20 Irwin from the Conservation Law Foundation.

21 (Recess was taken at 10:44 a.m.
22 and the hearing resumed at 11:01 a.m.)

23 PRESIDING OFFICER WEATHERSBY: We
24 will proceed with Attorney Irwin, Conservation

1 Law Foundation.

2 CROSS-EXAMINATION

3 BY MR. IRWIN:

4 Q. Thank you. Good morning, Mr. Quinlan.

5 A. Good morning.

6 Q. We've met each other. My name is Tom Irwin,
7 Conservation Law Foundation.

8 From your testimony, prefiled and today,
9 it sounds like from the beginning, the 2013
10 time frame when this came up in the context
11 of ISO-New England's review, this was a
12 Seacoast matter from the beginning; is that
13 correct?

14 A. Can you clarify what you mean by "Seacoast
15 matter"?

16 Q. Talking about the Seacoast Region reliability
17 issues.

18 A. So, as I say, ISO-New England looks at grid
19 reliability for the entire New England grid,
20 and then they look at regions -- in this
21 case, New Hampshire, and identified the
22 particular need in the Seacoast Region, yes.

23 Q. And so Eversource proposed a Seacoast
24 Solution suite of projects. It also proposed

1 a Gosling Road autotransformer option. Both
2 on the Seacoast obviously.

3 A. As I say, ISO-New England looks at the
4 options for addressing an identified need.
5 Those were two of the options that were
6 considered.

7 Q. And those were options that were presented to
8 ISO-New England by Eversource; is that
9 correct?

10 A. I would direct that question to either Mr.
11 Andrew or Mr. Bowes as to how those potential
12 solutions and suites were identified and
13 whether it was something the Company
14 affirmatively proposed to the ISO-New
15 England.

16 Q. You testified, I believe in response to
17 questions from Attorney Ratigan, that whether
18 it's the Seacoast Solutions option or the
19 Gosling Road option, there would be an impact
20 on a community or communities; is that
21 correct?

22 A. Correct. In both instances there would be
23 infrastructure that's being constructed,
24 different types of infrastructure in

1 different communities. But yes,
2 infrastructure being constructed in
3 communities.

4 Q. And referring to your prefiled testimony,
5 Exhibit 2, Page 4, as I believe Attorney
6 Patch referenced, your testimony is that
7 stakeholder input is a critical and ongoing
8 part of the ISO-New England process; correct?

9 A. Can you refer me to a particular line? I
10 certainly see where you're talking about
11 stakeholder input and collaboration with
12 ISO-New England.

13 (Witness reviews document.)

14 A. I see the language you're referring to,
15 Line 17.

16 Q. Thank you.

17 A. Got it.

18 Q. Did I read that correctly?

19 A. Generally, yes.

20 Q. To your knowledge, did Eversource reach out
21 to any Seacoast community to participate in
22 the process that was underway before ISO-New
23 England?

24 A. I am not aware of any outreach, but I would

1 again refer that question perhaps to Mr.
2 Andrew or Mr. Bowes who are closer to this.
3 I can tell you that we have reached out
4 extensively to all the municipalities
5 impacted by this project early and often.

6 Q. I'm talking about the 2013 time frame. And
7 you don't know if ISO-New England reached out
8 to any Seacoast communities at the time --

9 A. As I said earlier, I'm not aware of a formal
10 notice provided by ISO-New England to
11 municipalities. I'm not familiar with that
12 portion of the ISO world.

13 Q. Is it fair to say that no Seacoast community
14 participated in the discussion that took
15 place before ISO-New England comparing the
16 Seacoast Solutions suite of projects to the
17 Gosling Road autotransformer option?

18 A. I'm not aware of whether any municipalities
19 participated in those.

20 Q. So the ISO-New England process that took
21 place did not include an assessment of
22 environmental or community impacts; isn't
23 that correct?

24 A. As I said, I'm not aware of who participated

1 specifically in those discussions.

2 Q. No, that wasn't a question about who
3 participated. This was a question about the
4 topic of review. Did ISO-New England, in the
5 context of that review, engage in an
6 assessment of community impacts or
7 environmental impacts from the Seacoast
8 Solutions suite of projects or the Gosling
9 Road autotransformer option?

10 A. I would defer the details of that question to
11 Mr. Andrew and Mr. Bowes. As I say, I
12 believe ISO-New England's focus is primarily
13 on grid reliability, secondarily on the cost
14 of a particular solution. As to whether they
15 focus on environmental impact and community
16 impacts, I'm not aware of the answer to that
17 question.

18 Q. And are you aware that at the time ISO-New
19 England was comparing those projects, there
20 had not been a route identified for the
21 Seacoast Reliability Project?

22 A. Again, I would defer that question. I know
23 there were three alternative routes that were
24 evaluated: The one that is currently

1 proposed and then an alternative route that
2 would have gone from New Hampshire to Maine
3 and back, and a third route which would have
4 taken a more southerly direction than the
5 current route. I believe those route
6 alternatives were certainly considered, and I
7 believe with ISO-New England. Again, I would
8 defer the details of that to Mr. Bowes and
9 Mr. Andrew.

10 Q. But an actual selected route across Little
11 Bay at that time had not been selected; isn't
12 that correct?

13 A. Again, I defer that question. Just to cut
14 this off, I was not personally involved in
15 those discussions with ISO-New England. I
16 think folks who I deferred to can provide the
17 details.

18 Q. I assume it's not Eversource's position that
19 ISO-New England's determination with respect
20 to the Seacoast Solutions suite of projects
21 somehow limits or constrains the Site
22 Evaluation Committee's authority to approve
23 or disapprove a certificate for this project.

24 A. I would agree with that, certainly. You

1 know, as I say, ISO-New England is
2 responsible for grid reliability, ensuring
3 the lights stay on, and identifying solutions
4 to identified needs. The siting of the
5 requisite infrastructure is not the
6 jurisdiction of ISO-New England; in this
7 case, it's the jurisdiction of the Site
8 Evaluation Committee.

9 Q. Earlier today you testified that most, if not
10 all, of the other Seacoast Solutions projects
11 are in service, and you testified that the
12 Seacoast Reliability Project is the
13 "linchpin" of that suite of projects. But
14 those projects have independent utility;
15 correct?

16 A. I'm sorry. They have?

17 Q. The projects that have been built and are in
18 service have independent utility, independent
19 of the Seacoast Reliability Project.

20 A. Yes. Individually they each serve an
21 important purpose, a reliability purpose --
22 to use your vernacular, "utility."

23 Q. And I'll ask a similar question. I assume
24 it's not Eversource's position that the fact

1 that Eversource proceeded with those projects
2 in any way limits or constrains the Site
3 Evaluation Committee's authority to either
4 grant or deny a certificate for this project.

5 A. Correct. The Site Evaluation Committee's
6 jurisdiction and focus is over this specific
7 project, regardless of those other upgrades
8 which were deemed necessary.

9 Q. Thank you. I have nothing further.

10 PRESIDING OFFICER WEATHERSBY: Thank
11 you. Attorney Brown.

12 CROSS-EXAMINATION

13 BY MS. BROWN:

14 Q. Good morning, Mr. Quinlan.

15 A. Good morning.

16 Q. I understand you have Exhibit 138, which is
17 your July 27th, 2018 testimony in front of
18 you.

19 A. Yes, I do.

20 Q. And on Page 4, you had, on Lines 17 and 22,
21 talked about the protocols and mitigation
22 strategies.

23 A. I'm sorry. Which lines?

24 Q. This is on Page 4.

1 A. Yes.

2 Q. Line 17 for protocols --

3 A. Yes.

4 Q. -- and Line 22 for mitigation strategies.

5 A. Correct.

6 Q. Can you please explain a little bit more what
7 these protocols are or mitigation strategies,
8 or whether you're referring to perhaps other
9 people's testimony?

10 A. Yeah. So, protocols are really, generally
11 the Company's overall goal of mitigating
12 impacts, to the extent possible, consistent
13 with Good Utility Practice. Lines 22 and
14 continuing beyond are some of the techniques
15 we oftentimes use to mitigate those impacts.
16 Whether it's design alternatives, you know,
17 instances where we would use screening to
18 reduce a visual impact, routing changes,
19 there are a host of mitigation measures that
20 are possible in any given project. And we
21 have essentially a team comprised of folks I
22 referred to earlier who work with individual
23 landowners and other interested parties on
24 pursuing mitigation. And that's all designed

1 to mitigate impacts. In some cases it could
2 be impact on a business, in other instances
3 impact on a property owner, whether it's a
4 diminution of value question or a property
5 damage question.

6 Q. So it sounds like you're just referring in
7 general when you use those terms to the other
8 witness testimonies that have more specifics;
9 is that correct?

10 A. Generally, yes. But, you know, the
11 overarching premise in the Company's protocol
12 or policies is to mitigate, to the extent
13 possible, these impacts, and to do it in a
14 collaborative way.

15 Q. Okay. With respect to the mitigation
16 plans -- and I'd like to give you a
17 hypothetical, applying a mitigation plan to
18 an instance where soil may be compressed on
19 land and property.

20 A. Soil would be --

21 Q. Soil would be compressed by the equipment and
22 after the Project become wet longer in the
23 season. Is there a way to mitigate that kind
24 of damage to a landowner's property?

1 A. A soil-compression issue?

2 Q. Correct.

3 A. I'm certainly not an expert in mitigation of
4 that type of impact, but I suspect there
5 probably are alternatives to mitigate that
6 type of impact. Could the soil be tilled,
7 for example, and uncompressed, if you will?
8 Could be reseeded, depending on what's on top
9 of the soil, whether it's grass or vegetation
10 or otherwise. So I suspect there are
11 mitigation techniques. But the details of
12 how you mitigate soil compression I'm not
13 familiar with.

14 Q. So if I had more specific follow-ups, which
15 witnesses would you direct me to?

16 A. On soil compression?

17 Q. The construction panel or --

18 A. I'd start with the construction panel. Yes,
19 that would be a good starting point. Maybe
20 our environmental panel might be another
21 alternative. I'd start with the construction
22 panel. I think they're up next.

23 Q. Thank you.

24 Now, I can't remember if it was with

1 CLF, but within the past hour you brought up
2 the term "property value guaranty" as
3 something new you had implemented from
4 Eversource's experience with Northern Pass.
5 Similar to my question with the protocols, is
6 this specifically defined somewhere? Can you
7 give me a little more specifics?

8 A. The term "property value guaranty"?

9 Q. When you're referring to that phrase.

10 A. Yeah, there's actually testimony that we
11 filed in the Northern Pass Application -- we
12 can get you a copy -- in which we first
13 introduced the concept of a property value
14 guaranty. And I believe there was an exhibit
15 to my testimony in that matter that had some
16 details as to how the program was proposed to
17 operate. We could certainly make that
18 available to you.

19 Q. I'm going to just defer on a record request
20 until I get my hands on that --

21 A. Sure.

22 Q. -- to see its usefulness. But thank you very
23 much for letting me know about that.

24 MS. BROWN: Actually, given my

1 technical difficulties with the exhibits and
2 maps, I can either use the Elmo -- oh, okay.
3 Thank you.

4 MR. IACOPINO: Thank you for using
5 the screens. But if you could also, for the
6 record, make reference for the record of what
7 exhibit we're looking at. Thank you.

8 BY MS. BROWN::

9 Q. Just a few more questions. I may be diving
10 down into the weeds too much with you, Mr.
11 Quinlan. But I had a question on the map, or
12 Exhibit 148, which are the environmental
13 maps, and in particular, drawing the
14 Committee's attention to Map 18 of 31, which
15 should show the property of Donna Heald.

16 In your testimony, you had referenced
17 there were structures that were moved from
18 the original application to the present
19 application. And I'm wanting to know if you
20 know of any -- if any of the structures that
21 were within or near Long Marsh Road were
22 subject to any of the moving that you were
23 describing in general.

24 A. So I would refer those detailed questions to

1 Mr. Bowes. He can go over the design
2 details. But there were certainly structures
3 that were relocated to mitigate impacts.
4 There were also structures that were
5 eliminated from our original design. In some
6 instances, the structure design was changed.
7 We went through a monopole structure to an
8 H-frame to further mitigate impacts. So
9 there were a number of design changes made
10 with respect to individual structures. I'm
11 not familiar with those, but Mr. Bowes would
12 be.

13 Q. I assumed, but I just needed to get that from
14 you. Thank you.

15 MS. BROWN: We have more questions,
16 but I need to go back to the table.

17 (Pause in proceedings.)

18 MS. BROWN: Sorry for the
19 last-minute coordination on the Durham
20 Residents, but Matthew Fitch has a few pointed
21 questions that he would probably be better to
22 ask, if you don't mind.

23 And this is, Mr. Quinlan, regarding
24 your testimony in cross-examination regarding

1 the ISO-New England materials.

2 A. Okay.

3 MR. FITCH: Hello. Thank you.

4 PRESIDING OFFICER WEATHERSBY: Mr.
5 Fitch, I'm sorry to interrupt. Could you just
6 state your name just for the record.

7 MR. FITCH: Sure. My name's Matthew
8 Fitch. I'm part of the Durham Residents
9 intervenor group.

10 CROSS-EXAMINATION

11 BY MR. FITCH:

12 Q. Mr. Quinlan, I was hoping that if you
13 could -- when referencing the suite of
14 projects associated with the Seacoast
15 Solution, if the suite of projects
16 represented a hundred percent, the projects
17 that are already completed aside from the
18 Seacoast Reliability Project, can you
19 quantify that percentage that's already been
20 completed?

21 A. Off the top of my head, I cannot. I will
22 tell you, again, Mr. Bowes and Mr. Andrew
23 would be the right people to ask this
24 question to. I think the entire suite of

1 projects was roughly estimated to cost \$135
2 million. This project is an \$85 million
3 project. So that's one basis for giving a
4 percentage. But if you're looking for, you
5 know, cost percentage or reliability
6 percentage, you might want to ask those two
7 witnesses. They would know the details. But
8 it's a significant part of the overall
9 solution I referred to earlier as the
10 "linchpin." It's probably the single most
11 significant and most impactful upgrade of the
12 suite.

13 Q. Lastly, and I don't mean to repeat it, but
14 Attorney Patch has already requested this
15 information. The public information from
16 ISO-New England dates back to 2014 for the
17 overview of New Hampshire and the reliability
18 needs, which I believe, as I understood it,
19 the Seacoast Reliability Project was premised
20 on. In that document, at least the
21 publicly-released document, it referenced
22 that the New Hampshire -- the state of New
23 Hampshire's overall electricity demand is
24 expected to grow at a rate of 1.2 percent

1 annually over the next decade, which I'm
2 quoting here, is "above the 1.1 percent rate
3 projected for New England." Do you know if
4 these numbers still hold true today?

5 A. Yeah, so load projections change every year,
6 and there are a lot of variables. And we
7 talked about a couple of them earlier this
8 morning: Energy efficiency and the
9 penetration of distributed energy resources
10 for solar generation. You know, the one
11 thing I do know to be true, the Seacoast
12 Region of New Hampshire continues to grow.
13 And it's growing certainly at a much faster
14 rate than the region of New England, if you
15 will. So it is a relatively high growth area
16 as compared to the balance of the grid. And
17 New Hampshire as a whole is growing more
18 quickly than I believe all of the other New
19 England states in the aggregate. I would
20 have to check that. But generally, New
21 Hampshire is a relatively high growth portion
22 of the territory.

23 Q. Lastly, again referencing this same document.
24 As I understand it, the Seacoast Reliability

1 Project is premised on, when speaking
2 directly to energy efficiency, the document
3 says, "The results for New Hampshire shows
4 slowing growth rate for peak demand and a
5 dampened, but modest increase in energy use
6 between 2017 and 2023."

7 So, again, I believe you have referenced
8 that you can't necessarily state exact
9 figures. But does information exist to
10 verify that this information is still
11 accurate? Or is it possible that it has
12 decreased from what was predicted back in the
13 2012 to 2014 time period?

14 A. I think there was a earlier record request
15 that we committed to which will actually
16 provide load growth data. What you're
17 referring to there is a forecast of the
18 future. And again, there are a lot of
19 variables, so it will undoubtedly be wrong in
20 one direction or the other. But I think the
21 general trends are as I stated. New England
22 as a whole is flat to declining. New
23 Hampshire as a whole is growing modestly.
24 And the Seacoast Region of New Hampshire is

1 growing at a faster pace than the balance of
2 the state and is, therefore, exacerbating the
3 issue and the need identified by ISO-New
4 England back in 2012.

5 Q. Excellent. Thank you very much. I
6 appreciate it.

7 MS. BROWN: I think that's it for
8 Durham Residents. Appreciate it.

9 WITNESS QUINLAN: Thank you.

10 PRESIDING OFFICER WEATHERSBY: Thank
11 you, Attorney Brown and Mr. Fitch.

12 The following intervenors have
13 indicated that they do not have any questions
14 for Mr. Quinlan: Durham Historic Society,
15 Keith Frizzell, Helen Frink, Fat Dog
16 Shellfish, Nature Conservancy, the
17 Crowley-Joyce Revocable Trust.

18 MR. RICHARDSON: May I revise my
19 prior --

20 PRESIDING OFFICER WEATHERSBY: I was
21 just going to ask is there any change to that.
22 Attorney Richardson, do you have some
23 questions? And Ms. Frink, you do as well?
24 Okay. We'll have Attorney Richardson go ahead

1 first.

2 CROSS-EXAMINATION

3 BY MR. RICHARDSON:

4 Q. Good morning.

5 A. Good morning.

6 Q. Mr. Quinlan, I assume it goes without saying
7 that you're responsible for making the
8 management decisions concerning the Project.

9 A. Generally, yes.

10 Q. And how does that work with Eversource? Is
11 there a team that you work with at the
12 management level about making decisions about
13 how the Application is filed, what it
14 contains? What's the process that you use
15 for that?

16 A. There is no documented or formal process. We
17 certainly have a project team whose
18 responsibility is to develop and site and
19 ultimately construct this project. You know,
20 as the president of the Company, ultimately,
21 you know, if there are material issues or
22 questions, they would be brought to my
23 attention, and we would discuss them and
24 decide. But, you know, most of the activity

1 really is at the project team level.

2 Q. And so if I understand correctly, then,
3 without a committee or something like that,
4 when problems or issues arise, they come to
5 your desk and to you to make a determination
6 or decision about how to proceed.

7 A. Generally that's true, yes. And we do have
8 an informal steering committee, of which I'm
9 a member, if you will, that helps to get
10 cross-functional input into those key
11 decisions.

12 Q. And so who's on that committee?

13 A. There are vice-presidents from our real
14 estate department, our purchasing department,
15 our siting and environmental departments.
16 From time to time we'll have an engineering
17 officer attend. It varies. But it's a
18 cross-functional group that represents all
19 the key disciplines.

20 Q. And you serve on that committee as well in
21 some capacity?

22 A. Generally, yes. And as I say, it's an
23 informal committee intended to help guide the
24 Project, but certainly not second-guess, if

1 you will.

2 Q. So as part of this Application, I assume one
3 of the decisions you had to make, and the
4 Committee's rule requires, is showing that
5 Eversource has sufficient property rights to
6 proceed with the Project; right?

7 A. Correct. So-called "site control," yes.
8 That's generally left to the project team and
9 our lawyers to confirm we have all the real
10 estate rights necessary to construct the
11 facility.

12 Q. And it's your role as well to make sure that
13 they get it right because it's important to
14 have as part of this process.

15 A. It's certainly important to have as part of
16 the process. It's not my role to review the
17 details of the site control. I rely very
18 heavily on the project team and our legal
19 counsel in that regard.

20 Q. So it's important, though, you have
21 confidence in the determinations that your
22 project team is making; right?

23 A. Yes.

24 Q. And one of the options if you don't have

1 sufficient property rights is to acquire the
2 necessary property.

3 A. Correct. Yes.

4 Q. And you can do that by eminent domain. Does
5 Eversource have a preference to go under
6 federal law or state law, or do you just
7 determine -- was there ever determination
8 that you didn't need to do that in this case?

9 A. We generally prefer not to exercise eminent
10 domain authority. My understanding is, in
11 this instance, we have not exercised eminent
12 domain authority. I think the rights that we
13 needed to acquire were done with arm's-length
14 transactions with the appropriate counter
15 party. I'm not aware of any instance in this
16 project where there was a taking.

17 Q. And the Committee's rules in fact, if you're
18 aware, require if you're going to have to
19 acquire property rights by eminent domain,
20 you have to kind of include information on
21 that as part of your filing. And I'll refer
22 you to Rule 301.03(c)(6).

23 A. I'm not familiar with the rule. But as I
24 say, I don't think it's relevant because I

1 don't believe we required any eminent domain
2 action on this project.

3 Q. And how confident are you in that
4 determination that you just referred to?

5 A. To the best of my knowledge, that's true.

6 Q. Have you read the petition to intervene and
7 other information that the Crowley-Joyce
8 Trust has provided concerning the covenants
9 for the Project?

10 A. No.

11 Q. Let me ask you a question then. And I want
12 to show you -- let me refer to what's been
13 premarked as Joyce-Crowley Trust, JCT
14 Exhibit 1. And I'll give you a copy because
15 I assume you don't have one there. I can put
16 one up on the screen as well for others to
17 follow along.

18 A. Thank you.

19 Q. So I want to ask you questions about the area
20 that's shown as Lot 5 and 6 on JCT Exhibit 1.
21 And while the administrator is getting this
22 into focus, have you ever seen this plan
23 before?

24 A. No.

1 Q. Are you aware, if you look at JCT 1, what's
2 shown as Lot 5 -- and it says "Public Service
3 Co. of New Hampshire easement." That's the
4 Beswick property. And Eversource is
5 proposing to construct its project on the
6 Beswick property; right?

7 MR. NEEDLEMAN: Objection. Mr.
8 Quinlan testified that he hasn't seen this
9 document, and he testified that he had not
10 seen the Crowley petition. And he's not a
11 witness who has been designated with respect
12 to property rights in this case; that's Mr.
13 Bowes. So I don't believe any of these
14 questions are relevant with respect to Mr.
15 Quinlan's testimony.

16 MR. RICHARDSON: Where I'm going
17 with this is I want to find out what the
18 Company's position is if they don't have the
19 property rights. Will they try to take them
20 by eminent domain? And I think that the
21 president of the company is really the only
22 person who can speak for that. I don't think
23 the land agent can speak as the executive.

24 MR. NEEDLEMAN: Well, Mr. Bowes is

1 not a land agent. He's the vice-president of
2 the Company. He's the designated witness for
3 this issue. And this is an argument about a
4 legal matter, anyway, because we disagree with
5 the assertion that we don't have the property
6 rights. And the Committee, in another docket,
7 has already determined that it doesn't
8 litigate or decide property rights disputes
9 between parties.

10 PRESIDING OFFICER WEATHERSBY:

11 Attorney Richardson, if you can
12 perhaps rephrase the question so it's not
13 specific to this property, but in general, do
14 they intend to exercise eminent domain, their
15 thought process, that sort of thing, but not
16 specific to the information that Mr. Quinlan
17 indicated he hasn't seen.

18 BY MR. RICHARDSON:

19 Q. So what I wanted to just draw your attention
20 to was that where it's shown on Lot 5 there
21 is a property line shown here, that goes down
22 to the shoreline, and that's the Beswick
23 property. But as I understand it, you aren't
24 aware of that, so you probably can't answer

1 any questions about it; is that right?

2 MR. NEEDLEMAN: Same objection.

3 PRESIDING OFFICER WEATHERSBY: Get
4 to your point about eminent domain not
5 specific to the Beswick property.

6 MR. RICHARDSON: Sure. So I'm
7 hoping to get to that, but I need to lay a
8 foundation for where things are so this
9 Committee is aware and the witness is aware at
10 the same time.

11 PRESIDING OFFICER WEATHERSBY: I
12 think you'll have a chance to do that with the
13 witnesses that can speak to the property
14 rights.

15 BY MR. RICHARDSON:

16 Q. Okay. Let me ask you this then: If
17 Eversource is confident in its determination
18 as to the property rights that it has and
19 that it has the necessary property rights, is
20 the Company willing to agree it won't have to
21 use eminent domain if part of the project is
22 located on my client's property?

23 A. I can certainly agree to the first part of
24 the question, which is we are confident that

1 we have all the necessary property rights.

2 As to the second part of the question, I
3 believe we have all the necessary property
4 rights, and my understanding is none of them
5 were acquired through eminent domain.

6 Q. Okay. Certainly. And I'm more concerned
7 about what's going to happen in the future.
8 Because if I read the Committee's rules
9 correctly, an application to acquire the
10 property to construct a project has to go
11 before the Public Utilities Commission and
12 then potentially come back before this
13 Committee. Are you saying that you're
14 confident you won't need to do that?

15 A. I believe we have all the property rights
16 necessary to construct this facility --

17 Q. Okay.

18 A. -- therefore, I'm not aware of any need to
19 exercise our eminent domain right.

20 Q. Okay. I'm going to show you, and I'll read
21 this for the record so that Committee members
22 can catch up to it, out of the Applicant's
23 exhibit -- and it's 122, and it's on Page 28.
24 It's a big file. It's the construction and

1 engineering drawings. I'll bring that over
2 to you, and I'll provide a copy for your
3 attorney as well.

4 (Document handed to witness.)

5 BY MR. RICHARDSON:

6 Q. Are you familiar with this document?

7 A. No.

8 Q. Okay.

9 PRESIDING OFFICER WEATHERSBY:

10 Attorney Richardson, is that something you can
11 put on the Elmo for us?

12 MR. RICHARDSON: Absolutely. What I
13 want to do is this is -- I'll represent to you
14 it's part of the revised or updated
15 engineering documents. And I believe I said
16 it was Applicant's Exhibit 123, Page 28,
17 although there's different versions of this.

18 BY MR. RICHARDSON:

19 Q. So if you'll turn and look, I've put it up on
20 the Elmo for you. What I did is I marked in
21 a red dashed line where the property line is
22 shown. And then you can also see there's a
23 depiction of the access easement. You can
24 see that goes right up to the property line.

1 A. Yes, I see that.

2 Q. Okay. And it looks like there's a property
3 pin that I've circled in red there. Do you
4 see --

5 A. I'm sorry. A property what?

6 Q. It looks like there's an iron pin or some
7 type of property monument that's been circled
8 for you.

9 A. I see the circle. I'm not familiar with the
10 dot, whether it's a property pin or --

11 Q. So my question is: The Beswick property,
12 I'll represent to you, shown in JCT 1, the
13 one you haven't seen before, is going down to
14 the shoreline. If you look at this document,
15 you see where it says "surveyed edge of
16 water." And if you were to extend this
17 property line that Eversource has shown and
18 you go all the way down to the edge of the
19 water, it actually appears to cross the
20 proposed transmission line.

21 MR. NEEDLEMAN: Same objection.

22 PRESIDING OFFICER WEATHERSBY: I
23 didn't even hear a question.

24 BY MR. RICHARDSON:

1 Q. Well, did I show that correctly on this
2 exhibit?

3 MR. NEEDLEMAN: Same objection.

4 MR. RICHARDSON: I'd like him to
5 answer the question. And if he can't say,
6 then that's an answer, too. That's fine.

7 MR. NEEDLEMAN: Again, this is not
8 the proper witness for this issue.

9 MR. RICHARDSON: I'm getting back to
10 if we are correct and this project is actually
11 being proposed on my client's property and
12 constructed immediately adjacent to it, then
13 we want to know is there going to be a taking.
14 Is it going to have to come back to this
15 Committee? This is a very challenging
16 situation both for the Applicant and for my
17 client, and I think the Committee needs to
18 hear what's going to happen.

19 (Discussion between Presiding Officer
20 Weathersby and Attorney Iacopino)

21 PRESIDING OFFICER WEATHERSBY: So
22 I'm going to sustain the objection. Mr.
23 Quinlan hasn't seen this. He's not familiar
24 with it. This is a question that should be

1 asked to Mr. Bowes. You'll have a chance to
2 get this information in front of the Committee
3 through a different witness.

4 MR. IACOPINO: Can I ask Mr.
5 Richardson a question?

6 Did you say this is Exhibit 123?

7 MR. RICHARDSON: Yes, and on Page 28
8 of the PDF.

9 MR. IACOPINO: Because when I look
10 at what we've been given as Exhibit 123, it's
11 the revised environmental maps. Is it 122?

12 MR. RICHARDSON: I must have written
13 it down incorrectly. I apologize for that. I
14 mean, it's tough because all of the exhibits
15 that we were given have only the exhibit
16 number on the first page. So I'm having to
17 print them out and then print out 20 things,
18 and then I don't know which document they came
19 from. It's a difficulty I ran into yesterday,
20 so...

21 BY MR. RICHARDSON:

22 Q. So, Mr. Quinlan, you've never seen this
23 document that Eversource prepared; right?

24 A. That's correct.

1 Q. All right. But does seeing this cause you to
2 have any concerns about whether your team has
3 correctly found the property lines?

4 MR. NEEDLEMAN: Same objection.

5 PRESIDING OFFICER WEATHERSBY: I'm
6 going to overrule the objection. He can
7 answer as to his present impression.

8 A. Can you restate the question?

9 BY MR. RICHARDSON:

10 Q. Sure. Does this suggest there might be a
11 concern to you about whether this project
12 might require disturbing my client's
13 property?

14 A. No.

15 Q. Okay. Now, what's shown there is a
16 construction of a transmission line. And
17 that's going to be in a trench, and that's
18 going to require construction space, removal
19 of materials. You're aware of all that;
20 right?

21 A. I'm aware that it is in a trench. Yes,
22 that's correct.

23 Q. Okay.

24 A. A temporary trench in the sediment on the

1 Little Bay floor, if you will.

2 Q. And I believe the cover is shown on the
3 bottom of that. We can't see it on the Elmo.
4 But I believe there's about 42 inches of
5 cover. That's how deep it's going to have to
6 be constructed; right?

7 A. Yes. Our desired depth is three and a half
8 feet at minimum.

9 Q. Okay. So let's look at another document.
10 And I believe it's Exhibit 148. I think it
11 kind of shows the same thing. It's
12 environmental maps, and I'm looking at Page
13 23 of 32.

14 Before we move into -- I probably should
15 have asked to mark the exhibit with the red
16 lines drawn on it as Exhibit 13, which is --
17 obviously it's in the Applicant's documents
18 as well, but I think it's important that we
19 have a record of what was shown. So we'll
20 call that JCT Exhibit 13.

21 MR. IACOPINO: And at a break, would
22 you please speak with the court reporter about
23 getting it actually marked.

24 MR. RICHARDSON: Yes, absolutely.

1 Absolutely.

2 (The document, as described, was
3 herewith marked as Exhibit 13 for
4 identification.)

5 BY MR. RICHARDSON:

6 Q. So, Mr. Quinlan, do you recognize this as
7 another plan that your company prepared -- or
8 your team prepared, I should say?

9 A. No, it's not something I would be familiar
10 with. But it certainly has the Eversource
11 logo on it. Looks like it is something we
12 prepared or was prepared by one of our
13 consultants, Normandeau Associates.

14 Q. So when you made a determination that there
15 were sufficient property rights, did you not
16 look at any documents, or you never attended
17 a meeting where your team was providing you
18 what they were proposing and showing you,
19 yes, we're all good, we're all within
20 existing rights-of-way on our property?

21 A. Again --

22 MR. NEEDLEMAN: Objection. This is
23 beyond the scope of the witness's testimony.

24 MR. RICHARDSON: I'm asking him what

1 he was shown when they made the decision to
2 proceed with this project. He's the
3 president, and he's testified that he was the
4 one overseeing it.

5 MR. NEEDLEMAN: He actually
6 testified that he deferred to the team for
7 these types of issues.

8 MR. RICHARDSON: I think we're
9 getting into what his answer was, and I think
10 he should answer the question and then we'll
11 know the answer.

12 PRESIDING OFFICER WEATHERSBY:
13 Sustain the objection.

14 BY MR. RICHARDSON:

15 Q. All right. So this document shows another
16 bit of information or plan showing the
17 Crowley-Joyce property. And if you look, you
18 can see the property lines are shown, and
19 they disappear under that green area. You
20 have no idea what that green area is? Isn't
21 that the limit of construction?

22 MR. NEEDLEMAN: Same objection.

23 PRESIDING OFFICER WEATHERSBY:
24 Sustained. He's testified that he hasn't seen

1 this document. This is something for the
2 construction panel.

3 MR. RICHARDSON: Okay.

4 BY MR. RICHARDSON:

5 Q. So, given that you're the president of the
6 Company, and the rules require you to, if
7 you're going to use eminent domain to acquire
8 property, you have to submit it with your
9 application, what's going to happen if a
10 court determines that this project trespasses
11 on my client's property?

12 MR. NEEDLEMAN: Objection. Calls
13 for a legal conclusion.

14 BY MR. RICHARDSON:

15 Q. Well, I'm sorry. My question is this: Are
16 you going to tell this Committee that you'll
17 take it by eminent domain, or are you going
18 to say we'll stick with whatever the court
19 determines?

20 MR. NEEDLEMAN: Same objection.

21 PRESIDING OFFICER WEATHERSBY:
22 Sustained.

23 MR. RICHARDSON: Okay.

24 BY MR. RICHARDSON:

1 Q. Mr. Quinlan, you talked about outreach to
2 landowners. And I believe that's also in
3 your prefiled testimony. Do you know when
4 your land agents would have first approached
5 my client?

6 A. I don't know the specifics of when that would
7 have taken place. I'm generally familiar
8 with this area of the project. This is on
9 the Newington side of Little Bay, so-called
10 "Gundalow Landing." I personally visited
11 Gundalow Landing in the 2014 time frame and
12 have been there a number of times since. I
13 know we had extensive outreach to every
14 landowner in this area. I know we changed
15 the route as a result of this outreach. I
16 believe the landing area that you're speaking
17 to was altered based upon input from
18 landowners in Gundalow Landing. So I know
19 there were extensive outreach efforts here.
20 It led to significant changes in the overall
21 project design. And, you know, my
22 understanding, based upon the representation
23 of the project team and our counsel, is that
24 we had all the associated land rights to

1 build what we were proposing to build,
2 including those required by the design
3 change.

4 Q. But this plan showing where the environmental
5 impacts of construction are appears to show
6 the green area going over my client's
7 property line.

8 A. Again, I'm not familiar with this particular
9 drawing.

10 Q. Okay. But this is -- are you aware of some
11 other plan that shows where the construction
12 impacts are?

13 A. Again, I generally don't review the detailed
14 construction drawings for any project.

15 Q. All right. Let me ask you this: If it turns
16 out that my client is -- if this is actually
17 on their property and they don't want to
18 agree to have concrete mattresses, is
19 Eversource willing to cause those mattresses
20 to be placed down at the grade level so they
21 can't be seen?

22 A. I'm not familiar with the details of the
23 design in this area. But, you know, if we're
24 proposing to build facilities on your

1 client's property, I am assuming we have the
2 necessary land rights to do so.

3 Q. I know that's your assumption. But what I'm
4 trying to ask you is, if it turns out, as we
5 believe the exhibits you've shown show, that
6 this is going to be on my client's property,
7 would Eversource be willing to put the
8 Project down at grade?

9 A. I'm not in a position to make that
10 representation. I would have to know the
11 details of what you're talking about, which I
12 don't.

13 Q. Would it surprise you that my client would
14 have been told a year ago that the Project
15 was going to be -- so this is in 2017 -- that
16 all of the project was going to be on the
17 Beswick property, and it was all going to be
18 below ground?

19 A. I have no knowledge of that representation.
20 I do know, however, that through this area we
21 are underwater across Little Bay. And I
22 believe the transition to overhead
23 construction happens, if you will, in that
24 direction, at the so-called "Flynn Pit,"

1 which was another change that we made to
2 accommodate local feedback. The transition
3 structure was going to be adjacent to the
4 road. And because of visual concerns, we
5 worked with the Town of Newington to acquire
6 land rights to Flynn Pit. So my
7 understanding is we are going underground
8 from this point to Flynn Pit, and that's when
9 it will transition to overhead.

10 Q. Understood. But you're also aware that there
11 are concrete mattresses proposed in this
12 area. In fact, you can see them shown right
13 on this exhibit.

14 A. Yes. Concrete mattresses are necessary where
15 we are not able to get sufficient burial
16 depth for the line to be reliable and safe.
17 And as I said earlier, we are attempting to
18 get 42 inches of burial at all points. Where
19 we're not able to do that, we use a concrete
20 mattress to protect the facility from anchor
21 strikes and other interruptions.

22 Q. And I assume you'd agree with me, looking at
23 this, the existing right-of-way has been
24 moved from across the Beswick property. You

1 see where the former cable house is on that
2 diagram?

3 A. I'm not certain which structure is the cable
4 house. I'm familiar with the cable house on
5 the Durham side of Little Bay.

6 Q. Okay.

7 A. Is there one -- I don't believe there is one
8 today on the Newington side.

9 Q. So you don't know if there is one or not.

10 A. A cable house?

11 Q. Yes.

12 A. I don't believe there is on the Newington
13 side.

14 Q. You would agree with me, though, based on
15 this exhibit, that it looks like the entire
16 project has been shifted from where the
17 former right-of-way was on the plan that was,
18 I believe, Exhibit JCT 13 that we just looked
19 at, to directly in front of the Joyce-Crowley
20 residence.

21 MR. NEEDLEMAN: Objection. This is
22 all beyond the scope of this witness's
23 testimony.

24 PRESIDING OFFICER WEATHERSBY:

1 Sustained.

2 BY MR. RICHARDSON:

3 Q. Okay. But you're aware that your
4 representatives met with my client and told
5 them that it was all going to be below ground
6 and they weren't going to see it. And in
7 fact, as you can see here, it's directly in
8 front of them.

9 MR. NEEDLEMAN: Same objection, and
10 also asked and answered.

11 PRESIDING OFFICER WEATHERSBY:

12 Sustained.

13 BY MR. RICHARDSON:

14 Q. You indicated to me -- or excuse me. You
15 indicated in response to questions from
16 Attorney Ratigan, from the Town of Newington,
17 about circumstances in which Eversource, in
18 the Northern Pass docket, was willing to
19 offer property rights guaranties. And I
20 believe there were three criteria. One is
21 that the Project crosses the property; right?
22 That was one of them?

23 A. Yes. So, just for clarity, it was referred
24 to as a "property value guaranty."

1 Q. Okay. Property value guaranty. So one of
2 the three criteria was that it physically
3 crossed the landowner's property.

4 A. We're kind of mixing two things. I was
5 referring to Dr. Chalmers' testimony as to
6 what are the factors that could lead in
7 limited circumstances to a diminution in
8 property value. That was one of the three.

9 Q. Okay. So that's one.

10 A. Yes.

11 Q. If this exhibit is correct, and those
12 property lines are in fact covered by the
13 construction area, which I think you said you
14 don't know, but that's one that could be met
15 in this case.

16 A. No, because he's referring to -- his study
17 was of overhead transmission lines, which
18 means a structure with --

19 Q. Okay. So you're --

20 A. -- a transmission line across it. That's not
21 what's being proposed here.

22 Q. Right. So this one might be crossing it
23 below ground, but not above ground. So you
24 think it wouldn't comply.

1 A. Yeah. His conclusion is very specific on
2 underground transmission facilities and there
3 being no --

4 Q. So let me ask you about the next criteria,
5 the one with the change in the view. And
6 would you agree that this project here
7 directly in front of my client's property is
8 going to affect their view if these concrete
9 mattresses are above grade?

10 A. That I don't know. I would defer that to Mr.
11 Bowes and others. I know in the instances
12 where we need to use concrete mattresses to
13 protect the facility, we do everything we can
14 to minimize the view impacts. So we try to
15 get them as deep into the sediment as we can
16 so that they're not visible. You know, there
17 are things you can do with the color of the
18 mattresses as well to also have them blend
19 in. But I can't speak to the specific view
20 impacts on this property.

21 Q. But still, even with that, Eversource has not
22 found a way to move these mattresses down so
23 they are at grade and they won't stick out
24 when it's at low tide.

1 A. Again, I don't have an answer to that. I
2 would defer that to the technical and
3 construction panel. But we will do
4 everything we can in construction to minimize
5 the impacts of that, including, as I said,
6 submerging them to the maximum extent
7 possible, preferably into the sediment.

8 Q. It strikes me that your management role is a
9 very broad one and that you don't appear to
10 be paying much attention to whether the plans
11 show it's on one property or the other,
12 whether the projects may be above ground or
13 below ground. I'm a little troubled that you
14 are not really able to answer these
15 questions.

16 MR. NEEDLEMAN: Objection.

17 PRESIDING OFFICER WEATHERSBY:
18 Sustained. It's argumentative, and there was
19 not even a question.

20 MR. RICHARDSON: Okay. Well, I
21 meant to say, you know, why is that or what's
22 your response to that was really what I was
23 trying to get at. May I ask that question?

24 PRESIDING OFFICER WEATHERSBY: No.

1 It's been sustained. Rephrase. Let's move
2 on.

3 MR. RICHARDSON: Okay. I don't have
4 any other questions. Thank you.

5 PRESIDING OFFICER WEATHERSBY: Okay.
6 Thank you.

7 Ms. Frink.

8 (Discussion off the record)

9 CROSS-EXAMINATION

10 BY MS. FRINK:

11 Q. Mr. Quinlan, I'm representing the Darius
12 Frink Farm in Newington. So I just want to
13 make clear where I'm coming from. But I have
14 a couple more general questions.

15 In the Eversource filing of Stipulated
16 Facts, the very end, on Page 6, there's a
17 part of a sentence that says, "The Seacoast
18 Reliability Project will provide 115-kilovolt
19 transmission ties to Maine to better address
20 reliability concerns in the New Hampshire
21 Seacoast Region."

22 I've read a little bit about the
23 Avangrid Clean Energy Connect New England
24 Project, and I'm wondering if the Seacoast

1 Reliability Project has any role as a line
2 between that project and the state of
3 Massachusetts?

4 A. No. No, it doesn't. So the Project that
5 you're referring to, the Avangrid Project, is
6 a HVDC project that's intended to bring
7 hydropower from Quebec to the Boston load
8 pocket. That is not related to this project.
9 What you're referring to there, the excerpt
10 that you read from, relates to the ties
11 between Maine and New Hampshire.

12 Q. Does it anticipate that the Seacoast will
13 receive some power coming from Maine?

14 A. Certainly possible. Anytime there's an
15 inter-tie between two regions or two states,
16 generally power can flow in either direction,
17 depending on system conditions. Maine
18 happens to be a region that has "surplus
19 generation," meaning there's more power
20 generated in the state of Maine than Maine
21 customers consume. So, oftentimes they are
22 an exporter of power, if you will. So, flows
23 generally flow from Maine outward.

24 Q. The Frink Family began negotiations with

1 Eversource back in 2015, and we had a meeting
2 at the farm. I think the date was
3 September 1st of 2015. And we spoke with an
4 engineer named Jim Jiottis, who I think is no
5 longer with the Company. And we asked him
6 about the possibility for expanding the
7 voltage of the Seacoast Reliability Project,
8 and he said that would not be possible. And
9 the phrase he used was, "This project is a
10 dead end." Could you explain that a little
11 better?

12 A. I would defer that question to either Mr.
13 Bowes or Mr. Andrew. You know, for me, it is
14 essentially a redundant path into the
15 Portsmouth substation from Madbury. By "dead
16 end," I don't know what he was alluding to.

17 And when you said "upgrade," you mean to
18 a higher voltage or --

19 Q. Yes, that was my question.

20 A. Okay. Yeah, I'm not familiar with any
21 analysis of increasing the voltage of the
22 Project. You know, when ISO-New England
23 studied the solution, they determined a new
24 115-kilovolt source was what was necessary.

1 And that cross-tie between Madbury and the
2 Portsmouth substation certainly should not be
3 a dead end.

4 Q. And could the voltage of the Seacoast
5 Reliability Project be expanded?

6 A. "Expanded" meaning increased?

7 Q. Increasing the voltage.

8 A. It would require a different design to do so.
9 But I don't believe there's a need to
10 increase the voltage. Again, I would defer
11 that question to Mr. Bowes or Mr. Andrew.

12 Q. The last name, if you would repeat, please?

13 A. Bowes, B-O-W-E-S.

14 Q. Yes.

15 A. He's on the construction panel, which is the
16 next panel who will be testifying today.

17 Q. Good. Thank you.

18 Who among the Eversource team is
19 responsible for historic resources? I met a
20 gentleman named Mark Doperalski at the
21 Schiller Plant, at a meeting. And I believe
22 he's now with the Division of Historical
23 Resources. So is there someone who's your
24 specialist for historic resources?

1 A. Yes, we have a -- so it's true, Mark
2 Doperalski was the Company expert, and he's
3 since moved on and has joined DHR, which was
4 fairly recent. So, currently, our director
5 of environmental, Catherine Finneran is the
6 person I speak to about cultural and historic
7 resources.

8 Q. Have you visited the right-of-way in
9 Newington? Have you walked that area?

10 A. Yes.

11 Q. And so you're somewhat familiar.

12 A. Generally, yes.

13 Q. And are you aware that among the impacts, the
14 historic resources impacts, that the Seacoast
15 Reliability Project would locate a transition
16 structure estimated to be 75 feet high within
17 the Newington Center Historic District?

18 A. I'm certainly aware that there are transition
19 structures on either end of the historic
20 district. One of the changes that we made in
21 2017 was to place the facility underground
22 through the historic district, including
23 through the farm that you referred to
24 earlier. In addition to placing the

1 transmission line underground, we also are
2 removing the existing distribution line and
3 structures from that right-of-way as well.
4 So, from my perspective, with respect to the
5 farm, from a visual impact, you know, we will
6 be returning that viewshed to its original
7 status. There will actually be an improved
8 visual viewshed in that area. But there are
9 obviously transition stations on either end
10 of that underground segment.

11 Q. Well, the transition structure on the end of
12 the underground segment passing through the
13 farm will still be located on the farm, the
14 entirety of which is within the Newington
15 Center Historic District. So the transition
16 structure will in fact be located in the
17 historic district, which is on the National
18 Register of Historic Places. Were you aware
19 of that?

20 A. I was not aware of that. I certainly am
21 aware there need to be transition structures
22 at either end, underground construction if
23 you're going back to overhead.

24 Q. In your conversation with Mr. Ratigan

1 earlier, you spoke a little bit about
2 mitigation in Newington, and you mentioned
3 very specifically putting the line
4 underground through our farm. And are you
5 aware of the payment that Eversource has
6 offered beyond that for historic mitigation
7 in Newington?

8 A. Generally, yes. I know there was
9 compensation beyond the mere placement of the
10 facilities underground. And my understanding
11 was that was as a result of negotiation
12 between our outreach team and the owners of
13 the property, which I suspect you're a
14 principal of; right?

15 So, okay. I believe there are other
16 monetary aspects to that agreement and I
17 think some restoration expense that we would
18 agree to pay, whether it's -- I think it's
19 stone walls and hay fields. But I don't know
20 the specifics of the underlying details.

21 Q. And my last question. According to the
22 drawings that I've looked at, the ones for
23 the farm state very clearly that you're
24 relinquishing the overhead rights on the

1 Frink Farm. That's clear. And at the head
2 of that drawing it says the overhead rights
3 are to be retained through Hannah Lane. Why
4 is that?

5 A. I'm not familiar with the details of those
6 agreements. I know we agreed to continue the
7 underground construction not just through the
8 farm, but through the adjoining neighborhood,
9 the Hannah Lane area.

10 Q. Yes, that's right.

11 A. And those were also discussions which
12 resulted in settlements or agreements with
13 the residents along that right-of-way to give
14 us the necessary underground rights. I'm not
15 familiar with the, you know, final
16 documentation and grant of that easement as
17 to whether we retained the overhead rights or
18 not.

19 Q. And who is the best person on your team to
20 ask those questions of?

21 A. I would start with Mr. Bowes.

22 Q. Very well. Thank you for your time.

23 MS. FRINK: No more questions.

24 PRESIDING OFFICER WEATHERSBY: Thank

1 you.

2 Okay. We're going to break for
3 lunch and come back at 1:10, when we will
4 hear from Counsel for the Public, then the
5 Committee. And then Mr. Quinlan will be
6 excused and we'll hear from the construction
7 panel.

8 (Lunch recess taken at 12:09 p.m.
9 concluding the Morning Session. The
10 hearing continues under separate cover in
11 the transcript noted as Afternoon
12 Session.)

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C E R T I F I C A T E

I, Susan J. Robidas, a Licensed
Shorthand Court Reporter and Notary Public
of the State of New Hampshire, do hereby
certify that the foregoing is a true and
accurate transcript of my stenographic
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I further certify that I am neither
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