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STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

August 30, 2018 - 1:17 p.m. DAY 2
49 Donovan Street Afternoon Session ONLY
Concord, New Hampshire

{Electronically filed with SEC 09-14-18}

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	Public Member
(Presiding Officer)	
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, Lenehan, Iacopino & Hickey)
Pamela G. Monroe, SEC Administrator

(No Appearances Taken)

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

1 I N D E X

2 WITNESS PANEL: LYNN FRAZIER
 3 NICHOLAS STRATER
 4 DAVID PLANTE
 5 KENNETH BOWES
 6 MARC DODEMAN
 7 WILLIAM WALL

8 EXAMINATION	PAGE
9 Cross-Examination by Mr. Ratigan	3
10 Cross-examination by Mr. Irwin	26
11 Cross-examination by Ms. Brown	79

12

13 EXHIBITS REFERRED TO WERE PREMARKED

14

15 RECORD REQUESTS BY MR. IRWIN:

16 All documents providing evidence related 30
 17 to the rights to cross Little Bay for
 18 purposes of the cable and any documents
 19 related to approval for the use of
 20 concrete mattresses in Little Bay

21 Marine calculations and analysis 47
 22 undertaken to conclude that the
 23 larger-size cable could not be
 24 transported to the Project site for
 the Little Bay crossing and any analyses
 of the number of splices t necessary
 to use larger cable

25 RECORD REQUEST BY MS. BROWN

26 1949 easement agreement that included 110
 27 access and purchase of the Getchell
 28 property, which includes deeded access
 29 for this access road

30

1 AFTERNOON SESSION
2 (Resumed at 1:17 p.m.)

3 PRESIDING OFFICER WEATHERSBY: Okay.
4 Welcome back, everyone. We'll resume our
5 hearing and proceed with cross-examination by
6 Attorney Ratigan for the Town of Newington.

7 CROSS-EXAMINATION

8 BY MR. RATIGAN:

9 Q. Good afternoon. My name is John Ratigan. I
10 represent the Town of Newington. I think
11 I'll start my questions directly to Mr.
12 Bowes. But if you feel that you need to
13 consult with someone else, please feel free
14 to do so. I'd just like to get the
15 information on the record.

16 I've got a historical question for you.
17 Back on January 29 of 2015, Eversource made a
18 presentation to the Newington Planning Board.
19 And I'll represent to you that they, at the
20 presentation, they proposed -- there was a
21 proposal for crossing Little Bay with six
22 underwater cables. And I wondered, now that
23 it's been reduced down to three, if you could
24 explain what the rationale was for going from

1 six down to three. If you know.

2 A. (Bowes) Do you have a copy of the
3 presentation?

4 Q. Yeah. Dennis, could you please. Could we
5 approach the witness?

6 MR. RATIGAN: By way of background,
7 this is part a PowerPoint presentation handout
8 that was also handed to the planning board on
9 January 29th, 2015.

10 MR. WAY: Do we have this as an
11 exhibit already or --

12 MR. RATIGAN: No, I'm just asking a
13 question. He asked me for information to
14 refresh his recollection, I assume.

15 MR. WAY: Okay.

16 A. (Bowes) Yes, I see it and I understand the
17 context. At that time, it was a
18 pre-application submittal, and it was our
19 understanding at that time that we could not
20 procure individual cables, or three cables
21 that would have the necessary ampacity.
22 Since that time, and for the filing, we've
23 learned that we can, from LS Cable, they can
24 design and build submarine cable that will

1 meet the requirements and only require three
2 cables and not six.

3 Q. Thank you very much. Moving on from that
4 question. Yesterday you testified that the
5 Company would be installing some roadside
6 screening in conjunction with aerial road
7 crossings?

8 A. (Bowes) That is correct.

9 Q. And once those screenings are established and
10 the plants grow and mature, if you had to go
11 back in and take some of them down in order
12 to provide access for maintenance and
13 repairs, would you be replanting them again
14 when you're done?

15 A. (Bowes) Yes, we would.

16 Q. Thank you.

17 Another historical question. It's my
18 understanding, and if you can confirm this,
19 when the original plan and the Project
20 processes were presented to the Town of
21 Newington, I think it was at a time frame
22 when Eversource believed that they'd have to
23 bury the cable, really starting from
24 Gundalow, going all the way up through to

1 Hannah Lane because of FAA height
2 requirements. Does that strike a cord as
3 recollecting that requirement?

4 A. (Bowes) Yeah, I know we had FAA height
5 restrictions for some of the Town of
6 Newington alternatives that we studied. I
7 don't believe at that distance that there
8 would be FAA restrictions for the structures
9 from Gundalow Landing to Hannah Lane.

10 Q. So, no recollection, at least at this time,
11 that there was -- it was the flight path area
12 that governed the height restrictions. So
13 you don't have a recollection that there was
14 a wider area that the FAA was requiring.

15 And I understand that later you talked
16 with the FAA and worked with the FAA, and
17 they relieved you of having to bury it all
18 because of their height restrictions, because
19 you presented information that showed that
20 you could satisfy their height restrictions
21 and still meet their design criteria.

22 A. (Bowes) I think the simple answer to that is
23 yes.

24 Q. Okay. Do you have -- because that was the

1 original presentation that was made, you
2 know, to the planning board, that there was
3 going to be a long area of burial, and then
4 you were relieved on it. I know that when
5 you made those presentations to the board, it
6 included a cost budget. And so do you have
7 any idea of what the savings were once you
8 realized that you were relieved of having to
9 basically go from the Flynn Pit area to
10 Hannah Lane underground to meet FAA
11 requirements?

12 A. (Bowes) I can answer in general terms what
13 the cost differential is between overhead and
14 the underground.

15 Q. Sure.

16 A. (Bowes) I'm not sure we had the precision in
17 the estimate at that point to say how much
18 would be saved. But in general, it's
19 probably a savings of, say, \$8 million a mile
20 to go overhead versus underground.

21 Q. So if that's roughly a mile, you were
22 relieved of basically \$8 million of cost that
23 was in the original budget.

24 A. (Bowes) Or within -- so, again, I'm not sure

1 it would be the original budget. But it
2 would be within an overall project cost, I
3 would agree.

4 Q. Okay. Good. Thank you.

5 And with respect to the testimony that
6 you made yesterday about the crushed gravel
7 that would be necessary to establish the work
8 pads around the structures along the line, I
9 think you mentioned that during -- I think
10 I'd requested that perhaps the gravel could
11 be removed and it could be loamed and seeded
12 after the work pad piece was done and you'd
13 moved on. Was that a correct summary of what
14 I think your discussion was?

15 A. (Bowes) What I recall was talking about the
16 MOU we have with the Town of Newington that
17 talked about removal of the access roads at
18 the end of the Project.

19 Q. Okay. So that's what you were referring to.

20 A. (Bowes) Yeah, I don't remember about Durham,
21 about reseeding the work pads. Although, the
22 work pads will be removed. And I'm not sure
23 reseeding would be the proper restoration at
24 each location, but it could be at many

1 locations.

2 Q. Okay. I'd like to draw your attention to
3 your March 29, 2017 testimony, which is
4 Applicant's Exhibit 7, if you have that
5 handy. And when you pull that up, if you
6 could turn to Page 6, please.

7 Now, in that testimony, on Exhibit 7,
8 Page 6, Lines 10 to 11, you state that Public
9 Service remains committed to working with the
10 Town of Newington to reduce concerns and
11 potential impacts, and that based on Public
12 Service's continued outreach with the Town of
13 Newington, it is the Company's position that
14 the amendment, the plan amendment, addresses
15 the concerns raised by the town and reflects
16 a more effective project design as it
17 traverses, you know, the transmission line
18 route.

19 You're aware that the Town of Newington
20 has master plan requirements that require the
21 burial of transmission lines in town?

22 A. (Bowes) I know there's a master plan that
23 talks about transmission lines in residential
24 areas. I didn't know if it required

1 undergrounding.

2 Q. Okay. If I represent to you that it does
3 require that, is Public Service/Eversource
4 committed to work with the town on burying
5 the line through both the residential
6 district and the historic district?

7 A. (Bowes) Beyond what has already been done?

8 Q. Beyond what's already been committed to.
9 That's correct.

10 A. (Bowes) No, I don't believe we are making
11 that commitment today.

12 Q. Okay. So the commitments that you have, they
13 wouldn't -- it's your position that they
14 wouldn't extend towards allowing the town to
15 comply with its regulations with respect to
16 line burial in the residential and historic
17 districts.

18 A. (Bowes) My only pause is you used the word
19 "regulation."

20 Q. Yeah.

21 A. (Bowes) It's a plan, I believe, right, not a
22 regulation?

23 Q. Yes, it is a master plan requirement. Right.

24 A. (Bowes) So we would not comply with that part

1 of the master plan for Newington.

2 Q. Directing your attention -- you've
3 addressed -- you've adopted Mr. Jiottis's
4 testimony?

5 A. (Bowes) Yes, I have.

6 Q. Okay. So his testimony appears in
7 Applicant's' Exhibit 6. If I could direct
8 your attention to Page 16 --

9 A. (Bowes) Just a moment.

10 Q. Sure.

11 A. (Bowes) Okay. I have the page.

12 Q. Yeah. Oh, Page 16. Sorry.

13 A. (Bowes) Yes, I have it.

14 Q. Okay. So at Lines 5 to 6, the testimony
15 provides that the Project is designed to
16 reduce potential visual and environmental
17 impacts to the greatest extent possible as
18 constrained by existing property rights,
19 existing infrastructure and geography.

20 Would you agree with me that, if the
21 line were buried, it would reduce potential
22 visual impacts in the Town of Newington?

23 A. (Bowes) So you're asking me to parse out the
24 first part, but not the second part. We

1 don't have existing land rights along the
2 right-of-way for that portion, so it's a
3 combined sentence.

4 Q. Yes, but you've not sought to acquire them,
5 have you?

6 A. (Bowes) Yes, we have.

7 Q. Oh, really? From whom have you sought to
8 acquire -- Mr. Plante is nodding "No."

9 (Discussion among panel members)

10 A. (Bowes) So we proposed to relocate the
11 transition structure off the Frink Farm and
12 outside the historic district -- I'm sorry --
13 outside the historic district, but we were
14 denied the underground property rights to do
15 that. That's the one example I have for you.

16 Q. All right. So I know the Frizzells have been
17 intervenors in this Application. They are
18 the property owners who are adjacent to the
19 beautiful, open field that's further to the
20 east beyond Fox Point Road. Did you seek to
21 acquire those land rights for undergrounding?

22 A. (Bowes) We did not.

23 Q. No. And if you were given those rights for
24 undergrounding, would you put the line

1 underground in that area?

2 A. (Bowes) We would not.

3 Q. So then it's probably not accurate to say the
4 Project is designed to reduce potential
5 visual and environmental impacts to the
6 greatest extent possible, because you're
7 putting self-imposed limitations on this.

8 A. (Bowes) Maybe you can be more clear about
9 what limitations I'm placing on those.

10 Q. Well, there is no constraint if the property
11 owner is willing to give to you or sell you
12 at a commercially reasonable price the
13 underground rights. Then you would have no
14 constraint putting the line underground
15 across that open field area, would you?

16 A. (Bowes) So that would reduce the visual
17 impacts, yes. It might not reduce the
18 environmental impacts.

19 Q. Oh, it would increase environmental impacts?

20 A. (Bowes) Yes.

21 Q. And are you suggesting that's a reason not to
22 put the line underground?

23 A. (Bowes) No. I'm just saying that it's a
24 limitation that you described, and I'm just

1 saying it's visual, yes, but environmental,
2 no.

3 Q. Are you familiar with the Northern Pass
4 Project?

5 A. (Bowes) Yes, I am.

6 Q. Did the Company commit to place 60 miles of
7 that project underground as part of its
8 project proposal?

9 A. (Bowes) Ultimately, yes, I think it did.

10 Q. And if Newington and the impacted residents
11 supported the undergrounding of just not even
12 the entire line, just say a portion across
13 from Fox Point Road across that beautiful
14 field, is that something that you might be
15 willing to consider?

16 A. (Bowes) It is not.

17 Q. Are you familiar with the proposed easement
18 route as it crosses Little Bay to Portsmouth,
19 the entirety of the route in Newington?

20 A. (Bowes) Yes, I am.

21 Q. And is it a correct statement to say that for
22 a portion of that route, Gundalow Landing,
23 anyway, within the easement rights that
24 you've historically owned out there, there's

1 no transmission or distribution line out
2 there, is there?

3 A. (Bowes) Which portion of the --

4 Q. The first part coming up from Little Bay up
5 to Little Bay Road, the initial portion as
6 you leave Little Bay.

7 A. (Bowes) So there's an easement which was
8 acquired for a transmission line across that
9 property, or set of properties.

10 Q. Yeah, but there's no line there.

11 A. (Bowes) It was removed, I believe, in the
12 1980s.

13 Q. That's right. And the line that traverses
14 from Little Bay Road to, I think it goes at
15 least to Fox Point Road, that's a
16 distribution line, isn't it?

17 A. (Bowes) That's actually -- again, you
18 mentioned a historical fact. Up until the
19 early 2000s, Public Service New Hampshire
20 classified its 34kV system on rights-of-way
21 as a transmission asset. So if you look at
22 the original easements for these, for this
23 line, it references a transmission line
24 rather than a distribution line. In early

1 2000s, we reclassified as part of the ISO-New
2 England Regional Network Service Tariff. We
3 re-classified that 34kV transmission line to
4 become distribution. So it was originally
5 sited, permitted, constructed and operated as
6 a transmission line. It was reclassified --
7 or would have been reclassified in the early
8 2000s as a distribution asset.

9 Q. And it's been referred to consistently
10 within, by your testimony and Mr. Jiottis's
11 testimony, it's referred to as a
12 "distribution line," isn't it?

13 A. (Bowes) Correct. That's the definition today
14 is as a distribution line.

15 Q. What's the kV threshold that normally
16 distinguishes distribution from transmission?

17 A. (Bowes) Well, again, up until around the year
18 2000, each state had a different definition
19 of "transmission." Around the year 2000,
20 right after the ISO-New England Tariff was
21 formed, we consolidated those for all three
22 states. And 69kV is now the differentiator
23 or break point between transmission and
24 distribution.

1 Q. Thank you.

2 Are you aware that the Town of Newington
3 and Eversource signed a Memorandum of
4 Understanding that addresses, you know, road
5 restoration and related protocols, as well as
6 blasting?

7 A. (Bowes) Yes, and many other things. Yes.

8 Q. Yes, and many other things. And one of the
9 things I noted in your July 27, 2018
10 testimony, which I believe is Exhibit 140,
11 and that's at lines or Page 8, and it's at
12 Lines 12 to 15, I think that's where you
13 describe the number of -- or the names of the
14 roads which Eversource has identified as
15 roads that will be used for the construction
16 project. Is that correct?

17 A. (Bowes) I haven't called it up yet. I'm
18 sorry.

19 Q. Oh, I'm sorry. Didn't mean to rush you.

20 A. (Bowes) And that was Page 8 I believe you
21 said.

22 Q. Yeah, Page 8, Lines 12 through 15.

23 A. (Bowes) Yes, I have it.

24 Q. Okay. And then I'll also refer you to -- and

1 in that description there's a number of
2 roads. There's Little Bay, Fox Point, Nimble
3 Hill and other roads. And I'll represent to
4 you that in Applicant's Exhibit 168, which is
5 the Memorandum of Understanding that's been
6 executed by the Town and by Eversource, that
7 in that document, on Page 4, on Paragraph 4,
8 it says that -- let's see. Oh, excuse me.
9 It's Paragraph 5. It says at the conclusion
10 of the paragraph that the only roads expected
11 to be used by Eversource are Nimble Hill
12 Road, Gundalow Landing and Little Bay Road.

13 To the extent that you've disclosed
14 there are additional roads, I assume that
15 you're in agreement that all the provisions
16 of the Memorandum of Understanding would
17 apply to those new roads that you've
18 identified as being needed for construction.

19 A. (Bowes) Yes, I would agree to that.

20 Q. Okay. One other -- can you describe how
21 equipment and materials, once the Project
22 starts, will be moved to the site? In other
23 words, you're going to have a lot of large
24 equipment, a lot of bulky, long equipment

1 that has to make its way to the site. Can
2 you describe briefly how that will be
3 accomplished?

4 A. (Bowes) Sure. Maybe I'll start and go
5 through the various phases of the Project as
6 well.

7 Q. Sure.

8 A. (Bowes) So the first phase I would say would
9 be staking the right-of-way and identifying
10 the trees that have to be removed. So that
11 would be done with, I would say, light-duty
12 equipment. And possibly the next activities
13 would be the road-building activities, which
14 would probably require dump trucks, graders,
15 fairly typical road construction equipment.

16 Q. Excuse me. When you say "staking and
17 identifying the trees," do you mean cutting
18 into the area where you're going, or are you
19 also talking about trees that could be
20 elsewhere along the right-of-way that might
21 have lower hanging branches or be too close
22 on a corner, you know, because you have a
23 large truck that might need a different
24 turning radius?

1 A. (Bowes) So it would be trees that have been
2 identified in the areas identified on the
3 environmental maps. So it would include all
4 those types of activities, both clearing the
5 right-of-way to the necessary width. But
6 also, if you need access, there would be some
7 tree-clearing or tree-trimming as well.

8 After the roads are built, and possibly
9 some of the access may be available today to
10 bring on vegetation management equipment,
11 again, there would be a large truck with wood
12 chippers and things like that, that would
13 remove the trees and trim the trees along the
14 right-of-way.

15 The next phase of the Project would be
16 the foundation portion, which would be where
17 we'd be drilling holes for the direct,
18 embedded structures or drilling holes for the
19 concrete installations.

20 The next phase would be the structure
21 erection, which would be using trucks that
22 would deliver the steel poles, some in
23 sections, obviously, based on their length.
24 But that's typically done with a

1 tractor-trailer type vehicle.

2 After that, there would be smaller line
3 trucks that would be used, smaller than the
4 tractor-trailers, at least, where we would be
5 framing and possibly rigging for the
6 conductor pulling.

7 And then at various segments along
8 probably 4- to 5,000 feet, we'd be setting
9 wire-pulling equipment, which, again, is a
10 trailer and tensioner equipment, where we
11 would maintain tension of the conductors
12 while we pull them in.

13 And the last phase would be the line
14 vehicles where we would connect the
15 conductors to the insulator strings.

16 The final phase, for example, in
17 Newington would then be road removal. So,
18 similar equipment as we installed the roads
19 with we'd use to remove those roads, which
20 would include graders or bulldozers, as well
21 as dump trucks that would remove the
22 material.

23 Q. And I take it that not really knowing when
24 any of this is going to start, there would be

1 coordination with public safety officials
2 about time of day, you know, best time to
3 travel, all those kinds of things for
4 vehicles that might present, you know, a
5 challenge to traffic, say in the morning rush
6 hour or evening rush hour, if they're on the
7 road at the same time?

8 A. (Bowes) Yes, that's accurate. We'll publish
9 a schedule and then we'll review the schedule
10 at our weekly meeting with the Town of
11 Newington and go through those types of
12 activities. In addition to that is also
13 going to be recreational use along some of
14 these roadways which we'd have to take into
15 consideration, and obviously the bus routes
16 for school children at the beginning of the
17 day and the end of the day. So all of those
18 types of activities would be coordinated in
19 that weekly construction meeting.

20 Q. Thank you. There is a fair amount of
21 testimony about the marine cables. Once
22 they're installed, if they have to be
23 repaired, what's that process like, and how
24 long would something be out of service?

1 A. (Bowes) Sure. I can start, and Mark may be
2 able to add additional details if I don't
3 cover it. I know he has not spoken yet,
4 so...

5 So the length of interruption -- I'll
6 start with the second question first -- is
7 going to be several weeks to months. The one
8 advantage of an undersea cable is it's highly
9 reliable. But when it does fault or become
10 damaged from an external "aggression" I guess
11 is the word used, the repair cycle is quite
12 long. And it may require the manufacture of
13 cable, it may require time-of-year
14 restrictions again to do the work. And
15 obviously the process itself, which I'll go
16 into the first part of the question next.

17 So the first part would be locating the
18 faulted area, and that could be done, you
19 know, at least initially would be done by the
20 monitoring equipment on both ends of the
21 cable, at Madbury substation and Portsmouth
22 substation. We'd try to indicate a precise
23 location. That's probably accurate to within
24 tens of feet, at best, maybe hundreds of

1 feet. After that we would have to place
2 divers into the water to unearth the cable
3 and also to identify the precise location of
4 the break.

5 The next phase would be understanding
6 how much of the cable section we'd have to
7 replace. If it's a single-point failure or
8 if it's a longer failure, possibly from an
9 anchor drag, that could impact a longer piece
10 or longer section of the cable. Ultimately,
11 we'd have to move a barge out to the work
12 site and excavate enough of the cable back to
13 be able to bring the entire cable up onto the
14 barge, cut out the section, splice a section
15 on, on both ends, lower the section back into
16 the bay and then re-cover the cable itself.

17 Q. And is this easier or more complicated if the
18 area of repair is underneath the concrete
19 mattress area?

20 A. (Bowes) So I would say in general it's
21 probably harder to repair just because
22 there's another sequence of activities. And
23 at those locations, the cables are physically
24 closer together. This is where they're

1 starting to taper down from 30 feet apart to
2 a few feet apart. So you have that
3 restriction to deal with. It's also somewhat
4 easier because it's maybe shallower water and
5 out of any currents you have in the channel.
6 So there's positives and negatives. But it's
7 not a desirable location, regardless of where
8 it is in Little Bay.

9 Q. So what's the range of time frame when the
10 line could be out?

11 A. (Bowes) So, minimum three months. And
12 maximum could be a whole year, a whole cycle.

13 Q. Given that this is a reliability project, do
14 you have any built-in redundancy that you
15 plan for that would accommodate, you know,
16 the unlikely event that the cable goes out
17 and then you had to make a repair?

18 A. (Bowes) So there is redundancy in the system.
19 And this actually provides some of that
20 redundancy, another line into Madbury
21 substation and improvements at Portsmouth
22 substation. So this becomes part of that
23 redundancy. But there would be exposure
24 during that repair cycle for the same types

1 of events that could occur today.

2 MR. RATIGAN: I have no further
3 questions. Thank you very much.

4 PRESIDING OFFICER WEATHERSBY: Next
5 up is the Conservation Law Foundation, Attorney
6 Irwin.

7 MR. IRWIN: Thank you, Madam Chair.

8 CROSS-EXAMINATION

9 BY MR. IRWIN:

10 Q. Good afternoon. My name is Tom Irwin. I
11 represent the Conservation Law Foundation.
12 Mr. Bowes, I have a few initial questions for
13 you related to Mr. Jiottis's testimony. And
14 that is Applicant's' Exhibit 6.
15 Specifically, if you could turn to Page 3,
16 Lines 7 through 9. Mr. Jiottis states there
17 that PSNH currently owns or has the legal
18 rights secured for all the property, or the
19 property rights necessary to construct the
20 entire project as proposed in the
21 Application. Did I read that correctly?

22 A. (Bowes) Yes, you did.

23 Q. And that statement is important because,
24 pursuant to the SEC's rules, an Applicant is

1 required to provide evidence that the
2 Applicant has a current right, an option or
3 other legal basis to acquire the right to
4 construct, operate and maintain the facility
5 on, over and under the site; is that correct?

6 A. (Bowes) Yes, it is.

7 Q. Obviously, this project involves a
8 significant use of land submerged beneath
9 tidal waters. Are you familiar with the fact
10 that land beneath tidal waters is owned by
11 the State, subject to the Public Trust?

12 A. (Bowes) Yes.

13 Q. And has Eversource gone through the necessary
14 processes to acquire all rights for use of
15 submerged lands beneath tidal waters?

16 A. (Bowes) Yes.

17 Q. And could you describe that process that
18 you've gone through, please.

19 A. (Bowes) Maybe I should back up as well and
20 say this statement concerns the original
21 Application to the SEC. It has since been
22 amended. So I can make an affirmative
23 statement that when the Application was
24 filed, this was accurate. When we amended

1 the Application, it was accurate. And today
2 it is still accurate.

3 Q. Okay. Thank you.

4 A. (Bowes) As far as the Project requirements
5 for the crossing of Little Bay, that's a
6 license agreement that the Company has to use
7 those public lands, I think is the way you
8 described it. So it's a license actually to
9 cross that.

10 Q. And when did Eversource or PSNH obtain that
11 license, and from whom?

12 A. I don't have the documents in front of me. I
13 know we've gone through a process with, I
14 believe it's New Hampshire Public Utility
15 Commission, to obtain that license. And
16 there may be successor licenses to that as
17 well. I know the original crossing here was
18 in 1902. It was a crossing along the same
19 corridor I believe in the 1950s, and then
20 obviously the rights were for this project.

21 Q. I'd like to show you a document I've marked
22 as CLF Exhibit 23.

23 (Witness reviews document.)

24 Q. What I've provided is correspondence from the

1 New Hampshire Attorney General's Office,
2 dated February 9, 2012, related to a proposal
3 for natural gas line involving bedrock boring
4 under tidal waters between Newington and
5 Dover. And I'll draw your attention to the
6 third paragraph in which the Attorney
7 General's Office states that case law --
8 "Pursuant to New Hampshire RSA 1:14 and case
9 law, the land beneath tidal waters is owned
10 by the state, subject to the public trust."
11 we've already agreed that that is the case.
12 It goes on to describe the process that
13 ultimately involves Governor and Council
14 review and approval for the use of tidally
15 submerged lands.

16 Has Eversource obtained approval from
17 the Governor and his Executive Council for
18 this project?

19 A. (Bowes) Probably a question for our
20 attorneys. I don't have an answer to that,
21 nor do I know if it's required. So...

22 Q. If I could please make a record request for
23 any and all documents providing evidence
24 related to the rights to cross Little Bay for

1 purposes of the cable and any documents
2 related to approval for the use of concrete
3 mattresses in Little Bay.

4 A. (Bowes) Sure. That's fine.

5 Q. Thank you.

6 MR. NEEDLEMAN: Sure, but I believe
7 this was provided.

8 BY MR. IRWIN:

9 Q. Let me just back up. You indicated
10 familiarity with public trust principles
11 related to land beneath tidal waters. I
12 assume you will agree that the concrete
13 mattresses are intended to be permanent?

14 A. (Bowes) For the life of the cable system.
15 I'm not sure if that's your definition of
16 "permanent."

17 Q. Okay. Well, I think that's a term that's
18 used in the Application. I assume you'll
19 agree there is a proposal to use several
20 thousand square feet of concrete mattresses
21 in Little Bay, or potentially?

22 A. (Bowes) I would say "potentially." Again, we
23 identified the areas where concrete
24 mattresses might be needed and wanted to make

1 sure that our New Hampshire DES permit -- our
2 calculations were conservative, to make sure
3 that we didn't understate potential need for
4 those. So I would say at this point it's
5 clearly not a guaranty that the full amount
6 of mattresses would be needed, or if any
7 mattresses would be need.

8 Q. If mattresses are needed, though, I assume
9 you agree they will be on subtidal lands?

10 A. (Bowes) Yes, below the mean high water mark.

11 Q. And in areas where people boat?

12 A. (Bowes) I would say, based on testimony I've
13 heard at the tech sessions, certainly
14 kayakers use these areas.

15 Q. Also places where people fish?

16 A. (Bowes) I would assume so. I don't really
17 have any firsthand knowledge if this is an
18 area where people fish.

19 Q. But you have knowledge of people fishing in
20 Little Bay generally?

21 A. (Bowes) Oh, certainly, yes.

22 Q. And I assume you would agree that the
23 subtidal land that would be filled with
24 concrete mattresses otherwise would be

1 natural habitat on the surface?

2 A. (Bowes) I think I understand the question.
3 But when you added "the surface" -- I think
4 they're natural lands -- the land is actually
5 under the water. The surface is the surface
6 of the water. So I don't want to parse words
7 here, but you kind of confused me at the end
8 of that.

9 Q. I'll restate the question. I assume you will
10 agree that the subtidal land that concrete
11 mattresses will be placed on otherwise will
12 be natural habitat?

13 A. (Bowes) I believe so, yes. Probably a better
14 group would be the environmental group to
15 answer that question. But my understanding
16 is yes.

17 Q. And there's a potential for concrete
18 mattresses to be visible at low tide; is that
19 correct?

20 A. (Bowes) There is a potential of that, yes.

21 Q. Just shifting gears briefly, Mr. Bowes. You
22 were here yesterday when Mr. Quinlan
23 testified; is that correct?

24 A. (Bowes) Yes, I was.

1 Q. And do you agree with Mr. -- related to the
2 ISO-New England process during which the
3 Seacoast Solution option and the Gosling
4 autotransformer option were considered, do
5 you agree with Mr. Quinlan's assessment of
6 that ISO New England process as one in which
7 stakeholder input was critical and an ongoing
8 part of the ISO-New England process?

9 A. (Bowes) So I know he got many questions about
10 this process. I will agree with the
11 statement that you just made. I'm not sure
12 that necessarily characterizes what he said.
13 But I agree with what you said.

14 Q. Okay. I was reading fairly closely from Mr.
15 Quinlan's testimony at Applicant's Exhibit 2,
16 Page 4, Line 17.

17 Did Eversource ever -- this is a
18 question I asked Mr. Quinlan, and he deferred
19 it to you or Mr. Andrew. Did Eversource ever
20 reach out itself to Seacoast communities that
21 it knew, that Eversource knew would be
22 affected by the options that were under
23 discussion before the ISO-New England
24 process?

1 A. (Bowes) So we did talk yesterday about this
2 New Hampshire-Vermont study that was done
3 which covered a very large area of the two
4 states. We did have participation in that
5 from the State of New Hampshire. Both the
6 Office of Consumer Advocate, and we had
7 participation from the New Hampshire Public
8 Utilities Commission in that process. And as
9 you well know, we had participation of the
10 Conservation Law Foundation in that process.
11 So, although we didn't notify every town in
12 those two states, we did have many parts that
13 were part of that stakeholder process.

14 Q. So I'll ask the question again, and slightly
15 differently. Once the Seacoast Solution
16 alternative was identified as an option by
17 Eversource, and the Gosling autotransformer
18 alternative was identified as an option by
19 Eversource, did Eversource reach out to any
20 of the communities that would be affected by
21 those projects during the ISO-New England
22 process?

23 A. (Bowes) Again, not to my knowledge.

24 Q. Okay. Thank you.

1 Shifting gears, I have questions for
2 David, for Mr. Plante. This relates as well
3 to maintenance of the cables. Your prefiled
4 testimony, Exhibit 8, Page 21, Lines 11
5 through 19, your testimony there describes
6 what I guess I would sum up as the
7 "splicing-in process." Could you describe
8 that briefly.

9 A. (Plante) Sure. And as Mr. Bowes has already
10 touched on, much of this process -- and
11 certainly Mr. Dodeman is the expert on
12 actually doing it -- but the process
13 involves, as Mr. Bowes alluded to,
14 identifying the location of the fault or the
15 failure in the cable system and raising it to
16 the surface on a barge where the cable would
17 then be -- you know, the damaged portion of
18 the cable would be cut out and a new piece of
19 contain would be spliced in, and then the
20 entire system would then be laid back onto
21 the floor of the bay.

22 Q. Mr. Dodeman or Mr. Wall, do you have anything
23 to add with respect to the splicing-in of a
24 new segment of cable?

1 A. (Dodeman) No, I think a very simple
2 explanation has already been given.

3 Q. Mr. Wall, do you have anything to add?

4 A. (Wall) I agree with that.

5 Q. Thank you.

6 Mr. Bowes, I have another question
7 related to Mr. Jiottis's testimony, again,
8 Applicant's 6. This is at Page 19, Lines 9
9 through 15.

10 A. (Bowes) Could you repeat the page number
11 again.

12 Q. It's Page 19 --

13 A. (Bowes) Yes, I have it.

14 Q. -- and Lines 9 through 15. And I just have
15 to get there myself.

16 I'd just like to read a portion of that,
17 starting at Line 9. Mr. Jiottis testifies,
18 "The entire length" -- and I'm sorry. Let me
19 back up. This relates to transportation of
20 cable to the Project site for purposes of
21 installing it at the Little Bay crossing; is
22 that right?

23 A. (Bowes) Yes, it does.

24 Q. So Mr. Jiottis states, "The entire length of

1 each individual cable, approximately
2 1.1-mile, will be transported to the Project
3 site on the barge as a single length of
4 cable. The barge must be able to cross
5 underneath the General Sullivan Bridge,
6 Route 4/Spaulding Turnpike Bridge, which only
7 allows for approximately a 30-foot clearance.
8 This clearance limits the size and type of
9 barge that can be used for the Project. The
10 limitations of the barge result in a design
11 utilizing three single cables, one cable per
12 phase, versus one cable with all three phases
13 in a common bundle."

14 Does this mean that Eversource is
15 proposing three cables to cross Little Bay
16 because it can't get the larger-size cable
17 under the General Sullivan Bridge?

18 (Discussion among panel members)

19 Q. There's some conversation going on. If you'd
20 like to speak, Mr. Dodeman.

21 A. (Dodeman) Yes, if I may, only because I was
22 involved during the design phase as well for
23 this project.

24 The limitation of height underneath the

1 General Sullivan Bridge is more of a question
2 of what type of laying equipment we're using
3 on top of the barge. Typically you would use
4 a very high gantry and a coiling arm. And
5 that gantry can be sometimes 70-plus feet
6 high. And for bigger cables, that would
7 require a bigger draw pipe. This is to
8 control the torsion and the cable coming out
9 of the tank. That method is not feasible.
10 The question of whether or not we looked at a
11 three-cord cable, which is much heavier, is
12 the limitation of actually the depth of the
13 bay. That's why we had to split it up into
14 three phases.

15 Q. Thank you. Was there consideration of
16 bringing in multiple reels of the larger,
17 heavier cable?

18 A. (Dodeman) Yes. Again, during the planning
19 phase, we looked at every available option to
20 try to limit the number of crossings we have
21 to do and shorten the Project duration, which
22 is always a factor for the construction
23 company. We try to keep the construction
24 duration as short as possible. But with the

1 weights and volumes that were calculated
2 originally, which go back to Caldwell Marine,
3 which was one of the original bidders on this
4 project, we limited it to a single reel per
5 phase run. And that's the depth -- that's
6 the draft of the barge limitation again.

7 Q. So was there consideration of bringing in
8 smaller, less cable in multiple reels -- less
9 of the larger-size cable in multiple reels
10 for splicing?

11 A. (Dodeman) Yes. However, again, that is a
12 design issue. Wherever possible you try to
13 avoid putting splices into a cable. Splices
14 are the most common failure point. They tend
15 to be looked at as a weaker point in a cable
16 system. So you always want a continuous
17 length. Again, the continuous length of a
18 three-cord cable system is too heavy to put
19 onto a barge to work in this bay. So that's,
20 again, another reason why we went to the
21 three, single-cord phase.

22 Q. So a decision was made not to use the heavier
23 cable to avoid a splice.

24 A. (Dodeman) To avoid a splice or splices.

1 The other thing is there are limitations in
2 the ampacity and voltage ratings on the
3 three-cord cables that would require most
4 likely a much bigger three-cord cable size.

5 Q. Sitting here today, can you say whether it
6 would have been a matter of a splice, two
7 splices?

8 A. (Dodeman) I don't have the marine
9 calculations. I would have to look that up.
10 I certainly couldn't do it offhand. And that
11 usually requires the assistance of someone
12 like a marine engineer or someone. So I
13 don't have the resources available as a cable
14 manufacturer.

15 Q. The analysis that took place with respect to
16 the larger-size cable and any other analyses
17 to reduce the number of crossings of Little
18 Bay, are those documents -- is that analysis
19 in the record?

20 A. (Dodeman) I don't know offhand.

21 Q. If not, I'd like to make a record request.

22 A. (Dodeman) If the record exists. Yeah, I'd
23 have to confer with attorneys on whether or
24 not that documentation does exist.

1 MS. MONROE: What's the request, Tom?

2 MR. IRWIN: The request is for the
3 analysis that was undertaken to conclude that
4 the larger-size cable could not be transported
5 to the Project site for the Little Bay
6 crossing; and as part of that, any analyses of
7 the number of splices that might be necessary
8 to use that larger cable.

9 MR. IACOPINO: What he referred to as
10 "marine calculations," that's what you're
11 looking for?

12 WITNESS BOWES: We understand the
13 request.

14 MR. IRWIN: Okay. Yeah, I'm not sure
15 that --

16 A. (Dodeman) Typically, just for the sake of
17 clarification to the panel, when you're
18 designing an installation, you have to pick a
19 barge that can work in the area. So we have
20 to look at the draft of the barge -- that's
21 how much barge is actually under the
22 waterline -- to make sure you're working in a
23 safe working depth. So that's priority
24 No. 1, is keep enough water under the boat.

1 And that's a big deal when you're working in
2 areas of rock and mud flats.

3 The second thing we have to look at is
4 aerial clearance of the -- again, the General
5 Spaulding -- sorry -- the Spaulding Pike --

6 A. (Bowes) General Sullivan.

7 A. (Dodeman) The General Sullivan Bridge does
8 create what we call an "air draft" situation,
9 which limited us from using three-cord cable
10 because of the drop height. You need a very
11 large gantry with the coiling arm that takes
12 the tension out of the cable. And it's far
13 too big to work in this type of -- in this
14 scenario. And it can't fit under the bridge.

15 The other thing we look at is the
16 dimensions of the barge -- and I believe that
17 a 180-by-50 was selected -- because we have
18 to make sure that we can work in the confines
19 of the work area, so that we can make the
20 approach towards Welsh Cove on the eastern
21 landing and we can make the approach towards
22 the tidal flats on the western landing. So
23 that was also looked at.

24 The cable that we can put onboard is

1 then limited to the engineering, based on --
2 which we have to look at the deck-loading
3 capacity for these barges. So the decision
4 goes back to -- one of the final calculations
5 we have to look at is the deck loading to see
6 how much weight we can put on the barge. And
7 I think the happy number that we came up with
8 resulted in a weight that sort of not forced
9 us, but made us select a single-cord cable
10 system where we can do three, separate runs
11 of single cables.

12 Q. So, thank you for that clarification, Mr.
13 Dodeman.

14 MR. IRWIN: And Mr. Iacopino, for
15 your clarifying question, so I would say in
16 terms of a request record, I'm interested in
17 these marine calculations, but also in any
18 analysis that was conducted to determine
19 whether the three-cord cable could be brought
20 in, in multiple spools or reels.

21 MR. NEEDLEMAN: Madam Chair, what is
22 the relevance of this, first of all? And
23 second of all, why were these requests not made
24 during the normal course of discovery,

1 considering this is precisely the sort of thing
2 that could have and should have been requested?
3 I'm just concerned that we're being subjected
4 to a wide range of data requests here that are
5 not what I understand to be customary during
6 the adjudicative process, but seem to just be
7 more discovery, so to speak.

8 PRESIDING OFFICER WEATHERSBY: Mr.
9 Irwin, do you have an answer?

10 MR. IRWIN: You know, I think with
11 the back and forth with the witnesses -- and
12 this has been evolving for some time -- you
13 know, there are facts -- we're getting
14 discovery daily, still. This is an evolving
15 process. And this is critical information, and
16 it is absolutely relevant to whether three
17 cable crossings of Little Bay as opposed to one
18 are necessary.

19 MR. NEEDLEMAN: I didn't hear
20 anything in that explanation that in any way
21 talked about anything that has changed or why
22 it was that any of that couldn't have been
23 requested during the normal course of
24 discovery. That's what discovery deadlines in

1 the procedures are for, to gather this
2 information.

3 MR. RICHARDSON: Ms. Chair, can I
4 just --

5 (Court Reporter interrupts.)

6 MR. RICHARDSON: I think it's
7 important information relative to whether this
8 is a least-impacting alternative, whether it's
9 the best choice, the one that the Applicant has
10 selected. I think it's very important, and I
11 think it relates directly to the Project's
12 impact. So I would join in the request for the
13 information. Obviously, I agree it could have
14 been requested earlier, but, you know, we don't
15 live in a perfect world.

16 MR. IRWIN: And I would add, in terms
17 of the evolving process here, you know,
18 Mr. Wall testified yesterday to not yet having
19 seen the final wetlands permit from DES because
20 there are negotiations happening right now.

21 MR. NEEDLEMAN: Well, I'm not sure
22 that's accurate. But you could ask him that
23 again. Nevertheless, I said what I need to
24 say. I'm concerned about this ongoing

1 discovery process.

2 PRESIDING OFFICER WEATHERSBY: I'm
3 going to overrule your objection. I do think
4 the information is very relevant. It could
5 have and should have been asked for before.
6 But I think that, given its relevancy and the
7 nature of these proceedings, that in this
8 instance the record request will be allowed.

9 MR. IRWIN: Thank you.

10 BY MR. IRWIN:

11 Q. Shifting gears. Mr. Wall, I have some
12 questions for you about the concrete
13 mattresses. You testified yesterday that
14 mattresses will be placed wherever the jet
15 plow cannot achieve 42-inch coverage; is that
16 correct?

17 A. (Wall) Correct.

18 Q. And actually, these questions may or may not
19 be appropriate for you. I have some
20 questions about the HDD and jet plow report.
21 This is Applicant's Exhibit 133, and more
22 specifically, Exhibit D, related to the
23 concrete mattresses. Do you have that report
24 in front of you?

1 A. (Wall) Yes.

2 A. (Bowes) We believe we do, yes.

3 Q. Okay. So, Attachment D, or Appendix D, again
4 relates to concrete mattresses. So should I
5 be directing these questions to Mr. Dodeman
6 or to Mr. Wall?

7 A. (Wall) Either one. We'll look and -- sorry.
8 Appendix B?

9 Q. D, as in dog.

10 MR. PATCH: Could we just have the
11 exhibit number again?

12 MR. IRWIN: Exhibit 133.

13 MR. IACOPINO: We don't have an
14 Appendix D to Exhibit 133. Is this the HDD
15 comparison?

16 MR. IRWIN: I'm sorry. It's
17 Appendix A. I apologize. So it's in
18 Appendix A, titled, "Articulated Concrete
19 Mattress Installation..."

20 WITNESS BOWES: I believe it's also
21 Page 58 in the report.

22 MR. IACOPINO: Thank you.

23 MR. IRWIN: I have 53, Page 53 of the
24 report.

1 BY MR. IRWIN:

2 Q. So, actually just turning directly to
3 Page 57, Section 1.1, around the middle of
4 the page there's some narrative about
5 conditions on the western landing. I assume
6 that refers to the west side of Little Bay;
7 is that correct?

8 A. (Dodeman) Correct.

9 Q. And the observations there are that there's
10 exposed basement/bedrock, boulders, and stiff
11 clays. Then the next paragraph relates to
12 conditions on the eastern landing. And I
13 assume that would be the Newington side of
14 Little Bay; is that correct?

15 A. (Dodeman) Correct.

16 Q. Then below that, in bold it says, "Western
17 Landing Approach," and there's a suggestion
18 of allowing for the conditional installation
19 of approximately 160 linear feet. Is that
20 what "LF" stands for?

21 A. (Dodeman) Yes, it does.

22 Q. One hundred sixty linear feet of mattresses
23 between intertidal zone and mud flat areas.
24 Each mattress covers 20 linear feet of cable

1 times 3 cable runs, totaling 24 mattresses.
2 So, 24 mattresses on the western side of
3 Little Bay.

4 A. (Dodeman) Correct. And I do have to point
5 out for the record, this is from a 2016
6 document. This was still very early in the
7 Project. The environmental panel may have
8 recalculated the actual linear footages
9 covered for permanent impacts on Little Bay.
10 So I'm not sure these calculations are still
11 100 percent correct.

12 Q. Okay. Thank you. And this is an appendix to
13 the July 1st, 2018 report; is that correct?

14 A. (Dodeman) Correct.

15 Q. The specifications for the concrete
16 mattresses, in terms of surface area, they
17 are 8 by 20 feet; is that right? So,
18 160 square feet each?

19 A. (Dodeman) Correct.

20 Q. So, according to these calculations, the
21 western side would have involved 3,840 square
22 feet, and the eastern side, 1,920 square
23 feet?

24 A. (Dodeman) I believe your interpolation. I

1 have no reason to doubt your mathematics.

2 However --

3 Q. You should.

4 A. (Dodeman) However, I'll give you the benefit
5 of the doubt. Again, for the actual, final
6 calculations, I would like to defer that to
7 the environmental panel who did the permanent
8 impact report and calculations.

9 Q. Okay. Thank you.

10 So, in terms of the concrete mattresses,
11 showing you first this is Appellant's -- or
12 sorry -- Applicant's Exhibit 122, Page 23.

13 A. (Dodeman) We have the document. Oh, wait.
14 Stand by. Sorry. I misspoke.

15 Q. Okay. Can you see these documents on the
16 screens in front of you?

17 A. (Dodeman) We can, but my eyesight is like
18 your math.

19 Q. Okay. I just wanted to know.

20 A. (Dodeman) Okay. We have it.

21 Q. So this is the western landing; is that
22 correct?

23 A. (Dodeman) That's correct.

24 MR. IACOPINO: What's the page number

1 on that one?

2 MR. IRWIN: Page 23.

3 BY MR. IRWIN:

4 Q. I'm pointing to an area that is near the
5 western shoreline. It's sort of a coarsely
6 shaded area. Is this a representation of the
7 concrete mattresses?

8 A. (Dodeman) Yes, it is.

9 Q. And do you have a sense of whether there are
10 24 concrete mattresses in this drawing or --
11 which was the number provided in the report
12 you just went through?

13 A. (Bowes) So it looks like it's indicating
14 about 100 linear feet in this diagram. And
15 it looks like it's still three mattresses, or
16 one mattress per cable is probably a better
17 way to say it. So, 20 feet, that would be 5
18 mattresses per cable, times 3 cables; so, 15
19 mattresses looks like is displayed here.

20 Q. Five mattresses per cable times three. Okay.

21 Next I'll show you from the same
22 exhibit, Applicant's Exhibit 22 [sic],
23 Page 28. This is the eastern shore; is that
24 correct?

1 A. (Dodeman) That's correct.

2 Q. Again, roughly shaded areas over the cables
3 I'm pointing to them now. Are these -- is
4 this area of concrete mattresses?

5 A. (Dodeman) Yes, it is.

6 Q. And I'll ask the same question in terms of
7 linear feet. Are we talking more than the
8 originally projected 12 mattresses here?

9 (Discussion among panel members)

10 A. (Dodeman) That looks to be about correct.
11 But still, for the final numbers, I'd like to
12 defer to the environmental group.

13 Q. Is it correct that that is a representation
14 of 12 mattresses on the eastern side?

15 A. (Bowes) No.

16 A. (Dodeman) No, I believe that's more, from
17 what I'm seeing. It looks like more. But
18 I'd like to defer that to the environmental
19 panel.

20 Q. Okay. Thank you.

21 And the last number I've seen related to
22 square footage coverage of concrete
23 mattresses is in the text of appendix -- or
24 sorry -- Applicant's 133, the HDD report,

1 Page 16, where there's a reference to
2 8,681 square feet of concrete mattresses. Is
3 that the latest number that you're aware of?

4 A. (Dodeman) This is Exhibit 133, what page?
5 I'm sorry.

6 Q. Page 16. It's the first line under
7 "Wetlands."

8 (Witness reviews document.)

9 A. (Dodeman) I believe these numbers are the
10 numbers that were produced by the
11 environmental panel, so I would say these are
12 correct.

13 Q. Okay. So, 8,681 square feet --

14 A. (Dodeman) Correct.

15 Q. -- in tidal waters. Thank you.

16 Is it fair to say that the effect of
17 these mattresses on, say navigation, will be
18 greater than the actual square footage of the
19 mattresses themselves?

20 A. (Dodeman) I would say it's negligible.
21 There's no -- from what we know of Little Bay
22 and the traffic going through Little Bay, the
23 traffic is mostly recreational. I can't see
24 a 9-inch difference from --

1 (Court Reporter interrupts.)

2 A. (Dodeman) The mattresses proposed are
3 9 inches in height, which for recreational
4 boaters would only make a difference at the
5 nearest portions to shore where most likely
6 people wouldn't be taking boats.

7 Q. Is there any anticipation of having to mark
8 off areas that have been -- to mark off areas
9 for navigation purposes where these
10 mattresses will be placed?

11 A. (Dodeman) As far as I know, it wasn't
12 anticipated. The proposal, I believe, was
13 looked at by the proper authorities. Whether
14 or not that would be dictated, I'm not sure.

15 Q. So, turning briefly to the wetlands permit.
16 You know, Mr. Wall, I was struck by your
17 testimony yesterday where you indicated you
18 hadn't seen the final wetland permit, the
19 final New Hampshire DES wetland permit.

20 A. (Wall) No. I'd seen the final list, but I
21 don't think the actual -- there's still
22 negotiation going on between our
23 environmental group and DES.

24 Q. So have you seen --

1 A. (Wall) I have read the permits.

2 Q. Mr. Wall, have you seen the February 28, 2018
3 correspondence from New Hampshire DES to
4 Ms. Monroe, Administrator of the Site
5 Evaluation Committee?

6 A. (Wall) I have seen that. I wouldn't say I
7 know every line, but I have seen it.

8 Q. And that is Applicant's Exhibit 166. Do you
9 have that in front of you? I can bring it
10 up.

11 A. (Wall) I don't have it.

12 (Document handed to witness.)

13 A. (Wall) Thank you.

14 Q. So the first sentence of this letter states,
15 and I'll read it, "This letter is to notify
16 you that the New Hampshire Department of
17 Environmental Services Water Division Staff
18 have completed their technical review of the
19 Application, and we have made a final
20 decision on the parts of the Application that
21 relate to NHDES permitting for regulatory
22 authority related to a wetland permit," and
23 it names other DES approvals. Did I read
24 that correctly?

1 A. (Wall) I believe you did read it correctly.

2 Q. And if you flip to the next page and the
3 following pages, at the top of each page it
4 states "NHDES Final Decision," doesn't it?

5 A. (Wall) It does say that. One thing I must
6 add, though. I have not been involved in any
7 discussion between our environmental group
8 and DES. And that is really the purview of
9 our environmental group, not the construction
10 group. So I would really have to leave any
11 answers on that type of question to our
12 environmental group.

13 Q. Okay. Thank you.

14 Is any other member of this panel
15 involved in ongoing discussions with New
16 Hampshire DES?

17 A. (Bowes) I don't believe any of us are, no.

18 Q. Okay. But Mr. Wall, have you reviewed this
19 document?

20 A. (Wall) I have reviewed that document.

21 Q. Okay.

22 A. (Bowes) I have as well.

23 A. (Plante) Me, too.

24 Q. Okay. So, Page 7 -- and again we're at --

1 well, you have it in front of you. The
2 exhibit number on this?

3 A. (Wall) Page 7?

4 Q. Exhibit 166, Page 7, that is the "Wetlands
5 Bureau, February 28, 2018 Final Decision";
6 correct? That's the title?

7 A. (Wall) That's what it says at the top of the
8 page. Correct.

9 Q. The first paragraph is a project description.
10 And seven lines down in that paragraph there
11 is reference to "placement of concrete
12 mattresses over shallow cable installation in
13 Little Bay, 5,336 square feet." Did I read
14 that correctly?

15 A. (Wall) You did read it correctly, yes.

16 Q. Turning to Page 9, these are the general
17 conditions within this final decision
18 document. Page 9, Paragraph 25 states, "Any
19 further alteration impact areas" -- there
20 seems to be a word missing. "Any further
21 alteration impact areas for the Project
22 beyond the Application materials received
23 September, 2017, that are subject to RSA
24 482-A jurisdiction" -- I'll represent to you

1 that's wetlands jurisdiction -- "will require
2 a new application and further permitting."

3 Did I read that correctly?

4 A. (Wall) You read it correctly.

5 Q. Would you agree that going from 5,336 square
6 feet of concrete mattress coverage to more
7 than 8,000 square feet of concrete mattress
8 coverage is further alteration of an impact
9 area within DES's wetlands jurisdiction?

10 A. (Wall) As I stated before, my involvement is
11 in the physical construction, not the
12 permitting of the Project. So I would defer
13 that to our environmental group.

14 Q. Okay. Thank you.

15 Mr. Wall, I have a few questions about
16 out-of-service cables. I assume you're the
17 right person who I might direct questions?

18 A. (Wall) Either myself or Mr. Dodeman.

19 Q. Okay. So, Caldwell Marine conducted a study
20 of out-of-service cables within the Little
21 Bay crossing channel; is that correct?

22 A. (Dodeman) That's correct.

23 Q. Actually, it's Applicant's Exhibit 73,
24 Attachment D. Do you have that report in

1 front of you?

2 A. (Dodeman) Attachment D? Yes, sir, I think we
3 do. We're just getting to that page.

4 A. (Wall) Yes, "F107 Cable Survey Final Report."

5 Q. And that's dated July 21, 2014?

6 A. (Dodeman) Correct.

7 Q. So this was an assessment of basically what
8 cables, what PSNH-owned cables are in Little
9 Bay right now; is that correct?

10 A. (Dodeman) Eversource. Yes.

11 Q. How many linear feet of cables currently lie
12 on the floor of Little Bay out of service?

13 A. (Dodeman) Let me see this. It's difficult to
14 say with accuracy. Most of these cables --
15 as you know, having read the report, the
16 entire survey had to be relatively
17 non-invasive, as in divers can only do visual
18 inspections. And much of this cable is still
19 buried underneath the substrate on the
20 bottom. So you can interpolate from the OSI
21 data, which is overlaid in Figure 3 on that
22 document, where the magnetometer hits, you'd
23 have to do linear calculations. But that
24 data is not really available. Again, that's

1 all interpolated data for non-invasive
2 techniques.

3 Q. So, some of those cables contain lead; is
4 that correct?

5 A. (Dodeman) I can't answer that. I can't
6 answer that question.

7 (Discussion among panel members)

8 DIR. MUZZEY: Madam Chair, could we
9 just get a point of clarification whether we're
10 working with Exhibit 73 as titled or Exhibit 73
11 as labeled, because 73 is labeled "173."

12 MR. IRWIN: I've made that mistake
13 myself. So is it 73 or 173?

14 DIR. MUZZEY: What's the title of
15 what you're referring to?

16 MR. IRWIN: This is -- okay. Let
17 me... Exhibit 73 is Mr. Wall's prefiled
18 testimony, and I believe it is Attachment D.

19 WITNESS WALL: D, yeah.

20 MR. WAY: Which date?

21 DIR. MUZZEY: What is the date of
22 that?

23 MR. IRWIN: Let me get there myself.

24 WITNESS WALL: The date of the survey

1 report is 31st of July, 2014. The date of the
2 exhibit is March 29, 2017.

3 MR. RICHARDSON: I think there's just
4 a typo. I have the first page of that exhibit
5 that says "173," but the PDF file is actually
6 labeled "073."

7 MS. MONROE: I think I can clear this
8 up. So the initial submittal, the Bates Stamp
9 from the Applicant is incorrect. Everything
10 had a "1" in front of it. And they've since
11 been resubmitted, and it was sent to the
12 service list. And I just got the updated
13 files, and I just need to update the thumb
14 drives for the Committee. So you should all
15 have them corrected.

16 MR. IRWIN: So this is actually
17 Exhibit 73?

18 MS. MONROE: That is correct.

19 MR. IRWIN: And it's the substituted
20 prefiled testimony of Mr. Wall. And we're
21 talking about Attachment D.

22 A. (Bowes) So this report does not include the
23 chemical analysis of the cable samples. That
24 is in the docket. It's in another document.

1 BY MR. IRWIN:

2 Q. Yes, that's in the existing cable removal
3 plan. And I'll have some questions about
4 that shortly.

5 A. (Bowes) That is correct.

6 Q. Thank you.

7 So, Page 7 of this report on
8 out-of-service cables includes a table. And
9 it indicates cable condition for each cable.
10 And for I believe every one of them, with the
11 potential exception of one, cable condition
12 is described as, among other things,
13 "recoverable."

14 A. (Dodeman) Correct.

15 Q. Does that mean those cables could be removed
16 from Little Bay?

17 A. (Dodeman) This was when Caldwell Marine was
18 contracted to have divers do a visual
19 inspection. The "recoverable" designation
20 was to say if the cable looks like it's in
21 good enough condition that it could be
22 winched aboard in one piece without falling
23 apart and creating problems. So the
24 "recoverable" is an actual diver saying this

1 cable looks good. We think we can recover it
2 in one piece. And the recoverable -- the
3 criteria they used was the condition of the
4 armor wires on the cable.

5 Q. Okay. Thank you. But only sections of
6 existing cables will actually be removed,
7 according to the Application; is that
8 correct?

9 A. (Dodeman) That's correct.

10 Q. And how many linear feet are proposed for
11 removal?

12 A. (Dodeman) I'm not sure. I'm not sure
13 offhand. But this has been submitted in
14 other sections of testimony, so I'd have to
15 take a look.

16 Q. Okay. And while you're doing that, perhaps,
17 Mr. Wall, could you confirm that what I have
18 on the Projector now is from your prefiled
19 testimony? Can you confirm that the yellow
20 lines are out-of-service, existing cables?

21 A. (Wall) That's correct.

22 A. (Dodeman) If I can go back to answer the
23 linear feet calculation for cable intended on
24 being removed? Somewhere in this document I

1 did make an estimate. This is while I was
2 still employed at Caldwell Marine. I did
3 make a mathematical estimate, which I can't
4 seem to easily find. But later on, when the
5 environmental people took a look at the work
6 during the filing -- this is the 2014
7 document we're reading from -- they did a
8 recalculation, and I believe their
9 recalculations were what was used for the
10 actual data required for the Application. So
11 I would have to defer the final number again
12 to that number from the environmental panel.

13 Q. Okay. Thank you.

14 So what I have on the Projector is from
15 Applicant's Exhibit 106 --

16 A. (Wall) Yeah, okay.

17 Q. -- Page 4. So, just few questions about this
18 then. Actually, if you could just describe
19 it. There's a description of a Clearance
20 Area 2. You already stated the yellow lines
21 are existing out-of-service cables already in
22 Little Bay.

23 A. (Wall) Correct.

24 Q. Could you describe what Clearance Area 1 and

1 2 are about?

2 A. (Dodeman) These areas have been -- are shown.
3 This is the corridor that Eversource is
4 planning on using, or the right-of-way
5 they're allowed to use. And what was done
6 was a green box was put over the areas of old
7 cable that exist in the corridor that needs
8 to be used for the new cable installation.
9 So this highlights the areas where cable
10 needs to be removed. Those yellow lines that
11 are intersecting the green box need to be
12 removed to give us a working corridor.

13 Q. So any of the yellow lines not within those
14 clearance areas will remain in Little Bay.

15 A. (Dodeman) That's correct.

16 Q. Turning to Page 5 of the report we were
17 discussing, do you have that in front of you?
18 It's the Caldwell Marine report.

19 A. (Dodeman) Yes.

20 Q. It states, "This survey identified the four
21 existing out-of-service cables, as well as
22 other anomalies within the corridor. Due to
23 the existing cables being located mostly in
24 the northern half of the cable area, CMI" --

1 I assume Caldwell Marine -- "advised PSNH
2 that the most feasible route for a new cable
3 would be in the southern part of the
4 corridor." Did I read that correctly?

5 A. (Dodeman) You're reading that correctly. I
6 do have to make a slight clarification,
7 however. I believe this -- at the time the
8 plan was for six cables, with a certain
9 amount of separation between the cables. The
10 new configuration, which was a development
11 that happened long after Caldwell was
12 involved with the Project, the new
13 configuration of three cables would also, I
14 believe, be still trending towards the
15 southern half of the corridor. But there is
16 not six cables with that separation anymore.

17 Q. Does that mean less of the out-of-service
18 cable will be removed?

19 A. (Dodeman) That I can't say. I need to defer
20 to the environmental panel in terms of linear
21 distance.

22 Q. Okay. On the Projector is a NOAA chart.
23 This is from your testimony, your prefiled
24 testimony, Mr. Dodeman, Attachment C.

1 A. (Dodeman) Yes.

2 Q. The dashed lines on either side, are these
3 the boundaries of the transmission channel?

4 A. (Dodeman) This is the boundaries, the charted
5 boundaries. And this is an old NOAA document
6 that has now been -- it's still a NOAA
7 document, but it goes all the way back to
8 what was called the "DMA charts." So at one
9 point I was able to access older charts,
10 which I can't do anymore. But these lines
11 are actually part of the NOAA chart system
12 that designates a known cable corridor. So
13 this indicates to boaters that this is
14 non-anchoring, non-stopping, don't play in
15 this area.

16 Q. And the continuous, bold red lines crossing
17 Little Bay, is that an overlay of the path of
18 the proposed new cable?

19 A. (Dodeman) I believe that is. This actual
20 line set is not something I put together. I
21 think I provided the background chart for
22 this.

23 Q. And would you agree that it trends towards
24 the southern part of the corridor?

1 A. (Dodeman) Certainly for the eastern half of
2 the corridor as we look at this chart, yes.

3 Q. And it certainly avoids a lot of the need to
4 remove a lot of the existing cable that's
5 existing already in Little Bay?

6 A. (Dodeman) Yes. During the design we tried
7 not to have to do any more work than you need
8 to do. And cable recovery work is typically
9 another time-consuming activity which would
10 create cost. So from a construction
11 standpoint, that's what we're looking at.

12 Q. I assume this question is probably best
13 directed to you, Mr. Wall, perhaps Mr. Bowes
14 as well.

15 Has Eversource, or has anyone on behalf
16 of Eversource, assessed the potential to
17 reduce reliance on concrete mattresses by
18 altering the course of the cable crossing?

19 A. (Wall) Not that I know of, from a cable route
20 point of view, no. I'll defer to others on
21 the panel.

22 A. (Dodeman) I have to add that in terms of
23 cost, and this is from the cable
24 manufacturing side, in terms of cost, you

1 want the amount of cable to be the least
2 amount. And that goes for everything.
3 Because that affects how much burial has to
4 be done, it affects the overall copper and
5 product price, obviously, of the system. So
6 you want the shortest distance between two
7 straight lines and as straight a line as
8 possible. So route alterations, if you look
9 at the route, the way it was laid out, it's
10 avoiding as much of the existing old cables
11 as possible and trying to keep the
12 straightest line possible with being able to
13 work in the parameters of both the cable
14 corridor and the bending radius that you're
15 capable of making with a plow and the barge.

16 Q. If you were to take existing out-of-service
17 cables out of the equation and you could move
18 that line, you could shorten the distance,
19 couldn't you?

20 A. (Dodeman) We could. But the turns that are
21 represented during the -- at the approach to
22 the eastern landing as we head into that
23 notch called Welsh Cove, which is the
24 permitted landing or the expected landing for

1 this project, those turns have to be
2 reasonably constructable. So if we were to
3 turn it any shorter and make that line any
4 shorter between the eastern and western
5 landing, that turn would then be laying right
6 on the rocks in the shallows in the northern
7 part of Welsh Cove. So we had to avoid that,
8 which is why we swing a little bit to the
9 southwest and then go up into Welsh Cove in a
10 northeasterly fashion.

11 Q. So your testimony, I take it, is based on
12 landing where PSNH has acquired an easement.

13 A. (Dodeman) That's correct.

14 Q. Okay. But I assume you would agree with me
15 that easement rights can be acquired in
16 different locations?

17 A. (Dodeman) I have no understanding of real
18 estate.

19 Q. So I'd like to turn to Exhibit 106 now. This
20 is the Eversource report titled, "Existing
21 Cable Removal Plan." To whom on the panel
22 should I direct questions?

23 A. (Bowes) I can certainly start and then maybe
24 Mark can help.

1 Q. Okay. Do you have that report in front of
2 you?

3 A. (Bowes) Yes, I do.

4 Q. So, according to this report, three out of
5 four cables currently in Little Bay showed
6 high levels of lead; is that correct?

7 A. (Bowes) Three out of the four cables were
8 originally designed with a lead sheath. So
9 that's part of the construction of the cable,
10 so that would obviously have lead in them.

11 Q. Okay. So the report indicates that samples
12 that were taken showed levels as high as
13 2,400 milligrams per liter of lead. There
14 were other samples as high as 1,900, 2,000,
15 2,200 milligrams per liter of lead; is that
16 correct?

17 A. (Bowes) Are you looking at Page 3?

18 Q. Actually, farther into the report there's a
19 lab report. I'll try to find the page for
20 you. It's Appendix C, and it's a laboratory
21 report on Page 4, on the bottom right-hand
22 corner.

23 MR. IACOPINO: Which exhibit you
24 said?

1 MR. IRWIN: This is Exhibit 106.

2 A. (Bowes) I have the page, yes.

3 BY MR. IRWIN:

4 Q. I assume you would agree with the numbers in
5 this report, in terms of levels of lead
6 detected through sampling of various cables
7 or cable segments.

8 A. (Bowes) Yes, I would.

9 Q. And the report indicates that two of the
10 cables also contain oil-impregnated cellulose
11 paper; is that correct?

12 A. (Bowes) So this goes back to Page 2 or 3?

13 Q. I believe so. Actually, even Page 1.

14 (Witness reviews document.)

15 A. (Bowes) So, yes, on Page 1 it identifies each
16 of the four cables that was found in the
17 construction technique or the design of each
18 of those cables.

19 Q. And it indicates that the 1940s cable
20 contains oil-impregnated cellulose paper and
21 the lead sheath, among other components, and
22 the 1970s oil-impregnated cellulose paper
23 with the lead sheath, among other components;
24 is that correct?

1 A. (Bowes) Yes, it does.

2 Q. So, despite the cables having been analyzed
3 for their constituents and their condition,
4 am I correct in reading this report, that
5 Eversource isn't certain exactly which cable
6 is located where on the floor of Little Bay?

7 A. (Bowes) So the diagram you have up on the
8 screen right now indicates what we know of
9 the cable locations.

10 Q. Right. But am I correct that you have not
11 been able to match up which cable, for
12 example, has the higher lead levels, which
13 cable has which constituents?

14 A. (Bowes) I would say that's probably accurate
15 in some cases, yes.

16 Q. So on Page 2, the final paragraph of Page 2
17 states, "While OSI's survey identified the
18 geospatial presence of the existing cables,
19 there is some uncertainty as to the cable
20 type at each location. Based on diver
21 reconnaissance, the southernmost cable, which
22 requires portions to be removed, is believed
23 to be the 1940s cable." Did I read that
24 correctly?

1 A. (Bowes) Yes, you did.

2 Q. A little further up on that page it states,
3 "Eversource reviewed sediment data collected
4 from the two proposed cable clearance areas,
5 Clearance Area 1 and Clearance Area 2. The
6 sediment data was generated in... 2016 and
7 ...2017 during the sediment investigation
8 performed by Normandeau Associates. Based on
9 the sediment testing results, total lead
10 concentrations in the shallow sediments in
11 each of the clearance areas was less than the
12 Effect Range Low concentrations, indicating
13 that the presence of the cables is not
14 exacerbating contaminant conditions." Did I
15 read that correctly?

16 A. (Bowes) Yes, you did.

17 Q. To be clear, the sediment sampling that was
18 done in Clearance Area 1 wasn't done to
19 determine whether lead might be leaching into
20 the sediments from these out-of-service
21 cables, was it?

22 A. (Bowes) I would say not directly. My
23 understanding, the sampling was done to
24 understand what was in the sediment for the

1 jet plow analysis. There may have been also
2 desire to understand the integrity of the
3 cables and if their deterioration was leading
4 to a sediment issue. Probably a better
5 question for the environmental panel.

6 Q. Okay. But I'll ask you the question.
7 Sediments directly under the portions of the
8 cable to be removed were not sampled, were
9 they?

10 A. (Bowes) I don't believe so. But the
11 locations are identified on the map that you
12 have in front of us.

13 Q. And would you agree that, even if sediments
14 were not found -- so, even if you had
15 conducted an analysis to specifically
16 determine whether these out-of-service lines
17 were contributing lead in sediments, wouldn't
18 you agree that sediments -- that lead could
19 also be leaching into the water column, not
20 ending up in the sediments?

21 A. (Bowes) Probably a better question for the
22 environmental panel.

23 Q. But the plan is to leave these cables alone,
24 essentially, in perpetuity; is that correct?

1 A. (Bowes) We will comply with all the New
2 Hampshire DES requirements. If at some time
3 in the future they ask us to remove them, we
4 will.

5 Q. But right now there is no plan to remove
6 these other cables, just the cable needed to
7 construct the proposed new crossing.

8 A. (Bowes) And that is the guidance we have from
9 the New Hampshire DES, yes.

10 Q. So this report -- and again we're in
11 Exhibit 106, Appendix D -- includes a
12 remedial -- an analysis of remedial debris
13 recovery. Who can best speak to that? And
14 this is at page -- the remedial debris topic
15 is specifically on Page 6 of -- this is what
16 the page looks like, if it helps you locate
17 it more quickly.

18 A. (Bowes) So I would say if there are questions
19 about the environmental aspects, the
20 environmental panel would be best. If there
21 are questions about how the removal would
22 take place, we're probably the best panel for
23 that.

24 Q. Mr. Bowes, I believe this is probably best

1 directed to you. Shifting gears away from
2 the existing cables, it's been suggested that
3 if this project is not built, that rolling
4 brown-outs may need to occur. That hasn't
5 happened yet, has it?

6 A. (Bowes) It has not.

7 Q. Has Eversource conducted any analysis of the
8 likelihood of rolling brown-outs if this
9 project is not built, taking into account the
10 fact that you've got a lot of the Seacoast
11 Solution constructed already?

12 A. (Bowes) So I don't believe we do that for any
13 of the Projects in the ISO-New England
14 Regional System Plan. We go through the
15 process with them, become the backstop to
16 building the Projects and then complete them
17 in a timely manner, trying to meet the year
18 of need. In this situation, year of need has
19 long since passed, so we would continue to
20 operate the system and take whatever actions
21 are necessary, including emergency actions.
22 But we don't do an analysis of what might
23 occur, other than at certain levels we could
24 pre-stage certain activities to occur. For

1 example, in a long heat wave, if we exceed
2 certain load levels, we might pre-position or
3 pre-configure the system to make that load
4 shedding as seamless as possible. I know
5 that doesn't sound necessarily like a good
6 way of articulating it. But to try to
7 minimize the fewest number of customers for
8 the shortest amount of time that would be
9 impacted by a disconnection of power.

10 Q. Are you aware of an analysis by ISO-New
11 England or any other entity of the likelihood
12 of brown-outs or rolling brown-outs if this
13 project is not constructed?

14 A. (Bowes) I am not.

15 Q. Thank you.

16 MR. IRWIN: I have no further
17 questions.

18 PRESIDING OFFICER WEATHERSBY: I
19 think we'll take a ten-minute break and come
20 back at 3:15, and we will resume with the
21 Durham Residents. Thank you.

22 (Recess was taken at 3:06 p.m.
23 and the hearing resumed at 3:20 p.m.)

24 PRESIDING OFFICER WEATHERSBY: I just

1 wanted to mention that from time to time a
2 Committee member may need to leave before the
3 proceedings are finished for the day, or
4 perhaps there's a time that a member is sick or
5 cannot come for some reason. That doesn't mean
6 that we need to suspend our business. As long
7 as we have a quorum of five members, we will
8 carry on as scheduled. And any member who
9 needs to leave or is absent does review the
10 transcripts to catch up on anything. So that
11 would be the case this afternoon. We will have
12 at least one member who'll need to leave before
13 the end of the day, before we conclude today.

14 So, that said, Ms. Brown, you may
15 question the witnesses.

16 CROSS-EXAMINATION

17 BY MS. BROWN:

18 Q. Good afternoon, Panel. My name is Marcia
19 Brown. I am representing Donna Heald, but I
20 am also the spokesperson for the Durham
21 Residents. And I would like to follow up on
22 an issue about bridge clearance that Attorney
23 Irwin had asked about. So, Mr. Dodeman, I'd
24 like to follow up with you. And I'm going to

1 put up -- okay.

2 So, on Exhibit 6, Page 19 of 31, Lines
3 12 and 13, you had stated that the barge was
4 limited -- or the clearance of the bridge
5 limited the barge, and therefore the barge
6 limited aspects of the Project. And in your
7 testimony, you had stated that the bridge
8 clearance was 30 feet. Do you recall that?

9 A. (Dodeman) I'm not sure that I actually stated
10 the bridge height. I'm relying on the
11 engineers and what was told to me. So I kept
12 my description general in saying that the
13 bridge clearance limited the height of the
14 barge.

15 Q. Okay. I'm going to cut to the chase. Do you
16 recall that 30 -- actually, did you just tell
17 me that you are aware of the use of 30 feet
18 as the bridge clearance in the design?

19 A. (Dodeman) I honestly can't recall the exact
20 height that I was referring to. You say
21 Exhibit 6. I have to get Exhibit 6 in front
22 of me. Do we have Exhibit 6?

23 (Discussion among panel members)

24 Q. So you have Exhibit 6 in front of you. On

1 Page 19 of 31, Line 12, at the end it says,
2 "which only allows for approximately 30-foot
3 clearance. This clearance limits the size
4 and type of the barge." Do you see that?
5 You can look at it or I can just --

6 MR. IACOPINO: It's the Jiottis
7 testimony.

8 A. (Dodeman) Yeah, it's Jim Jiottis.

9 BY MS. BROWN:

10 Q. Yeah, my mistake in saying it was your filed
11 testimony.

12 A. (Bowes) It's actually the testimony that I've
13 adopted. What page was that?

14 Q. Page 19 of 31. It's the physical document
15 Page 19, and it's the last two words on
16 Line 12, "30-foot." Do you see that?

17 A. (Bowes) Yes, I do.

18 Q. Okay. And I apologize to your counsel for
19 not seeing this earlier, but I'm going to --
20 I could not find the NOAA chart, but I found
21 a Great Bay Marine, which is in Great Bay --
22 or Little Bay, if you're familiar with that.
23 And they have the bridge clearance cited on
24 their web site. And if you, as an offer of

1 proof, would take --

2 A. (Dodeman) No, I understand the 52-foot listed
3 bridge clearance, and I could -- I have the
4 NOAA charts on my computer on a chart
5 program.

6 Q. So the question is: The reference in the
7 testimony is 30 feet. And we know that the
8 mean low tide allows a 52 clearance. What
9 does that change in clearance do to your
10 calculation of or use of or selection of the
11 barge?

12 A. (Dodeman) When you're talking about these big
13 submarine cables that are stored in some sort
14 of cylindrical object like a cable pan, which
15 is very typical, or a cable tank that's
16 installed on a barge, due to the torque
17 associated with moving that cable in and out
18 of that pan with a tensioning device or a
19 linear cable engine, that cable will tend to
20 twist and create all sorts of kinks. There's
21 no way to get it out of the pan without using
22 a very high gantry. In order to avoid that,
23 we opted to go with a reel, a powered reel
24 stand, which does not generate torque. You

1 can pull the cable directly off of the reel
2 and then off of an overboard chute. The reel
3 is much lower in stature -- and forgive me
4 for not knowing the exact height -- than a
5 cable gantry. A cable gantry is typically in
6 the realm of 70-feet plus, maybe more.

7 Q. So, in effect, you are pulling the cable off
8 of the barge horizontally to the water
9 surface and not up; is that correct?

10 A. (Dodeman) Correct.

11 Q. So the height of the bridge clearance then
12 becomes a non-issue; is that correct?

13 A. (Dodeman) That's correct. By using the reel,
14 the height of the bridge becomes -- it's not
15 a non-issue because we have to watch the
16 height of the reel as well and the powered
17 reel stand. But it becomes effectively a
18 non-issue.

19 Q. Thank you for that clarification.

20 A. (Dodeman) Sure.

21 (Pause in proceedings)

22 Q. Sorry for that delay. I'd like to talk about
23 the construction time period. And I believe
24 this may be to David Plante.

1 What I have pulled up is Applicant's
2 Exhibit 1. I am on Page 51, for the record.
3 And in this section it talks about the
4 sequencing of the construction activities.
5 And can you provide -- actually, Mr. Plante,
6 there's a proposed schedule associated with
7 the -- my mistake. I thought I had this all
8 organized. I'm going to go back to Page 51,
9 for the record.

10 So, Mr. Plante, can you walk through
11 these sequences and give us an estimated time
12 in perhaps months of how long these sequences
13 will take?

14 A. (Plante) Certainly I could do that. I mean,
15 concurrently --

16 MR. RICHARDSON: Excuse me. Point of
17 order. What page are you on?

18 MS. BROWN: I am on electronic
19 Page 51 of Exhibit 1. It is document Page 21.

20 MR. RICHARDSON: Thank you.

21 BY MS. BROWN:

22 Q. Mr. Plante?

23 A. (Plante) Okay. So, generally what we would
24 anticipate, were we to receive a Certificate

1 of Site and Facility through this process on
2 the current glide path towards a decision,
3 which will be somewhere in the first quarter
4 of next year, we would anticipate a
5 construction period of approximately nine
6 months, culminating in completion by the end
7 of 2019, which obviously is out of sync with
8 the matrix that you showed earlier with 2018.

9 So, initially the establishment of
10 marshaling areas. You know, we have already
11 secured a marshaling area for our material
12 storage and laydown, so that's essentially
13 behind us now. But upon commencement of
14 construction-related activities, starting
15 with surveying and flagging of boundaries, as
16 Mr. Bowes alluded to, that's a fairly brief
17 process. You know, in probably a couple of
18 weeks we could complete all of the final
19 layout of those areas and commence with
20 establishment of accesses and begin our
21 right-of-way vegetation management, which
22 would probably take on the order of a couple
23 of months in its entirety. However, it
24 wouldn't need to be entirely completed before

1 we could begin ensuing activities in other
2 parts of the corridor. Essentially a line
3 construction project is a serial effort that
4 engages a number of different resources with
5 different crew complements and equipment
6 types and tasks.

7 So, as I mentioned, vegetation
8 activities would be first. And then we would
9 install erosion and sediment controls as soon
10 as they're done in the various areas,
11 followed by construction access roads and the
12 work pads. The next item there, relocation
13 of existing utility infrastructure, this is
14 an activity that can go on in parallel with a
15 lot of the other activities and will, you
16 know, likely take place earlier on in the
17 Project, but may not complete until later in
18 the Project.

19 In terms of major construction
20 activities, the installation of foundations
21 is the next -- or the first, true
22 construction activity. And we have
23 foundations that are both concrete
24 foundations for the engineered steel

1 structures that I mentioned yesterday, and we
2 also have a type of foundation that we use
3 for our direct embedded structures, which
4 involves -- it's a similar activity of
5 drilling a hole. We put a sealed culvert
6 vertically into that hole to stabilize it and
7 allow for a stable foundation for the direct
8 embedded structures. So, in one way or
9 another, every structure on the transmission
10 line will receive some type of
11 foundation-type activity.

12 Following that, we would deliver
13 materials to each structure location and
14 assemble each structure. They come in
15 multiple pieces, so we would assemble it at
16 the location and begin the erection process,
17 which again involves a different crew
18 complement and different equipment. And that
19 crew would move along the line and complete
20 structure erection. The next crew to arrive
21 would be a conductor installation crew,
22 which, again, different equipment, different
23 crew expertise. And they would begin by
24 installing -- pulling ropes to then attach

1 the conductors and pull the conductors in.
2 The conductors are then attached to the
3 structures and the insulators to complete the
4 actual electrical components of the line.

5 Concurrently, to some degree, with the
6 overhead line construction is the submarine
7 and underground construction because they,
8 again, involve totally different crew
9 complements and construction methods. The
10 underground cable has certain time-of-year
11 restrictions, particularly with respect to
12 the UNH Durham/Main Street crossing, trying
13 to complete that all during the period
14 between commencement and moving day of the
15 following academic year.

16 The submarine cable has preparation
17 activities that will begin as soon as early
18 summer, but the actual construction of the
19 cable installation is planned for the fall
20 time frame.

21 Q. Okay. Thank you. I understand things can be
22 concurrent. If I could just ask you to break
23 this down a little bit more. With respect to
24 the work pads, how quickly can those be

1 established on a property?

2 A. (Plante) The establishment of the work pads
3 is a variable that depends upon what the
4 exact conditions are at each location. It
5 could be locations that really don't require
6 any physical work to establish anything.
7 Those areas would be dry upland areas that
8 are reasonably flat and unimpeded by boulders
9 or whatever so that our equipment could
10 position itself safely and perform the work.
11 There are other areas that may have some
12 slope to them that would require minor
13 grading or installation of timber mats to
14 create a safe working area for the crews.
15 So, depending on the degree of which is
16 required, it will dictate the amount of time
17 that it takes. But generally it's not a
18 particularly long duration to establish those
19 in any one location.

20 Q. Okay. I'm going to go to a specific example.
21 I thank you for the general response.

22 So what I am pulling up for you to take
23 a look at is Exhibit 148. These are the 2017
24 environmental maps. And I have electronic

1 Page 19, although it is document Page 18.

2 And I'm going to blow it up a little bit more
3 so you can see it better. Now what I am
4 showing you is my client's property, Heald
5 McCosker. Do you see that in the center?

6 A. (Plante) Yes.

7 Q. There are -- and correct me if I'm wrong --
8 two work pads that are expected on this
9 property?

10 A. (Plante) Yes.

11 Q. From the road, and building the access road,
12 can you walk us through how long it's going
13 to take to build the road to get to the work
14 pad; how long the work pad is going to take;
15 how long the next traverse is going to take,
16 noting that there are wetlands? If you could
17 walk us through very briefly?

18 A. (Plante) Sure. Obviously, the first thing to
19 do is establish access off of the Longmarsh
20 Road. And the first activity there is the
21 first small wetland that is shown as being
22 crossed with timber mats. So the contractor
23 would place a series of timber mats across
24 that wet area to provide stable construction

1 passage. And then a short distance ahead is
2 the first work pad. And this does
3 demonstrate a little bit of topographical
4 change around that structure. So we would
5 need to establish a little bit more of a
6 level work surface there, and that would
7 probably take on the order of a day or maybe
8 two days to complete that.

9 And then moving on to the right is a
10 little bit longer wetland crossing which
11 would require, again, timber mats to provide
12 a stable surface for the equipment to pass.
13 And that would probably be another day, plus
14 or minus, to install those mats.

15 And then the final work pad also has
16 some topographical change, so it'd probably
17 be a day or so of either light grading or
18 installation of mats to provide a stable
19 surface. So, all in all, this would probably
20 be a week or less of access preparation.

21 Q. Now, noting that you had said that things
22 could be sequenced in the broader project,
23 with respect to a single parcel like
24 Ms. Heald's, after the access road and the

1 work pads are constructed, will there be a
2 break before other equipment comes in?

3 A. (Plante) I would say yes, it's likely that
4 there would be some slack time between the
5 completion of the access and the arrival of
6 the next work crew, which would be the
7 foundation drilling crew. It's possible that
8 it could occur directly afterwards. It's
9 also possible it could be a period of days or
10 weeks in between.

11 Q. Okay. With that variation in when Eversource
12 personnel will be on the property, how will
13 Ms. Heald be notified of the comings and
14 goings? Is this a daily notification?

15 A. (Plante) It's possible that we could have a
16 daily notification process, if that's what
17 Ms. Heald would prefer. We do have an open
18 and ongoing relationship between our outreach
19 team and Ms. Heald.

20 Q. Thank you.

21 And this is a general question. I don't
22 know necessarily, Mr. Plante, if this is
23 something that you can respond to. In
24 Ms. Heald's testimony, she had asked for an

1 inventory of her plant stock within the
2 right-of-way --

3 A. (Plante) Correct. She has and --

4 Q. -- be conducted.

5 A. (Plante) -- and we have offered.

6 Q. I didn't mean to interrupt your response. So
7 the question is: With an inventory that has
8 to be -- in order to be accurate, which would
9 need to be in the growing season immediately
10 prior to the construction, and knowing that
11 you don't know when you're going to start
12 construction yet, do you have any -- does the
13 panel have any comment on how to fit in a
14 plant inventory?

15 A. (Plante) Well, I would envision that that is
16 something that could take place at the very
17 beginning of the growing season. This
18 particular portion of the Project is not
19 necessarily something that has to take place
20 at the very beginning of our construction.
21 So we do have, I would say, sufficient
22 flexibility to fit in an inventory time
23 period at the beginning of the growing
24 season, prior to the commencement of

1 construction activities in this area of the
2 Project.

3 Q. Thank you.

4 I want to ask a few questions about the
5 marshaling and laydown yards. In the
6 Application, it seemed that Eversource needed
7 flexibility on determining when or how many
8 marshaling and laydown yards there would be.
9 Is that an accurate characterization?

10 A. (Plante) Yes.

11 Q. So could there be any laydown or marshaling
12 yards placed within the Longmarsh Road area
13 as you're seeing on this map?

14 A. (Plante) No, we have no intention of seeking
15 any additional project footprint in this area
16 of the Project.

17 Q. I'm going to follow up on an earlier question
18 that you were asked and that you responded to
19 regarding the type of equipment that would be
20 in each stage. So, with respect to creating
21 the access road and the work pads, what size
22 equipment is going to be coming in on the
23 property?

24 A. (Plante) I guess size is kind of a -- it's a

1 tough question. But it's construction
2 equipment. So the equipment that's used to,
3 for instance, move timber mats is heavy
4 construction equipment. You can maybe liken
5 it to a skidder. They're typically
6 rubber-tired and they have an articulated
7 arm. And they'll move the mats up and down
8 the corridor and place them. Occasionally
9 there'll be a small bulldozer if necessary,
10 occasionally dump trucks, either rubber-tired
11 or tracked to move any gravels, and a small
12 dozer to spread those gravels.

13 Q. And with respect to installation of the poles
14 and wires, what size equipment is needed for
15 that?

16 A. (Plante) Okay. So the first step would be to
17 drill the holes for poles. And that's pretty
18 significant equipment. It's a relatively
19 large, track-mounted drill. It will have to
20 position itself on both work pads, drill the
21 hole, and then it moves along. And then
22 replace the casing in the hole with an
23 excavator and then backfill around that. So
24 that's, again, relatively big equipment.

1 The next stage would be to erect the
2 poles. Actually, you have to place them in
3 the area of the work pad first; assemble the
4 structure, second. And that's all kind of
5 more hand work. It's light equipment. And
6 then erecting the pole would be a light-duty
7 crane. These structures are not particularly
8 heavy. They're just unwieldy. So,
9 light-duty, most likely rubber-mounted crane,
10 hydraulic crane, would be used to erect
11 poles.

12 Beyond that, the effort would be to
13 install conductors, and that's largely an
14 aerial effort in this area because we don't
15 have a wire setup location in this area. So
16 there will be no wire installation equipment
17 on this part of the Project. So it's a
18 matter of pulling the rope in. And we would
19 probably pull initial rope in with a
20 helicopter. That goes in very quickly. And
21 then the wire gets pulled back with the rope.
22 So those are activities that are, I would
23 say, zero footprint on the property.

24 And then the final effort would be to

1 actually fasten the conductor to the
2 insulator assemblies on the structures. And
3 that may or may not be done using helicopter
4 assistance. It's possible to place linemen
5 on each structure from the helicopter, and
6 they can do that activity without approaching
7 the structures from the ground. Or they
8 could do it with a bucket truck, which would
9 set up on the work pad that's defined in the
10 plan set here and raise the linemen up to
11 each conductor location. They would fasten
12 the conductor to the insulators and come back
13 to the ground, and the bucket truck moves on
14 to the next location. At that point, we can
15 begin removal of the work pads and accesses.

16 Q. Now, you mentioned rubber-tired vehicles.
17 Are any of these going to be tracked?

18 A. (Plante) Yes. The hydraulic excavators that
19 are used for setting the casings, those would
20 be track equipment. The drill rig that's
21 used to drill the hole for the casings is
22 tracked. The rubber-tired equipment is
23 generally the equipment that's used to
24 establish the construction access and move

1 mats. So it would be moving mats along
2 upland areas, creating wetland crossings
3 using these mats, and then using those mats
4 to get to the next location.

5 Q. I assume it is not --

6 A. (Dodeman) Mr. Bowes has something he'd like
7 to add.

8 Q. Yeah.

9 A. (Bowes) There is one other activity that you
10 have not talked about. It's to the right of
11 the screen that you're showing right now. I
12 noticed, looking over, still on the same
13 page, it's just -- yeah, that's it, right
14 there. So if you notice to the right of the
15 second work pad, there's another wetland
16 area, a very large one. And there's --

17 Q. Is that where my cursor is now?

18 A. (Bowes) Yes. Exactly. So there's timber
19 mats that would be added there. And that
20 other, looks like a triangle, is the existing
21 distribution pole. So that would also have
22 to be removed as part of this. So there is
23 another area of influence across this piece
24 of property. It's really for access to the

1 next property. And there's a single pole
2 removal there.

3 Q. Appreciate that completeness.

4 I had a question about ruts. I
5 understand that the intent is for these
6 access roads to allow equipment to access the
7 property so that you won't create wet ruts on
8 other parts. If ruts are created on the
9 property, will Eversource be restoring
10 property topography back to its original
11 condition?

12 A. (Plante) We could certainly work with the
13 property owner to restore the accessways
14 through the property to their pre-existing
15 condition. Our intent is not to create ruts
16 in the first place, hence the use of the
17 mates. However, it's obvious that at certain
18 times the weather may make some areas that
19 are not necessarily wetlands, but could make
20 them wet. And obviously it's a little easier
21 to create ruts in upland areas that have been
22 recently rained on, for instance. So we
23 would be happy to restore that to
24 pre-existing conditions.

1 Q. Okay. I'd like to revisit an issue with Ms.
2 Heald's property that I think Eversource is
3 aware of, of past ruts that have created
4 wetness, lasting wetness in the area. And I
5 believe Eversource's position is that they
6 cannot fill those ruts. Didn't know if you
7 had any explanation to why.

8 A. (Plante) I'm not particularly familiar with
9 why we can't fill them, unless they're
10 actually in jurisdictional wetland areas
11 where we would need a permit to have them
12 filled. So that may be the explanation
13 there. I'm not certain.

14 Q. Okay. I believe from your -- the
15 Application, the work pads are estimated to
16 be 100 feet by 100 feet. But can that
17 change?

18 A. (Plante) Actually, there are two different
19 sizes of work pads. There's a 100 feet by a
20 100 feet I believe is what we elected to use
21 for foundation structures, concrete
22 foundations. And the direct embedded
23 structures I believe is 60 by 80. That might
24 be what's shown here, Structure 90. I think

1 that's a 60 by 80.

2 Q. So, Structure 90 you said is likely a 60 by
3 80, although it shows --

4 A. (Plante) Yeah, that's what that looks like to
5 me. Ninety-one looks a little bit bigger.

6 Q. Oh, okay. Let me return to another question.

7 What is the difference between when you
8 have the two numbers -- I could go to the
9 legend on how these poles are.

10 A. (Plante) So when we submitted our Application
11 in 2016, we had a design that was provided.
12 And those numbers are the top left in this
13 case.

14 Q. I have just pulled the legend where it
15 says --

16 A. (Plante) The higher numbers are the original
17 numbers. The lower numbers are the current
18 construction numbers. We've eliminated some
19 structures over the course of design
20 modifications since 2016. And there is a
21 chart in the beginning of Appendix 2B in the
22 environmental maps. Wait a second. That's
23 not it. It's the engineering maps. Sorry.
24 5B engineering design drawings. And there's

1 a matrix there that compares the construction
2 number, which is our current design, with the
3 permitting number, which would be the
4 original submittal structure numbering.

5 Q. Thank you for that clarification.

6 So, again, looking at Pole No. 90, that
7 looks like it's going to be 100 by 100? I'm
8 sorry, 91.

9 A. (Plante) Yes. Looks like it's approximately
10 that, about 100 wide. And it looks to be
11 about 80 in the other dimension.

12 Q. Okay. Now, are there standard design
13 specifications for these work pads?

14 A. (Plante) There's kind of a standard that
15 we've adopted -- or not adopted, but tried to
16 use. And each structure location, however,
17 has its peculiarities. So we have invited
18 our potential constructors to look at each of
19 these and help us ensure that we're defining
20 the work pads sufficiently to allow
21 construction to complete. So, some of them
22 are a little bit different than the standards
23 that might have been indicated earlier in the
24 filing.

1 Q. So it's site-specific?

2 A. (Plante) Yes.

3 Q. And is it that like 6 inches of gravel will
4 be brought in for the work pads?

5 A. (Plante) As I mentioned earlier, it's not
6 necessary that we dictate a 6-inch gravel
7 base for 100 feet by 100 feet in order to
8 create a work pad. Our desire is to keep the
9 civil construction, for lack of a better
10 term, to a minimum just so that we can allow
11 a safe work area. So, as I mentioned
12 earlier, some areas will require almost no
13 effort to create a work pad, where other
14 areas will require grading, gravels or more
15 mating to create a safe work area.

16 Q. Now, the work pads on Ms. Heald's property,
17 she was given an estimate of a year and a
18 half to two years of disturbance and
19 existence of construction activity on the
20 property. And I know you gave a nine-month
21 construction time frame. How long can she
22 expect these access roads and work pads to be
23 on this property?

24 A. (Plante) Again, depending on how soon we get

1 it in there and get the construction started
2 will determine the total duration. As I
3 mentioned, we're expecting to have
4 construction done by the end of 2019, if we
5 receive approval to begin construction
6 sometime by the end of the first quarter of
7 next year. So that's a nine-month line
8 construction duration. That doesn't include
9 the time it will take to complete all the
10 restorations. Obviously we can't complete
11 all of that until all of the line
12 construction is done. So, call it
13 "reclamation" for lack of a better term, will
14 commence as soon as we complete conductor
15 insulation in various areas of the Project.
16 But it's not likely that we'll complete all
17 our conductor installation until very late in
18 the year. So some will carry over into
19 2020 -- or the following year, whichever year
20 it may be. And depending on where in the
21 sequence of wire installation this particular
22 area falls will determine how quickly the
23 reclamation begins.

24 Q. Thanks for that explanation.

1 I'd like to pull up and have you comment
2 on Durham Historic Association Exhibit 4,
3 electronic Page 12. Do you see this?

4 A. (Plante) I do.

5 Q. Is this a typical access road?

6 A. (Plante) This is not typical of the type of
7 construction that we're proposing here, but
8 this is typical of what's been necessary in
9 order to complete another type of project
10 that's been ongoing in our system for a
11 little over a year now. This is all 345kV
12 line construction work, and it's being done
13 under "live line" conditions. So, while all
14 this construction is taking place, we are not
15 able to take the line out of service. So
16 that requires the use of very large, very
17 specified equipment because it needs to
18 actually connect to the energized conductors
19 and move them outside of the footprint of the
20 structure in order to allow the actual line
21 work to take place. So these structures are
22 quite tall, quite heavy. So the equipment is
23 quite large, and that's why these roads have
24 been constructed in the fashion that they

1 have been.

2 Q. So with respect to this example of an access
3 road, is it fair to say that this is
4 overbuilt?

5 A. (Plante) Overbuilt for what was required to
6 complete the construction activities that
7 took place in this area. In this area,
8 there's also a significant side hill where
9 the topography drops off quite a bit from
10 right to left in this case. So it was
11 necessary to cut in a little bit on the right
12 and fill in a little bit on the left in order
13 to create a level accessway.

14 Q. I should have asked that question a little
15 more targeted.

16 With this example here, can you give us
17 a sense of what the typical -- well, what
18 Ms. Heald would see on her property, to use
19 her as an example, and what these access
20 roads are going to look like with vegetation
21 clearing, et cetera?

22 A. (Plante) What I would envision in this
23 particular area, because in general there's
24 not a lot of topography in this area, so I

1 wouldn't envision us building what amounts to
2 several hundred feet of gravel road. There
3 may be some gravel road, but I would envision
4 very little of that.

5 Q. Fair enough. Thank you.

6 Now I'm going to go back to the legend
7 for the environmental maps. It's Exhibit 148
8 I'm looking at, and in particular, the roads.
9 And I don't know who should be responsive to
10 this. But the question is -- there's a type
11 of mark for not-maintained roads. And the
12 question is: Is that for the Class VI roads?

13 A. (Plante) I think you'd have to point me to a
14 place where it's being used in order for you
15 to help me answer that.

16 Q. I'm looking for a definition in the legend of
17 these maps under roads as "local," "not
18 maintained," "private." I'm trying to get an
19 understanding on when Eversource is using the
20 term "not maintained" on these maps, what is
21 it referring to.

22 A. (Plante) I can't answer that. I'd have to
23 get clarification from our mapping folks.

24 Q. So should I ask the environmental folks this

1 instead of the construction panel? Mr.

2 Boughs [sic]?

3 A. (Bowes) We could probably read it in the next
4 time we appear.

5 Q. Fine. I'll move on.

6 Now, next question I have pertains to
7 the access road near the Frink and Miller
8 properties. And I am looking at Exhibit 148,
9 and I am at electronic Page 21. This is the
10 environmental map that shows the last segment
11 of the right-of-way going through Durham to
12 Little Bay. And the question is: Where this
13 red dashed line represents an access road,
14 were there any other designations to depict
15 driveways?

16 A. (Plante) No.

17 Q. Okay. So this access road is not to say it's
18 not a driveway then -- or I'm sorry. This
19 designation of the red dash is not to be
20 interpreted that it is not a driveway?

21 A. (Plante) That's correct.

22 Q. Okay. Thank you.

23 So, to the extent that you can provide a
24 non-legal response to the question, in 2016,

1 when this section of the driveway was
2 designated as an access road, what basis did
3 Eversource have to know that it could use
4 this property -- or use this way, I guess?

5 A. (Bowes) There are two sources of documents
6 for this access road: Historically, the
7 first being a 1949 easement agreement that
8 included access along this path; and the most
9 recent was the purchase of the Getchell
10 property, which includes deeded access for
11 this access road.

12 Q. I believe you already answered or may have
13 answered the question, but I'll make sure.

14 There was a question on whether deeded
15 access included non-residential use.

16 A. (Bowes) Yesterday I did not have that
17 information, or the information I just gave
18 you. The deeded access and the easement
19 access do not have restrictions.

20 Q. Okay. This 1949 easement agreement giving
21 you access over this driveway, is that in the
22 record already?

23 A. (Bowes) I don't believe either document is in
24 the record.

1 MS. BROWN: I'd like to make a record
2 request for those documents. Thank you.

3 BY MS. BROWN:

4 Q. With respect to this access road on this
5 electronic Page 21, does Eversource plan to
6 improve it for its construction vehicles?

7 A. (Plante) I would think that there would be
8 minimal improvements to this road. It's a
9 fairly sound road at this time. However, we
10 would not want to diminish that, so we would
11 make sure that it was suitable for whatever
12 vehicles would need to pass along it for our
13 project. It may require some minor
14 side-trimming of some trees to allow passage
15 of some vehicles. Beyond that, I would not
16 envision any major improvements are
17 necessary.

18 Q. Will Eversource be reaching out to the
19 landowner that shares access along this
20 driveway to discuss the improvements?

21 A. (Plante) Certainly. I believe we already
22 have.

23 Q. Is it your understanding that's Intervenors
24 Jeff and Vivian Miller?

1 A. (Plante) Yes.

2 Q. Question about restoration. If this access
3 road is improved, what is Eversource's plans
4 for returning it to its original condition?
5 And by "original condition," I mean
6 pre-project.

7 A. (Plante) I would imagine that the
8 improvements that get made would probably be
9 desirable to the other parties who use it.
10 However, if there's some agreement among
11 those parties that it needs to be returned to
12 the exact condition it's in today, then we
13 could agree to do that.

14 Q. Okay. In light of the record request, this
15 question may be moot, but I'll ask it anyway.
16 Is it Eversource's intent to continue
17 using this driveway as an access road to its
18 right-of-way?

19 A. (Plante) Yes. This is the primary access to
20 that location down by Little Bay.

21 Q. Mr. Plante, I have an additional question for
22 you. In your testimony, Exhibit 8, on Page
23 4, and this is on Lines 14 and 15, you state
24 that vegetation will be cleared the full

1 width of the right-of-way. And I want to
2 reconcile that with statements Eversource has
3 made to Ms. Heald about retaining certain
4 cedar trees for screening purposes within her
5 right-of-way.

6 A. (Plante) Yes, I am aware of that discussion.

7 Q. Do you have a comment?

8 A. (Plante) I don't have a comment, other than
9 if we've agreed to certain cedar trees to be
10 retained, then that's what we will comply
11 with.

12 A. (Bowes) We have provided a draft landscaping
13 plan to her and are awaiting comments.

14 Q. Mr. Plante, I'll stick with you. On
15 Appendix -- I'm sorry -- Applicant
16 Exhibit 148, on Page 19 of 32, it shows the
17 access road along the western edge of the
18 right-of-way. Is it fair to say that this
19 access road will be using -- or will be
20 pretty much adjacent to that western limit of
21 the --

22 A. (Plante) I'm sorry. I'm not on the same page
23 with you right now.

24 Q. I'm looking at Exhibit 148 that I've got up

1 here. It's the environmental maps. And I am
2 looking at Ms. Heald's property, which is on
3 electronic Page 19, but the document is Map
4 18.

5 A. (Plante) Yup, I'm with you. Got you. Sorry.

6 Q. So how close is this access road to the edge
7 of the right-of-way?

8 A. (Plante) Based on the visual scale here, I
9 would guess that it's probably 10 feet or so.

10 Q. Ten feet away from the edge?

11 A. (Plante) Approximately, yes.

12 Q. Okay. I'm going to show you another
13 document. It's Durham Residents Exhibit 1.
14 You may have seen this already. It is Ms.
15 Heald's direct testimony, and it's a picture
16 of woods. But if I blow it up a little bit,
17 I want to point out this orange tape here.
18 And I'm going to, because I think it's a
19 little distorted having it blown up... the
20 question is -- and I guess I'll step back and
21 make an offer of proof.

22 This orange tape was set by Eversource
23 employees during a site walkover. And Ms.
24 Heald had asked for a visual depiction of

1 where the edge of the right-of-way was, so
2 this is what we got. It's not surveyed, but
3 this is what we have. So that's the history
4 of this orange tape.

5 So my question is: The right-of-way
6 access road will be 10 feet, likely 10 feet
7 beyond this orange tape?

8 A. (Plante) Well, actually, I have seen this
9 picture before, but I never saw the orange
10 tape in it. I'm not really sure where this
11 picture vantage point is, so I'm not sure
12 what I'm looking at.

13 Q. I can make an offer of proof that this was
14 taken from the corner of Ms. Heald's house.
15 That's why I'll back that picture out.

16 A. (Plante) So the picture is taken from off the
17 right-of-way looking toward the right-of-way?

18 Q. Oh, I understand. This is looking toward the
19 right-of-way. This is at the corner of
20 Ms. Heald's house looking east toward the
21 right-of-way. Let me pull up another
22 document here.

23 A. (Plante) Okay. I'm with you.

24 Q. So I'm looking at the engineering plans,

1 Exhibit 149, Page 52 of 55. You will see her
2 residence.

3 A. (Plante) Yes.

4 Q. This picture is taken from the vantage point
5 from that residence looking directly toward
6 the right-of-way. And so the question is:
7 How close visually is the right-of-way access
8 road going to be?

9 A. (Plante) I would say that the edge of the
10 access could be as close as right on the edge
11 of the easement, though I would envision that
12 it would be probably at least 5 feet from the
13 edge and extend another, you know, 12 or
14 14 feet further in.

15 Q. Sorry. What was the last part of that
16 sentence?

17 A. (Plante) So the near edge would likely be
18 5-ish feet from the edge of the right-of-way,
19 and the total width would extend another 12
20 or 14 feet further into the corridor.

21 Q. Are you aware that this orange tape is about
22 45 to 50 feet away from her house?

23 A. (Bowes) I just scaled it off the map, and
24 it's actually 60 feet to the closest corner,

1 edge of the right-of-way.

2 Q. Thank you. So it's within 100 feet then.

3 A. (Plante) Yes.

4 Q. Mr. Plante, on Page 4 of your testimony, and
5 this is April 2016 -- it's Exhibit 8, Page 4,
6 Lines 16 through 18 -- you state that
7 additional vegetation may be removed along
8 the corridor. Do you see that?

9 A. (Plante) Could you recite the lines, please.

10 Q. Page --

11 A. (Plante) I got the page. I just --

12 Q. Line 16 through 18.

13 A. (Plante) Thank you.

14 (Witness reviews document.)

15 A. (Plante) Okay.

16 Q. What does "along the corridor" mean in
17 particular? Will trees beyond the
18 right-of-way toward Ms. Heald's house need to
19 be cut?

20 A. (Plante) In general, the answer to that is
21 no. The exceptions occur only when there is
22 a tree that's deemed an immediate hazard to
23 the electric system. And that never occurs
24 without a direct conversation with the

1 property owner. So, for instance, if there
2 was, you know, a 100-foot-tall dead pine tree
3 that was 5 feet outside the corridor, our
4 arborist would likely deem that to be a
5 hazard to the electric system and would then
6 seek permission from the property owner to
7 remove that tree.

8 Q. Thank you. What is a typical construction
9 day going to look like, in terms of start
10 times and end times?

11 A. (Plante) So, for the Town of Durham, we have
12 tentatively agreed through an MOU of 7 a.m.
13 through 6 p.m., with some exceptions as have
14 been noted earlier. So the crews would show
15 up probably at their show-up area, wherever
16 that is, a little prior to seven and then
17 depart around seven to get to their work
18 sites. So, work would be commencing shortly
19 after seven and could go as late as six.

20 Q. Looking back at the environmental map on
21 Exhibit 148, Page 19, are you aware that
22 halfway through the right-of-way on Longmarsh
23 Road it transitions to a Class VI road?

24 A. (Plante) Halfway through where? Between

1 the --

2 Q. At the intersection of the right-of-way
3 easement that Eversource has and Longmarsh
4 Road on this Page 19 of 32, are you aware or
5 is Eversource aware that the road is a Class
6 VI road?

7 A. (Plante) I am not personally aware, but I'm
8 fairly certain that our design team is aware.

9 Q. That your what?

10 A. (Plante) The design team and the
11 environmental team.

12 Q. And does a Class V or Class VI road change
13 how you set up a work pad?

14 A. (Plante) No. We don't have any work pads
15 that are in the road.

16 Q. That's my next question. With respect to --
17 let me blow this up. And maybe it's just a
18 function of design. The work pad associated
19 with pole F107-89 technically shows that its
20 boundary is going to be in Longmarsh Road.
21 Do you see that?

22 A. (Plante) I do see that.

23 Q. And so can you clarify whether it is
24 anticipated that this work pad will impinge

1 on the road or not?

2 A. (Plante) My estimation is that we would
3 probably shift this work pad to the left to
4 avoid any impacts at all to the roadway.

5 Q. This looks like it's maybe larger than the 60
6 by 80? Would you agree with that?

7 A. (Plante) I don't think so. I think it looks
8 to be 60 by 80 to me.

9 Q. Now, do you see the stone walls on either
10 side --

11 A. (Plante) I do.

12 Q. -- of this road? And so would the stone wall
13 inside the work pad on the north side of
14 Longmarsh Road -- what is Eversource's
15 efforts to protect that?

16 A. (Plante) So with these situations, and there
17 are quite a few of them along the course of
18 the Project, we will either be avoiding the
19 walls altogether or bridging them with timber
20 mats. So we wouldn't be dismantling the
21 walls or otherwise damaging them with our
22 construction. There are a couple exceptions
23 that were mentioned earlier, and we have
24 secured property owner permissions to make

1 those modifications.

2 Q. All right.

3 A. (Plante) And these walls are not on that
4 list.

5 Q. Okay. Thank you.

6 Are you aware on Ms. Heald's property
7 there is a restriction to not cut trees
8 within a 100 feet of the road?

9 A. (Plante) I am not aware of that. Could you
10 provide a reference?

11 Q. So I'm pulling up Durham Residents Exhibit 2,
12 Page 10 of 11. And this is Donna Heald's
13 supplemental testimony. And obviously it
14 says "unofficial copy." This is a screen
15 capture of a deed -- the registry of deeds
16 plan. And I will blow up this section of the
17 road while we're here. And it shows a Class
18 V and Class VI designation. But then - well,
19 perhaps I will need to refile this exhibit
20 with a clearer copy.

21 But assuming in the conditions of
22 approval on this subdivision, if there is a
23 restriction to not cut trees within a 100
24 feet of Longmarsh Road, how does Eversource

1 either address, accommodate, avoid?

2 A. (Plante) I don't believe that Eversource or
3 its predecessors are a party to this
4 subdivision, so I don't believe that it
5 supercedes our easement rights.

6 Q. Are you aware of whether historic -- roads
7 that are designated as historic roads,
8 historic scenic roads, have a vegetation
9 cutting prohibition?

10 A. (Bowes) Yes, and I spoke to that this morning
11 with the lawyer for Durham and indicated, for
12 our distribution projects, we normally go
13 through the scenic road process. For the
14 transmission rights-of-way, and for this
15 project, we're seeking the SEC's approval to
16 do this trimming, as well as the installation
17 of the line. And that is covered under I
18 think three different statutes in the state
19 of New Hampshire --

20 Q. Thank you.

21 A. (Bowes) -- that was discussed this morning.

22 Q. I think I talked over you.

23 MS. BROWN: Did the stenographer get
24 that?

1 STENOGRAPHER: Yes.

2 BY MS. BROWN:

3 Q. Will there be blasting needed for Ms. Heald's
4 property, for the construction project?

5 A. (Plante) No, we do not anticipate any
6 blasting on Ms. Heald's property.

7 Q. I am now showing you Exhibit 149, Page 52.
8 It's an engineering plan that includes Ms.
9 Heald's property. And it now shows a
10 residence on her property and a water line;
11 is that correct?

12 A. (Plante) Yes.

13 Q. And are you aware that prior plans did not
14 show the water line or the residence?

15 A. (Plante) Yes, I am vaguely aware that those
16 did not show up on prior plans.

17 Q. This engineering plan, I believe, if you can
18 speak to this, I believe it shows that Ms.
19 Heald's correct property boundary is along
20 this edge of the right-of-way. I ask for
21 your agreement on that only because at one
22 point it was shown as cutting into the
23 right-of-way.

24 A. (Plante) Yeah, I guess I can't disagree that

1 it's shown as being along the edge of the
2 right-of-way. I am aware that in previous
3 drawings there was a discrepancy between the
4 property line location.

5 Q. Thank you. Because it looks like with these
6 maps that discrepancy has been corrected.

7 Okay.

8 Mr. Boughs [sic] -- I'm sorry. Bowes,
9 is it? Relating to your testimony in July of
10 2018, and that's Exhibit 140 -- my mistake.
11 I don't have the right page reference here.
12 There's only ten pages here, and my reference
13 is Page 16. That doesn't make sense.

14 Do you recall making a statement that
15 the poles along -- or a pole along Longmarsh
16 Road was relocated to reduce visibility from
17 the road?

18 A. (Bowes) I do believe one was relocated along
19 that general area.

20 Q. Thank you.

21 What is the height of this proposed pole
22 that was relocated? Let me just blow this up
23 to get the pole number. It is F107-89.

24 A. (Bowes) Just a minute. We'll find out.

1 Q. Didn't know if it was noted on this, on the
2 engineering plans, perhaps.

3 A. (Bowes) So, just to be clear, since the
4 numbers are sequential and they are --
5 there's two 89s on the diagram. Which set of
6 numbers are you -- that pole? Okay.

7 (Witness reviews document.)

8 A. (Bowes) That structure is 88-1/2 feet tall.

9 Q. That's the proposed structure; right?
10 Correct?

11 A. (Bowes) The final design as it stands today,
12 yes.

13 Q. Now I want to show you a visual of that pole,
14 and I believe it's on Durham Historic
15 Association Exhibit 4. And I'm at Page 6.
16 And this is the pole, is it correct, that we
17 are talking about Eversource relocated to
18 reduce the visibility of it?

19 A. (Plante) We thought you were referring to a
20 pole that was relocated in our proposed
21 design, not a pole that was relocated on the
22 existing distribution line. So we're
23 confused.

24 Q. Looking back at Exhibit 148, Page 19, Pole

1 F107-89, this white triangle would be the
2 existing pole that has been moved back;
3 correct?

4 A. (Bowes) So the existing white triangle is a
5 distribution circuit that's on the
6 right-of-way today. The yellow -- yes, that
7 structure.

8 Q. So it's not this pole shown on Page 6 of
9 Durham Historic Association Exhibit 4 then?

10 A. (Bowes) That is the white triangle we just
11 had on the previous map.

12 Q. It is?

13 A. (Bowes) Yes.

14 Q. Okay. So this is visually the pole that you
15 had stated the proposed location has been
16 pushed back away from the road to reduce
17 visibility; is that correct?

18 A. (Plante) I'm still confused. Are you
19 referring to our proposed design where it
20 replaces -- that white triangle is moved back
21 from the road to reduce visibility, or are
22 you talking about some effort that has been
23 undertaken recently to physically move that
24 pole that's shown in that picture?

1 Q. Oh, I see the confusion. I am just talking
2 about what's depicted on these maps. And
3 it's accurate --

4 A. (Plante) Okay. Then yes.

5 Q. -- that these white triangles are the
6 existing locations; is that correct?

7 A. (Bowes) Yes.

8 Q. And the yellow circles depict the proposed
9 poles?

10 A. (Bowes) Yes.

11 Q. And the white ones are intended, the white
12 triangles are intended to be removed?

13 A. (Bowes) Yes.

14 Q. Okay. Thank you.

15 PRESIDING OFFICER WEATHERSBY:
16 Attorney Brown, just for planning purposes,
17 could tell me roughly how much more you have.
18 You said you had 30 minutes, and it's been an
19 hour and 15. So I was wondering if we're going
20 to get to other witnesses.

21 MS. BROWN: Within the half-hour.

22 PRESIDING OFFICER WEATHERSBY: In the
23 future, perhaps you could take a look at your
24 estimates, and if they need to be revised, let

1 Ms. Monroe know.

2 MS. BROWN: Thank you.

3 PRESIDING OFFICER WEATHERSBY: Thank
4 you.

5 BY MS. BROWN:

6 Q. Mr. Bowes, what -- to reduce the visibility
7 of this pole, what did Eversource consider?
8 Was it the traffic that would see it from the
9 road?

10 A. (Bowes) So now I will affirm Mr. Plante's
11 confusion. So this pole is existing there
12 today as it was depicted in the picture. We
13 never intended to replace the transmission
14 structure that close to the roadway. We
15 always were going to have it offset in the
16 approximate location that it is today. It
17 may have moved slightly. But I still think
18 we're talking about apples and oranges.

19 Q. Understood, because there are two poles
20 there. I was trying to suss out on that
21 visual whether that visual was the pole that
22 was the white triangle or it was a regular
23 electric line -- a pole with an electric
24 line.

- 1 A. (Bowes) It is the latter today.
- 2 Q. Yeah. Okay. All right. Thank you.
- 3 A. (Bowes) So it was not a view sim. It was a
4 real photograph.
- 5 Q. Pardon me?
- 6 A. (Bowes) It's not a visual simulation. That's
7 a real photograph of what's there today.
- 8 Q. Yes, but it is not of the white triangle on
9 your engineering -- your environmental maps;
10 correct?
- 11 A. (Bowes) Yes, I think it is.
- 12 Q. Now, with respect to the yellow triangles,
13 those represent poles that would have been --
14 well, they're relocations of yellow dots; is
15 that right, if I use the legend accurately?
- 16 A. (Bowes) So, yes, the yellow triangles are
17 relocations of existing distribution circuit
18 that is in this area. So you'll see it going
19 along the roadway.
- 20 Q. So with respect to the yellow triangle to the
21 far right of this Page 19, that's a relocated
22 pole?
- 23 A. (Plante) Yes.
- 24 Q. And it now impacts a wetland; is that

1 correct?

2 A. (Bowes) I can't tell because it looks like
3 it's on the edge. But you can't really tell
4 with the overlay of the pink work pad that
5 overlays the green wetland area. We can
6 certainly check.

7 Q. Well, I'm just going to the next Page 20,
8 which shows the match line. Is that a better
9 picture of it for you to show that that's a
10 relocated pole closer to a wetland?

11 A. (Bowes) Yes, it is a little bit better
12 depiction, and it looks like it is a
13 relocated pole. And it's just on the edge of
14 the wetlands, but outside of it.

15 Q. Okay. With any of the -- with respect to the
16 relocated poles on this Map 20, were any of
17 these relocations at the request of
18 landowners?

19 A. (Plante) I believe the overall design in this
20 area was modified at the request of
21 landowners to try to keep structure heights
22 lower. So, in this particular location, on
23 Page 19 of 31, that particular section of the
24 design has the proposed transmission line

1 mounted on single-circuit structures, with
2 the existing distribution line alongside it
3 on its own single-circuit structures, which
4 allows for a somewhat shorter, overall
5 design. However, it does result in two
6 separate lines of poles. So it's a trade-off
7 between height and ground impact --

8 Q. Okay.

9 A. (Plante) -- or footprint.

10 Q. So with the relocation of poles on property
11 adjacent to Ms. Heald, does that limit
12 Eversource's ability to relocate poles on her
13 property?

14 A. (Plante) It doesn't necessarily limit it in
15 terms of overall ability to install
16 structures; however, it does limit it in
17 terms of overall economics of the Project and
18 cost-effective design, total numbers of
19 structures and whatnot.

20 Q. I'm going back to show you the revised
21 engineering plan on Exhibit 149, Page 52.
22 And do you agree that with respect to Ms.
23 Heald's property, that during the
24 construction phase she will not be able to

1 access the land encumbered by the
2 right-of-way, nor the land to the east of the
3 right-of-way?

4 A. (Plante) I would disagree that she'd not be
5 able to access it. There may be certain
6 periods of time when there's construction
7 activity going on, where the safe work area
8 boundaries would preclude anybody from
9 entering them. However, it's not likely that
10 that would totally preclude passage from one
11 side to the other of the right-of-way.
12 Certainly safety considerations need to be
13 kept in mind, and proper communication with
14 the work crews is essential. However, I'm
15 certain that can be worked out.

16 Q. That's enheartening because Ms. Heald is
17 under the impression from talking to
18 Eversource personnel that she will not be
19 able to access this part, this easterly
20 portion of her property, during the entirety
21 of the Project -- that being up to
22 restoration -- which could be a year and a
23 half. So could you speak to that a little
24 bit.

1 A. (Plante) I'm not certain where that message
2 would have come from.

3 Q. With respect to the safety of her water line
4 from her well across the right-of-way to her
5 home, is it going to be the responsibility of
6 the contractor or Eversource to ensure that
7 she does not have -- that that water line is
8 not interrupted?

9 A. (Plante) So we will specify to the contractor
10 that it needs to be maintained. Obviously
11 the contractor works for us, so ultimately
12 we're responsible for that. And we have
13 actually even offered to provide a separate
14 water source for her during the course of the
15 construction in the event that there is an
16 interruption so that she's not impacted.

17 Q. Thank you. Ms. Frazier, with respect to
18 traffic moving around this work pad that at
19 this point on Exhibit 148, Page 19, shows
20 encroaching on the Longmarsh Road, is there
21 going to be any special traffic -- I guess
22 safety personnel that will be brought to this
23 place or to this junction of the road in the
24 right-of-way during construction?

1 A. (Frazier) Can you repeat the question for us?

2 Q. As it stands now, it looks like the work pad
3 associated with Pole F107-89 encroaches
4 Longmarsh Road. And the question is: How
5 will traffic be impeded or not impeded by
6 that work pad?

7 A. (Frazier) Mr. Plante decided construction --
8 (Court Reporter interrupts.)

9 A. (Frazier) Sorry. I think the drawing is a
10 little misleading. The work equipment won't
11 actually be on the roadway.

12 Q. Thank you for that clarification.

13 Do you anticipate the traffic flow in
14 this intersection of Longmarsh Road in the
15 right-of-way to be restricted or partially
16 restricted at any point during the
17 construction?

18 A. (Frazier) Not noticeably. I mean, there may
19 be a chance where a truck is turning in and
20 has to swing wide. But I don't see it being
21 an issue.

22 Q. General question for the panel regarding
23 stone walls. And I'd like to draw your
24 attention to Exhibit 148, Page 19, of the

1 stone wall that's on the south side of the
2 right-of-way, representing the border of
3 Ms. Heald's property and Longmarsh Road. Do
4 you see that? I don't know who on the panel
5 is going to speak to this, but I'm looking to
6 you, Mr. Plante and Mr. Boughs [sic].

7 A. (Plante) Can you run your cursor over
8 whichever wall you're speaking of? Yeah, got
9 it.

10 Q. This wall here. It's our understanding that
11 this is a protected wall, and any damage to
12 this wall will need to be restored. I just
13 wanted to know what Eversource's plan is
14 going to be with respect to this wall and
15 needing to traverse the area with the access
16 road.

17 A. (Plante) So it's not our intention to impact
18 this wall at all, hence the alignment of the
19 access road around the end of it. We will
20 obviously take great care to make sure we
21 don't affect that wall.

22 Q. Currently the wall still hasn't been restored
23 from prior work in the right-of-way. Is it
24 Eversource's intent that, if this wall or

1 this stone wall needs to be restored pursuant
2 to state law, that it will be done?

3 A. (Plante) I guess I'm not specifically privy
4 to information about prior damage by our
5 company of the wall. I'm not saying that
6 that hasn't happened, but I'm not
7 specifically aware of that.

8 Q. I'm going to move on to page -- to
9 Exhibit 148, Page 20. Actually, it's 21.
10 There's a notation of "mean low tide" --
11 "mean low water mark." Was this layer
12 grabbed from like the State's Granite System?
13 Or how did Eversource come up with this
14 location of the mean low water mark?

15 A. (Bowes) I don't think we know the underlying
16 source. We can also read this in along with
17 the delineation of the road issue that we had
18 before. We can get the sources of both of
19 those and locations for --

20 (Court Reporter interrupts.)

21 A. (Bowes) So we can certainly read into the
22 record the source of this particular item at
23 the same time we read in the previous request
24 for the access roads -- or the private roads.

1 Q. Thank you.

2 Mr. Wall, I have a follow-up from your
3 earlier testimony and examination from Town
4 of Durham. You had mentioned burial depth of
5 42 inches may not be possible at times. Do
6 you remember that discussion?

7 A. (Wall) Correct. If possible. It possibly
8 may not be.

9 Q. And that if adequate burial depth is not
10 possible, that would mean additional concrete
11 mattresses may be required; is that accurate?

12 A. (Wall) The plan is where 42 inches is not
13 acquired, concrete mats would be placed.

14 Q. Okay. And how is Eversource going -- if
15 additional concrete mattresses are required,
16 how is Eversource going to get approval? Is
17 it -- are they requesting a specific number
18 of mattresses to be approved by DES?

19 A. (Wall) For the interface with DES, I'd have
20 to say that that question should probably go
21 to the environmental panel. But there is a
22 margin given in those figures. So we don't
23 know that there would be required extra mats
24 at this point.

1 Q. So you're anticipating a margin of discretion
2 to be approved with the permit?

3 A. (Wall) I believe, although I'm not involved
4 with the discussion with DES, I believe that
5 to be the case. But you should check that
6 with the environmental panel.

7 Q. Do you know what the useful life of the
8 concrete mattresses are?

9 A. (Wall) They're designed for -- I mean, we
10 expect them to last the life of the cable
11 system, which is 30 years.

12 Q. Thank you. Was there any concern that the
13 concrete could leach and change the pH of the
14 surrounding waters?

15 A. (Wall) Again, that's more of an environmental
16 question than a construction question.

17 MS. BROWN: I just need to confer
18 with the client group to make sure I asked all
19 the questions.

20 (Pause in proceedings)

21 MS. BROWN: I believe I am done.
22 Thank you for your time.

23 PRESIDING OFFICER WEATHERSBY: So
24 we're scheduled to go another ten minutes, and

1 we have Durham Historic Association scheduled
2 for 20 minutes of cross-examination. How
3 realistic is that? You think you'll be longer?
4 Okay.

5 First, if everyone can look at
6 their estimates, and if you need to revise
7 them, let Ms. Monroe know. If you can get as
8 close to them by really focusing on the
9 questions that you're asking and having
10 yourself really organized -- we're way behind
11 schedule already. We want to get through
12 this in the days that are allotted so it
13 doesn't get too delayed because it's hard to
14 get everybody together.

15 So that's it. We will adjourn for
16 the day. We'll be back on September 17th at
17 9:00 a.m. We will continue with the
18 construction panel and starting with
19 cross-examination by the Durham Historic
20 Association. And then hopefully later in the
21 day we'll also get to Mr. Andrew. Thank you.

22 (Whereupon the Day 2 Afternoon

23 Session was adjourned at 4:53

24 p.m., and the hearing will resume

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on September 17, 2018,
commencing at 9:00 a.m.)

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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
notes of these proceedings taken at the
place and on the date hereinbefore set
forth, to the best of my skill and ability
under the conditions present at the time.

I further certify that I am neither
attorney or counsel for, nor related to or
employed by any of the parties to the
action; and further, that I am not a
relative or employee of any attorney or
counsel employed in this case, nor am I
financially interested in this action.

Susan J. Robidas, LCR/RPR
Licensed Shorthand Court Reporter
Registered Professional Reporter
N.H. LCR No. 44 (RSA 310-A:173)

	accurately (1) 128:15	130:11	91:1	69:1,2;78:8;89:16
\$	achieve (1) 46:15	adjourn (1) 138:15	air (1) 42:8	amounts (1) 107:1
\$8 (2) 7:19,22	acquire (5) 12:4,8,21;27:3,14	adjourned (1) 138:23	alignment (1) 134:18	ampacity (2) 4:21;40:2
[acquired (4) 15:8;70:12,15; 136:13	adjudicative (1) 44:6	allotted (1) 138:12	analyses (2) 40:16;41:6
[sic] (4) 51:22;108:2;123:8; 134:6	across (7) 13:15;14:12,13; 15:8;90:23;98:23; 132:4	Administrator (1) 55:4	allow (6) 87:7;99:6;102:20; 103:10;105:20; 110:14	analysis (11) 40:15,18;41:3; 43:18;61:23;75:1,15; 76:12;77:7,22;78:10
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