

New Hampshire Site Evaluation Committee  
21 South Fruit Street  
Suite 10  
Concord, MA 03305

Merrimack Valley Reliability Project  
SEC Docket # 2015-05

OBJECTION TO PARTIALLY CONTESTED MOTION TO WAIVE SITE 301-  
08 ( C )(2)

On this 2nd day of March, 2016, I Margaret Huard, acknowledge the receipt of the above mentioned motion dated 2/23/16, requesting that the NH Site Evaluation Committee partially waive the applicants requirements under Site 301.08 ( C ) (2) to have a facility decommissioning plan prepared by a qualified person as follows.

- Qualified person shall have the demonstrated knowledge and experience in similar energy facility projects and cost estimates.
- Decommissioning plan shall include:
  - a description of sufficient and secure funding to implement the plan, which shall not account for the anticipated salvage value.
  - the provision of financial assurance in the form of an irrevocable standby letter of credit, performance bond OR unconditional payment guaranty executed by a parent company of the facility owner maintaining at all times an investment grade credit rating.
- All transformers shall be transported off site.
- All underground infrastructure at depths less than four feet below grade shall be removed from the site and all underground infrastructure at depths greater than four feet below finished grade shall be abandoned in place.

Whereas the applicant claims that the requirements of Site 301.08 ( C ) (2) were addressed in Section 301.03 (h) (5) of their Joint Application (at page 61).

The applicant specifically requests a waiver from having the plan prepared by an independent qualified person as well as (b) and (d) of Site 301.08 ( C ) (2). Applicant further claims that (a) has been satisfied with the Joint Application and the pre-filed testimony of Michael Ausere and Brian McNeill.

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The applicant cites the dates that the NH SEC both reviewed the application to determine that it contained sufficient information and the date that the SEC formally accepted the Joint Application as complete.

While I agree with there requests in part, I hereby object to this motion for the following reasons.

- Independence is required to obtain an unbiased analysis of the decommissioning costs and possibilities.
- A formal independent plan is needed to assure that all requirements of Site 301.08 ( C ) (2) have been met.
- I disagree that (a) was satisfied with the pre-filed testimony of Michael Ausere and Brian McNeill and the Joint Application.
- Page 61 of the Joint Application merely claims that the companies do not anticipate the need to decommission the new transmission line. They further state that if at some time in the future, they should need to decommission the project, they would at that point include the project in their respective business plans and begin collecting the decommissioning costs through the FERC approved transmission tariff.
- ISO NE has failed to properly and sufficiently monitor and maintain the NE grid and should not be relied upon to determine when and if line 3124 would be needed to be decommissioned.
- While the applicant claims that it is not anticipated that they will be needing to decommission the new 345kV 3124 Line, they have failed to acknowledge all possibilities that it will need to be decommissioned including unanticipated and improperly calculated environmental hazards and detrimental health risks.
- Additional assurance is needed by the applicant to demonstrate financial capability to pay the decommissioning costs through the sources described in the application.
- Sufficient and secure funding required to finance any decommissioning requirements through the sources described rely on a high credit rating.
- The applicants are vulnerable to a significant amount of financial risk.
- These risks include reduction in or no customers to pay bills, ratepayers' independence from the grid, new legislation and regulations, maintaining environmental and safety responsibilities, limits on access to and increase on the costs of capital, a weakened economy, grid disturbances, operation changes, loss of key personnel, reputation risks, project delays, abandonment of projects, over budgeting of projects, requests to decommission dangerous infrastructure, regulations preventing full recovery of project costs, severe storms, suppliers/vendors not meeting their obligations, judicial proceedings limiting recovery of costs,

subsidiaries dividends and need to pay out post retirement benefits and severance packages for employees and key top executives.

- If any of these financial risks were to occur by themselves or collectively, the applicants' financial stability and credit rating can diminish rather quickly. Many of these risks are already occurring or have the likelihood of occurring.
- With ratepayers actively fighting for their rights and lobbying the state legislatures for redress against all of the costs added to their electric bill, it is possible that the applicants may not be able to finance any needed decommissioning through the ratepayers as planned.
- To waive (d) would allow them to abandon more of the infrastructure in place. Depending on the reason why the decommissioning was required, this could defeat the purpose of the requirement to decommission.
- To waive the requested portions of Site 301.08 ( C ) (2) would not be in public interest as it places an undue burden to the ratepayer and would make it difficult to timely decommission a potentially hazardous infrastructure.

Respectfully

*Margaret Huard*

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Intervener

### **Certificate of Service**

I hereby certify that on the 2nd day of March, 2016, electronic copies have been served upon the SEC Distribution List.

*Margaret Huard*

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