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VIA ELECTRONIC MAIL

May 20, 2016

New Hampshire Site Evaluation Committee
Pamela G. Monroe, Administrator
21 South Fruit Street, Suite 10
Concord, NH 03301

**Re: SEC Docket No. 2015-05: Public Service Company of New Hampshire d/b/a
Eversource Energy and New England Power Company d/b/a National Grid: Joint
Application for a Certificate of Site and Facility for the Merrimack Valley
Reliability Project**

Dear Ms. Monroe:

Enclosed for filing in the above-captioned docket, please find the Stipulated Facts and Requested Findings of the Joint Applicants and Counsel for the Public. Counsel for the Applicants discussed this Stipulation with the intervener, Peggy Huard. It is our understanding Ms. Huard will file a separate document indicating her position on each of the proposed stipulations.

Please contact me directly should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Needleman", written over a horizontal line.

Barry Needleman

BN:slb
Enclosure

cc: Distribution List

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THE STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

SEC DOCKET NO. 2015-05

**JOINT APPLICATION OF NEW ENGLAND POWER COMPANY
D/B/A NATIONAL GRID &
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
FOR A CERTIFICATE OF SITE AND FACILITY**

**STIPULATED FACTS AND REQUESTED FINDINGS OF THE
JOINT APPLICANTS AND COUNSEL FOR THE PUBLIC**

New England Power Company d/b/a National Grid ("NEP") and Public Service Company of New Hampshire d/b/a Eversource Energy ("PSNH") (collectively the "Applicants") and Counsel for the Public agree and stipulate as follows:

STIPULATED FACTS AND REQUESTED FINDINGS

The Project

1. The Applicants propose to construct and operate a new approximately 24.4-mile 345 kV electric transmission line from Tewksbury, Massachusetts to Londonderry, New Hampshire with approximately 18 miles located in New Hampshire (the "Project").
2. The proposed Project is a reliability project selected by the Independent System Operator of New England ("ISO-NE") to address identified transmission capacity needs for the continued reliability of the regional electric transmission system connecting southern New Hampshire and northeastern Massachusetts.
3. ISO-NE evaluated alternatives through its long-term planning process and in February 2015, announced its selection of a preferred group of projects to address the identified needs, including the construction of a new 345 kV transmission line between the Tewksbury 22A and Scobie Pond 345 kV Substations, of which the Project is a part.

Financial Capability

4. NEP is a wholly-owned subsidiary of National Grid USA. PSNH is a wholly-owned subsidiary of Eversource Energy.

5. The Applicants estimate that the overall cost of the Project will be \$72 million; of which, approximately \$35 million is associated with NEP's portion and approximately \$37 with PSNH's portion.
6. The Applicants have experience securing funding and financing the construction, operation and maintenance of similar transmission line projects.

Technical / Managerial Capability

7. The Applicants have constructed and currently operate thousands of miles of high voltage transmission lines. National Grid USA and its subsidiaries serve approximately 3.4 million customers across four states. Eversource and its subsidiaries serve approximately 3.6 million customers across three states.
8. A representative list of transmission projects completed by National Grid and Eversource can be found at pages 6 – 8 of Supplement #3. Such prior transmission projects include: National Grid / Eversource Joint Venture – NEEWS Interstate Reliability Project ("IRP"); National Grid Rhode Island Reliability Project ("RIRP"); National Grid Hampden County Reliability Project ("HCRP"); PSNH - 115 kV Y170 Transmission Line Project; and PSNH - Lake Region Energy Project.
9. The Applicants and their contractors have provided evidence that they have experience in designing, constructing, operating, and maintaining similar transmission facilities throughout the Northeast region of the United States.

Aesthetics

10. In determining whether a project will have an unreasonable adverse effect on aesthetics, the Committee shall consider the criteria contained in Site 301.14(a), including: (1) The existing character of the area of potential visual impact; (2) The significance of affected scenic resources and their distance from the proposed facility; (3) The extent, nature, and duration of public uses of affected scenic resources; (4) The scope and scale of the change in the landscape visible from affected scenic resources; (5) The evaluation of the overall daytime and nighttime visual impacts of the facility as described in the visual impact assessment submitted by the applicant and other relevant evidence submitted pursuant to Site 202.24; (6) The extent to which the proposed facility would be a dominant and prominent feature within a natural or cultural landscape of high scenic quality or as viewed from scenic resources of high value or sensitivity; and (7) The effectiveness of the measures proposed by the applicant to avoid, minimize, or mitigate unreasonable adverse effects on aesthetics, and the extent to which such measures represent best practical measures.
11. The Applicants have submitted a Visual Impact Assessment ("VIA") that analyzed a two-mile study area (two-miles on either side of the corridor). *See* Appendix AB.

12. The VIA concluded that the Project will have limited visibility from most locations within the two-mile radius study area analyzed by the Project's visual consultant. *See* VIA, page 91.
13. The topographic viewshed analysis indicates that the Project will be newly visible from only 3% of the total study area (i.e., areas where the proposed structures are potentially visible but the existing structures are not). *See* VIA, page 32.
14. The VIA concluded that views of the Project are likely to be fully screened from 13 of the identified potential scenic resources that occur within the two-mile radius study area. The VIA further concluded that scenic resources located beyond ½ mile from the centerline of the Project will generally not have views of the Project. *See* VIA, page 91–93.
15. The VIA concluded that open views of the Project from scenic resources within the Study Area will generally present limited contrast with the existing landscape in light of the color and height of the proposed structures and their location within an existing electric transmission corridor. *See* VIA page 92–93.
16. The VIA concluded that because of its location within an existing transmission corridor, the Project will have minimal impact on the scenic quality a viewer would expect when viewing the landscape. *See* VIA, page 92–93.
17. The Applicants have committed to impact avoidance, minimization, and mitigation measures, which include: (1) Siting the line within an existing transmission corridor to minimize required vegetation clearing and perceived change in land use; (2) Utilizing self-weathering steel to minimize color contrast with surrounding vegetation; (3) Utilizing transmission structure designs and spacing that are consistent with existing structures on the ROW; and (4) Utilizing single circuit H-frame structures to minimize the height of the new 3124 Line. *See* VIA page 89.

Historic Sites

18. In determining whether a project will have an unreasonable adverse effect on historic sites, the Committee shall consider the criteria contained in Site 301.14(b), including: (1) All of the historic sites and archaeological resources potentially affected by the proposed facility and any anticipated potential adverse effects on such sites and resources; (2) The number and significance of any adversely affected historic sites and archeological resources, taking into consideration the size, scale, and nature of the proposed facility; (3) The extent, nature, and duration of the potential adverse effects on historic sites and archeological resources; (4) Findings and determinations by the New Hampshire division of historical resources of the department of cultural resources and, if applicable, the lead federal agency, of the proposed facility's effects on historic sites as determined under Section 106 of the National Historic Preservation Act, 54 U.S.C. §306108, or RSA 227-C:9; and (5) The effectiveness of the measures proposed by the applicant to avoid,

minimize, or mitigate unreasonable adverse effects on historic sites and archaeological resources, and the extent to which such measures represent best practical measures.

19. The Applicants' archaeological and historical consultants identified historic sites and archaeological resources within the area of potential effect and any anticipated potential adverse effects on such sites and resources.
20. Pursuant to a letter dated March 4, 2016, the New Hampshire Department of Historical Resources concluded that the Project will have no effect on historic resources.
21. Pursuant to a letter dated December 9, 2015 the New Hampshire Department of Historical Resources concluded that there are no known properties of archaeological significance within the area of the Project's potential impact and therefore no additional Phase I-B surveys were needed.

Environment

Water Quality

22. The Applicants indicate that they have applied for all necessary federal and state permits for wetland impacts for the Project, including a NHDES Wetland Impact Permit Application, July 10, 2015.
23. The Applicants indicate that they have applied for all necessary federal and state permits for potential impacts to surface waters for the Project, including a NHDES 401 Water Quality Certification Application, June 29, 2015. The Applicants have also committed to applying for a National Pollutant Discharge Elimination System ("NPDES") Construction General Permit before beginning construction.
24. The Applicants indicate that they have applied for all necessary permits for potential impacts to the protected shoreland for the Project, including a NHDES Shoreland Permit Application, July 9, 2015.
25. The Applicants indicate that they have applied for all necessary permits for potential impacts to alter terrain for the Project, including a NHDES Alteration of Terrain Permit Application, July 13, 2015.
26. The Applicants have agreed to implement measures to mitigate potential water quality impacts, including implementing sedimentation and erosion controls and the Applicants have indicated that they will adhere to Best Management Practices prior to commencing construction of the Project.
27. The Applicants have agreed to use environmental monitors to oversee the construction of the Project and to work with contractors to implement appropriate BMPs to avoid or minimize environmental impact.

28. The Applicants have agreed to restore any disturbed soils to a stabilized condition to prevent permanent erosion impacts.

Natural Environment

29. In a letter dated February 11, 2016, the NH Fish and Game Department approved the protocols for New England Cottontail and black racer as adequate for the MVRP project and stated that NH F&G would work with the Applicants to avoid, minimize, and mitigate impacts to any identified rare, threatened, or endangered species.

Air Quality

30. The Project will solely be used to transmit electricity. The Project does not involve the installation of any equipment that combust fuels or emit any regulated pollutants.

Public Health and Safety

31. In determining whether a project will have an unreasonable adverse effect on public health and safety, the Committee shall consider the criteria contained in Site 301.14(f), including: (1) the information submitted pursuant to Site 301.08 and other relevant evidence submitted pursuant to Site 202.24, the potential adverse effects of construction and operation of the proposed facility on public health and safety, the effectiveness of measures undertaken or planned to avoid, minimize, or mitigate such potential adverse effects, and the extent to which such measures represent best practical measures; . . . and (4) For electric transmission lines, consider the proximity and use of buildings, property lines, and public roads, the risks of collapse of towers, poles, or other supporting structures, the potential impacts on public health and safety of electric and magnetic fields generated by the proposed facility, and the effectiveness of measures undertaken or planned to avoid, minimize, or mitigate such potential adverse effects, and the extent to which such measures represent best practical measures.
32. The Applicants have agreed to construct the Project in accordance with good utility practice, in such a manner to best accommodate the public, and to avoid interference with existing utility facilities, as required by New Hampshire Public Utilities Commission Administrative Rule Puc 306.01(a).
33. The Applicant warrants that the Project has been designed and will be constructed in accordance with all National Electric Safety Code ("NESC") requirements for transmission lines.
34. The International Commission on Non-Ionizing Radiation Protection ("ICNIRP") and International Committee for Electromagnetic Safety ("ICES") have set guidelines for public exposure to electric and magnetic fields. ICNIRP has established a Basic Restriction on internal electric fields corresponding to an exposure of 36.4 kV/m for electric fields and 12,400 mG for magnetic fields. ICES has established a Basic Restriction on internal electric fields corresponding to exposures to 26.8 kV/m for

electric fields and 9,150 mG for magnetic fields. These are ceiling values and do not specify duration. See Electric Field, Magnetic Field, Audible Noise, and Radio Noise Modeling in New Hampshire, June 16, 2015, at page 17.

35. The Applicants' expert, Exponent, Inc., has calculated the Project electric and magnetic field levels after the Project is placed into service at the edge of the right-of-way. Exponent calculated electric-field levels at average conductor height to range from 0.1 kV/m to 1.3 kV/m. See Electric Field, Magnetic Field, Audible Noise, and Radio Noise Modeling in New Hampshire, June 16, 2015, at page 26, Appendix A at A-4 to A-5. Exponent calculated magnetic fields at annual average load (AAL) levels to range from 4.5 to 24 mG at the edge of the Project ROW. See Electric Field, Magnetic Field, Audible Noise, and Radio Noise Modeling in New Hampshire, June 16, 2015, at page 25, Appendix A at A-2 to A-3. See also Supplement Number 2, Appendix AG, Revised Project Electric Field, Magnetic Field, Audible Noise, and Radio Noise Modeling in New Hampshire, December 23, 2015.
36. Construction of the Project will have a minimal and temporary impact on the travelling public and traffic impacts will be limited to locations where the transmission line crosses public roadways and at points of access to the right-of-way. The Applicants agree to implement safety measures, including traffic officers and flaggers, to mitigate any temporary traffic impacts.
37. The Applicants' request to locate lines and cables across public roads will not interfere with the safe, free and convenient use for public travel on local and State roads and highways. The Applicants have committed to construct the Project in accordance with the New Hampshire Department of Transportation ("NHDOT") Utility Accommodation Manual (UAM).
38. The Applicants have submitted applications to the NHDOT for aerial utility permits, driveway permits, and a railroad crossing and temporary use agreement.
39. The Applicants warrant that all traffic controls to ensure that the materials are delivered safely to the site will be conducted in accordance with NHDOT policies including the 2009 edition of the Manual on Uniform Traffic Control Devices ("MUTCD").
40. Pursuant to RSA 371:17, Licenses for New Poles, utilities must obtain a license from the Commission to "construct a pipeline, cable, or conduit, or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state," when such facilities are necessary to meet the reasonable requirements of service to the public. The Applicants have submitted two license applications to the New Hampshire Public Utilities Commission to cross public waters and state lands.

41. The Applicants have indicated that their request to install the proposed transmission line along, over, and across locally-maintained highways will not interfere with the safe, free, and convenient use for public travel of locally-maintained highways.
42. The Applicants have committed to requiring construction contractors and field personnel to be trained in Safety/Occupational Safety and Health Administration (OSHA), Basic First Aid/cardio-pulmonary resuscitation (CPR), Environmental Compliance and other relevant topics. In addition, the Applicants have committed to providing Project-specific training.

Orderly Development of the Region – Land Use

43. Utilizing pre-existing corridors is consistent with the orderly development of the region because it maintains current development patterns and minimizes impacts to local land-use.
44. Construction and operation of the Project will occur entirely within an existing right-of-way.
45. The Project's impacts on local land use during construction of the Project will be temporary. The Applicants warrant that construction activities will utilize best management practices consistent with all state and federal permit requirements.
46. The Project will be located in four host communities: Pelham, Windham, Hudson, and Londonderry. None of the host communities have sought to intervene in this docket or submitted any concerns to the Site Evaluation Committee about the Project.
47. In each county where the Project will be located, the Applicants held pre-filing public information sessions and post-filing public information sessions.

Orderly Development of the Region – Economy and Employment

48. The Applicants anticipate that they will spend approximately \$72 million in New Hampshire to construct the Project. See Amended Pre-Filed Testimony of Alfred P. Morrissey, at 4 (May 17, 2016).
49. The REMI analysis conducted by the Applicants estimates that spending on the labor and materials during the 2014 through 2018 planning and construction phase of the Project will raise New Hampshire GDP by \$62.8 million while raising personal income by \$32.8 million and state tax revenues by \$1.2 million. See Amended Pre-Filed Testimony of Alfred P. Morrissey, at 9 (May 17, 2016).
50. The REMI analysis conducted by the Applicants estimates that labor and materials spending will also create over 500 job years in New Hampshire over the next four years from 2014 through 2017. See Amended Pre-Filed Testimony of Alfred P. Morrissey, at 7 (May 17, 2016).

51. The Applicants estimate that property tax payments to local governments in New Hampshire are estimated to rise by \$1,557,550 the first year the Project is placed into service.

Public Interest

52. The ISO-NE has determined that the Merrimack Valley Reliability Project (the "Project") is a necessary reliability project in the region.
53. "The Greater Boston Area Updated Transmission Needs Assessment" published by ISO-NE in 2014 found that at times of peak load, the 115 kV, 230 kV, and 345 kV transmission paths between New Hampshire and Massachusetts would overload under certain contingencies, as would some connecting 115 kV and 230 kV circuits in both states. The Updated Needs Assessment also found the potential for unacceptably high voltages at certain area substations under minimum load or off-peak load contingency conditions. The impacts could include unsafe conditions, equipment damage, and line or power outages.
54. In February 2015, ISO-NE selected a group of transmission upgrades, including MVRP, to address the full spectrum of needs identified in the Updated Needs Assessment. MVRP addresses the need for additional transmission capacity in northeastern Massachusetts and southern New Hampshire by providing an additional 345 kV transmission path between Massachusetts and New Hampshire. This new transmission path is intended to alleviate overloads of 345 kV and 115 kV transmission circuits terminating at New Hampshire substations.
55. In August 2015, ISO-NE issued the "Final Greater Boston Area Transmission Solution Studies Report" documenting and confirming its selection of a group of transmission upgrades, including MVRP, to address the full spectrum of needs identified in the Updated Needs Assessment.
56. Based on prior NH SEC decisions, siting the Project in an existing ROW that currently contains other high voltage transmission lines is consistent with the orderly development of the region.
57. The Applicants warrant that the Project is designed and will be constructed in accordance with National Electrical Safety Code ("NESC") requirements and standard company policies developed by the Applicants.
58. The Applicants do not have to acquire any private property to construct and operate the Project.

Respectfully Submitted,

New England Power Company and
Public Service Company of New
Hampshire

Counsel for the Public

By its attorneys,

McLANE MIDDLETON
PROFESSIONAL ASSOCIATION

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