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

Dear Ms. Monroe: Re: My Response to Applicant's Objection to Certain Petitions to Intervene

I oppose the Applicant's request to deny my Petition to Intervene and respectfully submit that the Applicant's Objection to my Petition is without merit, and state:

1. The Northern Pass Project will substantially and adversely impact my particular rights and substantial interests in the manner and for the reasons set forth in my Petition to Intervene, which is incorporated by reference herein;
2. The interests of justice and the orderly and prompt conduct of these proceedings will not be impaired by allowing my intervention;
3. The Applicant's proposed standard for non-abutter intervention – that to establish a legal interest based on a property's proximity to the Project, the property should be within 100 feet of the Project – is arbitrary and capricious, and the fact that my property is more than 100 feet from the Project in no way diminishes my interests in the proceedings or eliminates the substantial and adverse impacts that the Project will indeed have on me and my property;
4. My Petition to Intervene does indeed allege more than sufficient facts to establish my particularized injuries.
5. My interests will not be sufficiently represented by abutting property owners. The Applicant asserts that it "stands to reason" that my interests in the proceedings are encompassed by the interests of abutting property owners but fails to demonstrate that my particular interests are identical to, substantially similar to, or otherwise congruent and harmonious with the interests of abutters and fails to show that my interests will be adequately represented by them. None of the abutting property owners and non-abutting property owners within 100 feet of the Project who have petitioned to intervene own property between my property and the Project and share my view shed that will be substantially and adversely impacted by the Project;
6. Likewise, my interests will not be sufficiently represented by Counsel for the Public. My Petition to Intervene is not based on how the Site Evaluation Committee's action will affect the public in general, but on how it will affect me and my property in particular and my particular interests;
7. My participation in the proceedings will not be repetitive and will not impede the orderly and prompt conduct of the proceedings;
8. I respectfully submit that I am entitled to intervene in these proceedings in the circumstances presented.

Wherefore, I respectfully request that the Site Evaluation Committee overrule the Applicant's Objection to my Petition to Intervene and grant my Petition.

Sincerely,



Linda Upham-Bornstein, PhD