Re: NewHampshire Site Evaluation Committee ("SEC") Docket No. 2015-06; Response toApplicants' Objection to Intervene

Dear Ms.Monroe,

OnFebruary 4, 2016 I requested to intervene in the SEC's proceedings under DocketNo. 2015-06 relating to the proposed Northern Pass transmission line (the "Petition"). On February 26, 2016 Northern PassTransmission LLC and Public Service Company of New Hampshire d/b/a EversourceEnergy (collectively, the "Applicants") requested that, among other things, myPetition be denied and, if not denied, that my rights as an intervener begrouped together with those of many other interveners (the "Objection"). A number of the statements made by theApplicants in their Objection about my Petition are incorrect, my Petitionshould not be denied and my rights as an intervener should not be combined withthose of other interveners.

TheApplicants generally set forth the correct standard for intervention in Part IIof their Objection; however, many of their statements in Part III areincorrect. In Part III of the Objectionthe Applicants claim that my Petition should be denied, because: (i) I have not demonstrated a substantialinterest that would be affected by the project (paragraph 13); (ii) my allegedinterest in the proceedings is no different from the interest of the public ingeneral (paragraph 16); and (iii) due to the fact that my property is notwithin 100 feet of the proposed transmission line, I cannot allege any fact todistinguish myself from the rest of the general public (paragraph 17). Each of these statements is incorrect.

SUBSTANTIAL INTEREST THAT WOULD BE AFFECTED BY THEPROJECT

MyPetition was fairly straightforward: Irequested to intervene because I believe the erection of electrical towers andlines as proposed by the Applicants (the "Project") within the scenic view frommy house and land in Bethlehem will decrease the value of my property.

Based onthe tower heights and route maps provided by the Applicants I believe I will beable to see the high voltage transmission line ("HVTL") the Applicants proposeto construct from my property. TheNorthern Pass map for mile 77 shows electrical towers that are part of the proposedHVTL, such as structure DC-694, as high as 105 feet (well above the height ofsurrounding trees) along Route 302 in Bethlehem near proposed transitionstation #5 (http://www.northernpass.us/assets/mile-maps/sheet_077.pdf). My property at 233 SouthRoad is approximately 1.1 miles from this location (well within viewabledistance of the proposed towers) and at an elevation of approximately 300 feethigher than the elevation where the towers would be constructed (which towersare themselves well above the surrounding trees). Accordingly, based on this information, Ibelieve the proposed HVTL will be visible within the scenic view from my houseand property.

Based on reportscited by Northern Pass and statements made by the author of certain of thosereports and local realtors, I believe inserting views of the HVTL the Applicantspropose to construct into the scenic view from my house and property willdecrease the value of my property. Accordingto certain studies cited by Northern Pass (copies of which are available at http://blog.northernpass.us/2012/05/25/revisiting-property-value-impact/), HVTLs can

negatively impact property values and when they do itis usually less than 10% and often in the range of 3-6%. (see page 3 of http://blog.northernpass.us/wp-content/uploads/2012/05/CHALMERS-REPORT-APRIL-2008-FINAL-N0787933.pdf and page 3 of http://blog.northernpass.us/wp-content/uploads/2012/05/Thibeault-Report.pdf (the "Chalmers Report")). Areduction in my property's value of 3-6% certainly seems to me to be asubstantial interest that would be affected by the Project; however, thereports cited by Northern Pass appear to analyze residential, agricultural,vacant and other properties where an *existing*HVTL runs through the property or an abutting property. The studies seem to be concerned with the differencein value, days on market, etc. between properties with existing HVTLs on ornear the properties and certain similar properties without HVTLs. The reports do not appear to provideinformation specific to my particular situation which is involves a vacation propertywith a scenic view (which is what my property is and has been since it wassubdivided from agricultural land 30 years ago) and the difference in value of theproperty before the view includes an HVTL and after the view includes an HVTL.

Luckily,when James A. Chalmers was interviewed by New Hampshire Public Radio heanswered this exact question. Accordingto his resume, Mr. Chalmers is a certified real estate appraiser, has a Ph.D.in economic from the University of Michigan, has published two books andseveral articles and has years of relevant experience (see Appendix A of theChalmers Report). I assume Mr. Chalmersis well qualified, because he is the expert whose work is most cited byNorthern Pass (he is the author of two of the four reports on cited NorthernPass's website noted above). Here iswhat Mr. Chalmers said in the interview about the effect of HVTLs on propertieslike mine:

> "If it is basically a view lot and your view is down the valleyand you string transmission lines across that valley right in the middle of theview shed and that becomes kind of the dominant feature of the view, I caneasily imagine your $200,000 second home might only be a $75,000 second home ora $100,000 second home -- something like that," (http://nhpr.org/post/appraisal-triggers-latest-dispute-over-northern-pass).

Mr.Chalmers' expert view appears to be shared by local realtors. For example, in a letter to New HampshireState Senator Jeanie Forrester owner of local Peabody & Smith Realty, Inc.Andrew Smith, who has 25 years of experience in the real estate industry, wrotethe following about the Applicants' Project:

> "The impact is being felt for properties with an existing ROW onthem, properties right next to the line, or those up 2 to 3 miles away thathave a view of the transmission route . . . The impact has ranged from makingthe property essentially unsalable, to value reductions between 25% to 50%. Dueto the fear of the future impact, more often then not the informed Buyer haschosen to move onto other properties, and not making offers of any kind on thetainted property" (http://jeanieforrester.com/wp-content/uploads/2012/09/Ltr-Peabody-and-Smith-Realty-Andrew-Smith-Broker-Owner-10-11-12-Submission-24.pdf).

Accordingto an article in the New Hampshire Union Leader, Peter Powell, who has 40 yearsof experience selling real estate in the North Country, agrees with AndrewSmith but believes the Project may have an even greater negative impact the onreal estate values: ". . . 50% may be a bit conservative" (http://www.unionleader.com/article/20121105/NEWS05/121109620). If a possible decline in the value of myproperty of 3-6% is not substantial enough to justify mandatory intervenerstatus under New Hampshire Administrative Procedure Act, RSA 541-A: 32 (which Ibelieve it is), how about a decline of 25% to 50%? How about making my property "essentiallyunsalable"?

Based onthe Applicants' own reports, statements made by the expert whose work is mostcited by the Applicants and the opinions of experienced local real estatebrokers, I believe inserting views of the HVTL the Applicants propose toconstruct into the scenic view from my house and property will decrease thevalue of my property. Accordingly, I believeI have unquestionably demonstrated a substantial interest that may be affectedby the proceeding as required by RSA 541-A: 32.

INTEREST IN THE PROCEEDINGS THAT IS DIFFERENT FROMTHE INTEREST OF THE PUBLIC

As theowner of property that may be affected by the Project as noted above, myinterests are very different from the interests of the general public. Someone who owns property in North Conway orwho does not own any property anywhere is not at all affected by the Project inthe same way that I am. The Applicants'claim in the Objection that my interest in the Project—i.e., the potentialreduction in the value of my property due to the erection of an HVTL within thescenic view from my vacation property—is not any different than the interest ofany other member of the public is simply wrong.

TheApplicants provide cite after cite in their Objection to SEC orders that are supposedlyin support of the Applicants' claim that my interest in the Project is the sameas the interest of every other member of the public (the "Orders"). It is true that in the Orders the SEC deniedpetitions to intervene when the petitioners claimed general interests, such as theproject "would have an economic impact on the county" or "may impact thequality of life in Berlin" (see, respectively, page 4 of Order GrantingPetitions to Intervene and Revising Procedural Schedule, Docket No. 2008-04(October 14, 2008) and page 5 of Order on Pending Motions, Docket No. 2009-02(March 24, 2010)). However, the SECgranted intervener status in the Orders to every individual owner of non-abuttingproperty that might be affected by the applicable project—not just some of the petitioners,but every single one. For example, in Orderon Motions to Intervene and Further Procedural Order, Docket No. 2011-02 (May6, 2011) the SEC granted intervener status to 15 different petitioners thatlived between one and two miles from the applicable project simply because theylived "sufficiently close to the Project to establish an interest in theoutcome of the proceeding" (page 5). In Orderon Petitions to Intervene, Docket No. 2015-02 (February 16, 2016) the SECgranted intervener status 12 petitioners that lived as far away from theproject as three miles for reasons such as noise, vibration, visual disturbanceand adverse effect on wildlife. The SECeven approved intervener status so one supporter of the project could "expresshis views" (page 16). Two particularpetitioners that were granted intervener status by the SEC, Annie Law andRobert

Cleland, lived 1.5 miles from the project and were concerned, amongother things, that the view of the project from their home would impact thevalue of their home (page 15). Annie andRobert's claims and facts are almost exactly the same as mine—and the SECgranted their request to intervene.

Despitethe Applicants' claim that my Petition should be denied based on the SEC'sprior decisions in the Orders, as the SEC can plainly read for itself there isnot a single example in any of the Orders cited by the Applicants where the SECdenied a petition to intervene to a petitioner that owned non-abutting propertythat would somehow be affected due to sight, sound or vibration of aproject. Clearly my interest as a theowner of property from which the Applicants' proposed HVTL will be seen andwhose property value may be adversely affected thereby is very different fromthe interest of a member of the general public.

100 FOOT RULE?

The Applicantsasked the SEC to deny all petitions for intervener status made by individualsthat own property that is not within 100 feet of the Project. I cannot find any reference to this nonsensical100 foot rule in the New Hampshire statutes or rules applicable to interventionor any of the Orders cited in the Applicants' Objection. I can, however, find many situations in theOrders cited by the Applicants where the SEC granted intervener status topetitioners who own property that may be affected that is located one, two or evenmore miles away from the applicable project. In Order on Motions to Intervene and Further Procedural Order, DocketNo. 2011-02 (May 6, 2011), the SEC granted intervener status to fifteenpetitioners that whose properties were between one and two miles from theproject. In Order on Petitions to Intervene,Docket No. 2015-02 (February 16, 2016), the SEC granted intervener status twelvepetitioners that lived as far away from the project as three miles. I believe this request by the Applicants tolimit interveners to those who own property within 100 feet of the Project wasnot made in good faith and should be ignored by the SEC.

COMBINING INTERVENERS WILL NOT PROMOTE EFFICIENT ANDORDERLY PROCEEDING

In theirObjection the Applicants claim that my interest is in the project issufficiently represented by abutting property owners and that in order topromote the efficient and orderly process of the proceeding my participation asan intervener should be grouped together with all other property owners. These statements are simply not true. As a legal and factual matter, no otherintervener has any interest whatsoever in the property I own. No other intervener has the same view I havefrom my property. No other intervener haseither the right or the obligation to represent my interest.

It islikely that many interveners may share some of the same concerns about theProject, such as the degradation of scenic views, project safety, site access, constructiondisruption, etc.; however, this does not mean that all interveners care thesame amount about each issue. Forexample, an abutting property owner may care more about project safety or siteaccess than tower height; a non-abutting property owner may care more abouttower height than site access. If allproperty owners are grouped together these conflicting priorities are likely toresult in a very disorderly proceeding and certainly a substantial diminutionof the rights granted to all

interveners under the law to have their owninterests represented. Isn't the entirepurpose of the intervener rules to provide individuals with the opportunity torepresent their own interests?

Inaddition, due to the fact that I do not live in New Hampshire and that my jobrequires me to work long hours and often travel outside of the United States,it would be very difficult for me to be able to work efficiently with othermembers of any combined group. I wouldnot be able to participate in any in-person meetings during the week (because Ilive out of state). I could participateby phone, but I would need to do so either before or after work, which due tothe long hours I work would be 6 or 7 am in the morning or 9 or 10 pm atnight. If I am outside of the UnitedStates, the times would likely be even less convenient for other members of anygroup. It would place an unfair burdenon other interveners to have to meet only when I am available and so either myinterests would not be adequately represented or my participation wouldrepresent a hardship for everyone else in the group.

Accordingly,in order to preserve the rights granted to me under RSA 541-A: 32 and topromote an orderly and efficient proceeding for all parties, including theother interveners, I respectfully request that the SEC does not group metogether with other interveners.

Based onthe foregoing, I request that the SEC grants my petition to intervene and that theSEC does not group me together with other interveners.

NormallyI would conclude a letter such as this with the sentence above; however, I feelmoved by the egregious and disingenuous nature of the Applicants' Objection to includea few additional, and more informal, closing remarks.

Overallit appears the Applicants' general concern in their Objection is that there area lot of interveners and that introducing so many interveners into the process mightwaste the Applicants' time. There are alot of interveners. Keep in mind, however,that the Project is expected to be 192 miles long and visible for miles to eachside. This is a huge project that willaffect 31 towns and many, many people. It hardly seems fair, or logical, for the Applicants to propose such agigantic project and then complain about the number of people the projectaffects.

In termsof wasting time, the Applicants' employees, lawyers and other representativesare all working during their business hours and getting paid—this is part of theirnormal jobs. We individual interveners areworking after hours, without pay—this is not part of our normal jobs. The Applicants are proposing a for-profitundertaking. We interveners are simplytrying to preserve our hard-earned interests. Over the past five and a half years we interveners have spent countless hoursaway from our jobs and our families reviewing thousands of pages of materials,writing letters and attending numerous public meetings and open houses. The Applicants asked for this. We interveners did not. If anyone's time is being wasted, it is not theApplicants'.

Sincerely,

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cc: SEC distribution list(as of the date of this email) for Docket No. 2015-06. Copies sent by email.