

Ashland Conservation Commission

Town of Ashland
P.O. Box 517
Ashland, NH 03217

March 17, 2016

(delivered by email)

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

**Re: New Hampshire Site Evaluation Committee (“SEC”) Docket No. 2015-06
Northern Pass Transmission Project**
Response to Applicants’ Response and Objection to Certain Petitions to Intervene

Dear Ms. Monroe:

The Ashland Conservation Commission respectfully submits this response to the February 26, 2016 “Applicants’ Response and Objection to Certain Petitions to Intervene”. On January 21, 2016, we filed a petition to intervene in the SEC’s proceedings under Docket No. 2015-06 relating to the proposed Northern Pass transmission line. On February 26, 2016 the Applicant filed Applicants' Response and Objection to Certain Petitions to Intervene ("Intervention Response").

In Paragraph 48, the Applicants state:

“The Applicants object to the separate intervention of municipal sub-units to the extent that their interests are already properly and sufficiently represented by their respective Towns and town governing bodies.”

In Paragraph 52, the Applicants state:

“The Applicants recognize that municipal governing bodies have a substantial interest in this proceeding. Therefore, the Applicants do not oppose the petitions of Towns and Town governments, so long as their participation is coordinated and combined. As for municipal sub-units, the Applicants request is that they be required to combine or coordinate their participation with their respective Town either outside of these proceedings or as parties to the proceeding as the Committee deems appropriate and least likely to impair the prompt and orderly conduct of the proceeding.”

We, the Ashland Conservation Commission, designated by the Applicant as a "municipal sub-unit" strenuously object to this request. We continue to request full intervenor status. Furthermore, there is precedence for the Site Evaluation Committee to grant us that status. In Antrim Wind, the Antrim Conservation Commission was allowed to intervene as a full party. The SEC cited the following legal bases. (1) RSA 162-H.16, IV(b); and (2) RSA 36-A, the statute which authorizes the creation of a conservation commission "for the proper utilization and protection of the natural resources and for the protection of the watershed resources" of the municipality (Antrim Wind, 2012-01, May 18, 2012 Order).


The SEC indicated that whether to allow the Conservation Commission as an intervenor involved a balance, but that the "balance weighs in favor of allowing intervention" because "the purpose and breadths of the Antrim Conservation Commission's statutory obligations and its knowledge of the various conservation lands in Antrim, many of which are within or directly abut the Project area, outweigh any concerns regarding the participation of duplicative town boards."

As with former town officials and certain non-profit organizations, the SEC has credited a conservation commission's specialized knowledge as a factor in favor of intervention. Based on this precedent and the statutes cited by the SEC, we ask the SEC to allow our conservation commission, and the conservation commissions of other towns, in which an energy project such as Northern Pass is proposed to have full intervenor status separate and apart from any other entity.

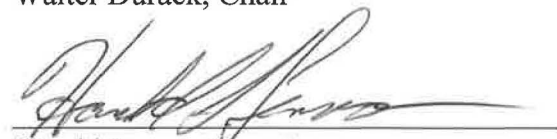
No other entities could articulate our specific interests and concerns in the proceedings for this docket as well as we could. Therefore, we respectfully request that the SEC grant intervenor status to the Ashland Conservation Commission, separate from the intervenor status of the Town.

Thank you for your consideration.

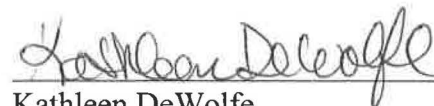
Sincerely,



Walter Durack, Chair



Harold Lamos, Secretary



Kathleen DeWolfe