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January 28, 2016

Via First Class Mail and email
(Pamela.monroe@sec.nh.gov)

Pamela Monroe
Administrator, Site Evaluation Committee
21 S. Fruit Street, Suite 10
Concord NH 03301

Re: SEC Docket No. 2015-06
Northern Pass Transmission LLC and Public Service Company of New
Hampshire dba Eversource Energy

Dear Ms. Monroe:

Enclosed please find for filing in this matter:

1. My appearance on behalf of Roderick C. Moore, Jr., Joseph John Dunlap, Shawn Patrick Brady, and Christopher Thompson; and
2. A Petition for Intervention by Messrs. Moore, Dunlap, Brady and Thompson.

Thank you.

Very truly yours,

/s/ Alan Robert Baker
Alan Robert Baker

Enclosure

cc: Distribution List via email or first class mail

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. SEC 2015-06

Application of Northern Pass Transmission LLC and Public Service Company of New
Hampshire dba Eversource Energy for a Certificate of Site and Facility

APPEARANCE

Pursuant to NH Admin Rule Site 202.04, please take notice that the undersigned appears as counsel for proposed intervenors Roderick C. Moore, Jr., of Salem, New Hampshire; Joseph John Dunlap of Windham, New Hampshire; Shawn Patrick Brady of Dunbarton, New Hampshire; and Christopher Thompson of Windham, New Hampshire in the above-captioned matter. The undersigned is an attorney admitted to practice in the State of New Hampshire.

Respectfully submitted,

/s/ Alan Robert Baker

Alan Robert Baker
481 Meriden Hill Road
North Stratford NH 03590
Telephone: (603) 922-5571
Email: abobbaker@aol.com

Dated: January 28, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January, 2016, a copy of the foregoing has been sent via electronic mail or first class mail to the parties named in the Distribution List for this Docket.

/s/ Alan Robert Baker

Alan Robert Baker

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. SEC 2015-06

Application of Northern Pass Transmission LLC and Public Service Company of New
Hampshire dba Eversource Energy for a Certificate of Site and Facility

PETITION FOR INTERVENTION BY
RODERICK C. MOORE, JR., JOSEPH JOHN DUNLAP,
SHAWN PATRICK BRADY AND CHRISTOPHER THOMPSON

1. Roderick C. Moore, Jr., of Salem, New Hampshire, Joseph John Dunlap of Windham, New Hampshire, Shawn Patrick Brady of Dunbarton, New Hampshire and Christopher Thompson of Windham, New Hampshire (hereafter referred to as the “Heath Road Intervenors.”), by their undersigned representative, seek to intervene in the captioned proceeding pursuant to RSA 541-A:32 and Site 202.11 of the Rules of Practice and Procedure adopted by the Site Evaluation Committee (“SEC”). Intervenor status is sought based on the following:

2. The Heath Road Intervenors jointly own 243 acres of land off Heath Road in Stewartstown, New Hampshire (the “Property”). Their Property is in the Great North Woods tourist region of New Hampshire and includes a deeded right of way running to the Property from the Heath Road through land that the Applicants claim to have the right to cross with their transmission project.

3. The Property was acquired by the Heath Road Property Owners’ approximately 15 years ago to use as a recreational property for camping, hunting, fishing, snowmobiling and general enjoyment of the beautiful and rugged Stewartstown countryside around Coleman State Park. Their 243 acre Property is bounded by Coleman State Park on the east and south sides. The sole access to their property is

provided by a 50 foot wide right of way from the Heath Road that runs approximately 2000 feet along the west side of Coleman State Park. The Property includes substantial high ground, including all of Paul Hill and the eastern slope of Holden Hill.

4. The Northern Pass transmission line proposed by the Applicants would, if built, cross the Heath Road Property Owners' right of way and be within view of much of the high terrain on their property. The entryway to the Property would be forever degraded and the recreational purposes for which they purchased the Property would be severely impaired. Moreover, the Property value would be destroyed or diminished substantially because its wilderness, bucolic and scenic values would be reduced from spectacular to nonexistent given the huge commercial gash that would cross the surrounding terrain containing an industrial transmission line towers and corridor as proposed by the Applicants.

5. The heavy construction activities planned by the Applicants would obstruct and, at times, block the Heath Road Intervenor's right of way and damage their road, thus depriving them of the use of their property and causing loss of value of their Property.

6. The Applicants project would also severely damage the scenic values of the surrounding area, especially Coleman State Park. The Applicants proposal would construct 28 steel transmission towers of various types up to 120 feet high. Those towers would be visible high above the area tree line along the entire southern boundary of Coleman State Park from Holden Hill Road in Stewartstown to the Dixville line crossing over scenic Diamond Pond Road. The proposed towers would carry 1090 MW HVDC transmission line strung from large insulators, arms and braces through what is now virtual wilderness areas using a new clear cut corridor 120 feet wide. This proposed project would thereby transform the pristine scenic values present today into an industrial scar and eye-sore that would virtually destroy the scenic and cultural values

of the entire southern boundary of Coleman State Park and its entryway on Diamond Pond Road in Stewartstown just north of the Colebrook town line.

7. By virtue of the foregoing potential impacts threatened by the Applicants, the Heath Road Intervenors' rights, duties, privileges, immunities and other substantial interests may be affected by this proceeding in numerous ways, including but not limited to the following:

- a. Loss of the value and use of all or a portion of their Property;
- b. Loss of the value and use of their deeded right of way needed for access to their Property;
- c. Violation of their rights as property owners opposed to any use or taking of their Property for the Northern Pass Transmission line project;
- d. Impairment of the Heath Road Intervenors' property rights, including their ownership interests in the right of way and their rights of access to their Property;
- e. The illegal attempt by the Applicants to use the SEC to act or rule in such a manner as to allow the Applicants to take the Heath Road Intervenors' Property and right of way without their consent and without any right having been granted to the SEC to exercise or use the State of New Hampshire's power of eminent domain and without any ability in the SEC to award compensation or damages to the Heath Road Intervenors;
- f. The illegal attempt by the Applicants to use the SEC to act or rule in such a manner as to take the Heath Road Intervenors' Property without their consent and without any right in the Applicants to exercise or use the State of New Hampshire's power of eminent domain for their proposed project;
- g. Infliction of damage to wetlands on and near the Heath Road Intervenors' Property;

h. Temporary loss of use and enjoyment of the Heath Road Intervenor's Property due to the Applicants' blocking, damaging and closing of their right of way;

i. Loss of esthetic and scenic values of Coleman State park and the greater Stewartstown and Colebrook environment that forms the highly valuable Great North Woods Tourism Region backdrop for the Property.

8. The Heath Road Intervenor's also believe and contend that the SEC does not have jurisdiction to take action or to grant the Applicants any relief that damages or impairs their Property interests or which purports to resolve or affect what is a private property dispute between them and the Applicants with respect to the Applicants' intended use of the Heath Road Intervenor's right of way into their Property.

9. The Heath Road Intervenor's therefore wish to intervene to make their claims and interest known and to prevent the Applicants from using or contending in any court proceedings that this SEC administrative law proceeding in any way deprives the Heath Road Intervenor's of their rights to have their property dispute with the Applicants resolved in a court of law by a jury of their peers pursuant to the provisions of Article 20 of the New Hampshire Constitution Bill of Rights, which provides as follows:

"In all controversies concerning property, and in all suits between two or more persons except those in which another practice is and has been customary and except those in which the value in controversy does not exceed \$1,500 and no title to real estate is involved, the parties have a right to a trial by jury. This method of procedure shall be held sacred, unless, in cases arising on the high seas and in cases relating to mariners' wages, the legislature shall think it necessary hereafter to alter it."

WHEREFORE, the Heath Road Intervenor's respectfully request that the SEC issue an order granting their petition for intervention and granting such other and further

relief as it deems appropriate.

Respectfully submitted,

RODERICK C. MOORE, JR.
JOSEPH JOHN DUNLAP
SHAWN PATRICK BRADY AND
CHRISTOPHER THOMPSON

/s/ Alan Robert Baker

By _____

Alan Robert Baker
Their Attorney
481 Meriden Hill Road
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/s/ Alan Robert Baker

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