

TOWN OF BETHLEHEM



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January 29, 2016

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

RE: New Hampshire Site Evaluation Committee Docket No. 2015-06
Northern Pass Transmission Project - Eversource

Dear Ms. Monroe:

This is a Petition to Intervene by the Selectboard of the Town of Bethlehem to request intervenor status in the above project pursuant to the New Hampshire Code of Administrative Rules, Site 202.11 and RSA 541-A:32.

According to RSA 162-H: 16, among the statutory findings that the Site Evaluation Committee must make in reaching a decision is that:

- “The site and facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies;” and
- “The site and facility will not have an unreasonable adverse effect on aesthetics, historic sites, air and water quality, the natural environment, and public health and safety”

As the municipal governing body of the Town of Bethlehem, we believe this project will have an extremely negative impact on our Town; that it will unduly interfere with the orderly development of the region – and is already doing so; and that it will have an unreasonable adverse effect on the Town’s character, aesthetics, historic sites, water quality, the natural environment, property values and public health and safety.

As the project is proposed for Bethlehem, there would be 4.9 miles of overhead high voltage direct current transmission lines and their towers along the current PSNH/Eversource Right of Way between the Whitefield/Bethlehem town line and U.S. Route 302. At that juncture there is a proposal to construct Transition Station #5 across from Miller Pond/Baker Pond, where the lines will be buried along Routes 302 and 18 for 3.1 miles. Transition Station #5 is designed to occupy just under an acre.

Bethlehem is located in the Ammonoosuc River Valley of the White Mountains and enjoys spectacular, unspoiled views of the Presidential Range. Two-lane U.S. Route 302 is one of the major east-west “highways” in northern New England. It is the route tourists travel when exiting I-93 at Exit 40 on their way to The Rocks, the Mt. Washington Hotel, the Bretton Woods ski area, and Cannon Mountain. Route 302 also serves as the “Main Street” of Bethlehem.

We believe the project as currently proposed could seriously damage Bethlehem's economy in many ways.

1) Taxes and property values: Over the past five years the Town has struggled with bearing the toll of nearly \$1 million in unpaid taxes over a number of years. In 2012 the Town started taking properties for non-payment of those back taxes. We had a 10-year backlog and in 2012 took approximately 32 properties. In 2013 we took 11; in 2014 we took 6 and in 2015 we took 7 properties.

Our taxes are high for the surrounding area, despite our best efforts, because we are a Town of approximately 2500 residents who must support not only our municipal government but an Elementary School and a combined Middle School/High School as well. We are concerned that the negative publicity surrounding this proposed project and the towns in its path will further depress property values.

2. Harm to current businesses: The economy here is very fragile. There is no real industry. Our only "industry" is tourism. And if we get a rainy, cold summer or a winter without snow – and tourists don't come – these businesses are put in harm's way. We cannot do anything about the weather, but we can try to protect these business from unnecessary projects such as this one.

These are some of the "Main Street" businesses that could be harmed by this project: The Cold Mountain Café, in existence since 1992, which was recently purchased by a mother-daughter team using money from a successful Kickstarter campaign; the Maia Papaya, a great little vegetarian and vegan breakfast and coffee shop; the Colonial Theatre, which opened in 1915 and is one of the oldest and continuously operating movie theatres in the country as well a regional performing arts center; one of the B&Bs in town, The Mulburn Inn was built in 1908 and was the Woolworth's summer home where Cary Grant and Barbara Hutton spent their honeymoon.

3. Endangering a pending project: The proposed Northern Pass project has the potential to put an end to a multi-million dollar pending project, which holds tremendous potential for the future economic development of Bethlehem and the region. That project is planned for the area across from, and abutting, proposed Transition Station #5 on Route 302. It would include the renovation of the deteriorating Baker Brook cabins; the addition of a kosher deli and small hotel along the lines of a Hampton Inn.

The town finally has a chance to turn around this blighted area, which would increase tax revenues. It has the potential to increase traffic to restaurants in Bethlehem, to bring more people in to play golf, to visit local businesses and to increase attendance for the movies and live performances at the Colonial.

The sale of this property is pending and Northern Pass could impact the owner's decision to go forward because Transition Station #5 would abut the proposed hotel and be directly across from the rest of the development.

If tourists are greeted by transmission lines and towers up to 105 feet high, which is the height of one of those towers situated on Route 302, and a Transition Station with a structure 80 feet high, in an area that is a major gateway to Town, the Baker Brook cabins will remain an eyesore and liability to the town.

4. Impeding growth: This SEC process is not only preventing the town from conducting Site Plan Review on the towers, transmission lines and Transition Station, but this proposed project is affecting our ability to conduct Site Plan Review or to develop anything in that area because of all the uncertainty related to construction, etc.

We are in the process of updating our Town's Master Plan and we want to promote residential and small business growth as a way to reduce taxes. We are trying to figure out ways to market our Town, its rural character, and some might even say its "quirkiness," none of which would be enhanced by this proposed project.

These towers, transmission lines and Transition Station will dominate the landscape and do not fit the rural character of the little Town of Bethlehem. How can they not stymie growth here?

Just a few weeks ago, we listened to a presentation by University of New Hampshire, Cooperative Extension, Economic Development Program and were hoping to follow up on some of the suggestions made at that meeting. However, the uncertainty related to construction of Northern Pass and the potential impact of these Towers, transmission lines and Transition Station is keeping us from moving forward with orderly economic development.

5. Construction and its impacts: We have very little concrete information about the impacts of construction associated with this project. And we have concerns about the impacts of construction, having recently reviewed the letter of December 2, 2015 to the Site Evaluation Committee from the Counsel for the Public, Peter Roth, Senior Assistant Attorney General.

He cites "insufficient information on the specific impacts of the Project's construction on the communities that will host the Project."

He writes "...it is impossible to tell whether the Applicants have specifically analyzed how construction of the route between Bethlehem and Bridgewater will impact the hosting communities. Are there adequate alternative roads to accommodate traffic during construction? How will emergency services be impacted (e.g., will routes to hospitals be unavailable)? When will construction occur in certain locations? How specifically would road limitations be dealt with in bad weather?"

In his letter, he also cites pre-filed testimony in which it was said that certain sections of roads could be closed for one to two weeks. We can tell you from our experience in living here that there are few alternative routes to destinations in the North Country.

Mr. Roth also noted: "the application lacks community specific information on the impact of building and maintaining this underground section. This is not something that should wait for post-certificate design and approval as the communities involved deserve to weigh in on the impacts and the committee needs to understand the full impact of the project that it is approving."

We have no idea how long construction will continue and are very concerned over the impact it will have on our businesses, on tourism and on the daily lives of our residents. If there are power outages associated with construction, we will be affected by those.

We have no information about how burial of lines on route 302 will be handled. Water and sewer lines run under most streets and roads in Bethlehem, including a portion of route 302 where transmission lines are proposed to be buried.

John Kayser, the construction project manager, in his pre-filed testimony of October 16, 2015, mentions blasting. On page 135 of his testimony, he says: "it is anticipated that blasting will be required for overhead, underground and substation construction of the project."

We are concerned about these impacts.

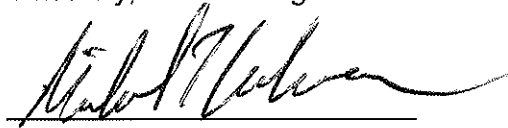
5. In conclusion: The transmission lines should run underground from the Canadian/New Hampshire border to south of the Franconia Notch, along I-93 as others have suggested, to try to mitigate disruptions associated with construction and the negative long-term effects of the project.

The unreasonably adverse effects this project could have on our Town qualify us to be granted intervenor status so that, according to RSA 162-H: 16, "due consideration" will be given to "the views of municipal and regional planning commissions and municipal governing bodies."

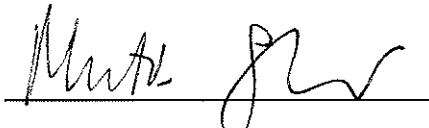
We believe we have demonstrated that our rights, duties, privileges, immunities or other substantial interests might be affected by the proceedings, in numerous ways, including but not limited to the above, per New Hampshire Code of Administrative Rules, Site 202.11 for intervention.

Also, please see attached Intervention Platform which we support.

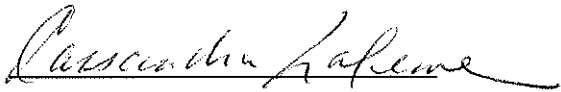
Sincerely, the undersigned members of the Bethlehem Board of Selectmen



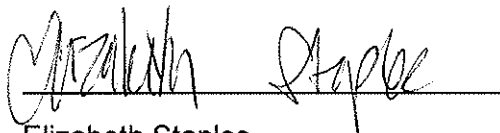
Michael Culver, Chairman



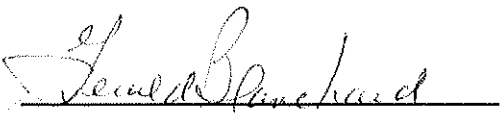
Martin Glavac, Vice Chairman



Cassandra Laleme



Elizabeth Staples



Gerald Blanchard

Attachment: Intervention Platform

Cc: To all the people on the SEC distribution list as of January 29, 2016. Copies of this request have been sent via e-mail to the SEC committee membership as posted on your website.

INTERVENTION PLATFORM

Platform Objective #1

The fundamental platform of the coalition is to promote underground construction of the recently, revised proposal for the Northern Pass HVDC transmission line (“Proposed Line”). The underground construction should be from the Canadian border to Franklin, NH in either the PSNH/Eversource (“Utility”) claimed rights-of-ways or the Interstate I-93 right-of-way corridor. This proposal is anticipated to be part of the SEC intervention.

Platform Objective #2

The second platform is intended to address the current proposal to construct the line above ground and underground in the Utility claimed rights-of-ways, land, and in municipal and state roadways in various towns. The objective is to present a streamlined group of municipal concerns and issues, and *common municipal interests* shared by all the towns along the Proposed Line. These concerns and interests generally include the following, which are anticipated to be part of the SEC Intervention:

1. Hazards on highway shoulders and paved surfaces caused by unique heating/cooling dynamics as well as related frost heaves.
2. Safety concerns expressed by municipal fire, police, highway, & EMT departments.
3. Construction issues impacting the installation of storm drainage, municipal water, municipal sewer, electric power, telecommunications, cable television, and any future utilities constructed in the municipal right-of-way.
4. Maintenance issues impacting the installation of storm drainage, municipal water, municipal sewer, electric power, telecommunications, cable television, and any future utilities constructed in the municipal right-of-way.
5. Addressing the remediation of any reluctance by developers to construct new residential, commercial, or industrial property adjacent to the underground HVDC line and the attendant extra cost of that construction.
6. Addressing the remediation for the existing residential, commercial, and industrial properties regarding the additional costs and interferences with the use and operation of their existing properties.
7. Addressing utility reimbursement for cost on municipal budgets related to both the construction and operation of the Proposed Line for:
 - a. Management & administration
 - b. Law enforcement
 - c. Safety services

- d. Traffic Congestion
 - e. Timely emergency & accident response
8. Require a pre-construction ground survey and inventory of natural and man-made structures among the Proposed Line including streets, intersections, highways, bicycle lanes, traffic control devices, signs, bridges, prospective staging & parking areas for the utility's construction vehicles, gravel pits, parks, playgrounds, open spaces, driveways, cross-country ski and hiking trails, horseback riding including access and parking areas as well as the natural landscape used by or impacted by the construction of the Proposed Line.
 9. Require a pre-construction video taping of all the impacted areas and the abutters' properties to the Proposed Line.
 10. Require a Municipal Infrastructure Reimbursement Fund indexed for inflation and contributed to annually, for the reimbursement of costs incurred by the municipalities to operate, construct, and maintain municipal infrastructure in and around the Proposed Line located in the municipal rights-of-ways that are adjacent to rights-of-ways in, and interfering with, any other municipal right-of way. This fund shall be intact for as long as the line is in the ground.
 11. Provide for and fund an inflation indexed Damages Mitigation Fund to reimburse the municipalities', their citizens', and their property owners' costs for:
 - a. Unforeseen events and or unintended circumstances including highway accidents related to the construction and operation of the line.
 - b. From earthquakes, floods, fires, overloads, short-circuits, explosions or other catastrophic events that impact the line and the abutters' property; and
 - c. To include the costs of post construction restorative landscaping for both sides of the proposed line.
 12. Provide for and fund an inflation index Decommissioning Trust Fund to be held in escrow and used to remove the line, all of its appurtenances, and restore the right-of-way to a green field state.
 13. Require the Utility to report annually all ad valorem property tax information including annual historic original costs by FERC account. As part of this item, require the utility to agree to valuation methodology of replacement cost new less depreciation over an economic life of 100 years with a 20% to the good floor.

Platform Objective #3

The third platform objective relates to potential *concerns & issues unique to each town* that will be part of the SEC intervention. Some examples are listed below:

1. Bethlehem will require relocation of the Utility's Proposed Line and/or transition station around wetlands and an area that abuts a prospective hotel development project.
2. Local planning board & master plans will need to be considered and consulted, as would safety services departments, schools, cemetery trustees, churches, eleemosynary institutions, and recreation & sports committees.
3. The SEC order that the Utility negotiate with each community for which it has buried lines in municipal rights of way both state and local, a Construction and Maintenance Agreement, that protects towns and cities by paying for movement of all interferences realignments and future maintenances as required by the towns and cities so as to keep the town and city financial whole as if the line had not been constructed.
4. Mitigation and payment for the construction impact on lost business for local businesses, contractors, inns, motels, B&Bs, farm stands, campgrounds & related visitor facilities impacted by the construction of the Proposed Line, maintenance of the Proposed Line, and any unforeseen emergency on the Proposed Line.
5. Address local conservation commissions, which have concerns about wetlands, beaver ponds, wild life & aquatic habitats, stream, brook, and river crossings, and any other impacts created by the Proposed Line.
6. Provide mitigation for access and parking for recreation and sports including but not limited to:
 - a. Swimming, bicycle races, hiking, cross-country skiing, mountain biking, horseback riding, and road-side walking
 - b. Hunting, fishing, snowmobiling, and ATV activity
 - c. Scenic views and picnic grounds
7. Address and mitigate any other environmental or operational impacts unique to each of the towns not yet identified.