

**THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Joint Application of Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy for a Certificate of Site and Facility for the Construction of a New High Voltage Transmission Line in New Hampshire

Docket No. 2015-06

TOWN OF WHITEFIELD'S PETITION TO INTERVENE

The Town of Whitefield, by and through its Board of Selectman and its attorneys, Gardner, Fulton & Waugh, PLLC, petitions the Site Evaluation Committee to allow it to intervene in the above-captioned matter in accordance with RSA 541-A:32 and NH Admin. Rule Site 202.11, stating as follows:

1. On October 19, 2015, Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (the "Applicants") filed an application for a Certificate of Site and Facility with the Site Evaluation Committee. A portion of the proposed facility will be located in the Town of Whitefield.

2. The Town of Whitefield has an interest in the proposed facility because it is projected to cross through significant portions of the Town, including within view of the historic Mountain View Grand Hotel. 10.4 miles of overhead lines of the proposed project would pass through the Town. In addition to new overhead lines throughout that 10.4 mile area, there are estimated to be 82 new structures and the majority of those new structures are proposed to be between 85' and 100' in height. The Town is concerned about the impact that the project will have on the Town's economy, community character, and property values as a result of the overhead lines and supporting structures. The visual and audio impacts of transmission lines and large structures are also of particular worry. The Town is concerned that this project, as proposed, (a) will interfere with the orderly development of the region, (b) is in conflict with the

Town's zoning, planning, Master Plan and other land use policies, (c) will have an adverse effect on aesthetics, historic site, air and water quality, the natural environment, and/or public health and safety, and (d) will not be in the public interest. In order to reduce the project's impacts, the complete burial of the lines within the Town of Whitefield needs to be thoroughly explored.

3. On January 18, 2016, the Town's Board of Selectmen voted to file for intervenor status with the Site Evaluation Committee. *See* attached Minutes of Selectmen's Meeting, dated January 18, 2016.

4. RSA 541-A:32 and NH Admin. Rule Site 202.11 provide that the Site Evaluation Committee, or its presiding officer, shall grant a petition for intervention if:

- (1) The petition is submitted in writing to the presiding officer, with copies mailed to all parties named in the presiding officer's order of notice of the hearing, at least 3 days before the hearing;
- (2) The petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and
- (3) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.

5. As discussed herein, the proposed facility will impact the rights, duties, privileges, immunities and other substantial interests of the Town of Whitefield. The interests of justice and orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

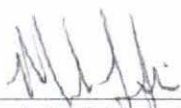
WHEREFORE, the Town of Whitefield respectfully requests that the Site Evaluation Committee:

- A. Grant the Town of Whitefield's Petition to Intervene; and
- B. Grant such other and further relief as may be just.

Respectfully submitted,
Town of Whitefield, NH, Petitioner

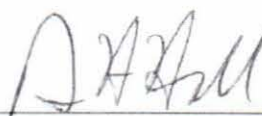
TOWN OF WHITEFIELD

Date: January 21, 2016



Mark Lufkin, Selectman

Date: January 21, 2016



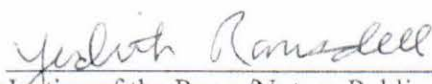
Duane Hall, Selectman

Date: _____, 2016

Wendy Herson, Selectman

STATE OF NEW HAMPSHIRE
COOS, SS

On this the 21st day of January, 2016, the above-named, Mark Lufkin, Duane Hall, and ~~Wendy Herson~~, known to me or proven to be the same people, personally appeared before me and took oath that all the statements contained within this document are true and accurate to best of their knowledge and belief.



Justice of the Peace/Notary Public

My commission expires: JUDITH A. RAMSDELL
Justice of the Peace - New Hampshire
My Commission Expires April 27, 2016

* * *

GARDNER, FULTON & WAUGH, PLLC

Dated: February 2, 2016

By: C. Christine Fillmore

C. Christine Fillmore, Esq., Bar #13851

Gardner, Fulton & Waugh, PLLC

78 Bank Street

Lebanon, NH 03766-1727

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cfillmore@townandcitylaw.com

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February, a copy of the foregoing was sent by electronic mail to persons named on the Service List of this docket.

Dated: February 2, 2016

By: C. Christine Fillmore

C. Christine Fillmore

Selectmen's Meeting
Monday, January 18, 2016

At the Selectmen's Meeting held on Monday, January 18, 2016 at 6:30 p.m. the following people were in attendance: Mark Lufkin and Duane Hall – Selectmen. Wendy Hersom was not in attendance.

Jon Warzocha of Horizons Engineering is here to touch base. Bill Thompson was also in attendance. Jon said he understands we decided to table things this year for the water project. Jon said they are going to finish up the environmental review study, and they won't do anything further on the USDA application. The environmental review has no shelf life. Duane said we want to keep going ahead and getting ready to do the project next year. Jon said we should start thinking about what the water rates should be. Jon will let USDA know that we are not going to be applying this year. Duane said we will need to determine what project we are going to do. Duane said we were starting to feel that we were rushing things, and it doesn't have to be that way. Jon said he agreed. They will be back in after town meeting to meet with the Board and identify the project scope.

The Board also discussed with Jon the letter we received today from Dexter re: the Water System Reserve Capacity for the Bray Hill System. Bill Thompson said the pump is pumping 95,500 today. Mark asked with that, how can we hook up more hook-ups? Jon said we are getting about 35,000 gallons a day from the Bray Hill well, actually 28,800 gallons a day may be more like it. Jon will speak with Dexter about his numbers. Jon said when the new pump station goes in it will address the issues with the pump running full tilt. It will eliminate the problem you have now. It is not a black/white thing if we should allow additional units. Mark said we need to know. Jon said it will double our capacity. When the new pump station comes on line, there will be enough water to supply six additional units from a pumping capacity view point. They can't stay there is not going to be issues with the water main.

The pump station is going to big enough to provide the water needed up there. There are issues with that distribution system—there are a lot of breaks up there. Mark said with the additional pumping this is doing, are we going to have more leakage? Jon said that it won't put additional pressure on the system. It is putting more water out. Bill has struggled with that system up there for some time now. Their analysis shows that we will have capacity for at least six additional units up there. Bill said they are pumping 95,500. It was ok for most of the time unless you have a leak or the Mt. View is really, really busy.

This is the duplex system—one is a back up for the other. If you have a need they both would come on. We are eliminating the pump we currently have. It is replaced by this new one. We are going from 90,000 to 120,000 gallons. How do you pump the same amount of water?

It increases the friction lost. It will put increased head on the pumps. Duane said you would need twice as much velocity in the pipes. It is a six inch main. There is not a lot of friction loss. Bill said the good thing is that there won't be any erosion. That pump station has been a thorn in our side for a long time – this will give us a permanent pump station that won't need a lot of babysitting. Bill said we are getting away from confined space. Duane said it doesn't appear that we have gained any elevation. It is a pressure drop across the valve. The new pump station is a pressure sustaining valve. The pump will sense that the pressure has dropped on the lower side of this pump and it will allow water to flow back into town. It is definitely better than what

is there. From a flow stand point we don't see a moratorium for adding a few new connections up there. There are issues with the water main, etc. Jon said that you need to look at Bill's input if he feels the system can handle those additional hook-ups. Six additional hook-ups is not a lot of water. Duane said the running of both pumps is for an emergency basis. Duane said this was not going to prevent the Mt. View from being out of water. Another concern is you only have a two inch line going into the development, which is Dick's line, a private service line. The two inch service line with existing connections on it wouldn't be able to handle six additional hook-ups. Jon said he cannot believe that the two-inch line would be enough to handle those additional six hook-ups. Bill said anything above the Chinese restaurant they need to shuttle water for fire protection. Jon said his concern is getting them the water reliability. Jon said we do need additional information from Bill and we need to speak with the Fire Chief. Jon said we got more information tonight and we will get more information from Bill and the fire chief. Jon said to disregard the letter they sent today, and they will be taking another look at that. Duane said we are going ahead with the water project, but not this year. We want to take the extra year and plan out a project that makes sense for us. Jon said we want to keep increasing the rates.

Shawn had a purchase order for hydraulic hose and fittings, which the Selectmen signed.

The Board met with Bill Thompson in reference to the purchase order he submitted from Lufkin's Security System for camera system up at Bray Hill. Bill said there is nothing wrong with the telemetry system we have. He said there are some issues sometimes with the phone lines. Duane said what tells us the level in the tank is drawing? Duane said a video camera looking at it is only as good as the person who looks at it. Duane said we need something that will call someone when the tank is getting low. Duane said in putting it in context with the Mt. View, it wouldn't have stopped what happened. We want a system that we know we are losing pressure and are going to have a problem at the Mt. View. Duane said this is not really what he is looking for. Duane said he had a grander scheme. Duane said we know we have a lot of water projects coming up, and we want this addressed. Steve Lafrance and Bill went over the telemetry. What will work to monitor the tank and let us know when the level is getting low. Bill said he is looking for a phone dialer as well. The Board asked for some more time on this. Mark said we could get our own camera system and install it ourselves. The Police Department has a system they are not using. Duane is o.k. with the cameras as a short-term solution, but it is not really what Duane is thinking of. The Board would like another week to think about it.

The Board met in non-public session with Bill Thompson pursuant to RSA 91-A:3 II(a).

Attorney Christine Fillmore has put together a draft petition for the Town of Whitefield to intervene on the Northern Pass Project. Stanley Holz, who is assisting the Board with this intervenor status, reviewed it as well and is o.k. with it. A motion was made, seconded, and unanimously approved for the Board of Selectmen to file for intervenor status with the Site Evaluation Committee for the Northern Pass Project. The Board agreed that they would like to sign petition themselves. Judy will let Attorney Fillmore know.

The Board said they would like Richard Yarnold of Ballantine Aviation Consulting Services attend the meeting with the NH National Guard on February 3, 2016.

The Board reviewed the e-mail from Brandon Adams from N.H. Retirement System re: the retirement audit he is conducting.

The Board said that the on-call pay for the police department, which is \$15 a night, is considered base compensation.

The Board said we will draft up a job description for the Fire Chief position. The Board said they did not realize that the Chief was paid an additional stipend for the Assistant Chief position a few years ago when there was a vacancy in the Assistant Chief position. The Board said if that position is vacant it would be part of the Chief's duties until the position was filled, but the Chief would not be paid an additional stipend for this.

In reference to the calls the Fire Chief is paid for in addition to his salary, the Board agreed is considered overtime. The Board said these are calls he goes on after hours when he is not on duty. If he goes on a call during his regular work hours, he does not get extra pay for those calls.

The Board reviewed the two proposed warrant articles that Peter Corey submitted and felt that these should be petition warrant articles. Judy will let Peter know.

The Board will meet next week to finalize the budget.

The meeting adjourned at 8:15 p.m.

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Docket No. 2015-06

APPEARANCE OF C. CHRISTINE FILLMORE

Pursuant to NH Admin Rule Site 202.04, please enter the appearance of C. Christine
Fillmore as counsel for the Town of Whitefield in the above-captioned matter.

The matter involves an application by Northern Pass Transmission, LLC and Public
Service Company of New Hampshire d/b/a Eversource Energy for a Certificate of Site and
Facility. The undersigned, C. Christine Fillmore, is an attorney admitted to practice in the State
of New Hampshire.

Respectfully submitted,

TOWN OF WHITEFIELD

Dated: February 2, 2016

By: C. Christine Fillmore
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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February, 2016, a copy of the foregoing was sent by
electronic mail to persons named as of today on the Service List of this docket.

Dated: February 2, 2016

By: C. Christine Fillmore
C. Christine Fillmore

INTERVENTION PLATFORM

Platform Objective #1

The fundamental platform of the coalition is to promote underground construction of the newly, 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 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 Utility owned 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 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 abutting land and buildings 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 construct, operate, and maintain municipal infrastructure in and around the Proposed Line. This fund will include additional impacts of the HVDC line construction in and around any other municipal land, and or easements and rights-of-way in addition to highway rights 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 Utility to annually report all ad valorem property tax information including annual historic original costs by FERC account. As part of this item, require 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 Utility's Proposed Line and/or transition station around wetlands and an area that abuts a prospective hotel development project.
2. Franconia will require special attention to local utility infrastructure that abuts both the Gale River and the Proposed Line.

3. 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.
4. The SEC order that Utility negotiate with each community for which 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.
5. 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.
6. 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.
7. 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
8. Address and mitigate any other environmental or operational impacts unique to each of the towns not yet identified.