

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2015-06

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

COUNSEL FOR THE PUBLIC'S MOTION TO EXTEND DEADLINE

Counsel for the Public, by his attorneys, the Office of the Attorney General and Primmer Piper Eggleston & Cramer PC, respectfully requests that the Committee extend the December 30, 2016 deadline to file reports and pre-filed testimony related to aesthetics to January 20, 2017, for the limited purposes stated herein, and in support states as follows:

A. BACKGROUND.

1. On October 19, 2015, Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (collectively, the "Applicants"), submitted a Joint Application for a Certificate of Site and Facility (the "Application") to the New Hampshire Site Evaluation Committee (the "Committee" or "SEC") to construct a 192-mile transmission line to run through New Hampshire from the Canadian border in Pittsburg to Deerfield (the "Project").

2. The Committee issued a Procedural Order in this docket on June 23, 2016, which Order was modified on September 22, October 28, and November 15, 2016. The current Procedural Order required Counsel for the Public to file reports and pre-filed testimony related to aesthetics by December 30, 2016.

3. In June 2016, Counsel for the Public requested digital detailed model and digital surface information and received it in mid-September 2016. This information was necessary for

Counsel for the Public's aesthetics expert, T.J. Boyle Associates, LLC ("TJ Boyle") to begin its review of the viewshed mapping and the results of the visual impact analysis.

4. Counsel for the Public received formal discovery responses from the Applicants related to the aesthetic issues in October 2016, including over 300 new photo simulations of the Project that were based on a different design.

5. The technical sessions related to aesthetic issues concluded on November 8, 2016.

6. On December 30, 2016, Counsel for the Public filed the pre-filed testimony of Michael Buscher, James Palmer and Jeremy Owens and the expert report by TJ Boyle describing their analysis of the Project's aesthetics and visual impact.

7. In its expert report, TJ Boyle identified scenic resources, as defined by the SEC Rules, and set forth TJ Boyle's independent evaluation and analysis of visual impacts on scenic resources. Specifically, TJ Boyle evaluated a sample of 41 scenic resources, and found that the Project would result in adverse visual impacts at all 41 scenic resources, including 24 characterized as having a high impact, 13 characterized as having a medium impact, and four (4) characterized as having a low impact. See Attached Schedule 1 from TJ Boyle's expert report that identifies and discusses these 41 scenic resources.

8. TJ Boyle found that for 29 of the 41 sample scenic resources the Project would have an unreasonable adverse impact. For two of the sample scenic resources for which TJ Boyle opined that the Project would an unreasonable adverse impact, TJ Boyle provided in its report a detailed written analysis of the criteria considered by it in reaching its conclusions.

9. TJ Boyle did not have sufficient time to memorialize in its report its detailed analysis of the other 27 scenic resources for which TJ Boyle concluded that the Project would have an unreasonable adverse impact. Specifically, TJ Boyle needed to understand how the

Petitioner's aesthetic expert prepared the simulations in order to fully assess the scenic resources. Counsel for the Public obtained this information at the November 8, 2016 technical session which did not provide sufficient time for TJ Boyle to both evaluate these scenic resources and to include the complete written evaluation of them in its report.

10. Although other parties in this docket can inquire about TJ Boyle's analysis and stated conclusions of these 27 other scenic resources at a technical session, Counsel for the Public believes that it would be more efficient and fair to all parties (and their experts) if they had TJ Boyle's written, detailed evaluation of these 27 scenic resources before the technical session.¹

11. Consequently, Counsel for the Public requests that the Committee extend to January 20, 2017, the deadline for Counsel for the Public to file an addendum to TJ Boyle's report on aesthetics. This deadline is in advance of the technical session with TJ Boyle, which is scheduled to take place sometime between February 20 and Feb 28, 2017.

The Spokespersons for the Following Parties Concur in this Motion:

Municipal Group 2;

Municipal Group 3 South;

Combined Group of Intervenors Clarksville-Stewartstown;

Abutting Property Owners (underground portion), Bethlehem to Plymouth;

Abutting Property Owners (overhead portion), Deerfield;

Non-Abutting Property Owners (overhead portion) Ashland to Deerfield;

¹ Counsel for the Public could file TJ Boyle's written analysis of these 27 scenic resources as supplemental testimony since it supplements specific findings in TJ Boyle's report, but that would not be as efficient or fair to other parties as providing the written analysis now, and could prolong the adjudicative hearings.

Abutting Property Owners (overhead portion), Ashland, Northfield, Canterbury, Allenstown, and Concord;

Abutting Property Owners (overhead portion), Dummer, Stark, and Northumberland;

Society for the Protection of NH Forests;

Appalachian Mountain Club, Conservation Law Foundation, Sierra Club Chapter of NH, and Ammonoosuc Conservation Trust;

New England Power Generators Association, Inc.;

Non-Abutting Property Owners (overhead portion), Stark, Lancaster, Whitefield, Dalton, and Bethlehem; and

Pemigewasset River Local Advisory Committee.

The Following Parties Object to this Motion:

Applicants.

The remaining parties have not responded.

WHEREFORE, Counsel for the Public respectfully requests that the SEC:

- A. That the Committee extend to January 20, 2017 the deadline for Counsel for the Public to file an addendum to TJ Boyle's report on aesthetics; and
- B. Grant such other and further relief as may be just.

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,



Dated: January 6, 2017

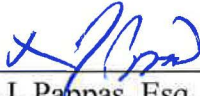
By:

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PRIMMER PIPER EGGLESTON & CRAMER PC,

Dated: January 6, 2017

By:



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO EXTEND DEADLINE has this day been forwarded via e-mail to persons named on the Distribution List of this docket.

Dated: January 6, 2017

By:



Thomas J. Pappas, Esq. (N.H. Bar No. 4111)

SCHEDULE 1

Table 21. Scenic Resource Evaluation Form Summary

<u>Scenic Resource</u>	<u>Town</u>	<u>Source</u>	<u>Page or Site #</u>	<u>Potential Visual Impact</u>	<u>Adverse</u>	<u>Unreason- able</u>	<u>Additional Mitigation Required</u>	<u>Discussion</u>
Moose Path Scenic Byway (Rt. 26)	Millsfield	Attachment 9 (DeWan & Associates)	9-39 to 9-46	Medium	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the elevated location of the corridor and additional mitigation measures could have been taken. Although the applicant notes that the route selected prevents structures from being seen against the sky, the alignment is still proposed at an elevated location that creates visibility from open areas of this scenic resource. A route that does not elevate the Project would be preferable. Alternative colors and treatments to structures could also be considered. The applicant did not propose landscape mitigation at the road crossing.. Since additional reasonable mitigation was not pursued, the impact to this resource is found to be unreasonable.
Bear Brook State Park	Allenstown	Attachment 9 (DeWan & Associates)	9-191 to 9-194	Medium	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures could have been taken. Additional reasonable mitigation measures would help to further reduce adverse impacts. The combination of both monopole and lattice structures will be visible from overlooks within the park. Horizontal configuration of the transmission structures (i.e. H-Frame) would significantly help reduce the visibility and prominence of proposed structures and is more typical for 345 kV construction.
Big Dummer Pond	Dummer	Attachment 9 (DeWan & Associates)	9-57 to 9-66	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because the route chosen for the corridor causes the Project to be prominently visible on the hillside and in the valley. The extent of contrast with the existing surroundings will be significant and result in unreasonable degradation to the scenic quality of this resource. The applicant must investigate alternative corridor alignment at this location to reduce the prominence of the Project. Other mitigation measures must also be considered, including alternative structure design, color, and/or materials.

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Burns Pond	Whitefield	Attachment 9 (DeWan & Associates)	9-127 to 9-134	Medium	Yes	No	No	
Coleman State Park / Entrance	Stewarts-town	Attachment 9 (DeWan & Associates)	9-19 to 9-22	Medium	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because the route chosen for the corridor causes the Project to be prominently visible on top of a ridge in a natural area with no transmission corridor. The corridor alignment will result in the Project being skylined from the park. Alternate corridor alignments must be investigated.
Webster Farm	Franklin	Attachment 9 (DeWan & Associates)	9-173 to 9-176	Low	Yes	No	Yes	The largest impact at this location is the skylined structure cresting the background hill. Suggested mitigation would include evaluating alternate structure locations and/or lowering the height of structures to reduce the overall prominence of the Project on this hill. The converter station is well located to avoid visual impacts.
Diamond Pond Road	Colebrook	Attachment 9 (DeWan & Associates)	9-31 to 9-38	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the selection of the corridor alignment up against Coleman State Park, multiple structure types that would be visible from the road, and the location of a galvanized lattice structure located approximately 65 feet from the edge of the road crossing. Evaluation of this resource includes middle ground views (simulation) and immediate views at the corridor crossing. Additional mitigation measures are warranted at this location, including possible relocation or continued burial from the nearby transition station.
Mountain View Grand Hotel	Whitefield	Attachment 9 (DeWan & Associates)	9-117 to 9-126	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts. Specifically, use of non-specular conductors would lessen Project visibility. Additionally, feasibility of lowering the overall height must be evaluated. Evaluation of this resource considers visibility from the front porch, hotel rooms, cupola, and decks.

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Slim Baker Rec. Area - Inspiration Point	Bristol	Attachment 9 (DeWan & Associates)	9-143 to 9- 158	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts. Additional mitigation which would help reduce impacts include alternate structure type and/or color and use of non-specular conductors.
The Rocks Estate	Bethlehem	Attachment 9 (DeWan & Associates)	9-135 to 9- 138	Medium	Yes	No	Yes	We suggest all structures visible from the Rocks Estate that are clearly visible be switched to monopole to maintain continuity of HVDC structure materials within the corridor and to better blend with the surrounding landscape.
Woodland Heritage Scenic Byway (Route 110)	Stark	Attachment 9 (DeWan & Associates)	9-81 to 9-92	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts. Additional mitigation which would help reduce impacts include switching to all monopole structures to maintain continuity of materials within the corridor and to better blend with the surrounding landscape. Non-specular conductors must also be used to reduce visibility of the Project.
Deerfield Road / Middle Road	Allenstown /Deerfield	Attachment 8 (DeWan & Associates)	8-79 to 8-81	Medium	Yes	Yes	Yes	Co-location within the existing corridor does not accommodate the proposed Project without significant visual impacts. Horizontal configuration of structures would significantly reduce the visibility and overall prominence of the Project from this location. Non-specular conductors must also be used to reduce visibility of the Project.
Halls Stream Road	Pittsburg	Attachment 8 (DeWan & Associates)	8-3 to 8-5	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable due to the proximity of the structure to the roadway, which is setback approximately 50 feet from the edge of road, and the lack of an existing corridor in existing conditions. Simply relocating the structure further from the road would significantly reduce impacts.

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Connecticut River Scenic Byway (Route 3 near Howland Road)	Clarksville	Attachment 8 (DeWan & Associates)	8-6 to 8-8	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the proposed elevated location of the corridor alignment, and the lack of an existing corridor in existing conditions. No attempts appear to have been made at this location to mitigate adverse effects. Alternative corridor alignment, alternative structures, alternative materials, and non-specular conductors and/or colors must be considered.
North Road	Lancaster	Attachment 8 (DeWan & Associates)	8-21 to 8-23	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable due to the proximity and scale of proposed structures to the roadway and buildings, and because of the lack of proposed vegetation mitigation. Relocating structures further from the roadway, evaluating use of delta configuration for 115 kV structures, landscape mitigation, and non-specular conductors are all measures that could reduce impacts at this location.
Northside Road / Upper Ammonoosuc River Crossing_(Northern Forest Canoe Trail)	Stark	Attachment 8 (DeWan & Associates)	8-15 to 8-17	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts and because of the proximity of structures adjacent to the roadway. Ideally alternative structure designs in horizontal configurations would help reduce the height of the transmission lines and visual prominence. Relocating structures further from the edge of the roadway and vegetative mitigation would reduce impacts.
Route 28 / 105 N Pembroke Road	Pembroke	Attachment 8 (DeWan & Associates)	8-76 to 8-78	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts. Suggested mitigation includes possible alternative structure design, such as delta configuration of the proposed 345kV structure to match the existing delta configuration of the 115kV structure and to reduce the overall height of the 345kV structure. Vegetation mitigation would help screen visibility from roadways.

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Shaker Road	Concord	Attachment 8 (DeWan & Associates)	8-61 to 8-63	Medium	Yes	No	Yes	Suggested mitigation that could further reduce impacts at this location is re-evaluation of structure configuration for the rebuilt 115kV line, specifically using a delta configuration and/or wooden material to match the existing 115kV line. Vegetation mitigation would help to further reduce visibility. The proposed 345kV line in horizontal configuration at this location illustrates the benefit of reduced height and overall visibility.
Presidential Range Trail Scenic Byway (US Route 302)	Bethlehem	NPT DOE VIA (T. J. Boyle Associates)	BT-1	High	Yes	Yes	Yes	We found that impacts to this resource are adverse as a result of the proximity of the transition station to the roadway. There is substantial benefit from undergrounding the proposed line as it continues south from this location. Relocating the transition station further north and away from the roadway would substantially reduce impacts. The efficacy of proposed landscape mitigation cannot be evaluated without detailed planting plans, though vegetation mitigation is warranted to screen the corridor from this resource.
Presidential Range Trail Scenic Byway (Route 116)	Bethlehem	NPT DOE VIA (T. J. Boyle Associates)	BT-6	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts and because of the proximity of the proposed HVDC structure to the edge of the scenic byway (structure just outside of the view in the simulation). The variation of visible HVDC structures also contributes to discontinuity of structure type and materials within the corridor. Relocating the HVDC structure further from the edge of the roadway, changing all visible HVDC structures to monopoles and including vegetative mitigation would help reduce impacts.

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Boyce Road	Canterbury	NPT DOE VIA (T. J. Boyle Associates)	CB-1, CB-2	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts and because of the proximity of the proposed new structure to edge of the roadway. Relocating new structures further from the edge of the roadway, reconfiguring the relocated 115kV structures in a delta configuration and wood material to match the existing 115kV structures to remain, and including vegetative mitigation would reduce impacts. The horizontal configuration of the proposed 345kV structures helps to limit visibility at this location.
Moose Path Trail Scenic Byway (Route 145)	Clarksville	NPT DOE VIA (T. J. Boyle Associates)	CL-1	High	Yes	No	Yes	We found that impacts to this resource are not unreasonable, even though impacts were determined to be high, as a result of appropriate siting and potential long term screening of the transition station. However, the Applicant must submit detailed landscape mitigation plans so the SEC can review the efficacy of proposed vegetation mitigation measures. The Applicant must also ensure site control is established east of the transition station to preserve existing screening vegetation. There are also multiple structure types when approaching the transition station. Switching all visible structures to weathering steel monopoles, considering alternate colors or materials for the transition station and using non-specular conductors would further reduce visual impacts.

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Loudon Road	Concord	NPT DOE VIA (T. J. Boyle Associates)	CO-1	High	Yes	Yes	Yes	The Project is located in the Gateway Performance District, which includes the following description in the City of Concord Code of Ordinances, Article 28-2: "the uses developed within this District are expected to adhere to high standards for appearance in order to ensure that the gateways to the City are attractive and functional." Impacts to this area as a result of the Project would not adhere to this standard and therefore would be considered unreasonable. The industrial character, prominence and proximity of the proposed structures to this resource cannot be mitigated without significant measures, such as undergrounding or rerouting at this area.
Pembroke Road	Concord	NPT DOE VIA (T. J. Boyle Associates)	CO-2	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable as a result of the visual change, mostly due to the height configuration of the new 115kV structures and location of the three-pole, deadend 345kV structure in close proximity to the roadway. Vegetative mitigation is not proposed at this location, which would help to reduce adverse impacts. Reconfiguration of structures must be considered to lower overall height of 115kV structures.
Turtletown Pond (Turtle Pond)	Concord	NPT DOE VIA (T. J. Boyle Associates)	CO-4	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable due to the lack of additional mitigation measures. Due to the sensitivity of this resource, all available mitigation measures must be considered, including use of non-specular conductors, eliminating the 345kV three-pole structure, matching existing 115kV delta configuration to reduce the height of the relocated 115kV structures, as well as undergrounding of the Project at this location.
Oak Hill Vista – Oak Hill Trails	Concord	NPT DOE VIA (T. J. Boyle Associates)	CO-5	Medium	Yes	No	Yes	The use of non-specular conductors and shorter 115kV configuration would help to further reduce adverse impacts at this location.

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Nottingham Road	Deerfield	NPT DOE VIA (T. J. Boyle Associates)	DE-1	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the scale, height, and industrial character of the proposed structures when compared to the existing character of the area and corridor. A wider corridor would accommodate lower structures. Alternate materials and/or configuration must be considered. Additional mitigation must be proposed to reduce unreasonable adverse effects.
Deerfield Center Historic District	Deerfield	NPT DOE VIA (T. J. Boyle Associates)	DE-2	Medium	Yes	Yes	Yes	We found that impacts to this resource are unreasonable due to the height and industrial character of the proposed 345kV structure when compared with the existing character of the town center. Although switching to a weathering steel structure helps to reduce adverse impacts, ultimately the height of the 345kV line needs to be lowered to avoid visibility from this resource.
Little Dummer Pond	Dummer	NPT DOE VIA (T. J. Boyle Associates)	DU-1	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because the route chosen for the corridor causes the Project to be prominently visible on the hillside. The extent of contrast with the existing surroundings will be significant and result in unreasonable degradation to the scenic quality of this resource. Alternate corridor alignment must be investigated at this location to reduce the prominence of the Project from this resource. Other mitigation measures must be considered, including alternate structure design, color, and/or materials. Possible co-location with the existing 115kV line must also be considered.
Pontook Reservoir / Moose Path Trail Scenic Byway (Route 16)	Dummer	NPT DOE VIA (T. J. Boyle Associates)	DU-2	Medium	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because the route chosen for the new corridor causes the Project to be prominently visible on the hillside. Alternative route alignment must be investigated to lower the overall visibility of the corridor, including possible co-location with the existing 115 kV line.

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Presidential Range Tour (US Route 2)	Lancaster	NPT DOE VIA (T. J. Boyle Associates)	LA-1	Low	Yes	No	Yes	Although we do not consider impacts at this resource unreasonable, using non-specular conductors would significantly reduce visibility of the conductors and minimize adverse impacts.
Weeks State Park	Lancaster	NPT DOE VIA (T. J. Boyle Associates)	LA-2	Medium	Yes	No	Yes	Although we do not consider impacts at this resource unreasonable, using non-specular conductors and utilizing weathering steel for all HVDC structures that are visible would significantly reduce visibility of the Project from this resource. Note that additional galvanized lattice structures will be visible continuing to the right of the simulation as currently proposed.
Dana Hill Road	New Hampton	NPT DOE VIA (T. J. Boyle Associates)	NH-1	Low	Yes	No	Yes	Although we do not consider impacts at this resource unreasonable, using non-specular conductors and utilizing weathering steel for all HVDC structures that are visible would significantly reduce visibility of the Project from this resource.
Interstate 93 (near mile 72)	New Hampton	NPT DOE VIA (T. J. Boyle Associates)	NH-2	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts. Additional mitigation measures must include alternative structure type, configuration, colors and/or materials to help reduce the industrial character of the proposed Project elements. Vegetation mitigation must be proposed to help screen visibility of the corridor from the interstate.
Pemigewasset River Crossing – Franklin Falls Reservoir Area	New Hampton/ Hill	NPT DOE VIA (T. J. Boyle Associates)	NH-3	Medium	Yes	No	Yes	Although we do not consider impacts at this resource unreasonable, additional mitigation measures to reduce adverse visual impacts are recommended, including using non-specular conductors, incorporating vegetation mitigation and utilizing weathering steel for all HVDC structures that are visible from this resource.

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Cross Country Road	Pembroke	NPT DOE VIA (T. J. Boyle Associates)	PE-1	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the contrast created between the scale, height, and industrial character of the proposed structures compared with the existing character of the area and corridor. A wider corridor would accommodate lower structures. Alternate materials and/or configuration must be considered. Structure types visible from the resource must be uniform to promote continuity within the corridor. Additional measures, including vegetation mitigation and relocating structures immediately adjacent to the road must be proposed to reduce unreasonable adverse effects.
Little Diamond Pond – Coleman State Park	Stewartstown	NPT DOE VIA (T. J. Boyle Associates)	SE-3	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the proposed location and resulting prominence of a new transmission corridor and transmission facilities within a natural and undeveloped landscape. The proposed location skylines new structures that would be clearly visible from a significant resource. The Project must be redesigned to avoid visibility from this location.
Victor Head in Nash Stream Forest	Stark	NPT DOE VIA (T. J. Boyle Associates)	ST-2	Low	Yes	No	Yes	Although we do not consider impacts at this resource unreasonable, using non-specular conductors would further reduce adverse effects of the Project from this resource.
Cohos Trail	Stark	NPT DOE VIA (T. J. Boyle Associates)	ST-4	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because of the contrast created between the scale, height, and industrial character of the proposed structures compared with the existing character of the area and corridor. Utilization of galvanized steel for both the 115 kV and HVDC structures adds to the industrial of the proposed conditions. Alternative structure type, configuration, materials, and colors must be incorporated to reduce the height and overall industrial character of the proposed conditions.

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Peaked Hill Road	Bristol	T.J. Boyle NPT SEC Simulations	BR-1	High	Yes	Yes	Yes	We found that impacts to this resource are unreasonable because additional mitigation measures would help reduce adverse aesthetic impacts. The variation of visible HVDC structures also contributes to a discontinuity of structure type and materials within the corridor. Mitigation that must be incorporated to include vegetation mitigation, non-specular conductors, and changing all visible HVDC structures to monopoles.
Apple Hill Farm	Concord	T.J. Boyle NPT SEC Simulations	CO-6	Medium	Yes	No	Yes	Although we do not consider impacts at this resource unreasonable, using non-specular conductors would further reduce adverse effects of the Project from this resource. Lowering the relocated 115kV structure should be considered to further reduce adverse aesthetic impacts.