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VIA EMAIL AND US MAIL

February 24, 2017

Ms. Pamela G. Monroe, Administrator
New Hampshire Site Evaluations Committee
21 South Fruit Street
Suite 10
Concord, NH 03301-2429

Re: NH Site Evaluation Committee Docket No, 2015-06

Dear Ms Monroe:

Please find enclosed for filing in Docket No 2015-06 the Grafton County Commisisoner's "Further Response to Motions Regarding Scheduling and Motion to Continue Adjudicatory Hearing."

Copies have been forwarded via email to all parties on the Service List. However, because this issue is currently the subject of other pending motions, I am forwarding this prior to sending it out to all parties for their input (concurrence, objection etc.) I will seek out that input and supplement this motion with that information.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Lara Saffo

Cc: Docket No 2015-06 Service List

STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

SEC DOCKET 2015-06

**JOINT APPLICATION OF NORTHERN PASS TRANSMISSION LLC & PUBLIC
SERVICE COMPANY OF NEW HAMPSHIRE D/B/A/ EVERSOURCE ENERGY**

FOR A CERTIFICATE OF SITE AND FACILITY

FURTHER RESPONSE TO MOTIONS REGARDING SCHEDULING

AND

MOTION TO CONTINUE ADJUDICATORY HEARING

NOW COMES the Grafton County Commissioners, hereinafter intervenors, and respectfully request the Site Evaluation Committee to continue this matter and reschedule deadlines and in support states as follows:

1. This week the Grafton County Commissioners learned that Northern Pass' plans for the Gale River in Franconia have glaring mistake and will need to be significantly modified. The plans now show the line dropping into a shaft at the Gale River crossing and popping out the same way on the other side. See Sheet 117. The shafts will be 20' in diameter, 35' deep and concrete lined. It appears that what in reality is going to be done is dramatically different and will involve very significant earthwork. However, the plans still have not yet been released so the Grafton County Commissioners can't begin to evaluate this portion of the project.
2. Traversing the Gale River is a big project, on its own. If this was a "stand alone" project, it would be subject to significant review. Stakeholders would be entitled to a detailed description of the plan before it was even scheduled for an adjudicatory hearing, never mind a hearing less than two months away. Put another way, if traversing the Gale River was the only project in front of the Site Evaluation Committee, or any other department in New Hampshire, an adjudicatory hearing would not be scheduled to approve the design when a design had not even been identified.
3. The Grafton County Commissioners appreciate the efforts on the part of the Site Evaluation Committee to schedule both deadlines for discovery and the adjudicatory hearing.

4. However, the Grafton County Commissioners are still unable to properly prepare for an adjudicatory hearing due to the fact that the Applicants continue to change the design of this project. In addition, it is becoming increasingly evident that the existing design is "preliminary" and there is no assurances that it won't continue to change. Indeed, it seems evident that the plans are far from 100%.
5. The design of the project is vital in order to evaluate the impact in Grafton County. Over fifty miles are proposed to be buried in Grafton County. In addition, above ground lines are proposed to be permanently located in Grafton County.
6. The Commissioners have been asked, and want, to evaluate the environmental, historical, economic and cultural impact of the project. However, without an accurate proposed design, it is impossible to evaluate these impacts.
7. Last June, the Commissioners filed interrogatories. The focus of the interrogatories included learning where the lines were proposed to be buried throughout Grafton County. The commissioners also wanted to know details about the above ground lines in Grafton County.
8. These interrogatory requests were more than reasonable. In fact, they were and are vital. The Commissioners have long since taken the position that the application should not have been certified as complete without it.
9. In August, in response to the interrogatories, the applicant basically noted that they were working on the design, and it would be available in late December of 2016 or early 2017.
10. The Commissioners filed a motion to compel answers. The commissioners also asked that the process be suspended until this information was available. This continues to be the commissioner's request.
11. The motion to compel filed last August further noted:
 8. The Intervenor appreciates that the Applicant cannot provide information it does not yet possess. Nonetheless, it asserts that fundamental fairness of the process as a whole, and affording the Intervenor and the public information vital to protecting the best interests of the State mandate that the requested information be provided within a time frame that does not undercut those interests and disenfranchise the Intervenor from meaningful participation.
12. This statement continues to be true.
13. The Applicant provided design diagrams in December of 2016. These designs provided substantially more information than had been provided in the past. However, they remain inadequate.

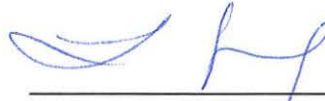
14. All parties have attempted to work with these documents, and work with a time framework that would allow the adjudicatory hearing to start in April.
15. However, it has become evident that the plans provided in December cannot be relied upon. The applicants marked them as preliminary, and has been upfront that they are preliminary. Because they remain preliminary and subject to change, the intervenors cannot properly evaluate the environmental, cultural, historical, and economic impacts. Individual landowners furthermore cannot be clear as to the impact on their property, their primary resource. The traffic control plan cannot be properly evaluated for traffic control and emergency purposes.
16. Because over 70 miles of the project intersects Grafton County, this is particularly problematic for Grafton County. The Applicant anticipates that construction will occur for at least two years in Grafton County, and roads will have delayed traffic, or even be closed, for significant time periods throughout the construction process. Over 15,000 truck loads of concrete and soils is anticipated to be loaded and unloaded in Grafton County.
17. The design provided also incorrectly indicate a right of way of 4 rods. Numerous filings indicate that this is legally incorrect. It is significant if the Applicants misunderstand the legal right of way, because they do plan on substantial disruption of land within the right of way.
18. The Commissioners are investigation other items that may result in the need for further information (do we have plans for all waterways, are current plans encroaching on private property etc.)
19. The length of a delay needed really depends on how quickly the Northern Pass can provide accurate plans that can be relied upon by Grafton County, and all other stakeholders and intervenors.

WHEREFORE, the State requests that this Honorable Court:

- A. GRANT the Grafton County Commissioner's Motion and continue the adjudicatory hearing until at least May; and
- B. TEMPORARILY adjourn the time framework until the Applicants can provide designs that will not continue to be modified, that all parties can rely upon; and
- C. ADJUST other deadlines accordingly, or
- D. HOLD a hearing on the matter; and
- E. GRANT any other relief deemed proper and just.

Respectfully Submitted,
THE GRAFTON COUNTY
COMMISSIONERS

February 24, 2017



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has this day been forwarded to all parties on the service list.

Respectfully Submitted,
GRAFTON COUNTY

February 24, 2017



Lara Joan Saffo, Esq.
Grafton County Attorney's Office