

March 30, 2017

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

Re: SEC Docket 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).

Dear Ms. Monroe:

Enclosed please find my objection to the Applicant's March 29, 2017 Motion to Strike Certain Track I Testimony.

Thank you for your assistance in this matter. Please contact me if you have any questions.

Respectfully Submitted,

F. Maureen Quinn
Ashland-Deerfield Non-Abutter Property Owners Intervenor Group

Before the New Hampshire Site Evaluation Committee

Docket No. 2015-06

Joint Application of Northern Pass Transmission LLC ("NPT") and Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource") for a Certificate of Site and Facility for the Construction of a New High Voltage Electric Transmission Line and Related Facilities in New Hampshire

March 30, 2017

F. Maureen Quinn, Intervenor in the Ashland-Deerfield Non-Abutter Group, files this Objection to Applicant's Motion to Strike Supplemental Pre-filed Testimony of F. Maureen Quinn, and asks that Applicant's Motion be DENIED, and states:

Background

1. On March 1, 2017 the Committee issued the amended procedural schedule for this docket stating that supplemental pre-filed testimony for Track 1 issues was due on March 24, 2017.
2. This Intervenor submitted supplemental pre-filed testimony by the March 24 deadline in accordance with the Committee's requirements. This Intervenor filed a one-page statement and six attachments. Five of these attachments were articles from the professional literature of the medical and scientific community regarding the increase risk of childhood leukemia and other cancers associated with exposure to electromagnetic fields produced by high voltage transmission lines. The sixth attachment was a report produced by the European Commission's Scientific Committee on Emerging and Newly Identified Health Risk entitled *Potential Health Effects of Exposure to Electromagnetic Fields (EMF)*.
3. During the February 2, 2017 technical sessions, this Intervenor was asked questions by the Applicant's attorneys and the Counsel for the Public regarding epidemiological studies in the professional scientific literature concerning the relationship of exposure to electromagnetic fields (EMF) to the increased incidence of cancer in children. This Intervenor was also asked by the Counsel for the Public to provide copies of reports referenced in the Pre-Filed Testimony submitted to the Committee on November 15, 2016.
4. The Applicant states in its March 29 Motion:
 - a. "5. The Administrative Procedures Act does not define pre-filed testimony. Black's Law Dictionary, however, defines testimony as 'evidence that a competent witness under oath or affirmation gives at a trial or in an affidavit or deposition.' Black's Law Dictionary (10th ed.

2014). Express in this definition is the principle that testimony is being offered as *evidence*. Moreover, Black's Law Dictionary defines evidence as 'something that tends to prove or disprove the existence of an alleged fact.' *Id.* Simply stating a conclusion, expressing a belief, or noting a concern does not constitute evidence inasmuch as doing so does not prove or disprove a fact or proposition. Furthermore, although the rules of evidence do not apply in SEC proceedings, testimony must include evidence that is relevant and material to the Committee in making its determinations under RSA 162-H:16, I." and

b. "6. RSA 162-H:10, III provides: 'The site evaluation committee shall consider and weigh all evidence presented at public hearings and shall consider and weigh written information and reports submitted to it by members of the public...' and

c. Applicant argues that the attached articles to her Supplemental testimony were available at the time of her Pre-Filed Testimony and were not discussed at the Technical Sessions. This Intervenor disagrees. The data requests emanating from the February 2 Technical Session (and documented in the February 7 memorandum associated with this technical session) clearly demonstrate that such professional literature and reports were a subject in the discussion with this Intervenor.

Analysis

This Intervenor is a public health professional and registered nurse, not an attorney, and has no prior experience with these types of court proceedings. In addition, this Intervenor has not engaged legal counsel or any type of assistance in the organizing and writing of her pre-filed testimony, or her supplemental pre-filed testimony.

This Intervenor has filed testimony relating to the unreasonable adverse effect of the Northern Pass Project on public health and safety, key criteria for the Committee, as in **Site 301.14 (f)**.

This Intervenor's intention in submitting the scientific literature articles and other report on exposure to electromagnetic fields was to ensure that information requested in the technical sessions and provided in response to the data requests of the Applicant and Counsel for the Public were made part of the record of this docket and before the Committee as evidence to be considered and weighed as part of its statutory obligation.

The fact that these articles were published prior to 2016 does not alter the fact that they were the subject of questions during the technical sessions and, therefore, their importance as evidence came to the Intervenor's attention after the submission of Pre-Filed Testimony on November 15.

These supplemental materials were filed in a timely manner, consistent with the procedural schedule and guidance issued by the Committee. The intent in so doing was to ensure that testimony which includes evidence that is relevant and material to the Committee in making its determinations under RSA 162-H:16, I is available to the Committee. Allowing this testimony promotes the interests of justice and fairness.

The Intervenor, F. Maureen Quinn, respectfully requests that the Committee deny the Applicant's motion to strike and permit her supplemental testimony to remain in the record.

Respectfully Submitted,
F. Maureen Quinn