

STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE  
SEC DOCKET NO. 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

MOTION TO REOPEN THE RECORD

Cheryl K. Jensen, as Co-chair of the Bethlehem Conservation Commission and representing the Town of Bethlehem, moves to reopen the record of Docket No. 2015-06. This motion is made pursuant to Site Rule 202.27 (a) A party may request by written motion that the record in any proceeding be re-opened to receive relevant, material and non-duplicative testimony, evidence or argument.

BACKGROUND

This request relates to the question of whether Eversource is going to relocate Transition Station #5 in Bethlehem to make it less visible to a proposed Homewood Suites by Hilton and whether failure to do so will put that project in jeopardy, which would “unduly interfere with the orderly development of the region” pursuant to RSA 162-H:16 IV(b).

1. When I testified before the SEC subcommittee members on November 8, 2017, the issue of whether Eversource intended to relocate the Transition Station was debated. My most current information was that Mr. Yizchok Rudich, the developer, thought he had an agreement with Eversource to relocate the Transition Station farther back from Route 302 so as not to abut the proposed hotel.
2. However, attorney Jeremy Walker was adamant that there was no plan to change the location of the Transition Station.
3. I told the subcommittee members about a Planning Board meeting scheduled for November 15, at which time Mr. Rudich’s representative, David Eckman of Eckman Engineering, would present a Site Plan Review. I said perhaps the issue would be cleared up at that meeting.

4. In addition, public member Patricia Weathersby asked whether Mr. Rudich, who had written a letter (January 23, 2017) in support of the project, was still supportive of Northern Pass. I said I didn't know.

5. Mr. Honigberg requested the Minutes from that meeting and asked attorney Steven Whitley, who represents Municipal Group 1 South, that Bethlehem is a part of, to facilitate submitting the meeting Minutes. Mr. Whitley asked if the subcommittee would want anything else the hotel owner submitted to the Town that might not be reflected in the Minutes regarding his plans and position. Chairman Honigberg agreed.

6. A draft of the Minutes was submitted and then the final approved Minutes were submitted by Mr. Whitley on December 19, 2017, as Exhibit JT MUNI EX 350.

7. But this issue was not settled at that meeting. It was left open as to whether Northern Pass would endanger the project.

8. It was left open because Mr. Rudich had just learned that Eversource was not living up to the agreement he thought he had with them to move the Transition Station. Mr. Eckman, his representative, said Mr. Rudich was meeting with Eversource the following Tuesday morning and hoped to resolve the issue at that meeting and move ahead.

9. We did learn through Mr. Eckman, that Mr. Rudich felt "a little bit betrayed, deceived, tricked" and wouldn't have written his January 23, 2017 letter supporting the project if the Transition Station was not going to be moved, which answers Ms. Weathersby's question.

10. On December 22, 2017 I submitted a public comment letter -- after checking with the Selectboard and Planning Board -- stating that the Town had heard nothing further from either Mr. Rudich or Mr. Eckman about moving the Transition Station or whether it jeopardized the hotel project.

#### REQUEST TO REOPEN THE RECORD TO SUBMIT THE FOLLOWING RELEVANT, MATERIAL AND NON-DUPLICATIVE TESTIMONY, EVIDENCE OR ARGUMENT

11. After performing my due diligence in checking with the Selectboard and Planning Board as above, to make sure the Town had no new evidence, over the New Year's weekend I was informed by Cassandra (Sandy) Laleme, who also testified for the Town on November 8, 2017, of an exchange on a Facebook site with information from Mr. Rudich in which he wrote: "If the tower isn't moved, it puts the hotel project in jeopardy."

12. Given the subcommittee's interest in this issue, I want them to have this information for a full and fair airing on this issue.

13. This information comes from a Q & A interview done by email with Mr. Rudich by a volunteer group in Bethlehem, called "Believe in Bethlehem" that recently organized to "preserve, promote and plan Bethlehem's financial resources into the future".

14. The reason I was not aware of this information prior to December 22, is that I am not a member of this group and there is no reason for me to consult this Facebook page -- I'm rarely on Facebook for any reason.

15. Although it was posted to the Facebook site on December 22, 2017, I did not know about it until New Year's weekend when Ms. Laleme and I began to gather information related to the brief that has to be submitted.

16. But just because of that, I don't think this information should be kept from being a part of the formal record, and especially since the subcommittee was extremely interested in whether this issue had been resolved.

17. And, again, as part of my due diligence, I called Mr. Rudich today, January 2, 2018, and confirmed with him that he did indeed write this email and what he wrote about the project being in jeopardy is correct.

18. This information is important for the Town of Bethlehem to submit to the Site Evaluation Committee for several reasons. It is jeopardizing \$385,000 annually in tax revenue as well as all the money that would be spent in Bethlehem and surrounding areas by visitors that would stay at this extended-stay venue -- but only IF it is built.

19. If it is not built, it jeopardizes another project that Mr. Rudich has mentioned, which is to renovate the deteriorating Baker Brook cabins. This development would be directly across Rt. 302 from the Transition Station #5, which is less than aesthetically pleasing as designed.

20. Below I am reproducing the information from that Q&A with Mr. Rudich in three screen shots. It is the third one below, in Question #6 that Mr. Rudich explains that he did meet with Eversource, the company has not changed its mind about moving the Transition Station, and if the tower isn't moved, it puts the hotel project in jeopardy.

21. Screen shot #1:

## Yitz Rudich interview with Believe in Bethlehem via email

### Homewood Suites by Hilton Development Project

1. Mr. Rudich, we are a group that recently organized to “preserve, promote and plan Bethlehem’s financial resources into the future” and we are eager to hear more about your development. Will you tell us your vision for the development project?

First, I want to thank Believe in Bethlehem for reaching out to me. As a lifelong visitor to Bethlehem, I’m excited to learn that a group has organized to promote the town’s future and ensure that it has the financial resources it will need to make Bethlehem affordable. And I would be happy to discuss the Homewood Suites project with you.

2. We see hotel projects on the rise across the state. Of all the towns in the North Country, tell us why you chose Bethlehem?

Well, I have to confess that a lot of it has to do with my own fondness for Bethlehem. Throughout my childhood, my family and I traveled to Bethlehem each summer for an extended vacation. It was so different from Brooklyn, New York, where I live, and I loved coming here. I had enjoyed the hospitality of the town’s hotels for years, so when I found out that the Baker Brook Cabins property was for sale, I decided that if the economics worked I would like to develop a hotel myself.

22. Screen shot #2:

3. How many employees do you envision needing to develop the project and how many once the hotel is completed?

I can't say how many people will be involved in the development of the project because most of the work will be done by independent contractors who will have to decide how to staff the work. I don't have projections yet on how many would be employed at the resort, but conservatively I would say 15-20.

4. When you create a partnership with a town on a development project, what do you expect in return from the town government?

Cooperation and appreciation. That's really all I expect.

5. How would you view the relationship of hotel leadership with the Town of Bethlehem once the hotel is conducting business? Would you be active in the community?

23. Screen shot #3, see Question 6:

I would expect the local management of the hotel to be active in the community, yes.

6. Will the Northern Pass have any effect on the project?

Until last month I didn't think so, but now I'm not so sure. The original plans for Northern Pass called for a huge "transition station" tower right next to our property and right on Route 302. At the end of last year we met with Eversource at the site and agreed on a plan to relocate the tower on our property well away from Route 302. This was critical to our project because the original location of the tower would be right next to the entrance to our property, and it would be visible from the hotel. Obviously, we couldn't have that. In November, though, I heard from Eversource that it would not relocate the tower as we had originally agreed. We have met with Eversource about this, but so far Eversource hasn't changed its mind. If the tower isn't moved, it puts the hotel project in jeopardy.

7. Would you consider coming to town to speak with members of the community about your project?

Yes. I would want to wait until we get things straightened out with Eversource, but I would be willing to come to Bethlehem and discuss the project.

24. In the answer to Question #7, Mr. Rudich mentions getting "things straightened out with Eversource," but that hasn't happened thus far.

25. As things currently stand, and as this information makes clearer than it has ever been, Northern Pass clearly jeopardizes the Hilton Homewood Suites project in Bethlehem and will "unduly interfere with the orderly development of the region".

26. The Applicants object to this motion.

27. The following entities concur: Municipal Group 1- South; Municipal Group 2; Municipal Group 3 – North; Municipal Group 3 – South; Grafton County Commissioners; Combined Group of Intervenors Clarksville-Stewartstown; Abutting Property Owners (overhead portion), Dummer, Stark, and Northumberland; Abutting Property Owners (overhead portion), Whitefield, Dalton, and Bethlehem; Non-Abutting Property Owners (overhead portion), Stark, Lancaster, Whitefield, Dalton, and Bethlehem; Abutting Property Owners (underground portion), Bethlehem to Plymouth; Non-Abutting Property Owners (underground portion), Bethlehem to Plymouth; Abutting Property Owners (overhead portion), Deerfield; Non-Abutting Property Owners (overhead portion)

Ashland to Deerfield; and Sugar Hill Historical Museum, NH Preservation Alliance and National Trust for Historic Preservation, North Country Scenic Byways Council.

WHEREFORE, since Site Rule 202.27 (a) allows for a party to request by written motion that the record in any proceeding be re-opened to receive relevant, material and non-duplicative testimony, evidence or argument, this Intervenor respectfully requests that the Site Evaluation Committee:

- A. Grant the Motion to Reopen the Record; and
- B. Grant such further relief as it deems appropriate.

Dated: January 4, 2018

Respectfully submitted,

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Cheryl K. Jensen, Co-chair, Bethlehem Conservation Commission  
On behalf of the Town of Bethlehem (Board of Selectmen, Planning Board and  
Conservation Commission)

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I hereby certify that on this day a copy of this Motion has been forwarded to all parties on the Distribution List.