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Sent: Monday, March 28, 2016 11:29 AM

To: Monroe, Pamela

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Subject: SEC Docket 2015-06

Dear Ms Monroe,

The use of the term “abutting property” so far in this proceeding is at odds with the definition in PART Site 102 Definitions, Site 102.01:

Site 102.01 “Abutting property” means any property that is contiguous to or directly across a road, railroad, or stream from property on, under or above which an energy facility is located or proposed to be located.

Therefore, an abutting property is **separate from**, and immediately **next to**, the property on which an energy facility is proposed to be located. An abutting property is **not** the property **upon which** the proposed facility would be located. Oddly, there appears to be no definition in SEC rules to describe the latter property, known in legal parlance as the “**servient estate**”. The owner of the right of way (ROW) has purchased the right only to perform certain activities on a portion of a parcel, as identified in the deed, and nothing else. All rights of use and ownership, including the privilege of paying taxes, remain with the owner of the servient estate, as long as they don't interfere with the limited activities specified in the ROW deed. For the sake of simplicity, I suggest that the “servient estates” could be referred to as “host properties”, or just “hosts”.

Why is this important? By referring to the owner of a host property as an abutter, the perceived rights of that owner are diminished. It gives the impression that the developer can do anything it wants on its ROW. Communication around this application has already revealed that owners of host properties have several concerns about the rights claimed by the Applicant and the use of these ROWs. These issues clearly set the interests of the hosts apart from those of their neighbors, the abutters, and the non-abutters.

Also, the fact that the terminology is inaccurate can lead to misunderstanding. I suppose that the parties to and decision makers in this process would appreciate the clearest possible language here.

What am I asking you to do?

First, clarify for everyone the distinctions between owners of host properties, abutters, and non-abutters. It has already been established that there are potential intervenors in each of these categories.

Second, recognize that any plan to group landowners must respect the rights of each of these categories. The host property owners must be recognized separately. The remaining abutters and non-abutters could then be combined into another group.

Third, allow the landowners enough time to share our resources, concerns, and hopes with each other so that we may have a chance at meaningful participation in this very challenging process. Adoption of the Proposed Procedural Schedule submitted by the Forest Society would enable this.

Thank you,

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cc: SEC distribution list for Docket No. 2015-06. Copies sent by email.