

STATE OF NEW HAMPSHIRE SITE EVALUATION COMMITTEE

RE: 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)

**PRE-FILED DIRECT TESTIMONY OF THE BOARDS OF
SELECTMEN FROM PITTSBURG, CLARKSVILLE AND
STEWARTSTOWN**

Q: Please state your name and business address.

A: We are the elected members of the Boards of Selectmen for the towns of Pittsburg,
Clarksville and Stewartstown.

For Pittsburg:

Stephen G. Ellis, Chairman
Brendan McKeage
Richard Lapoint

Business Address: Pittsburg Town Office, 1525 Main Street, Pittsburg, NH 03592

For Clarksville:

Judith E. Roche, Chair
William C. Purrington
Ray DeMaio

Business Address: Clarksville Town Office. 408 Route 145, Clarksville, NH 03592

For Stewartstown:

Allan A. Coates, Chairman
Jim Gilbert
Hazen E. Burns

1 Business Address: Town of Stewartstown, PO Box 119, West Stewartstown, NH
2 03597

3 **Q: What is the purpose of your testimony?**
4

5 A: The purpose of our testimony is to present the Site Evaluation Committee with
6 information concerning the interests of the three towns related to the Northern Pass
7 project as it affects our towns.
8

9 We believe the project as proposed will have unreasonable adverse effects on aesthetics,
10 natural resources, public health and safety and property values within our communities.
11 We have concerns that the project as proposed will adversely affect the orderly
12 development of our region. We believe the project as proposed is not in the public interest
13 of our three communities. Furthermore, we believe the applicant has the resources to
14 choose a completely buried alternative for the project along an appropriate transportation
15 corridor which would eliminate all of these issues of concern to us.
16

17 **Q: Are there any other concerns you have with the Northern Pass project as**
18 **proposed?**
19

20 Yes. We believe that under state law our towns have exclusive jurisdiction over the
21 licensing of municipal roads for any use by utilities (RSA 231:161). We believe that the
22 application submitted by Northern Pass is invalid, because Northern Pass has failed to
23 secure proper authority to use municipal roads in our jurisdictions for the project as
24 proposed. NPT never exercised the courtesy of communicating with us before filing its
25 application with the SEC in October of 2015 that they intended to use municipal roads for
26 approximately 8 miles of its buried facility in our towns. NPT never requested permission
27 by the statutory process for such uses of municipal roads as provided for in RSA 231.
28 Rather, NPT claims they were exempt from such statutory requirement by citing a court
29 decision that has no direct relevance to the facts or the statutory law as applied to the
30 docket currently before you.
31

32 We believe the SEC has an obligation to our towns and our residents to independently
33 address the specific legal issue here. Either NPT has the right to appropriate our roads
34 without our statutorily proscribed consent or it doesn't. If NPT does not have the right to
35 appropriate our roads for such use without our statutory consent, then the entire SEC
36 process regarding the NPT application should come to a halt.
37

38 **Why you are interveners in this docket?**
39

40 Over the past five years, the voters in each of our towns have overwhelmingly made it
41 known to us in person and in voting on town warrant articles, that they oppose the
42 Northern Pass project because of the adverse impact that it would have on our scenic
43 and cultural assets, property values and tourism businesses. At the March 13, 2012

1 Clarksville annual town meeting, the citizens of Clarksville, by petition adopted an
2 ordinance which reads:

3
4 *Other than high voltage electrical transmission lines in existence as of the effective*
5 *date of this ordinance, there shall be no further overhead development of alternating*
6 *current or direct current high voltage transmission lines within the borders of the*
7 *Town of Clarksville. All such future electrical transmission lines must be placed*
8 *underground within power line rights of way or within yet to be established power line*
9 *corridors and installed in a manner approved by the State of New Hampshire's Public*
10 *Utility Commission and/or Department of Transportation. Distribution lines carrying*
11 *electrical power and other utility lines such as telephone and cable television for local*
12 *residential or commercial use may continue to be installed above ground, but*
13 *undergrounding of such lines is strongly recommended and encouraged.*
14

15 Similar resolutions were adopted at town meetings in Pittsburg and Stewartstown.
16 Stewartstown voters at the annual Town meeting in 2011 passed a directive requiring all
17 future transmission lines in Stewartstown to be built entirely underground. The existence
18 and content of that directive were set forth in a Town of Stewartstown comment
19 previously filed with the SEC on September 30, 2015. Pittsburg voters adopted a resolution
20 opposing Northern Pass and its overhead towers in 2011.

21
22 A full copy of each of these adopted resolutions appears in Appendix A of this presentation.
23 In accordance with our civic duties as Selectmen, we will not act against the interests of
24 those who elected us.

25
26 **Why do you believe the project is not in the public interest?**
27

28 This project is designed to be a revenue maker for the applicants and their partner in
29 Canada, Hydro Quebec—a provincially owned crown corporation.
30

31 There is nothing wrong with making a profit. There is, however, something terribly wrong
32 with a foreign government and out of state corporations making profits at the expense of
33 our environment and our town resources in direct opposition to the will of our residents.
34 This project is classified as an elective project because it is not necessary for reliability
35 of the electric grid in New Hampshire or New England. It is one of many such projects
36 recently proposed to bring hydropower into the Northeastern United States, but it is the
37 only one that is designed to be built substantially above ground on large structures that
38 would be visible high above the tree lines in our communities, farms, forests and
39 recreation areas.
40

41 All other transmission projects currently proposed to carry Canadian generated power
42 through New York, Vermont and Maine are designed to be constructed underground in
43 existing disturbed road or rail beds or underwater without significant damage to the

environment. The total underground construction of this project is a viable and less environmentally damaging option according to the Department of Energy in its initial environmental impact statement. Yet, the Northern Pass Applicants continue to propose a primarily above ground project that will do considerable damage to the environment, visual resources and cultural heritage of many New Hampshire communities including our three towns.

Over 2300 new transmission towers are planned to be erected in New Hampshire by Northern Pass in order to accommodate this elective project. For a relatively small further investment, it could be placed entirely underground.

The Northern Pass project appears to be proposed to serve the self-imposed “clean energy” wants and desires of our neighbors to the south who wish to purchase this power from a foreign country while sparing their citizens the need and consequence of hosting large renewable power generation facilities and transmission lines in their own communities or offshore from their urban areas. New Hampshire is already the host of many renewable power generation plants and is a net exporter of that power to the rest of New England. Quebec, of course, is anxious to capitalize on the opportunity to sell its provincially owned power at a higher profit than it could realize selling to its own citizens. So it wants to build a new transmission line through New Hampshire to reach its intended market. Burial of the project would cost marginally little more in order to save New Hampshire’s landscapes and environment. The solution is therefore really quite simple. If the proponents of the project outside our borders want it that badly, then they should be required to pay for complete burial. If that is too much to pay for this particular project, then the project should not be built at all.

The applicants proposed transmission corridor through our three towns would run a distance of approximately 16 miles on an entirely new energy corridor that they propose to build—a corridor that will be controlled and solely used by Hydro Quebec. NPT proposes to take our environmental resources, property and local roadbeds for the benefit of a foreign government that may or may not transmit power over the transmission line depending on market conditions, political considerations, and a pricing policy that will not be constrained by limitation of its monopoly power or by public interest concerns for those who might consume it in the United States.

As stewards of our Town resources, we object to this proposed taking of our property for private use of a foreign government.

What are the adverse impacts of the project as proposed on your three towns?

Half of the 16 mile distance proposed to be traversed in our towns would be constructed using three separate above ground segments. These above ground segments would involve construction of new access roads and clear cutting of corridors up to 150 feet

1 wide through our forests, farms and scenic areas. Moreover, excavation and pouring of
2 concrete for massive foundations would be required for the erection of four transition
3 stations and 72 above ground transmission towers up to 120 feet high. A great deal of
4 our wetlands would also be directly impacted and damaged.

5
6 The proposed transmission line would enter Pittsburg from Canada above ground on
7 towers crossing the wetlands of Halls Stream and Halls Stream Road and then move
8 upland high above the Connecticut River just north of the Vermont border and then
9 down to a transition station that is proposed to be constructed near the banks of the
10 Connecticut River just west of Route 3, a federally designated Scenic Byway.

11
12 Highly important, scenic, cultural and historic areas of Pittsburg and of Canaan (in
13 Vermont) would forever be adversely changed by the existence and dominance of this
14 commercial intrusion into the pastoral landscapes surrounding the historically important
15 Pittsburg area known as the Indian Stream Republic. The Indian Stream Republic was a
16 sovereign nation located in Pittsburg from 1832-1840 with its own constitution and
17 congress. This land has been untouched for 175 years and we must keep it that way.
18 This is sacred territory to our citizens.

19
20 The Route 3 Connecticut River Byway entry to Pittsburg would also forever be diminished
21 and the views of the Connecticut River valley from Stewartstown and Clarksville and
22 Canaan, Vermont along the Connecticut River would forever be changed if this first
23 segment of the project is built above ground. When it reaches the banks of the Connecticut
24 River, the NP proposal takes the project underground for the first time in proposed
25 trenching and a boring through and under Old Canaan Road, NH State Route 3 and the
26 Connecticut River into Clarksville where another transition station is proposed to be built
27 on the east side of the Connecticut River. From there another 23 transmission towers up
28 to 105 feet high would be erected running for 2.3 miles in a generally easterly line running
29 to Route 145 on Ben Young Hill. This above ground segment in Clarksville would forever
30 alter the views from important abutting conservation areas, including the Washburn
31 Family Forest owned by the Society for the Protection of New Hampshire Forests. It would
32 also destroy the scenic vistas looking into the Connecticut River valley and Vermont to
33 the west of Ben Young Hill along Route 145 which itself is a New Hampshire Cultural
34 and Scenic Highway known as the Moose Path Trail.

35
36 The project then proposes to dive underground at another transition station to be
37 erected on the west side of Route 145 (in Clarksville) where it would be buried under
38 Route 145 and down Old County Road for 1.4 miles to the town line with Stewartstown.
39 The proposal then has the project continuing in a generally easterly direction to a fourth
40 transition station on Bear Rock Road where it would pop out of the ground and be built on
41 29 steel lattice transmission towers up to 120 feet high for another 3.5 miles continuing
42 east until it reaches the top of a high ridge on the Stewartstown/Dixville town line.

1 In this third above ground segment, the proposed transmission corridor and 29 towers
2 would be starkly visible from some of the most valuable residential and tourism
3 development properties in Stewartstown and Colebrook along Bear Rock Road, Harvey
4 Swell Road, Noyes Road and Diamond Pond Road. In addition, this segment of the
5 transmission line would ruin views from and along entryways to Coleman State Park. The
6 towers and transmission line would run directly along much of the southern boundary of
7 Coleman State Park and it would cross high above Diamond Pond Road which is the only
8 entryway to the Park.

9
10 Thus, the path of project construction in our three towns, if permitted, would not run
11 south towards its proposed destination. Instead, the project would needlessly run from
12 west to east leaving our communities at a point that would be no closer to its destination
13 than when it entered from Canada. This alone is an absurd outcome and wasteful
14 destruction of resources.

15
16 **How are property owners in your communities affected by Northern Pass as**
17 **proposed?**

18
19 NPT originally paid a premium price for multiple properties through our communities for
20 the purpose of building a completely overhead transmission facility on an entirely new
21 right of way. According to records at the Coos County Registry of Deeds, NPT has paid
22 more than \$40 million for land in our three towns assessed at considerably less at the time
23 of purchase. Because NPT was blocked from completing the purchase of land that would
24 have enabled a completely overhead facility, by landowners who refused to sell at
25 extraordinary premiums offered, the applicants now claim they have the right
26 to use municipal roads without municipal permission or compensation, by trenching and
27 boring under them in a linear fashion. On most of those highways, roads and passageways,
28 neither the state nor the towns hold fee title interests. Private abutting property owners
29 have legal property rights to the center line of each road. These property rights must be
30 considered and, thus far, have not been adequately dealt with by the applicants. The
31 applicants simply have no legal right or permission to take those private property interests
32 for an elective transmission project.

33
34 **What do you believe would be an appropriate alternative for avoiding the adverse**
35 **impacts of the current NPT proposal on your communities?**

36
37 We conclude by raising an issue of social justice and economic discrimination. The
38 applicants insist on using older above ground transmission line technology in our
39 communities to construct an entirely new energy transmission corridor. At the same
40 time, the applicants have recently modified their project to propose using modern
41 underground construction technology for 52 miles in the more affluent and politically
42 influential White Mountain Region to our south, even though there is an existing above
43 ground transmission line corridor that could have been used resulting in making the

1 existing transmission line scar look twice as ugly.

2
3 The applicants say they made this change in the White Mountain Region because they
4 recognize the value of preserving New Hampshire's scenic resources and landscapes. We
5 therefore ask why the applicants don't apply the same logic and value to our untouched
6 landscapes and resources that have no existing transmission line scars. Our scenic
7 resources and landscapes are the essence of who we are. They define our communities and
8 our sense of place. They drive the economy of the area through tourism and the building,
9 maintenance and repair of second homes and vacation properties.

10
11 We believe that the applicants must employ the same standards and modern technologies
12 to avoid adverse aesthetic impacts in our communities as they now propose for the White
13 Mountain Region. We hope that the Site Evaluation Committee will see to it that our local
14 community interests and concerns are respected in full without further discrimination and
15 social injustice.