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STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

May 2, 2017 - 9:02 a.m.
49 Donovan Street
Concord, New Hampshire

DAY 7
Morning Session ONLY

{Electronically filed with SEC on 05-09-17}

IN RE: SEC DOCKET NO. 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.
(Hearing on the merits)

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:

Chrmn. Martin P. Honigberg Public Utilities Comm.
(Presiding as Presiding Officer)

Cmsr. Kathryn M. Bailey Public Utilities Comm.
Dir. Craig Wright, Designee Dept. of Environ. Serv.
Christopher Way, Designee Dept. of Resources &
Economic Development

William Oldenburg, Designee Dept. of Transportation
Patricia Weathersby Public Member

ALSO PRESENT FOR THE SEC:

Michael J. Iacopino, Esq., Counsel to the SEC
Iryna Dore, Esq.
(Brennan, Caron, Lenehan & Iacopino)

Pamela G. Monroe, SEC Administrator

(No Appearances Taken)

COURT REPORTER: Steven E. Patnaude, LCR No. 052

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I N D E X

PAGE NO.

WITNESS PANEL:
(resumed)

KENNETH BOWES
DERRICK BRADSTREET
LYNN FARRINGTON
SAMUEL JOHNSON
JOHN KAYSER
NATHAN SCOTT

Cross-examination continued by Mr. Pappas 4

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P R O C E E D I N G

CHAIRMAN HONIGBERG: All right. Good morning, everyone. Welcome to Day 7 of the Northern Pass SEC hearing on the merits. While Mr. Pappas is getting ready to resume his examination of the panel, I know there's at least one matter I want to resolve quickly.

Mr. Whitley, you have a pending motion to compel. I understand that that was -- that you resolved that with Mr. Needleman. Am I correct?

MR. WHITLEY: That's correct, Mr. Chair. And I'm happy to withdraw that motion at this time.

CHAIRMAN HONIGBERG: All right. Thank you, Mr. Whitley. That wraps that up. I know there are a few other pending motions, there are orders in process.

Are there any other matters we need to deal with or raise quickly before Mr. Pappas resumes?

[No verbal response.]

CHAIRMAN HONIGBERG: No one leaping to the microphone. Mr. Pappas, whenever you

[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 are ready.

2 MR. PAPPAS: Thank you. Good
3 morning.

4 (Continuation of the witness
5 panel of **Kenneth Bowes, Derrick**
6 **Bradstreet, Lynn Farrington,**
7 **Samuel Johnson, John Kayser,** and
8 **Nathan Scott.**)

9 **CROSS-EXAMINATION (resumed)**

10 BY MR. PAPPAS:

11 Q. Mr. Scott, I'm going to start with you. And
12 I'm going to do the underground section from
13 Bethlehem to Plymouth. And at different times,
14 if someone has something to add, certainly, and
15 I'll ask questions of others at different
16 points. But, Mr. Scott, I think I'm going to
17 start with you, since you designed the
18 underground.

19 And do you have in front of you the
20 December 7 set of plans that starts on Route
21 302, which is Main Street, in Plymouth?

22 A. (Scott) I do.

23 Q. Thank you. So, if you look at 101, which is up
24 on the screen, that shows the line coming out

[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 of the transition station on 302, in Plymouth,
2 and starting down Route 302 on the underground
3 in that section, do you see that?

4 A. (Scott) That shows the line connecting to the
5 WMNF --

6 *[Court reporter interruption.]*

7 **BY THE WITNESS:**

8 A. (Scott) The WMNF, the White Mountain National
9 Forest alignment.

10 BY MR. PAPPAS:

11 Q. So, I'm going to try to do this in sections to
12 speed up a little bit.

13 A. (Scott) Sure.

14 Q. So, essentially, in Bethlehem, Route 302, it
15 goes down --

16 A. (Johnson) It's the wrong drawing.

17 Q. Oh, you're right. Thank you.

18 MR. IACOPINO: Mr. Pappas, is this
19 your Exhibit 175?

20 MR. PAPPAS: 176.

21 MR. IACOPINO: 176.

22 MR. PAPPAS: That was the problem.

23 MR. IACOPINO: Okay. Thank you.

24 MR. PAPPAS: Yes.

[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 MR. IACOPINO: It appears that 175 is
2 still up on the screen.

3 MR. PAPPAS: Yes. We're getting to
4 176. Okay. Thank you.

5 BY MR. PAPPAS:

6 Q. So, Mr. Scott, in this area, as the line goes
7 down Route 302 in Bethlehem, and essentially
8 goes down the side of the road, heading towards
9 Franconia, is that right?

10 A. (Scott) Correct.

11 Q. And, when it gets near the intersection of
12 Route 93, there are some projected lane
13 closures in that area, is that correct?

14 A. (Scott) Could you please refer me to the
15 specific drawing that you're referencing?

16 Q. Sure. If you flip through, you'll notice the
17 line goes along the road, you'll see a couple
18 of splice pits. And then, when you get close
19 to the intersection where there's on-ramps and
20 off-ramps for Route 93, there will be lane
21 closures or lane -- yes, lane closures. And
22 Ms. Farrington can help you?

23 A. (Scott) Are you referring to ROCKC106, where
24 we're turning onto Profile Road, Highway 18, -

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 *[Court reporter interruption.]*

2 CHAIRMAN HONIGBERG: Let's go off the
3 record for a minute.

4 *[Brief off-the-record discussion*
5 *ensued.]*

6 CHAIRMAN HONIGBERG: Let's go back on
7 the record.

8 MR. PAPPAS: Thank you.

9 BY MR. PAPPAS:

10 Q. Yes. If you look at ROCKC106, it crosses a
11 lane there?

12 A. (Scott) Yes.

13 Q. And then it's before it turns to go down Route
14 18. In that area, there will be lane closures,
15 correct?

16 A. (Scott) I would have to defer to
17 Ms. Farrington, like you said.

18 Q. That's fine.

19 A. (Farrington) Correct. A single lane closure.

20 Q. Yes. Okay. And, if you look at the open
21 trench, where it starts in Bethlehem, right
22 through that lane closures, in certain places
23 it's within the road and in certain places it's
24 just off the road, correct?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) As currently shown on the drawings,
2 yes.

3 Q. Yes. And those places where it's in the road
4 would require a lane closure, because, if it's
5 in the road, you have to close the lane,
6 correct?

7 A. (Scott) Most likely, yes.

8 Q. Okay. So, Mr. Scott, now I want to cover the
9 section where it leaves 302 and goes onto Route
10 18, heading towards Franconia. And what's on
11 the screen now is Counsel for the Public's
12 Exhibit 130, Exhibit D, and this is Map 35.
13 And it shows 302, and then taking a turn on
14 Route 18, heading towards Franconia. And, in
15 this stretch here, you see an "HDD 10". Do you
16 see that?

17 A. (Scott) I do.

18 Q. And now on the screen is Map 36, and you see
19 "HDD 11" and "HDD 12". Do you see that?

20 A. (Scott) I do.

21 Q. Okay. So, I want to focus on that stretch,
22 from the turn of Route 302, up to HDD 12. Now,
23 if you go back to the maps that you have in
24 front of you, which is Exhibit 176, and just to

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 yourself, because I think it will be a little
2 quicker than if I put each one on them on the
3 screen. But, to yourself, if you look along
4 that stretch of road, you will notice, and
5 correct me if I'm wrong, that in places the
6 open trench is just off the road, and in other
7 places the open trench goes onto the road.

8 A. (SCOTT) That's accurate.

9 Q. Okay. And there are several splice pit
10 locations along that stretch of road, correct?

11 A. (SCOTT) Correct.

12 Q. And would you agree with me, and you can defer
13 to Ms. Farrington, if necessary, that where the
14 open trench is on the road, that will require a
15 lane closure?

16 A. (SCOTT) Most likely.

17 Q. Yes. And for each of those splice pit
18 locations will also require a lane closure,
19 correct?

20 A. (SCOTT) Correct.

21 Q. Okay. Now, these three HDD drillings along
22 this section, which we saw as 10, 11, and 12,
23 would you agree with me that, based on what we
24 saw yesterday, typically the entrance pits are

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 anywhere from 30 to 40 feet wide, and then, you
2 know, a couple hundred feet to 300 feet deep,
3 and you --

4 A. (Scott) I think no location is at 300 feet
5 deep.

6 Q. Okay. Well, let's stick with width.

7 A. (Scott) Yes. Typical width was in the 30-foot
8 range, however that is site-specific.

9 Q. Okay. So, would you agree with me, for each of
10 these three HDD drilling locations -- and, by
11 all means, take a measurement.

12 A. (Scott) Yes. So, the first one is
13 approximately 30 feet wide. The same with the
14 second one. That being HDD 10 and 11. And 12
15 is approximately 20 feet wide.

16 Q. Okay. Would you agree with me, for each of
17 these three HDD locations, when -- and we
18 discussed yesterday the average length of time
19 is three to five weeks for each of these
20 locations?

21 A. (Scott) Agreed.

22 Q. Okay. Would you agree with me, for each of
23 these three locations, when the drilling, the
24 mobilization of the drilling and so forth are

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 going on, that it will require lane closures at
2 those three spots?

3 A. (Scott) Yes.

4 Q. Okay. So, for this stretch of road, turning
5 on -- off of 302, onto 18, until you get to HDD
6 12, there will be lane closures for when the
7 open trench is in the road, there will be lane
8 closures for each of the splice pits, and there
9 will be lane closures for the three HDD
10 drilling locations. Do you agree?

11 A. (Scott) Agreed.

12 Q. Okay. Now I want to ask you some questions
13 about the intersection in Franconia which is
14 the location of the Micro Tunnel.

15 A. (Scott) Okay.

16 Q. So, Mr. Scott, what I've put on the screen is
17 Counsel for the Public's Exhibit 223. And
18 these were maps that the Project submitted to
19 DES as part of its Permit Application. And you
20 can see here it gives you an overview of this
21 intersection. Do you see that?

22 A. (Scott) I see it. However, it does look like
23 that does not match the plans that we're
24 referring to.

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 Q. I'm going to get to that. But I just want to
2 get orientation for the Committee.

3 A. (Scott) Sure. Agreed. That's the location.

4 Q. Yes. So, the line comes down Route 18, and
5 when it intersects with Route 116 and this
6 intersection, it essentially takes a right, and
7 there's the Micro Tunnel that has to go under
8 the Gale River. Do you see that?

9 A. (Scott) I do.

10 Q. Okay. Now, as originally planned, it looked
11 like they were going to go on, I don't know
12 which direction that is, but on the map -- on
13 this picture, it looks like the left-hand side
14 of the street, or at least the bottom part. Do
15 you see that?

16 A. (Scott) I do.

17 Q. Okay. Now, you mentioned a moment ago that's
18 not as the current plan, correct?

19 A. (Scott) Correct.

20 Q. Okay. So, --

21 A. (Scott) The same drawings you're referring to,
22 December 5th, 2016.

23 Q. Right. Apparently, the machine is slow this
24 morning. There we go. On the screen, do you

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 have C117?

2 A. (Scott) I do.

3 Q. Okay. So, this shows the current configuration
4 for Micro Tunneling under the Gale River. Is
5 that right?

6 A. (Scott) Correct.

7 Q. Okay.

8 A. (Scott) However, again, I would refer to the
9 detailed drawings for the Micro Tunnel versus
10 the open-cut trenching for additional detail.

11 Q. All right. By all means, refer to whichever
12 detail you'd like when I ask you a question.

13 A. (Scott) Okay.

14 Q. What is proposed here is to come down Route 18,
15 and cross the intersection in open trench,
16 correct?

17 A. (Scott) Correct.

18 Q. And then, when you get to the other side of the
19 intersection, still in the road, will be I
20 believe the receiving pit for the Micro Tunnel,
21 correct?

22 A. (Scott) Correct.

23 Q. And, obviously, that road will be closed when
24 the open trench goes across it?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) Yes.

2 Q. And when that receiving tunnel is -- and the
3 receiving tunnel is essentially -- it's sort of
4 a deep, vertical shaft, is it not?

5 A. (Scott) Circular shaft.

6 Q. Circular shaft. It's about 30 feet deep?

7 A. (Scott) Yes. Approximately.

8 Q. Yes. And, so, while that is being constructed,
9 I assume that that roadway there will be
10 closed? Or you can defer to Ms. Farrington on
11 that one.

12 A. (Scott) I will defer to Ms. Farrington for any
13 road closures.

14 Q. Sure.

15 A. (Farrington) No part of the road -- sorry, the
16 road will not be closed in this area. There
17 will only be lane closures.

18 Q. So, after the trench makes it across the
19 intersection, you're going to open one lane to
20 get traffic by, is that the plan?

21 A. (Farrington) Yes. That is the plan.

22 Q. Okay. And, Mr. Scott, on the other side of the
23 Gale River you'll see on the map the sending
24 side of the Micro Tunnel. Do you see that?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) I do.

2 Q. Okay. And that also is a circular, about
3 30-foot deep pit, if you will?

4 A. (Scott) A shaft, yes.

5 Q. A shaft. Thank you. And, as I understand it,
6 it takes -- it will take about, what, a week to
7 mobilize this area, get the equipment in place,
8 dig the shaft, and put the Micro Tunneling
9 device in there?

10 A. (Scott) Approximately, yes.

11 Q. All right. And it will take about two weeks to
12 do the actual drilling this length?

13 A. (Scott) Approximately.

14 Q. Yes. And, during that time, there is going to
15 be a fair amount of vibrations as this thing
16 just rams its way through the soil?

17 A. (Scott) It's not ramming its way through. It's
18 drilling.

19 Q. Drilling.

20 A. (Scott) Yes.

21 Q. With a fair amount of vibrations?

22 A. (Scott) Not noticeable from drilling, no.

23 Q. Not noticeable? All right. And then it will
24 take another period of time to actually get the

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1 cable through there as necessary?

2 A. (Scott) The sequencing, the shafts would be
3 dug, the drilling operation would occur, as
4 you've already described. Once that was
5 completed, open-cut trenching would intercept
6 the shafts. Conduits would be installed to
7 intercept the conduits installed within that
8 drilled shaft, within the drilled bore. So,
9 the conduit assembly would be completed from
10 splice location to splice location. The
11 conduits would be proofed prior to any cable
12 being installed. So, the cable would occur at
13 a later date.

14 Q. All right.

15 A. (Scott) And you would not see any cable
16 operations at these locations. It would be at
17 the splice locations.

18 Q. Uh-huh. Would you agree with me that, for the
19 period of time to start digging the tunnel
20 shafts through the time that they demobilize,
21 is probably somewhere in the neighborhood of
22 eight weeks?

23 A. (Scott) That seems long.

24 Q. Six to eight weeks?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) I believe we have said it will be
2 "three to five weeks approximately".

3 Q. Well, but this is a little different. This is
4 not an HDD. This is a micro tunnel, right?

5 A. (Scott) Agreed.

6 Q. And you just told me a moment ago that it's
7 going to be about a week to set up and dig the
8 shafts, and about two weeks just to do the
9 drilling. So, we're already at three weeks.

10 A. (Scott) Correct.

11 Q. And then, after you do the drilling, you would
12 need to do other work, as you indicated, get
13 the cable through there, so forth, and
14 demobilize. So, this is going to be a little
15 longer than the three to five weeks, would you
16 agree?

17 A. (Scott) As I stated, the cable does not occur
18 during this operation. The cabling occurs at a
19 later date. So, it's purely the civil
20 installation. So, the additional work that you
21 have not described in those three weeks is the
22 additional work to intercept those conduits and
23 install, which is not necessarily the same work
24 as drilling the installation. So, the drilling

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 operation is a three to five week operation,
2 and the additional installation to open-cut
3 trench intercept is outside of that time frame.

4 Q. And where is that drill -- where does that
5 operation take place? At that point, are these
6 shafts closed up?

7 A. (Scott) I can't comment on exactly how the
8 contractor would be doing the work. They may
9 leave them open, they may come back and
10 intercept them.

11 Q. Okay. So, if they leave them open, that will
12 require the lanes to remain closed, correct?

13 A. (Scott) Correct.

14 Q. Okay. The shafts for these, are they lined
15 with anything?

16 A. (Scott) Yes, the concrete.

17 Q. Concrete-lined?

18 A. (Scott) Yes.

19 Q. Okay.

20 A. (Scott) Typically.

21 Q. All right. And, so, does that concrete remain
22 in place?

23 A. (Scott) I believe it would remain in place for
24 portions, and it would be cut off to a

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 designated depth below grade.

2 Q. All right. And their dimensions are about --
3 you indicated about 30 feet deep and about 20
4 feet in diameter?

5 A. (Scott) I believe what we measured yesterday
6 said 20 feet for the receiving and 25 feet for
7 the sending.

8 Q. Okay.

9 A. (Scott) Approximately.

10 Q. All right. So, the intersection would have --
11 in this intersection could have a lane closure
12 five weeks, assuming that they do all the work
13 at one time, but longer if the contractor
14 decides to come back later and do the cabling
15 with these two tunnels remaining in place,
16 correct?

17 A. (Scott) Again, the cabling would not occur
18 during this operation. That would be at a
19 later date. It's the conduit intercept that
20 you're referring to, I believe. So that
21 would -- most likely, they would be doing that
22 as fast as they could at the same time frame.

23 Q. So, how long do you think that will take?

24 A. (Scott) Again, I can't comment on the exact

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1 durations or the means and methods the
2 contractor will be using.

3 Q. Uh-huh.

4 A. (Scott) But it would most likely take a week or
5 two to get out of the pits to normal depth of
6 installation.

7 Q. All right. So, it's the potential that these
8 intersections could be closed up to seven
9 weeks?

10 A. (Scott) I do not believe the intersections will
11 be closed. I would let Ms. Farrington refer to
12 any closures.

13 CHAIRMAN HONIGBERG: Mr. Pappas, stop
14 arguing with him, okay?

15 MR. PAPPAS: That's fine. And I did
16 misspoke. I meant to say "lane closures" as
17 opposed to "intersection closures", and I did
18 misspeak.

19 BY MR. PAPPAS:

20 Q. All right. So, after the line leaves this
21 tunnel operation, if you continue to look on
22 the map that's on the screen, it goes down the
23 road, in the road, in Route 116. Do you see
24 that?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) I do.

2 Q. And, if you go to the next page, you see it
3 continues going down the road until it's a
4 splice pit location. Do you see that?

5 A. (Scott) One moment.

6 Q. Sure.

7 A. (Scott) I do.

8 Q. Okay. So, would you agree with me that, from
9 where it picks up at open trench after Micro
10 Tunneling, through this splice pit location,
11 will require at least one lane to be closed,
12 because the open trench is going down the road?

13 A. (Scott) Yes.

14 Q. And, if you look past the splice pit location,
15 continuing on Page 118, the open trench
16 continues down the road. Do you see that?

17 A. (Scott) I do.

18 Q. And that will also require that lane to be
19 closed as well?

20 A. (Scott) I believe this is one -- Highway 116 at
21 this point, is that correct?

22 Q. Correct.

23 A. (Scott) Yes. So, it looks like the alignment
24 is within the roadway there. And it would

[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 require a lane closure to do construction.

2 Q. Okay. And, if you continue on on Route 116,
3 you will notice that, and feel free to flip
4 pages C119 to C120, the open trench continues
5 in the roadway, correct?

6 A. (Scott) It appears so, yes.

7 Q. Yes. And then, at C120, it gets to another
8 splice pit location. Do you see that?

9 A. (Scott) I do.

10 Q. Okay. And then it continues on C121, to
11 continue on in the roadway, until it really
12 gets past, I guess, Bickford Hill Road. Do you
13 see that?

14 A. (Scott) I do.

15 Q. So, you would agree with me that throughout
16 this location one lane of Route 116 will have
17 to be closed while this open trench and the
18 splice pit operations occur?

19 A. (Scott) Where the construction activity is
20 occurring, yes.

21 Q. Yes. Okay. So, Mr. Scott, I have moved ahead
22 down Route 116. And you have in front of you
23 Page 123. Do you see that?

24 A. (Scott) I do.

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1 Q. Okay. And do you see where the line continues
2 partially in the road, and then there's a
3 splice pit location?

4 A. (Scott) I do.

5 Q. And then the road -- the line then continues
6 partially off the road or partially on the road
7 and a little bit off the road. Do you see
8 that?

9 A. (Scott) I do.

10 Q. All right.

11 A. (Scott) And, to maybe save us some time, --

12 Q. Yes.

13 A. (Scott) -- regardless if it's in the road or
14 partially off the road, most likely one lane
15 closure will be required for the entire length.
16 So, if your additional questions are
17 sheet-to-sheet "if a lane closure will be
18 required?" The answer is "most likely, yes."

19 Q. You're catching on. Okay. And then just one
20 more detail along this road. If you look at
21 124, do you see the wetlands on both sides?

22 A. (Scott) I do.

23 Q. Yes. And wetlands occurs in a number of
24 locations along Route 116. Do you recall that?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) I would have to review. But I would
2 buy that.

3 Q. Okay. And would you also agree with me that
4 wherever the wetlands occurs on the side of a
5 road is typically an area where the line has to
6 go into the road so as not to impact those
7 wetlands?

8 A. (Scott) Most likely.

9 Q. Yes. And, so, where that occurs there's
10 certainly going to be lane closure as well,
11 correct?

12 A. (Scott) Similar to the rest of the alignment,
13 yes.

14 Q. Okay. Fair enough. So, we'll skip all the way
15 ahead, since you correctly anticipated my
16 questions about lane closures on Route 116.
17 And I want to look at just 133. Do you have
18 that in front of you?

19 A. (Scott) I do.

20 Q. Now, that's the start of another HDD. Do you
21 see that?

22 A. (Scott) I do.

23 Q. Okay. And that's by what's called "Delage Farm
24 Road". Do you see that on the right?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) I do.

2 Q. Okay. And would you also agree with me that
3 anywhere along Route 116, wherever there's an
4 HDD operation, that will also require a lane
5 closure, given the size of the entrance pit?

6 A. (Scott) I would refer to the detailed drawing
7 showing those work space areas required.
8 Specifically, for this location, SHEB014-2.
9 But, yes, in general, it will most likely
10 require a lane closure.

11 Q. Thank you. So, Mr. Scott, what is in front of
12 you is Counsel for the Public's Exhibit 130.
13 And this comes out of Exhibit D. And I'm going
14 to start with Map 37. And what I want to do is
15 I want to first start globally and ask you
16 about this part of the underground that starts
17 in Franconia, goes through Easton, and ends up
18 in Woodstock. And, if you look at Map 37, you
19 see HDD operations 14 through 19. Do you see
20 that?

21 A. (Scott) I do.

22 Q. And so that takes us from Franconia, into
23 Easton. And, now, there's Map 38. And it also
24 has 19 from the prior map, and then takes us to

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1 HDD 23. Do you see that?

2 A. (Scott) I do.

3 Q. And that includes the HDD 20 in front of the
4 Easton Fire Department. Do you see that?

5 A. (Scott) One moment.

6 Q. Sure.

7 A. (Scott) Okay. Yes.

8 Q. So, now you see Map 39, that shows HDD 24
9 through 27, which leaves Easton and gets into
10 Woodstock. Do you see that?

11 A. (Scott) I do.

12 Q. Okay. And now we see Map 40 that has several
13 HDD drilling occurring in Easton, starting with
14 HDD 28 through 36. Do you see that?

15 A. (Scott) I do. I would also like to clarify
16 that, having not generated these exhibits,
17 unless you want me to go through and review
18 each location to make sure the numbering
19 matches up, I'm just giving you generally
20 agreement "Yes, I do see them."

21 Q. Understood. I'll ask you to assume that these
22 are accurate, or at least that these are -- I
23 will ask you to assume these were taken from
24 your plans. These maps were created based on

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1 your plans.

2 A. (Scott) Okay.

3 Q. And then we see, on Map 41, HDD 37 and 38. Do
4 you see that?

5 A. (Scott) Yes.

6 Q. And then we turn the corner off of Route 112,
7 to Route 3, into Woodstock, for the HDD 39. Do
8 you see that?

9 A. (Scott) I do.

10 Q. And that's also -- and that happens to be in
11 front of the Woodstock Fire Department,
12 correct?

13 A. (Scott) Correct.

14 Q. Okay. So, what I want to do is just talk about
15 a few segments to move this along.

16 A. (Scott) Okay.

17 Q. So, first, what we just saw were, and I'll --
18 you can take my word for the math, we just saw
19 26 HDD drilling sites, from starting in 116, in
20 Franconia, until we ended up here, at Route 3,
21 in front of the Woodstock Fire Department.

22 A. (Scott) Okay.

23 Q. All right? Now, we talked about yesterday that
24 HDD drilling involves special equipment and

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1 special crews, correct?

2 A. (Scott) Correct.

3 Q. And my recollection was that we'd be somewhere
4 between five, maybe up to ten, potentially,
5 crews at any time?

6 A. (Scott) I believe that's what was stated, yes.

7 Q. Okay. And we talked about roughly three to
8 five weeks per HDD site?

9 A. (Scott) Yes.

10 Q. Okay. So, if we take an average of four weeks
11 for just these 27 sites, in this stretch of the
12 underground, that's 108 weeks of work, correct?

13 A. (Scott) I will trust your math and not run it
14 myself.

15 Q. I used a calculator, I'll tell you. If there
16 are a couple of crews working in this area,
17 that would take about a year of work, wouldn't
18 it?

19 A. (Scott) It depends on the number of crews.

20 Q. Well, I just said "if there are a couple of
21 crews". If there were two?

22 A. (Scott) How many weeks did you say?

23 Q. 108.

24 A. (Scott) 108. So, most likely.

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1 Q. Yes. And, if it increases to three, it would
2 take less, but still likely a couple of seasons
3 to just to do this stretch, correct?

4 A. (Scott) Depending upon the number of crews,
5 yes.

6 Q. Okay. And you would agree with me that, for
7 each one of these HDD sites along this stretch
8 of the road, a lane would need to be closed for
9 each of those construction activities, correct?

10 A. (Scott) It's site-specific. But, most likely,
11 yes.

12 Q. Okay. And, so, for at least one, likely two
13 seasons, there will be lane closures all along
14 this road while these HDD sites are completed.
15 Would you agree with me?

16 A. (Scott) At the construction locations, yes.

17 Q. Okay. So, I just want to ask you questions
18 about just a couple of these HDD sites in
19 particular.

20 A. (Scott) Okay.

21 Q. Okay. So, Mr. Scott, what's on the screen is
22 Page SHEB, S-H-E-B, C138, which is a page from
23 Exhibit 176. And this is along Route 116, in
24 Easton. And, if you look at the -- tell me

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1 when you get there.

2 A. (Scott) I'm there.

3 Q. Okay. You look at the far right side, you
4 see -- well, first of all, if you look along
5 this stretch of road, which appears to be in
6 front of Mr. Palmer's house, the open trench
7 goes along the roadway -- in the roadway,
8 correct?

9 A. (Scott) Yes.

10 Q. And then, if you turn the page, which would be
11 Page 139, and turn to Page 139, it continues
12 along the roadway until you come to both a
13 splice pit location and a start of an HDD,
14 correct?

15 A. (Scott) Correct.

16 Q. Okay. Now, this HDD is --

17 A. (Scott) Can I ask what revision of drawings you
18 guys are looking at?

19 Q. I'll tell you.

20 A. (Scott) Because these do not appear to be the
21 most current "Issued for Permit" set.

22 Q. I've got dated "December 8th, 2016".

23 A. (Scott) Yes. There's a December 13th, 2016
24 drawing set that --

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1 Q. Aha.

2 A. (Scott) -- is the most up-to-date. However,
3 this is close in nature.

4 Q. All right. Well, --

5 A. (Scott) So, for discussion, I think it's
6 probably fine to be showing these. But it's
7 not necessarily the most up-to-date drawing
8 set.

9 Q. So, where yours differ, you tell us what yours
10 say.

11 A. (Scott) Sure.

12 Q. Thank you. So, if you look at this HDD
13 drilling site, appears to me that it's
14 1,600 feet long.

15 A. (Scott) Yes. The drill itself is approximately
16 1,600 feet long.

17 Q. Tell me how big the entrance pit is for that
18 drilling site.

19 A. (Scott) One moment.

20 Q. Sure.

21 A. (Bowes) You've mentioned several times this
22 morning the "pit", and I think you mean the
23 "work area".

24 Q. I do.

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Bowes) The pit is actually very small.

2 Q. Small, yes. Thank you. You're right. I do
3 mean the "work area".

4 A. (Scott) The work area is approximately 20 feet
5 wide by 200 feet long, per the SHEB 015-3
6 detail.

7 Q. Okay. And how long is the exit work area?

8 A. (Scott) Without being able to scale it very
9 easily, approximately 1,600 feet long.

10 Q. Okay. Now, for a drill this length, 1,600
11 feet, which is considerably longer than many of
12 them we've seen, would it take more than the
13 three to five week average that we've been
14 using? Would this one take longer?

15 A. (Scott) It would most likely be closer to the
16 five-week duration.

17 Q. Do you think it would be longer than five
18 weeks?

19 A. (Scott) Most likely, no.

20 Q. No? So, you think they could do all that
21 drilling and dispose of all that waste in the
22 five-week period?

23 A. (Scott) I do.

24 Q. And -- all right. Do your maps have the HDD

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1 numbers?

2 A. (Scott) They do.

3 Q. Could you go to HDD 22. Tell me what page
4 that's on. You're going to find it faster than
5 me.

6 A. (Scott) Okay. That would be SHEB 022-2.

7 Q. Are you looking at the detail area, as opposed
8 to the profile?

9 A. (Scott) I am.

10 Q. Can you tell me what road profile number?

11 A. (Scott) Yes. One moment. SHEBC163.

12 Q. 160 --

13 A. (Scott) Three.

14 Q. Three? Okay. So, this HDD site is 1,650 feet
15 long. Is that what yours indicate?

16 A. (Scott) One moment.

17 Q. Sure.

18 A. (Scott) Approximately, yes. 1,650 feet long.

19 Q. What's the dimension of the entrance work area?

20 A. (Scott) One moment. It appears to be
21 approximately 16 feet wide by 165 feet long.

22 Q. All right. And I assume that the exit work
23 area is approximately 1,600 feet?

24 A. (Scott) Approximately 1,650 feet, without

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1 measuring.

2 Q. Okay. And is it your estimate that the time
3 for this 1,650-foot drilling would be five
4 weeks?

5 A. (Scott) Approximately, yes.

6 Q. Okay. And, for an exit area that long, does
7 that impede when you have to roll out the cable
8 that length? That's why you need that length,
9 right? You have to roll the cable out?

10 A. (Scott) Not the cable, the conduits. But, yes,
11 the conduits have to be laid out in that
12 length.

13 Q. Does that impede traffic along --

14 A. (Scott) It has the potential to impede traffic
15 along the work space area.

16 Q. So, in addition to a lane closure at the site
17 of the entry work area or the exit work area
18 that are wide, it could impede traffic all the
19 way out 1,650 feet?

20 A. (Scott) Within the work area.

21 Q. Okay. And, if it did, that would require a
22 further lane closure along that stretch?

23 A. (Scott) Within the work area.

24 Q. Yes. So, in that area, we could have a lane

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1 closure close to 2,000 feet, correct?

2 A. (Scott) You would have two different closures.
3 They're not -- you'd have a 1,600 foot space in
4 between where that would not be required.

5 Q. But if you start -- if the exit work area is a
6 little over 1,650 feet, you're going to close
7 that lane not at the -- you're going to have a
8 little leeway on each end, aren't you?

9 A. (Scott) I would defer to the traffic control.

10 Q. That's fine. Ms. Farrington.

11 A. (Farrington) You only need a minimal buffer
12 distance, usually 50 feet on each side.

13 Q. All right.

14 A. (Farrington) Sorry. Fifty feet on the
15 approaching side. On the exiting side, you do
16 not need a buffer distance.

17 Q. All right. So, 1,700 feet or thereabouts. All
18 right. So, now, I want to draw your attention
19 to Route 18, in Easton. Now, Mr. Scott, did
20 you get a chance to go through this area?

21 A. (Scott) Yes.

22 Q. Okay. So, did you notice that this is a scenic
23 area through the White Mountain National
24 Forest?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) Yes.

2 Q. Okay. It's a rather undeveloped area, with
3 narrow roads?

4 A. (Scott) I guess it depends on your definition
5 of a "narrow road". It's not as narrow as the
6 North Country. It's a paved, two-lane highway
7 pretty much everywhere, and sometimes it's
8 wider than that.

9 Q. Would you agree with me that, in most places,
10 there is very little shoulder off the road?

11 A. (Scott) For portions of the road, there's
12 little to no shoulder.

13 Q. Yes. And, for a good portion of the road,
14 there are trees and shrubs right up next to
15 that small shoulder area?

16 A. (Scott) I would say that's site-specific. I
17 can't comment on, unless you give me a specific
18 location.

19 Q. You didn't happen to notice that as you were
20 driving along?

21 A. (Scott) I noticed there were a lot of trees in
22 the area, yes.

23 Q. Did you notice an awful lot of rock
24 outcroppings in the area?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) I notice some rock. I wouldn't say "a
2 lot".

3 Q. And there are a fair amount of ponds and
4 streams, because we saw all those -- the
5 requirement for all those HDD drillings in that
6 area, correct?

7 A. (Scott) There's whatever is represented on the
8 drawings. There's ponds and streams, yes.

9 Q. Yes. And we saw many of them along that
10 stretch, did we not?

11 A. (Scott) Yes.

12 Q. Okay. So, would you agree with me that along
13 that stretch of Route 18, certainly everywhere
14 there's an HDD there will be a lane closure,
15 correct?

16 A. (Scott) Most likely, yes.

17 Q. And everywhere there's a splice pit, there will
18 be a lane closure, correct?

19 A. (Scott) Most likely, wherever there's a splice
20 pit, yes.

21 Q. Okay. And anywhere where the open trench
22 impedes on the road at all, there will be a
23 lane closure, correct?

24 A. (Scott) Most likely, wherever the trenching

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1 activities are occurring, whether or not
2 they're slightly on the road or slightly off, a
3 lane closure will be required at the
4 construction site.

5 Q. Right. So, would you agree with me that, along
6 this stretch of Route 18, as the construction
7 site moves down Route 18, they're going to have
8 a lane closure following that construction site
9 the whole way?

10 A. (Scott) Most likely, yes.

11 Q. Okay. All right. On the screen is Counsel for
12 the Public's Exhibit 130, and it's Exhibit D,
13 Dewberry Map 40. And it shows Beaver Pond. Do
14 you see that?

15 A. (Scott) I do.

16 Q. And it shows the Appalachian Trail through this
17 area?

18 A. (Scott) I see that.

19 Q. Okay. Now, do you recall that, in this area,
20 there are narrow shoulders, very small space
21 off the road?

22 A. (Scott) In portions of this road, yes.

23 Q. And do you recall rock croppings in this area?

24 A. (Scott) Some, yes.

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 Q. Okay. On the screen is Counsel for the Public
2 Exhibit 242. And do you recognize, on the
3 right, Beaver Pond?

4 A. (Scott) Yes.

5 Q. And do you see all those rock croppings on the
6 left-hand side?

7 A. (Scott) I do.

8 Q. And you see a rather narrow off-the-road
9 shoulder?

10 A. (Scott) Yes.

11 Q. Okay. Now, at this -- right at this site is
12 HDD 32. And, if you'd like, you can pull up on
13 your maps. Do you have that HDD?

14 A. (Scott) I do.

15 Q. And that HDD is 1,176 feet long, is that right?

16 A. (Scott) One moment.

17 Q. Sure.

18 A. (Scott) What was the number you said?

19 Q. I had "1,176 feet".

20 A. (Scott) That's approximately that length, maybe
21 slightly less.

22 Q. Okay. It's a 72-foot deep drill?

23 A. (Scott) One moment. Depending on where you're
24 at along the drill path and grade changes, I

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1 think the maximum depth is probably closer to
2 80 feet.

3 Q. Okay. That's one of the deeper drills, is it
4 not?

5 A. (Scott) Yes.

6 Q. Okay. Now, tell us how big the entrance work
7 area is.

8 A. (Scott) Okay. One moment. It's approximately
9 34 feet wide, by 320 feet long.

10 Q. Uh-huh. Now, looking at Counsel for the Public
11 Exhibit 242, is the entrance work area on the
12 left-hand side?

13 A. (Scott) It would be on the western side of the
14 road, so the right-hand side.

15 Q. Right-hand side. So, that's where the
16 guardrail is, correct?

17 A. (Scott) I believe so.

18 Q. And you've got the pond on that side, correct?

19 A. (Scott) Correct.

20 Q. Now, I understand the entrance area is going to
21 be a little bit right before the pond, is that
22 right?

23 A. (Scott) One moment. It is approximately 700
24 feet or so before the pond.

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1 Q. Okay. Close to where that parking lot is?

2 Does your map show the parking lot?

3 A. (Scott) I believe that's closer to the exit

4 area.

5 Q. Okay. Do you know if that entrance work area

6 needs to extend beyond the centerline of the

7 road?

8 A. (Scott) I believe it's shown to maintain -- I

9 believe it's shown to maintain 14 to 16 feet of

10 road from the work space area to the edge of

11 road, on the eastern side of the road.

12 Q. Okay. So, what you're saying is is that the

13 work area is going to be off the road --

14 looking at this picture, the work area is going

15 to be off the road to the right, and it's going

16 to go to the left, at least to the centerline,

17 if not over it, leaving how much feet did you

18 say?

19 A. (Scott) Fourteen to sixteen feet. I think this

20 picture is misrepresentative of the drilling

21 location. It's further north along this road

22 than where the picture was taken.

23 Q. But the road looks just like this, does it not?

24 A. (Scott) I can't tell you, without looking at a

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1 picture.

2 Q. But, anyway, does the work area extend beyond
3 the centerline is my question? You said
4 16 feet left.

5 A. (Scott) Sixteen feet remaining, yes.

6 Q. And that's 16 feet of pavement, correct?

7 A. (Scott) Correct.

8 Q. Including the travel lane and a little bit off
9 the travel lane?

10 A. (Scott) I believe so.

11 Q. Yes. Do you know the width of that travel
12 lane?

13 A. (Scott) Not off the top of my head.

14 Q. Okay. In any event, that work entrance area is
15 going to consume at least one travel lane,
16 correct?

17 A. (Scott) Most likely.

18 Q. All right. Now, is the exit area, looking at
19 the picture, on the right-hand side or the
20 left-hand side?

21 A. (Scott) The exit area, looking at the picture,
22 is not where you can see it on the picture.
23 It's past this area, it's past the parking lot,
24 and it would be on the right-hand side of the

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 road.

2 Q. So, the exit area --

3 A. (Scott) Or, I'm sorry. It would be on the
4 eastern side, so the left-hand side of the
5 road.

6 Q. Left-hand side, right. So, I understand that
7 the exit area is beyond this picture. But it's
8 on the left-hand side where we see, at least in
9 this picture, rock cropping, correct?

10 A. (Scott) In this picture, you do see that.

11 Q. Right.

12 A. (Scott) However, it's not where the exit area
13 is.

14 Q. I understand that. Do you know, where the exit
15 area is, whether or not there's a rock cropping
16 there as well?

17 A. (Scott) I do not believe there is.

18 Q. So, is it your view that there is going to be
19 no need to remove any rock or ledge in this
20 area in order to do this HDD drill?

21 A. (Scott) I believe rock will likely be
22 encountered during the drilling process. But,
23 other than that, no.

24 Q. All right. And do you know whether or not --

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1 do you know the extent of rock that will be
2 encountered?

3 A. (Scott) Off the top of my head, no. We have
4 done a geotechnical investigation at this
5 location.

6 Q. Okay. But that rock would make the process
7 slower, correct?

8 A. (Scott) Potentially.

9 Q. Potentially? Okay. So, what's on the screen
10 now is Counsel for the Public Exhibit 239. Do
11 you see that?

12 A. (Scott) I do.

13 Q. Okay. Now, Mr. Scott, do you recognize this
14 picture as an area on Route 3, in Woodstock?

15 A. (Scott) One moment.

16 Q. Sure.

17 A. (Scott) Yes. That's near the intersection of
18 112 and Route 3.

19 Q. Right.

20 A. (Scott) Just south of there.

21 Q. Right. That's where the line comes off 112 and
22 goes onto Route 3, correct?

23 A. (Scott) Correct.

24 Q. And, at this location, the line is shown going

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1 down the sidewalk, correct?

2 A. (Scott) I believe so, yes.

3 Q. Yes. So, in order to install the open trench
4 here, the construction is going to essentially
5 have to dig along that sidewalk, and either
6 substantially affect that little park or it's
7 going to have to close that lane. Do you agree
8 with me?

9 A. (Scott) Most likely, the majority of the work
10 would be from the road side.

11 Q. Okay. So, most likely, that lane would be
12 closed while this part of the open trench is
13 constructed?

14 A. (Scott) Are you referring to the parking lane?

15 Q. I'm referring to the parking lane, I'm also
16 referring to the travel lane.

17 A. (Scott) I believe most likely the closure would
18 be the parking area. I would have to defer to
19 Ms. Farrington if it were to extend past that.

20 Q. Ms. Farrington, do you know?

21 A. (Farrington) I believe he is correct. Our
22 intent was to close the parking spaces.

23 Q. So, that would then require the construction to
24 go past the sidewalk and into that little park,

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1 would it not?

2 A. (Scott) I do not believe so.

3 Q. So, you think you can get the 14 to 16 feet for
4 the dump trucks and the excavator that needs to
5 swing its arm within that parking space and
6 that sidewalk?

7 A. (Scott) Most likely, yes.

8 Q. Do you know what the dimension is of that
9 parking space? Or, Ms. Farrington, I think
10 you're going to add something to that.

11 A. (Farrington) Generally, a minimum parking space
12 width for parallel parking is eight feet.

13 Q. Okay.

14 A. (Farrington) Nine feet is preferred. And a
15 sidewalk minimum width is five feet. So, you'd
16 likely have 14 feet there to work.

17 Q. Uh-huh. All right. Now, those trucks have got
18 to get in and out of there, right?

19 A. (Scott) Similar to the rest of the Project,
20 yes.

21 Q. Okay. So, Mr. Scott, what's on the screen now
22 is further down on Route 3, through Woodstock.
23 And what you see is the open trench in Route 3,
24 correct?

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 A. (Scott) Yes.

2 MR. IACOPINO: Is this a different
3 exhibit, Mr. Pappas?

4 MR. PAPPAS: It is. Is this 175?
5 Yes. This is Counsel for the Public's Exhibit
6 175, which is Woodstock to Bridgewater Route 3
7 underground alignment.

8 BY MR. PAPPAS:

9 Q. Okay. So, Mr. Scott, what I'd like you to do
10 to save a little time is, just to yourself,
11 flip several pages, starting on 105, over to
12 106, over to 107, and just confirm for us that
13 along Route 3 and Woodstock the open trench is
14 going to go in the roadway?

15 A. (Scott) It will be similar to the areas we've
16 discussed, where it will be either near the
17 edge of the roadway or run slightly off of the
18 roadway for the majority of the installation
19 along this route.

20 Q. Okay. And, so, through this area will also
21 require a lane closure as this construction
22 site moves along Route 3?

23 A. (Scott) At the construction locations.

24 Q. And in your visit to this area, do you agree

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1 that, along Route 3, in Woodstock, is a fairly
2 developed area? There are a number of houses
3 and businesses?

4 A. (SCOTT) There are a number of houses, yes. I
5 am not sure on businesses. There are some
6 closer to the downtown area, --

7 Q. Right.

8 A. (SCOTT) -- that I'm aware of at least.

9 Q. So, when the construction sites moving along
10 Route 3, there will be no parking on the side
11 that the open trench travels, correct?

12 A. (SCOTT) Where there's construction occurring,
13 parking will likely not occur.

14 Q. Okay. Flip to yourself the pages until you get
15 to the Woodstock Fire Department, and there's
16 an HDD 39 at that location.

17 A. (SCOTT) Can you give me the sheet number
18 please?

19 CHAIRMAN HONIGBERG: Mr. Pappas, why
20 don't you hit on a different topic, and one of
21 the people with you can find the map and you
22 can circle back to it.

23 MR. PAPPAS: Yes.

24 WITNESS SCOTT: Did you say "39"?

[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 MR. PAPPAS: Yes. I think what we'll
2 do is this. Use your --

3 WITNESS SCOTT: It's in a different
4 drawing set than you're referring.

5 MR. PAPPAS: Yes. Use your detail
6 and that would be sufficient. And, while
7 you're looking for that, for the Committee's
8 benefit, what's on the screen is Exhibit --
9 Counsel for the Public Exhibit 130, Dewberry
10 Map 42, which gives you orientation for HDD 39.
11 It straddles the Woodstock Fire Department.

12 BY MR. PAPPAS:

13 Q. Now, Mr. Scott, --

14 A. (Scott) I found it. It's in the WN --

15 *[Court reporter interruption.]*

16 **BY THE WITNESS:**

17 A. (Scott) It's in the WMNF drawing set that we
18 were previously on.

19 BY MR. PAPPAS:

20 Q. Okay. That HDD is 1,119 feet long?

21 A. (Scott) Approximately.

22 Q. I'm sorry. Did you agree with me with the
23 length?

24 A. (Scott) What was the number you said?

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1 Q. I had "1,119 feet".

2 A. (Scott) It's approximately a thousand feet or
3 so.

4 Q. Yes. Okay. And --

5 CHAIRMAN HONIGBERG: Mr. Pappas, do
6 you need a break to get organized?

7 MR. PAPPAS: Yes. That probably
8 would help.

9 CHAIRMAN HONIGBERG: Yes. Why don't
10 we break for ten minutes.

11 MR. PAPPAS: Thank you.

12 CHAIRMAN HONIGBERG: We'll come back
13 at 25 minutes after 10:00.

14 *(Recess taken at 10:14 a.m. and*
15 *the hearing resumed at 10:29*
16 *a.m.)*

17 CHAIRMAN HONIGBERG: Mr. Pappas, you
18 may proceed.

19 MR. PAPPAS: Thank you.

20 BY MR. PAPPAS:

21 Q. Mr. Scott, when we broke we were talking about
22 the HDD drill in front of the Woodstock Fire
23 Department. And what I have on the screen is
24 Dewberry Exhibit -- I mean, Counsel for the

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1 Public Exhibit 130, which is the Dewberry
2 Underground Report, and this is Figure 40 on
3 Page 37. And it shows the entry work area for
4 this HDD 39 drilling. Do you see that?

5 A. (Scott) I see the exhibit, yes.

6 Q. Okay. And would you agree with me that the
7 entrance work area for this drilling will take
8 up that lane of traffic?

9 A. (Scott) Yes.

10 Q. Okay. And what's on the screen now is, again,
11 Counsel for the Public's Exhibit 130, the
12 Dewberry Underground Report. And this is
13 Figure 41, also which is on Page, I believe,
14 37, or maybe 38. Page 38. And the exit area
15 is down along Route 3, way towards the end of
16 this picture, correct?

17 A. (Scott) Correct.

18 Q. And you see on the left, you can just make out
19 one of the doors of the Woodstock Fire
20 Department in the picture. Do you see that?

21 A. (Scott) I do.

22 Q. Okay. Now, a moment ago we said this was going
23 to be a 1,119 foot long drilling operation --

24 A. (Scott) I believe I had stated it's

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1 approximately a thousand feet, yes.

2 Q. Yes. And, given this size, would you expect
3 this to be on the upper end of the three to
4 five week average estimate?

5 A. (Scott) It would be anywhere in that three to
6 five week range, yes.

7 Q. Okay. So, during that time period, we would
8 have a lane closure that would be north of the
9 fire department, correct?

10 A. (Scott) Yes.

11 Q. But you would expect one lane to remain open?

12 A. (Scott) Yes.

13 Q. Okay.

14 A. (Farrington) Sorry. At least one lane. What
15 was the dimension? The dimension of the HDD
16 width? Okay. And if we could go back to the
17 last picture that you showed?

18 So, yes. On the bottom there, if possible
19 for that, we would utilize the typical downtown
20 trench installation with sidewalk and on-street
21 parking closure, which you will find on WMNF
22 TCP-4. And, if necessary, we would shift both
23 through lanes into the parking stall lane on
24 the left-hand side to keep both lanes open

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1 here. It's a good opportunity to do something
2 like that.

3 Q. Okay. But, in fact, a fire truck going by is
4 going to need a little more space?

5 A. (Farrington) No. A fire truck is no wider than
6 10 feet.

7 Q. Okay. So, the plan would be try to put two
8 lanes into the left lane, plus the parking?

9 A. (Farrington) Yes. Plus, I think there may be a
10 small amount of room to the right of the
11 centerline as well, depending on where the
12 30 feet falls.

13 Q. And, so, that would eliminate parking in that
14 area on both sides of the street?

15 A. (Farrington) Correct.

16 Q. Okay. Mr. Scott, what I want to ask you
17 questions now about is the intersection on
18 Route 3, in the Tenney Mountain Highway, in
19 North Plymouth. And, so, what I want to do is
20 ask you questions about North Plymouth, and
21 then take you through downtown Plymouth.

22 A. (Scott) Sure. Can you please provide a drawing
23 reference?

24 Q. I'm going to show you something on the screen

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1 in just a minute.

2 If you look at your screen -- Mr. Scott,
3 if you look at the screen, this is Exhibit 223.
4 And there are Bates stamp numbers on the
5 bottom. And this is Bates stamp 5633. And
6 what this shows is one of the HDD drills in
7 North Plymouth that goes under the Tenney
8 Mountain Highway, do you see that?

9 A. (Scott) I see the exhibit, yes.

10 Q. Okay. And the same Exhibit 223, Bates stamp
11 5634, shows the second HDD drill, which starts
12 shortly after the first one, and goes under the
13 Baker River in North Plymouth. Do you see
14 that?

15 A. (Scott) I see the exhibit, yes.

16 Q. So, and you're familiar with this area?

17 A. (Scott) I am.

18 Q. Okay. And this is a very -- an area that has a
19 relatively high traffic count. Would you agree
20 with me?

21 A. (Scott) I would defer to Ms. Farrington.

22 Q. You can defer to Ms. Farrington. That's fine.

23 A. (Farrington) Relative to the other roadways
24 we've discussed, yes.

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1 Q. Yes. Well, you have -- for instance, you have
2 entrances and exited -- exits and entrances
3 onto Route -- the Tenney Mountain Highway,
4 correct, in this area, Ms. Farrington?

5 A. (Farrington) Yes.

6 Q. Okay. And you have several businesses,
7 including The Common Man Restaurant and Inn?

8 A. (Farrington) Sorry. We need another
9 microphone. Yes.

10 Q. Okay. And, Mr. Scott, all I'd like you to
11 confirm for me is that these are two lengthy
12 HDD drills. Would you agree with me?

13 A. (Scott) One moment.

14 Q. Sure.

15 A. (Scott) One the drills is approximately
16 1,200 feet long. And the other drill is
17 approximately a thousand feet long.

18 Q. Okay. The drill that's approximately 1,200
19 feet long is the one that goes under the Tenney
20 Mountain Highway?

21 A. (Scott) Correct.

22 Q. And then the one right after that, it goes
23 under the Baker River, is about a thousand feet
24 long?

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1 A. (Scott) Correct.

2 Q. Okay. And, for both of these HDD operations,
3 you expect to have a lane closure. Would you
4 agree with me?

5 A. (Scott) One moment. Again, I'd refer to the
6 trenchless detail work space areas.

7 Q. You may need to slow down a bit.

8 A. (Scott) I would refer to the trenchless work
9 space detail drawings, the work space areas
10 shown on those drawings. I'm referring to WBR3
11 049-3. So, for the first drill underneath the
12 highway, yes, it looks like the lane closure
13 would be required. The work space area is
14 approximately 36 by 120 feet -- or, 320 feet
15 long.

16 Q. Okay. And you'd expect a lane closure for the
17 second drilling as well, would you not?

18 A. (Scott) Most likely. Do you want the
19 dimensions of that work space as well?

20 Q. No. If you just confirm for me that there's
21 going to be a lane closure, that's my point?

22 A. (Scott) Okay. Confirmed.

23 Q. All right. So, let's move to downtown
24 Plymouth. So, Mr. Scott, what's on the screen

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1 now is Counsel for the Exhibits -- Exhibit 192,
2 which is some email between you and some
3 others, including Mr. Kayser. Do you see that?

4 A. (Scott) I see the exhibit, yes.

5 Q. Yes. And what the email refers to is concrete
6 under the roadway on Route 3. Is that the
7 subject of the email?

8 A. (Scott) I believe so.

9 Q. Okay. And, as I understand it, in this email
10 you were confirming where the concrete starts
11 and where it travels under Route 3. Is that
12 right?

13 A. (Scott) That is what the subject of the email
14 is about.

15 Q. And, on the screen now is the second page of
16 this exhibit, which is a map that was sent to
17 you, that shows that right after the crossing
18 of the -- underneath the Baker River in
19 Plymouth, heading all the way south to the
20 Bridgewater transition station, there is
21 concrete under Route 3. Is that right?

22 A. (Scott) I can't confirm if there's concrete
23 underneath there or not, until construction
24 activity verifies. But that, I believe, is the

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1 general message of this document, yes.

2 Q. Right. That's what you folks determined from I
3 believe somebody -- Burns & McDonnell contacted
4 New Hampshire DOT, and that's what Burns &
5 McDonnell was told by New Hampshire DOT,
6 correct?

7 A. (Scott) Yes. And that coordination is ongoing
8 as well.

9 Q. All right. So, starting just south of the
10 Baker River, and running through downtown
11 Plymouth, there are existing utilities in that
12 area, are there not?

13 A. (Scott) There are.

14 Q. That includes water and sewer?

15 A. (Scott) Yes.

16 Q. Gas?

17 A. (Scott) I would have to refer to the drawings,
18 but I believe there's gas in the area.

19 Q. And certainly electric?

20 A. (Scott) Yes.

21 Q. And Northern Pass needs to attempt to go under
22 these utilities, is that right, when it sends
23 the line down? And, if you want to defer to
24 Mr. Kayser, that's fine.

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1 A. (Johnson) I'll take it.

2 Q. Or Mr. Johnson?

3 A. (Johnson) So, the Utility Accommodation Manual
4 of the DOT does prescribe that you should go
5 under all existing utilities.

6 Q. Yes.

7 A. (Johnson) However, there are variance requests
8 that can be made. And that's the exact process
9 that we're in right now with the DOT, is to
10 request variances for certain locations and
11 certain types of utilities.

12 Q. Okay. Are you requesting any variances in
13 downtown -- in this Plymouth area?

14 A. (Johnson) Yes, we are.

15 Q. Are you requesting a variance for the whole
16 Plymouth area?

17 A. (Johnson) I don't know that specifically. But
18 I believe they're not the entire length. There
19 are only some that we're requesting.

20 Q. And are some of those -- those requests are
21 pending?

22 A. (Johnson) That is correct.

23 Q. And are some of those requests to place the
24 line above some utilities?

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1 A. (Johnson) Yes.

2 Q. Okay. Do you know if the requests include
3 above water and sewer?

4 A. (Johnson) Yes.

5 Q. Okay. Now, Mr. Scott or Mr. Johnson, in this
6 area, there are a fair amount of driveway cuts,
7 are there not?

8 A. (Johnson) Yes.

9 Q. Okay. And, so, for construction really south
10 of the Baker River, through the downtown area
11 is about what, three-quarters of a mile?

12 A. (Johnson) Approximately.

13 Q. Yes. And, along this way, there are numerous
14 shops, restaurants, other businesses?

15 A. (Johnson) Agreed.

16 Q. And there are government buildings for the Town
17 of Plymouth?

18 A. (Johnson) The Municipal Town Hall is there,
19 yes.

20 Q. Yes. And Plymouth State University is located
21 in that area?

22 A. (Johnson) Closer to the river, yes.

23 Q. Yes. And, so, you would agree with me that
24 this area is a heavily traveled area by

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1 vehicles, bicycles, and pedestrians?

2 A. (Johnson) I think, again, as Ms. Farrington
3 noted, compared to some of the other roads that
4 we've so far looked at, yes, this is.

5 Q. Probably the heaviest area for vehicles,
6 bicycles, pedestrians, would you agree with me?

7 A. (Johnson) For the underground portion, yes.

8 Q. Correct. It's also a tourist area, is it not?

9 A. (Johnson) I believe so, yes.

10 Q. Yes. So, construction through Plymouth, having
11 to deal with the concrete under the roads,
12 having to deal with all the utilities in the
13 roadway, the driveway cuts, not to mention the
14 vehicles and the pedestrians and bicyclists, is
15 going to be some of the slower underground
16 construction, is it not?

17 A. (Johnson) So, concrete itself really raises no
18 problem. It is just a deeper saw cut, if you
19 will, of the road.

20 Q. Uh-huh.

21 A. (Johnson) But, for the rest of it and managing
22 the utilities, it is certainly going to be
23 slower than it would be if you were, say, in
24 the rural areas that we just described.

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1 Q. Right. And would you agree with me that
2 construction through this area, like south of
3 the Baker River, through downtown Plymouth, and
4 heading towards the next transition station,
5 will probably take anywhere from 12 to 18
6 weeks or more? And, if Mr. Kayser wants to
7 answer that, it's fine. He looks anxious to do
8 so.

9 A. (Johnson) "12 to 18" seems excessive, but --

10 Q. What do you think, Mr. Kayser?

11 A. (Johnson) -- the short end of that, three
12 months is probably an accurate number.

13 A. (Kayser) Yes. I would say you're in that
14 three-month time frame.

15 Q. Okay.

16 A. (Johnson) Again, it would depend on number of
17 crews and, you know, if there was an agreement
18 to work at night, we could avoid some of these
19 things.

20 I will point out that we did attempt to
21 work with the City of Plymouth or the Town of
22 Plymouth in this area to seek alternate routes,
23 more specifically, down towards I believe it's
24 Green Street and towards the water treatment

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1 facility. We did offer them some alternate
2 routes. They chose not to pursue this after
3 about a two-month period of developing plans.

4 Q. As I understand it that the Project had
5 discussions with Plymouth officials, but those
6 discussions didn't result in any agreement. Is
7 that correct?

8 A. (Johnson) That is correct.

9 Q. And I'll leave it to the Plymouth folks to
10 debate the pros and cons of that.

11 A. (Johnson) Sure.

12 Q. Let me ask you this question, though. If you
13 don't receive the variances that you've
14 requested in terms of utilities, that will slow
15 down construction, will it not, because you now
16 have to go deeper to go under the utilities?

17 A. (Johnson) Potentially, it may -- the Project
18 may have to do an additional HDD in this area,
19 which would not necessarily slow things down,
20 but would obviously be a different type of
21 construction through this area.

22 Q. Where would the additional HDD be?

23 A. (Johnson) To be determined, you know, until we
24 understand the variance requests.

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1 A. (Scott) And, by "HDD", that could be a micro
2 tunnel or jack and bore.

3 Q. Yes. Right. But we're talking doing that in
4 downtown Plymouth?

5 A. (Johnson) Yes. Which brings its own
6 complications.

7 Q. Yes, it does. Okay. So, Ms. Farrington, in
8 this area, there will be some road closures,
9 will there not?

10 A. (Farrington) So, do you have a visual of the
11 roundabout?

12 Q. I do. So, what's on the screen is Counsel for
13 the Public's Exhibit 202. Do you recognize
14 this?

15 A. (Farrington) I do.

16 Q. And this includes a detour around Main Street,
17 does it not?

18 A. (Farrington) Correct. So, to answer your
19 question, there is this one detour necessary.
20 And the reason for this is, because of the
21 construction directly at the roundabout, one of
22 the through movement, as you're coming from the
23 top of the page straight through to High Street
24 is going to be temporarily blocked by

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1 construction. We have been in discussions with
2 DOT about this. So, DOT is not able to approve
3 a detour route using local roads. So, we are
4 coming up with another option for this, to
5 detour Route 3/Main Street onto I-93. It's a
6 much longer, more inconvenient detour. So, we
7 are hoping that the Town and the SEC will allow
8 us to use the local roads to just add that
9 convenience to the traveling public and the
10 Plymouth State students.

11 Q. Okay. So that you've anticipated where I'm
12 going next. This detour detours traffic into
13 local roads, which includes some residential
14 neighborhoods, correct?

15 A. (Farrington) Correct.

16 Q. And that includes part of the PSU campus,
17 correct?

18 A. (Farrington) Yes.

19 Q. And, if the Town of Plymouth does not approve
20 this detour, the Project can't use it, correct?

21 A. (Farrington) I believe that if the SEC does not
22 approve this detour, the Project cannot use it,
23 and we will reroute on I-93.

24 Q. Okay. We'll let the lawyers argue about the

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1 legalities. But, in the first instance, you'd
2 like the Town to approve it, correct? That
3 would be your first option?

4 A. (Farrington) I think we'd like the Town to
5 approve lot of what we're proposing.

6 Q. I'm sure you would. But the Town so far has
7 not given approval for this proposed detour,
8 correct?

9 A. (Farrington) Not that I know of.

10 Q. Yes. And, if you're not allowed to use this
11 proposed detour, Option B is to detour traffic
12 off of Route 3 and onto I-93?

13 A. (Farrington) Yes. It's a much longer route
14 around.

15 Q. And do you know how long that is?

16 A. (Farrington) No. We're actually looking into
17 it now. We were just notified of this a few
18 weeks ago.

19 Q. Okay. Would you agree with me that, if you
20 have to do that detour, it will disrupt traffic
21 more?

22 A. (Farrington) It will certainly add travel time
23 and distance to through traffic on Main Street,
24 yes.

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1 Q. And Main Street, in Plymouth, is the primary
2 north/south artery, is it not?

3 A. (Farrington) Other than I-93, yes.

4 Q. Yes. Okay. So, what I want to do now is take
5 you through construction through downtown
6 Plymouth. And, Mr. Scott or Mr. Kayser or
7 Mr. Johnson, chime in if you want to add
8 anything. What's shown now is an aerial view
9 of on the left-hand side is the traffic circle
10 in downtown Plymouth, correct?

11 A. (Johnson) The right-hand side.

12 Q. Excuse me?

13 A. (Johnson) The right-hand side of the picture.

14 Q. Correct.

15 A. (Johnson) Yes. You said the "left".

16 MR. PAPPAS: Yes. And, for the
17 benefit of the record and the Committee, what's
18 on the screen is part of Exhibit 130. And
19 Exhibit 130 includes the Dewberry Report, and
20 it includes several photos and photo
21 simulations. And they start with known as "Map
22 48A", and they go "48A" through "I", or some
23 number.

24 Do the Committee members have that?

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1 CHAIRMAN HONIGBERG: Yes. We're just
2 figuring out that we need to stand on our heads
3 to compare this picture to the previous
4 picture, because north is in the exact opposite
5 direction.

6 MR. PAPPAS: I know. It took me a
7 while, but I figured that out, too.

8 CHAIRMAN HONIGBERG: It's taking us a
9 while to figure it out, too.

10 BY MR. PAPPAS:

11 Q. If you look at this picture, you can see that
12 there are -- and, for orientation, the picture
13 starting on the right is actually the north,
14 and to the left it moves south. And you can
15 see that there -- on one side are businesses
16 and other buildings. Do you see that? Anyone?

17 A. (Johnson) Yes.

18 Q. Okay. And then you see the first of the greens
19 in downtown Plymouth on this picture as well,
20 correct?

21 A. (Johnson) Correct.

22 Q. And, so, the work area is going to come across
23 that traffic circle and go right down on it
24 looks like the southbound lane of Route 3. Do

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1 you see that?

2 A. (Johnson) Yes. I believe it's sort of the
3 demarcation between the parking area and the
4 lane, but within a couple feet of that, yes.

5 Q. Okay. And this is an actual view of what we
6 were just looking at, where you see, going
7 southbound, so if you, looking southbound, the
8 businesses on the left and that green space on
9 the right. Do you see that?

10 A. (Johnson) I do.

11 Q. And this is a photo simulation of the "Proposed
12 Work Zone", where you see the open trench
13 traveling down the roadway in the southbound
14 travel lane. Do you see that?

15 A. (Johnson) So, this is your photo simulation,
16 not ours. But it's --

17 Q. This is Dewberry's photo simulation, you see on
18 the far right-hand corner?

19 A. (Johnson) And this would be a depiction of
20 construction where you've got side-by-side --
21 side-by-side as opposed to in-line
22 construction.

23 Q. Correct. So, if this method of construction
24 were used, it will reduce the travel lane to

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1 one lane, correct?

2 A. (Johnson) In this photograph, yes.

3 Q. Yes. And there would be no parking?

4 A. (Johnson) That is correct.

5 Q. Okay.

6 A. (Johnson) Again, if we had a single-lane
7 construction there, you could have two lanes
8 open. And you could swing into the park, if
9 you removed those parking meters, so you would
10 have ample room to boom around to use an
11 in-line construction technique.

12 Q. That would be to move the excavator arm from
13 the trench to dump stuff in the dump truck?

14 A. (Johnson) Correct.

15 Q. This is moving further south down Main Street,
16 in Plymouth. And you can see the work area
17 again in that southbound lane. Do you see
18 that?

19 A. (Johnson) Yes.

20 Q. Okay. And, again, we have businesses along
21 this stretch of the area, plus that second
22 small green area in downtown Plymouth. Do you
23 see that?

24 A. (Johnson) Yes.

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1 Q. This is a quick actual view of that same area,
2 where you have the businesses on the right, and
3 the green on the left.

4 A. (Johnson) And this is just a view from the
5 other direction?

6 Q. Correct.

7 A. (Johnson) Okay. Yes, I agree. Yes.

8 Q. This is a view going north.

9 A. (Johnson) Uh-huh.

10 Q. And this is a proposed work zone utilizing the
11 in-line that you mentioned just a moment ago,
12 where you see the trench traveling along the
13 travel lane, and you see a dump truck, and then
14 you see right behind the dump truck the
15 excavator. Do you see that?

16 A. (Johnson) I do.

17 Q. Okay. And, for this construction method in
18 this area of Plymouth, there would be a single
19 lane of traffic, in this instance it would be
20 going north. Do you see that?

21 A. (Johnson) I do.

22 Q. And there would be no parking on the right
23 side, where the businesses are located, do you
24 see that?

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1 A. (Johnson) I do.

2 Q. And certainly no parking or travel in the left
3 lane where construction activity is occurring,
4 correct?

5 A. (Johnson) I do. Yes.

6 Q. Okay.

7 A. (Scott) So, I would like to add that this photo
8 is slightly misleading, as the proposed
9 alignment is not where that trench is being
10 shown. It's about 8 feet off the curb. And it
11 would be closer if we weren't avoiding existing
12 gravity facilities. So, that's showing it more
13 like 14 feet off the edge of the grade.

14 Q. So, you're saying "8 feet off the curb". So,
15 it's 8 feet from the curb on the left?

16 A. (Scott) Yes.

17 Q. All right. So, it moves a little bit from
18 where it's shown here towards that curb?

19 A. (Johnson) Which may allow room for parking.

20 A. (Farrington) And I believe this section of the
21 roadway is a one way direction anyway.

22 Q. It is.

23 A. (Johnson) It is, yes.

24 Q. Yes. Okay. So, now, we're moving further

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1 south, downtown Plymouth, and we have an aerial
2 view of the work zone. Do you see that?

3 A. (Johnson) Yes.

4 Q. Okay. And, again, we still have businesses on
5 both sides of the road in this location,
6 correct?

7 A. (Johnson) Agreed.

8 Q. Okay. Go to the next one. And this is an
9 actual view now looking north at that same
10 area. Do you see that?

11 A. (Johnson) I do.

12 Q. And, in this area, we have parking on both
13 sides, and we have a travel lane in both
14 directions. Correct?

15 A. (Johnson) Correct.

16 Q. Okay. And here we have a proposed work zone in
17 that same area utilizing the in-line
18 construction that you propose, which is the
19 dump truck and the excavator right behind it.
20 Do you see that?

21 A. (Johnson) I do.

22 Q. Now, if the excavator has to swing its arm
23 towards the travel lane, there needs to be
24 sufficient room within the barrier to do that,

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1 correct? You can't swing over oncoming
2 traffic?

3 A. (Scott) So, that's not a great representation
4 of in-line construction.

5 Q. Yes. Could you do me a favor and just answer
6 that question, my question first, and then I'm
7 happy to hear an explanation. If the excavator
8 has to swing its arm towards the traffic lane,
9 there has to be sufficient space outside of the
10 travel lane to do so, correct?

11 A. (Farrington) No. When the traffic is
12 alternating and controlled by a flagger, there
13 will be a time when there is no traffic in that
14 alternating lane when the boot can swing.

15 Q. Oh. So -- but traffic needs to be stopped to
16 let the excavation -- excavator dig?

17 A. (Farrington) Well, if it's alternating two
18 lanes of traffic in one way, traffic is going
19 to have to be stopped for a time anyway to let
20 it clear.

21 Q. All right. But, so, in order to fill that dump
22 truck, if you're going to swing the arm into
23 the travel lane, you're going to have to stop
24 traffic, correct?

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1 A. (Farrington) Traffic will be stopped anyway.
2 They will just use that opportunity to swing
3 the boom.

4 Q. Do you know how long it takes to fill one of
5 those dump trucks? Probably not.

6 A. (Farrington) No, I don't.

7 Q. If you wanted to fill that dump truck, you'd
8 have to stop traffic the entire time when it
9 fills, would you not?

10 A. (Farrington) No, I think they --

11 A. (Johnson) So, I believe what she's referring --
12 okay.

13 A. (Farrington) -- take a scoop, and wait for a
14 break in traffic, and swing the scoop into the
15 dump truck, and then wait for a break in
16 traffic with the flaggers, swing it again.

17 A. (Scott) Yes. However, at this specific
18 location, with the figure as represented,
19 there's enough room for that to occur in the
20 non-traffic side of the excavation.

21 Q. Uh-huh. But that isn't the case all up and
22 down Route 3, is it, in this section of
23 Plymouth?

24 A. (Scott) Potentially.

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1 Q. Potentially, the entire Route 3, you can swing
2 it away from traffic?

3 A. (Scott) I said "potentially, there's locations
4 where you have to swing on the traffic side."

5 Q. Right.

6 A. (Scott) That was my intention.

7 Q. Okay. Now, Ms. Farrington, I understand that
8 you've done some traffic control maps in this
9 downtown Plymouth area, correct?

10 A. (Farrington) Yes.

11 Q. And am I correct that your traffic control maps
12 indicate that, in a number of areas, parking
13 will be eliminated during construction?

14 A. (Farrington) Correct.

15 Q. Okay.

16 A. (Johnson) There are, however, municipal lots,
17 as I mentioned earlier, down by Green Street.
18 I've been there during the day several times,
19 and they are sometimes used and sometimes not
20 used. So that there's ample parking in the
21 area, if we have to remove the 20 or so parking
22 spots that are right in front of the stores.

23 Q. And those municipal lots, do you know the
24 distance from those to downtown?

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1 A. (Johnson) A couple hundred feet.

2 Q. And how many lots?

3 A. (Johnson) Off the top of my head, I don't know.
4 But we're talking about removing 20 spots. So,
5 it's not 200, say.

6 Q. As the public relations outreach person, have
7 you had the opportunity to speak with any of
8 the business owners in downtown Plymouth about
9 the loss of parking spots?

10 A. (Johnson) So, at this time, we have reached out
11 to them with a letter explaining that we will
12 be reaching out to them personally as we go
13 forward.

14 Q. All right.

15 A. (Johnson) But, individually, we have not
16 addressed any landowner or business owner. We
17 provided them an opportunity to discuss us --
18 or, call us to discuss. At this time, we've
19 had almost no response to that.

20 Q. Okay. So, you haven't had a chance to discuss
21 with the business owners what they believe the
22 impact will be from the loss of the parking
23 spaces in front of or close to their
24 businesses, correct?

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1 A. (Johnson) Correct. At this time, it's a little
2 premature, only because the actual length of
3 construction and the schedule, so meaning what
4 season, whether we're going to work at night.
5 You know, all the alternatives that are
6 possible, as far as mitigation-type activities
7 to lessen the impact to them, have yet to be
8 determined.

9 But we believe that, once we have that in
10 hand, we'll have much more productive
11 conversations with each of the business owners.

12 Q. But, in any event, no matter what mitigation
13 you take, there's going to be slow construction
14 through downtown Plymouth, correct?

15 A. (Johnson) There will be some disruption.
16 There's no question.

17 Q. Yes. And there will some loss of parking
18 spaces in down -- on Main Street, correct?

19 A. (Johnson) Absolutely.

20 Q. And those will occur for periods of time, and
21 certainly going to be greater than a few days,
22 correct?

23 A. (Johnson) Most likely, in that area, a single
24 business, if you will, might have a couple

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1 days. But, in totality, it would be a little
2 bit longer.

3 Q. So, on the screen now is Simulation Map 48J.
4 And this shows the work area proceeding south
5 of Plymouth Main Street, heading towards the
6 transition station in Bridgewater. Do you
7 recognize that?

8 A. (Johnson) I do not. But I'll take it for your
9 word.

10 Q. Okay. Well, let's go to the next one. Do you
11 recognize that stretch of Route 3? And that is
12 looking north, and that is just after you leave
13 downtown Plymouth, you have that hill, and you
14 sort of go down the hill, with the river on one
15 side, and there's railroad tracks and the steep
16 embankment on the other. Do you recognize
17 that?

18 A. (Johnson) I do recognize that.

19 Q. You recognize that?

20 A. (Johnson) Yes.

21 Q. Okay. And you would agree with me that, in
22 this area, on one side, it's a very steep
23 embankment with, as you can see, shrubs and
24 trees?

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1 A. (Johnson) Agreed.

2 Q. And, on the other side, there is a railroad
3 track that you can't see in this picture, but
4 on the other side of that guardrail there are
5 railroad tracks, correct?

6 A. (Johnson) The tracks --

7 Q. Yes.

8 A. (Johnson) -- parallel the road, yes.

9 Q. And then it drops off right after those tracks,
10 correct?

11 A. (Johnson) Down to the river.

12 Q. Yes. So, in this area, it indicates the
13 proposed construction. And this is where the
14 line is proposed to go, which is immediately on
15 the road, in this case, this is looking north,
16 so it would be on the northbound lane. Do you
17 see that?

18 A. (Johnson) I do.

19 Q. And that shows your proposed in-line
20 construction method, correct?

21 A. (Johnson) Correct.

22 Q. Yes. So, for this area, in order to accomplish
23 the construction, you're going to have to close
24 that lane, because simply is not sufficient

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1 room on either side of the road to do the open
2 trench and keep two lanes of traffic open,
3 right?

4 A. (Johnson) That seems reasonable.

5 A. (Scott) Yes. As previously discussed, it would
6 be similar to the rest of the locations.

7 Q. Right. In fact, this is sort of a pretty good
8 description of what people are going to see all
9 the way through Route 3, and if you want to go
10 back north through the other routes, when there
11 is a lane closure, you're going to see in-line
12 construction like this, and you're going to see
13 barrels or some barricades protecting them from
14 the construction site, and a single lane of
15 traffic, correct?

16 A. (Johnson) So, in this instance, where you're
17 constrained by a guardrail and a steep slope on
18 the other side, you are correct. The vast
19 majority of Route 3 is not constrained in this
20 way. And, so, there will be ample opportunity
21 to take the trench and move it towards outside
22 of the pavement limits, into the shoulder or
23 the ditch line, such that there is ample
24 opportunity to keep two-way traffic going.

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1 Q. Well, perhaps you weren't listening, but I
2 could have sworn that earlier Mr. Scott agreed
3 with me that there are going to be lane
4 closures all along Route 3 and all along Route
5 118, 18, 16, and 112, and so forth.

6 A. (Johnson) Sure. But he also -- you never asked
7 him the question of "would there be single
8 traffic or alternating traffic -- or, do
9 two-way traffic?" And, in vast -- in many
10 cases, there's ample room to maintain two lanes
11 of traffic, one each way, even if there is a
12 partial or a full lane closure.

13 Q. On those narrow roads?

14 A. (Johnson) This is a constrained area. There's
15 no question in this area that it's going to be
16 alternating traffic. But there are several
17 sections on Route 3 -- on 3, and even 112,
18 where there's ample room to maintain traffic in
19 two directions.

20 Q. And would you agree with me that more often
21 than not there is not ample room to maintain
22 two-lane traffic?

23 A. (Johnson) No, I would not. Of the 60 miles?

24 Q. No. I'm talking about the 52 -- well, we've

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1 already talked about the seven and a half.

2 A. (Johnson) Sure.

3 Q. And we know how narrow that is. I'm talking
4 about the 52 miles, starting Bethlehem --

5 A. (Johnson) Bethlehem to Bridgewater.

6 Q. Yes. And, earlier Mr. Scott confirmed that
7 wherever the trench was going to be in the
8 road, or where there is a splice location,
9 there was going to be a lane closure. Did you
10 hear him testify to that?

11 A. (Johnson) Yes, I did. And I agree with him.

12 Q. And do you believe -- well, a "lane closure"
13 means a "lane is closed", correct?

14 A. (Johnson) Correct.

15 Q. So, in that instance, you can't travel in one
16 of the two lanes, correct?

17 A. (Johnson) That's correct.

18 Q. So, in that instance, you're down to one lane
19 for travel, correct?

20 A. (Johnson) And a shoulder.

21 Q. And a shoulder. So, in order to keep traffic
22 going in two directions, you're going to have
23 to use the shoulder?

24 A. (Johnson) Yes.

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1 Q. Yes. And, in many places, there is not
2 sufficient shoulder to do that?

3 A. (Johnson) I agree.

4 Q. Okay. And, in many places, for instance, in
5 Woodstock, you have sidewalks, do you not?

6 A. (Johnson) Agreed.

7 Q. And you can't put cars up on the sidewalk,
8 correct?

9 A. (Johnson) I don't believe we're proposing to do
10 that.

11 Q. I didn't think so either. So, for all those
12 places, this is essentially what people are
13 going to see. They're going to see a single
14 lane of traffic, and it's going to be
15 alternating, with flaggers on each end,
16 correct?

17 A. (Johnson) What I'm trying to say is you're
18 depicting something that's in a constrained
19 area. There are also areas where the traffic
20 is not as constrained. And there's an
21 opportunity to have two-way traffic, as well as
22 a lane closure.

23 A. (Bowes) I would also add, on all of these photo
24 simulations, --

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1 Q. Uh-huh.

2 A. (Bowes) -- there are subtle inaccuracies, but
3 they're still there. For example, this one has
4 the dump truck and the excavator over the
5 yellow line. In previous ones, you've had the
6 trench purposely in the wrong place. So,
7 you're misrepresenting with these photo
8 simulations what's actually going to occur.

9 Q. Well, do you know whether or not -- well, do
10 you know whether or not these photo simulations
11 were based on prior drawings, as opposed to
12 more recent drawings?

13 A. (Bowes) I do not.

14 Q. Okay. So, these photo simulations were done
15 back last year, and they may be based on prior
16 drawings, as opposed to more current drawings.

17 A. (Bowes) But they're still misrepresenting
18 what's taking place today.

19 CHAIRMAN HONIGBERG: Mr. Bowes, I
20 don't know that there was a question pending to
21 you at the time. I think, if there's problems
22 with some of these pictures, your lawyers are
23 going to get an opportunity to ask you
24 questions about them. And, presumably, these

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1 are going to be presented by another witness at
2 some point. And, if there are inaccuracies,
3 they can be brought to our attention.

4 Probably best not for Mr. Pappas to
5 argue with the panel, and probably best not for
6 the panel to argue with Mr. Pappas. Best if he
7 asks questions and the panel answers them.

8 WITNESS BOWES: I understand.

9 BY MR. PAPPAS:

10 Q. Mr. Johnson or Mr. Kayser or Mr. Bowes, have
11 you had the opportunity to meet with or talk
12 with the Plymouth Village Water & Sewer
13 District?

14 A. (Johnson) I have.

15 Q. Okay. And you're familiar with the Plymouth
16 Village Water & Sewer District requires a
17 10-inch horizontal separation between their
18 water and sewer pipes and other utilities?

19 A. (Johnson) I believe that's the number, yes.

20 Q. Yes. And they require a 15-foot horizontal --
21 vertical separation -- no, I take that back. A
22 15-foot horizontal separation between water and
23 sewer and electric lines. Is that your
24 understanding?

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1 A. (Johnson) No. But, if you say so, I'll take
2 you at your word.

3 Q. Okay. Let me ask it this way. The Northern
4 Pass Project does not propose to be either 10
5 or 15 feet separated from the water and sewer
6 lines in Plymouth, does it?

7 A. (Johnson) Correct. I believe the distance
8 we're choosing is two or two and a half feet,
9 roughly.

10 Q. And that's not consistent with the Plymouth
11 Village Water & Sewer District requirements,
12 correct?

13 A. (Johnson) If you're telling me it's 15 feet,
14 then, obviously, no.

15 Q. Okay. And are you also familiar with the
16 Plymouth Village Water & Sewer District's
17 concern that, if Northern Pass uses fluidized
18 thermal backfill, that is -- that will be above
19 the Town's water and sewer lines, that that
20 could create problems for the Town?

21 A. (Johnson) Not specifically, no.

22 Q. Okay. Well, if, for instance, if the
23 Plymouth's water and sewer lines are below the
24 NPT line, and the NPT line uses FTB, fluidized

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1 thermal backfill, in Plymouth, any work on the
2 water and sewer lines would have to go under
3 your line, correct?

4 A. (Johnson) If there are existing lines in, yes.

5 Q. Yes. And --

6 A. (Scott) Can I add to that real quick?

7 Q. Sure.

8 A. (Scott) So, typically, with gravity facilities,
9 like the sewer lines, replacement will occur
10 essentially in the same location as the
11 existing, to maintain the gravity nature of the
12 facilities, so gravity is pulling the water
13 down. So, if we're going in above, then they
14 would be going in below. If we're going in
15 below, then they would be going in above.

16 Q. I'm talking about the existing water and sewer,
17 not new water and sewer.

18 A. (Scott) Okay. So, if we're below, then we'd be
19 below, and if we're --

20 *[Court reporter interruption.]*

21 **BY THE WITNESS:**

22 A. (Scott) If we were below them, then the fill
23 material we were using would be around their
24 facilities.

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1 BY MR. PAPPAS:

2 Q. Yes. But you're proposing to be above them.
3 So, if you're above them, and they have an
4 emergency, and they've got to go through your
5 FTB, the concrete fluidized backfill, and deal
6 with your line, that could slow them down,
7 would it not?

8 A. (Scott) The fluidized thermal backfill
9 characteristics are a diggable backfill. It's
10 300 PSI. The concrete layer itself would not
11 be diggable, and it should remain in place. It
12 is there for mechanical protection. If the
13 conduits were encased in that concrete, again,
14 it would not be removed, it would be supported
15 in place.

16 A. (Bowes) So, it actually enhances the ability to
17 do construction around it, because it provides
18 self-supporting, to some extent, and will make
19 it much easier to shore and work around.

20 Q. If you were below them, it would be easier for
21 them, would it not?

22 A. (Bowes) Yes.

23 Q. Okay. Okay. Mr. Scott, I'm going to leave the
24 underground for now and move onto just a few --

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1 A. (Scott) Thank you.

2 Q. You're welcome. Just a few questions about
3 overhead. And I'll direct these to you,
4 Mr. Kayser, or Mr. Bradstreet, either one. You
5 can share that mike. And they're just general
6 questions, because I think other people are
7 going to get into specifics.

8 But, starting with Transition Station
9 Number 6, in Bridgewater, it's overhead until
10 you hit Deerfield Substation, correct?

11 A. (Kayser) That's correct.

12 Q. Yes. And the tower structures are, in some
13 instances, in wetlands and, in some instances,
14 in water bodies along the route. Correct?

15 A. (Kayser) Yes. I don't know the specific
16 numbers, but there are some structures in
17 wetlands and water bodies.

18 Q. Yes. It's somewhere around 265 towers in
19 either wetlands or water bodies. Does that
20 number sound right to you?

21 A. (Kayser) Sounds reasonable, yes.

22 Q. Okay. And there are also tower structures
23 along several riverbanks, correct?

24 A. (Kayser) Yes.

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1 Q. Yes. For instance, the Pemigewasset River,
2 there are a number of locations along that
3 river where tower structures are very close to
4 the riverbank, correct?

5 A. (Bradstreet) I guess I would say define "close
6 to a riverbank"?

7 Q. Certainly within 100 feet.

8 A. (Bradstreet) I don't believe -- I would have to
9 look at specific cases. But I think the
10 Project strived to be further than 100 feet
11 from a riverbank.

12 Q. Do you recall the closest any one structure is?

13 A. (Bradstreet) I do not.

14 Q. I think you might hear that probably later on.

15 A. (Bradstreet) Sounds good.

16 Q. So, you would agree with me that construction
17 in either wetlands or water bodies, and, for
18 instance, there are a couple of places you're
19 directly in water bodies, correct? For
20 instance, Turtle Pond, in Concord, and that
21 pond in Deerfield?

22 A. (Bradstreet) Yes.

23 Q. Okay. So, you would agree with me construction
24 in either wetlands or water bodies or even

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1 close to riverbanks has the potential for
2 adverse impacts unless care is taken, correct?

3 A. (Bradstreet) John can talk to some of the
4 specifics.

5 Q. Yes. That's fine.

6 A. (Kayser) Yes. There is always some potential.
7 But we've done many of these projects, our
8 contractors have. That there are
9 stipulations with the New Hampshire
10 Department of Environmental Services where
11 they will use Best Management Practices to
12 ensure that we minimize any impacts to
13 wetlands.

14 Q. Yes. So, you're going to use certain BMPs and
15 you're going to have environmental monitors to
16 go out and check, correct?

17 A. (Kayser) Yes. Exactly.

18 Q. Yes.

19 A. (Kayser) As Mr. Johnson stated yesterday.

20 Q. Right. But, in some instances, permanent
21 impact of wetlands is unavoidable, correct?

22 A. (Kayser) Yes. If there is a structure in a
23 wetland, then permanent fill in that was taken
24 into account in the Permit Application.

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 Q. Okay.

2 A. (Bowes) I believe that there's -- in part of
3 the SEC filing, there is a amount of permanent
4 wetlands impact, I think it's around
5 three acres or so.

6 Q. Yes. There is. Okay. And, as I said, it's my
7 understanding you'll perhaps hear more about
8 that from other folks who focus on some
9 specific areas.

10 A. (Kayser) Yes.

11 Q. I'm going to switch topics and ask you a few
12 questions about property rights. And I believe
13 Mr. Johnson and Mr. Bowes cover both those
14 areas. Both of you cover that area?

15 A. (Johnson) Uh-huh.

16 A. (Bowes) That is correct.

17 Q. Okay. Now, it's my understanding that the DOT
18 had some concerns with your ability to stay
19 within the right-of-way for the underground
20 route, is that correct?

21 A. (Johnson) The concern was related to the fact
22 that they do not have jurisdiction outside of
23 the right-of-way, and they wanted to either
24 determine that we were within the right-of-way

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1 or that we had the necessary rights from
2 private landowners to be outside of the
3 right-of-way.

4 Q. Yes.

5 A. (Johnson) I believe we've clarified it earlier
6 that we are going to be within the DOT
7 right-of-way.

8 Q. So, as I understand, that PAR retained BL
9 Companies to do some survey work, correct?

10 A. (Johnson) That is correct.

11 Q. And the BL Companies is out of Meriden,
12 Connecticut?

13 A. (Johnson) Yes.

14 Q. And BL Companies partnered with Meridian Land
15 Services to do this survey work?

16 A. (Johnson) Also Arago Land Services or Land
17 Company.

18 Q. Right.

19 A. (Johnson) Yes.

20 Q. And it's my understanding that Arago did
21 some research, and BL Companies and
22 Meriden **[Meridian?]** did actual work in the
23 field?

24 A. (Johnson) That is correct.

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[Bowes~Bradstreet~Farrington~Johnson~Kayser~Scott]

1 Q. All right. And what you did is you actually --
2 they did the work throughout the 60 miles of
3 underground route?

4 A. (Johnson) Correct.

5 Q. Okay. Now, it's my understanding that BL
6 Companies provided three levels of accuracy
7 for this survey work. Is that your
8 understanding?

9 A. (Johnson) Yes, it is.

10 Q. Okay. So, what we have on the screen is
11 Applicant's Exhibit 142. And I assume you've
12 seen this document before?

13 A. (Johnson) I have.

14 Q. Okay. And this is a letter dated April 19,
15 2017, to PAR Electric from BL Companies. Do
16 you see that?

17 A. (Johnson) I do.

18 Q. And BL Companies, on April 19, 2017, provided
19 PAR with the results of their survey work --
20 actually, combined survey work, BL and
21 Meridian, correct?

22 A. (Johnson) Correct.

23 Q. So, if we flip to the second page, the second
24 page of this exhibit lists the three classes

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1 that BL and Meridian used in their survey work.

2 Do you see that?

3 A. (Johnson) The "Bold Determined", "Bold Dashed",
4 and "Dashed Approximate"?

5 Q. Correct.

6 A. (Johnson) Yes.

7 Q. Okay. So, the first level of accuracy, as you
8 describe -- or, they describe it as "Bold
9 Determined". Do you see that?

10 A. (Johnson) I do.

11 Q. And, under the levels of accuracy used by BL
12 Industries and Meridian, that was considered
13 the most accurate, correct?

14 A. (Johnson) That is correct.

15 Q. And, under "Bold Determined", that's where --
16 locations where they use the DOT layouts of the
17 right-of-way and any monuments called out in
18 the plans, and they then could find monuments
19 in the field relative to what's called out. Is
20 that essentially what your understanding of
21 "Bold Determined" did?

22 A. (Johnson) Yes. Except it wasn't primarily DOT.
23 It was actually local landowners and the plan
24 sets. And where they matched exactly with the

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1 iron pins or whatever markers that were noted,
2 that was where they chose to use the "Bold
3 Determined" designation.

4 Q. Okay.

5 A. (Johnson) But, in general, yes. You are
6 correct.

7 Q. All right. And then the second level of
8 accuracy they have described is "Bold Dashed
9 Approximate". Do you see that?

10 A. (Johnson) I do.

11 Q. Okay. And the "Bold Dashed Approximate" is
12 where there are physical evidence referred to
13 in the plans, whether they're local plans or
14 DOT plans. And, in the field, they find some
15 markers or monuments, but they don't know
16 whether or not those monuments or markers
17 actually are the ones called out in plans,
18 correct?

19 A. (Johnson) It's actually they found some of the
20 markers where they're supposed to be, but there
21 are some missing, in one case. Or, in another
22 case, they found monuments that they did not
23 expect to find, or were not on the plans.

24 Q. Yes. But, if you look at the description under

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1 "Bold Dashed Approximate", and if you look at
2 the end of the description, it says that "the
3 obtained plans and record layout widths were
4 best fit based on this evidence but not
5 necessarily deemed accurately determined." Do
6 you see that?

7 A. (Johnson) I do.

8 Q. And, so, what they're saying is, that they used
9 what they found in the field as best they
10 could, but they can't verify whether it's
11 necessarily accurate, necessarily the monuments
12 that are called out in the plans. Is that what
13 they're saying?

14 A. (Johnson) So, I believe what they're saying
15 here is that they found some, but not all, of
16 the monumentation or documentation that's in
17 the field, and they effectively connected the
18 dots to come up with a line. To actually go
19 out and ascertain the exact determination, they
20 would have to do a next level of survey.

21 Q. Uh-huh. Yes. So, this second level is not
22 deemed as accurate as the first level, correct?

23 A. (Johnson) That is correct.

24 Q. And then they have a third level, which they

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1 called "Dashed Approximate". Do you see that?

2 A. (Johnson) I do.

3 Q. Okay. And, under that level, they indicate
4 that "where there was no or very limited
5 physical evidence found, the majority of the
6 sidelines were based on the record layout
7 widths and offset from the centerline of the
8 existing travel way pavement." Do you see
9 that?

10 A. (Johnson) I do.

11 Q. So, essentially, what they did here is, if they
12 found very limited -- no or very limited
13 physical evidence, they simply found the
14 centerline of the pavement and measured off of
15 that to locate the two boundaries of the
16 right-of-way, correct?

17 A. (Johnson) For the most part, yes.

18 Q. All right.

19 A. (Johnson) Yes.

20 Q. Okay. And is it your understanding that
21 Meridian used the same three levels of accuracy
22 for its work?

23 A. (Johnson) I believe, as part of this exhibit
24 package, Meridian also provided a letter that

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1 stated the same. But the answer is yes.

2 Q. Mr. Johnson, on the screen is Applicants'
3 Exhibit 130, which is the Meridian letter for
4 its report. Do you see that?

5 A. (Johnson) I do.

6 Q. Okay. And I've highlighted certain things.
7 For instance, it indicates, in the first
8 paragraph, that Meridian was "operating as a
9 subcontractor to BL Companies". Do you see
10 that?

11 A. (Johnson) I do.

12 Q. Okay. And then the next highlighted section
13 indicates that "BL Companies Project Approach
14 documentation noted that "there will be many
15 sections which simply cannot be certified as
16 accurate"." Do you see that?

17 A. (Johnson) I do. That's the Category 3.

18 Q. All right. And then it indicates that they
19 will use the accuracy determinations that BL
20 Industries set forth. Do you see that?

21 A. (Johnson) I do.

22 Q. And, if you go to the next page, and if you see
23 on the next one they then go through the three
24 categories, indicating first, for the first

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1 level accuracy, they didn't use that, correct?

2 It says "This line type remains un-used at this
3 time"?

4 A. (Johnson) That's what the writing says, yes.

5 Q. Okay. And then, for the second level, "Bold
6 Dashed for Approximate", they indicated that
7 the "Plans fell into two categories", first,
8 "NH DOT highway plans from the Right-of-Way
9 Bureau", and then, second, "Various recorded
10 plans at the Registry", which you referred to
11 earlier. Do you see that?

12 A. (Johnson) I do.

13 Q. And Meridian did not verify these plans, they
14 just took them as they received them, correct?

15 A. (Johnson) That's correct.

16 Q. Yes. And they indicate that "Layout
17 Information is somewhat ambiguous." Do you see
18 that?

19 A. (Johnson) I do.

20 Q. And then down further, under this second
21 category, if you look towards the bottom they
22 say "There is no certainty that the various
23 physical evidence, monuments, and/or markers
24 can be deemed reliable relative to right-of-way

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1 determination." Do you see that.

2 A. (Johnson) I do.

3 Q. And that's saying that, even if they find some
4 monuments in the field, there's no certainty
5 that those monuments or markers are the ones
6 called out in the plans?

7 A. (Johnson) Correct.

8 Q. Okay. And then they repeat, in bold, the line
9 from BL Industries, which is "Obtained plans
10 were best fit based to the found physical
11 evidence and monuments, but not necessarily to
12 a degree that we can certify them as accurate."
13 Do you see that?

14 A. (Johnson) I do.

15 Q. And that's the standard that Meridian used for
16 their work?

17 A. (Johnson) Correct.

18 Q. Which is similar to the BL?

19 A. (Johnson) It is slightly more conservative,
20 however, but, yes.

21 Q. And then, if we go to the next page, it
22 indicates Meridian's description of the "Dashed
23 for Approximate", which is the third level of
24 accuracy, correct?

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1 A. (Johnson) Correct.

2 Q. Okay. Now, Meridian calls out that "The vast
3 majority of the sidelines depicted", dictated
4 on plans, --

5 A. (Johnson) Uh-huh.

6 Q. -- "are based on a 66-foot wide right-of-way,
7 centered on the centerline of the existing
8 travel way." Do you see that?

9 A. (Johnson) I do.

10 Q. Okay. And that's just simply what Meridian
11 found on the plans that they used, correct?

12 A. (Johnson) That is correct.

13 Q. And Meridian wasn't asked to nor did they
14 verify whether, in fact, that's accurate,
15 whether it is 66 feet as shown on the plans,
16 correct?

17 A. (Johnson) The "66 feet" is in reference to a
18 layout that was back in the 1800s, I
19 believe, --

20 Q. Uh-huh.

21 A. (Johnson) -- as a base layout for whatever the
22 road was called at that time. And that's why
23 they defaulted to that number.

24 Q. Yes. But Meridian wasn't asked to and they

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1 didn't verify whether that was accurate,
2 correct?

3 A. (Johnson) The 66 feet or the offset of the
4 centerline?

5 Q. The 66 feet.

6 A. (Johnson) I believe that we have other
7 supporting documents. But I don't know if
8 Meridian was asked to do that or not. So, the
9 answer is "no".

10 Q. If we look on Page 2, where Meridian said "It
11 was not within our scope to verify the
12 reliability of these plans", and that's what I
13 was referring to when I indicated Meridian
14 wasn't asked to verify that, correct?

15 A. (Johnson) Correct.

16 Q. All right. So, --

17 MR. PAPPAS: May I approach
18 Mr. Needleman for one moment?

19 *(Atty. Pappas conferring with*
20 *Atty. Needleman.)*

21 CHAIRMAN HONIGBERG: Off the record.

22 *[Brief off-the-record discussion*
23 *ensued.]*

24 BY MR. PAPPAS:

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1 Q. So, Mr. Johnson, what I want to do is just go
2 through some of these pages, and I'm not going
3 to go through every page. But just to give the
4 Committee a sense of the three classifications
5 that we saw in the BL Companies and the
6 Meridian Reports.

7 A. (Johnson) Sure.

8 Q. Okay? Now, first, would you agree with me that
9 neither BL Companies, nor Meridian, used that
10 first level of accuracy, correct?

11 A. (Johnson) BL Companies did, yes.

12 Q. BL Companies used the first level of accuracy?

13 A. (Johnson) Yes. You'll see that as we come
14 through.

15 Q. All right. Well, I didn't see that.

16 A. (Johnson) Oh, I'm sorry. I'm sorry. This
17 solid line.

18 Q. Correct.

19 A. (Johnson) That's correct. There are four lines
20 that you're referring to.

21 Q. Right. But when --

22 A. (Johnson) Correct. You are correct. You are
23 correct.

24 Q. Thank you. So, we're going to focus on

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1 level -- there were three levels of accuracy,
2 correct?

3 A. (Johnson) That's correct.

4 Q. And, in these drawings, BL Companies used Level
5 2 and 3, correct?

6 A. (Johnson) That's correct.

7 Q. Okay. And Level 2 was the approximate
8 right-of-way, correct?

9 A. (Johnson) Yes.

10 Q. And Level 3 was the Dashed Approximate,
11 correct?

12 A. (Johnson) Correct.

13 Q. Okay. So, if we look at this first page, if we
14 look at the top, you see "edge of pavement",
15 correct?

16 A. (Johnson) Yes.

17 Q. And, above edge of pavement, you see a dashed
18 line, correct?

19 A. (Johnson) That is correct.

20 Q. And that's the third level of accuracy, Dashed
21 Approximate, correct?

22 A. (Johnson) It looks to be that, yes.

23 Q. All right. And below you see the same used to
24 indicate the limits of the right-of-way,

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1 correct?

2 A. (Johnson) Correct. There are also two capped
3 iron pins that are noted.

4 Q. Right. Right. And, so, for this section of
5 the road, BL Companies determined or used the
6 third level accuracy to depict the
7 right-of-way, correct?

8 A. (Johnson) That's correct.

9 Q. Okay. That's what I want to get to. And
10 then -- and, on the next page, BL industries
11 did the same thing. To determine the contours
12 of the right-of-way, they used that third level
13 of accuracy, which is the dashed line that we
14 see, correct?

15 A. (Johnson) It seems that way. Again, with the
16 notation of two iron pins in this case.

17 Q. Right.

18 A. (Johnson) Yes.

19 Q. Right. And you would agree with me, wherever
20 they found a monument they note it on the plot?

21 A. (Johnson) Absolutely. Yes.

22 Q. Yes.

23 A. (Johnson) Yes.

24 Q. Okay. So, go to the next page. All right.

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1 So, this is the next page, and this is an
2 example of using the second level of accuracy.
3 If you look at the lot that has the building
4 and driveway, do you see that?

5 A. (Johnson) I do.

6 Q. And it indicates a recorded plan?

7 A. (Johnson) That's correct.

8 Q. And it also calls out a iron pin that was
9 found?

10 A. (Johnson) Yes.

11 Q. And, so, for this section of the right-of-way,
12 BL Industries used the second level of
13 accuracy, because they were able to find a plan
14 and locate a monument that they felt called out
15 on the plan, correct?

16 A. (Johnson) Correct.

17 Q. And then you'll notice, for the rest of the
18 right-of-way, they continued to use the third
19 level of accuracy, which is the Approximate
20 Dashed line?

21 A. (Johnson) On the south side, yes.

22 Q. Yes. On the south side, and on the north side,
23 until they came to the first lot that they
24 could move to the second level?

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1 A. (Johnson) correct. I actually need to reverse
2 that. The map is upside-down from a
3 directional standpoint.

4 Q. Okay.

5 A. (Johnson) So, it's on the north side, but
6 semantics, the bottom of the drawing.

7 Q. Thank you. All right. So, and what we've been
8 looking at is Route 302, which is the road in
9 Bethlehem, correct?

10 A. (Johnson) Correct.

11 Q. Okay. So, now I've moved onto Highway 18,
12 which is the turn-off of 302 onto 18. And here
13 the BL Industries were able to use that second
14 level of accuracy, which is shown on both sides
15 of the right-of-way, correct?

16 A. (Johnson) That's correct.

17 Q. Okay.

18 A. (Johnson) I believe the reference there is to a
19 DOT project, P-2580, which would prescribe the
20 layout of that route in that area.

21 Q. Okay. So, based on that, they were able to
22 provide -- use a more accurate level than that
23 third level?

24 A. (Johnson) That's correct.

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1 Q. Okay. So, Mr. Johnson, I've now moved onto
2 Highway 18. And this is an instance where, on
3 one side of the right-of-way, which is top of
4 this page, BL Industries were able to use the
5 second level of accuracy. Do you see that?

6 A. (Johnson) I do.

7 Q. And then there came a point where they could no
8 longer use that on the top, and they had to
9 shift to the third level, on the top right. Do
10 you see that?

11 A. (Johnson) I do.

12 Q. And, for the bottom part of this right-of-way,
13 they were only able to use the third level of
14 accuracy, correct?

15 A. (Johnson) It seems that way, yes.

16 Q. Okay. And then, turning the page, still on
17 Highway 18, along this stretch of the road BL
18 Industries was only able to use the third level
19 of accuracy, correct?

20 A. (Johnson) That is correct.

21 Q. Okay. All right. So, I think the Committee
22 gets the point. And, so, we can point out in
23 briefing that, if you take the maps, you can
24 determine on the maps, for any particular

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1 location or stretch of road, where either BL
2 Industries or Meridian were able to use which
3 level of accuracy according to their three
4 levels, correct?

5 A. (Johnson) Correct.

6 Q. And, for some areas -- are you familiar enough
7 with these maps to know that, for a fair
8 stretch of areas, they could only use Level 3?

9 A. (Johnson) Absolutely. In general, the urban
10 areas, where there's been more recent
11 development or more recent DOT projects, the
12 information is much more available. For long
13 stretches, where land hasn't been developed in
14 50 years or more, the records tend to be not as
15 robust.

16 Q. Yes. And, in those urban areas, you tend to
17 have people buying and selling property, and
18 they have surveys done, and the record is a
19 little more complete than for long stretches
20 where there is undeveloped area, correct?

21 A. (Johnson) Exactly.

22 Q. Okay. Let me ask you one more topic about
23 property rights.

24 A. (Johnson) Sure.

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1 Q. And that involves the Cape Horn State Park.

2 A. (Johnson) Uh-huh.

3 Q. And you perhaps remember this from the
4 technical sessions?

5 A. (Johnson) I do.

6 Q. The Northern Pass Transmission line is proposed
7 to pass through the Cape Horn State Forest,
8 correct?

9 A. (Johnson) Correct.

10 Q. And PSNH has an easement in Cape Horn State
11 Forest, is that correct?

12 A. (Johnson) Correct.

13 Q. Okay. And the proposal is for PSNH to lease
14 that easement to NPT to construct the Northern
15 Pass Transmission line?

16 A. (Johnson) Correct.

17 Q. Okay. Now, the PSNH easement includes several
18 parcels which -- on which an easement was
19 granted from a Mr. Gallagher to PSNH, correct?

20 A. (Johnson) Correct.

21 Q. And there are a series of contiguous parcels
22 where Mr. Gallagher granted an easement to PSNH
23 for transmission lines, correct?

24 A. (Johnson) That's my understandings, yes.

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1 Q. But, among those contiguous parcels where
2 Mr. Gallagher granted an easement, there is a
3 parcel where no easement was granted within the
4 deed from Mr. Gallagher, correct?

5 A. (Johnson) That's also my understanding.

6 Q. Yes. What I put on the screen is Counsel for
7 the Public's Exhibit 250. And -- well, if you
8 can contort your head a little bit, this shows
9 a series of parcels where there is one parcel
10 where there is a gap. Do you see that?

11 A. (Johnson) Would that be the one without color?

12 Q. That would be the one without color, correct.

13 A. (Johnson) Okay.

14 Q. All right. So -- there we go. So, the point
15 is is that, currently, as exists today -- and
16 let me back up for a minute. This issue
17 existed when the Project submitted its
18 Application to the SEC, correct? This Cape
19 Horn Forest issue?

20 A. (Johnson) I believe so, yes.

21 Q. Yes. And the issue still exists today, where
22 there is a parcel along the proposed route
23 where there is no deeded easement for -- that
24 deeded easement to PSNH for a transmission line

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1 on that parcel, correct?

2 A. (Johnson) Yes. We believe it was a scribner's
3 error way back when, --

4 Q. Yes.

5 A. (Johnson) -- for whatever reason.

6 Q. Yes. We're going to let -- we'll let the
7 lawyers argue about the legal. I just want to
8 get the facts.

9 A. (Johnson) Uh-huh.

10 Q. And the fact is that, as we sit here or I stand
11 here today, there is one parcel within the Cape
12 Horn State Forest where there is no deeded
13 easement to PSNH that could be used to
14 construct the Northern Pass line, correct?

15 A. (Johnson) That is my understanding.

16 Q. Yes. And, so, that issue needs to be resolved
17 in order for the Northern Pass Project to have
18 necessary property right to construct the
19 transmission line through that parcel, correct?

20 A. (Johnson) Correct. And I believe there's a
21 legal matter, whatever you want to call it, to
22 resolve that issue underway.

23 Q. Yes.

24 A. (Bowes) It would also need to be resolved for

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1 PSNH as well.

2 Q. Correct. Right. And I understand that there
3 have been for, certainly, at least the time of
4 the Application, if not before, through today,
5 there have been discussions between Eversource
6 or NPT and the State of New Hampshire about
7 this issue, correct?

8 A. (Johnson) I'm not fully up to speed on those
9 things.

10 Q. Okay. That's fine.

11 A. (Johnson) I'd rather not comment.

12 Q. That's fine. But, as you know, as of today,
13 that issue still exists, correct?

14 A. (Johnson) As far as I'm aware, yes.

15 Q. Okay. Mr. Johnson or Mr. Bowes, I'm going to
16 ask you some questions about DOT letters issued
17 to the Project for the underground.

18 A. (Johnson) Okay.

19 Q. Now, as I understand it, you've attended a
20 series of meetings with DOT to discuss the
21 underground, correct?

22 A. (Johnson) Yes, sir.

23 Q. And those are ongoing discussions, correct?

24 A. (Johnson) That's correct.

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1 Q. Okay. So, I'm going to start with Exhibit 232.
2 What's on the screen is Counsel for the
3 Public's Exhibit 232, which is a December 2,
4 2016 letter issued to PAR Electric for the --
5 from DOT for the Project. Do you see that?

6 A. (Johnson) I do.

7 Q. Okay. Now, am I correct that this letter and
8 then there's a series of letters the DOT issued
9 to address a number of their comments to your
10 proposed plans?

11 A. (Johnson) That is correct.

12 Q. And we have seen various versions -- we have
13 seen those proposed plans yesterday and today,
14 and Mr. Scott was kind enough to talk about
15 those quite a bit, correct?

16 A. (Johnson) That is correct.

17 Q. Okay. Now, I just want to touch upon a few of
18 the items. If you look down at Number 5, it
19 indicates that "No open trenches and
20 excavations will be allowed. Trenches shall be
21 filled at the completion of work each day." Do
22 you see that?

23 A. (Johnson) I do.

24 Q. Am I correct that the DOT does not want the

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1 Project to certainly leave any open trenches,
2 correct?

3 A. (Johnson) Correct. The Project had proposed
4 using plating.

5 Q. Plates.

6 A. (Johnson) And the DOT's preference is not to
7 use plating.

8 Q. And they would like you to fill every trench at
9 the end of every day?

10 A. (Johnson) That is correct.

11 Q. Okay.

12 A. (Johnson) And I'll note that that's an
13 exception that we are working through with them
14 right now.

15 Q. Ah. So, is that -- are you still seeking an
16 exception to that requirement?

17 A. (Johnson) Yes.

18 Q. Okay. And the Project would still like to use
19 plates in certain locations?

20 A. (Johnson) In some limited applications, yes.

21 Q. And that's because it actually speeds
22 construction?

23 A. (Johnson) That's correct.

24 A. (Farrington) And, at the last meeting, it was

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1 clarified that that does not apply to allowing
2 access to people's driveways when the open
3 trench is directly in front of their homes.

4 Q. Okay. So, if there's an open trench at
5 someone's home, you can use a plate to let them
6 drive up their driveway?

7 A. (Farrington) Correct.

8 A. (Johnson) Their primary concern, obviously, is
9 safety, in the nighttime.

10 Q. Yes. Probably a good idea near PSU, you think?

11 A. (Johnson) Absolutely.

12 Q. Now, if you turn -- oh, I'm sorry. If you look
13 at the second page, under Number 16, it says
14 "The proposed underground transmission facility
15 should cross below existing water/sewer
16 facilities and culverts". Do you see that?

17 A. (Johnson) I do. And we referenced this
18 earlier.

19 Q. Right.

20 A. (Johnson) Yes.

21 Q. And, so, am I correct that the DOT would prefer
22 you to be under water and sewer, and the
23 Project is seeking a variance to be able to go
24 above water and sewer?

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1 A. (Johnson) In certain locations, yes.

2 Q. All right. And, for instance, in Plymouth?

3 A. (Johnson) That is correct.

4 Q. Is this still an outstanding issue?

5 A. (Johnson) Yes, it is.

6 Q. All right. Okay. What's on the screen now is
7 Counsel for the Public's Exhibit 233, which is
8 DOT's February 10, 2017 letter to PAR with
9 further comments on some of your plan permit
10 submissions.

11 A. (Johnson) Yes.

12 Q. And I note on the first page, under Number 9,
13 DOT reiterated that it would prefer "open
14 trenches to be backfilled at the end of each
15 working day." Do you see that?

16 A. (Johnson) I do.

17 Q. That's been pretty much their consistent
18 position, has it not?

19 A. (Johnson) It's part of the Utility
20 Accommodation Manual.

21 Q. Right. Now, if you -- Page 2. On Page 2,
22 under 19, it indicates that "Splice vaults
23 should be located on the alignment such that
24 vaults are outside of the paved surfaces." Do

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1 you see that?

2 A. (Johnson) I do.

3 Q. But, in here, for the Project, there are
4 several locations where that's simply not --
5 you can't do that, right, because there's not
6 enough room?

7 A. (Johnson) So, there are 159 splice vaults in
8 the next version of the plans, if you will, 23
9 of which are proposed to be in the roads. Of
10 those 23, we are seeking variances to the
11 Utility Accommodation Manual.

12 Q. And, when you say "the next version of the
13 plans", when do you anticipate those?

14 A. (Johnson) We're working through these
15 exceptions. And, once those are complete, we
16 will generate the next version of the drawings.

17 Q. Do you expect those to be the final versions,
18 in terms of the permitting with DOT?

19 A. (Johnson) No. So, we will have -- we will
20 accommodate -- or, we will put all of the
21 exceptions and/or rejections into another set
22 of plans, which will be submitted to the DOT.
23 And then, once they have reviewed those and
24 approved those, there is a last set of

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1 drawings, which are the "Issued for
2 Construction" drawings, which obviously have to
3 be done prior to construction commencing.

4 Q. Are you in your last round of asking for
5 variances?

6 A. (Johnson) We are in the midst of asking for
7 variances. So, we don't regenerate the entire
8 project from a design perspective. We submit
9 the variances one-by-one. They review and
10 comment, and then we continue down, literally,
11 the road, if you will, going through the
12 variances. When we get to the end, then we'll
13 generate a new set based on all of the
14 exceptions or denials that we've received.

15 Q. Do you have an anticipated time frame of when
16 you think that variance process is going to be
17 completed?

18 A. (Johnson) Not at this stage. We are,
19 obviously, going through an exhaustive review
20 of each of these exceptions. There's lots of
21 dialogue back and forth regarding each
22 individual component. In some cases, the
23 district engineers are going out into the field
24 to look at specific locations, so that they

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1 better understand the thing. So, it's an
2 iterative process. As is, by definition, the
3 "Issued for Construction" drawings have to be
4 done before construction commences.

5 But, I believe, in the letter that the DOT
6 has submitted to the SEC, they believe that we
7 can work through this process, and they believe
8 that they can issue the appropriate permits
9 prior to construction beginning.

10 Q. We're going to get there pretty quickly.

11 A. (Johnson) Uh-huh.

12 Q. If you look at Number 21 on the screen, it
13 indicates that "Temporary wetland impacts are
14 not adequate justification to be under the
15 pavement limits or establish a need for a road
16 closing [crossing?]." Do you see that?

17 A. (Johnson) I do.

18 Q. Now, we saw on the drawings, there are a number
19 of places where the wetlands -- the location of
20 wetlands prevents you from being off the road,
21 kind of forces you on the road. Do you recall
22 that?

23 A. (Johnson) I do.

24 Q. Is this another variance that you're seeking?

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1 A. (Johnson) Not necessarily. So, what this does
2 is, obviously, it brings two jurisdictional
3 bodies into play. Because any time that we --
4 if we move into a wetland, that now brings the
5 Department of Environmental Services into play,
6 as far as, you know, calculating those impacts
7 and making sure that they are comfortable with
8 whatever they are.

9 In a general sense, if they're low-value
10 wetlands, meaning they're a drainage ditch,
11 *etcetera*, we are considering moving them into
12 those areas. Obviously, we need to coordinate
13 with the Department of Environmental Services
14 to let them know that that's happening.

15 If there is an exemplary wetland, for --
16 or a specific vernal pool or some sort of water
17 mass that has some determined value to it, then
18 we would use that as a variance to the Utility
19 Accommodation, or Number 19 in this case -- or,
20 21, sorry.

21 Q. Yes. So, in that case, you would seek a
22 variance?

23 A. (Johnson) In that case, we would, yes.

24 Q. Okay. So, on the screen now is Page 4.

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1 A. (Johnson) Uh-huh.

2 Q. And, if you look at Number 15, it indicates
3 that "Bore pits are shown close to the middle
4 of the road and will not allow for vehicular
5 traffic through the construction zones", and
6 identifies four places?

7 A. (Johnson) Yes.

8 Q. So, are these -- are you going to address this
9 to correct this or is this a variance request?

10 A. (Johnson) So, these are the four cases that we
11 discussed yesterday, I believe, yesterday
12 morning, or midday, whatever. We are looking
13 at redesigns, if we can. And, if we cannot in
14 this area, then we will submit a variance
15 request as well.

16 Q. Okay. And then, in Number 16, it identifies
17 several splice vault locations that don't meet
18 the minimum cover requirements. Do you see
19 that?

20 A. (Johnson) I do.

21 Q. So, are you either redesigning for these or are
22 you going to seek a variance or both?

23 A. (Johnson) So, the Department has provided
24 clarity on what they expect as far as the tiers

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1 of roads that we discussed, and that particular
2 issue is now resolved.

3 Q. Okay. On the screen now is Page 5 of this
4 letter, and Number 18 indicates that there's a
5 "Splice pit on Bear Rock Road that is shown
6 close to the middle of the road and will not
7 allow for traffic through the construction
8 zone." Do you see that?

9 A. (Johnson) I do.

10 Q. Are you able to move that splice pit or do you
11 need to seek a variance?

12 A. (Johnson) I am unfamiliar with that particular
13 splice pit.

14 Q. Okay.

15 A. (Johnson) We will certainly look at the design
16 to see if we can move it. And, if we can't, we
17 will seek a variance.

18 Q. A variance. And, if you need a variance,
19 obviously, that road will need to be closed
20 while that activity occurs?

21 A. (Johnson) That is correct.

22 Q. Okay. Mr. Johnson, what's on the screen now is
23 Counsel for the Public's Exhibit 234. And I'm
24 showing you the second page. And what I'm

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1 interested in is Number 4. And, if you look in
2 the middle of Number 4, it indicates that "For
3 longitudinal impacts, the entire concrete slab
4 are generally removed and replaced with
5 appropriate sub-base and base materials." Do
6 you see that?

7 A. (Johnson) I do.

8 Q. Is it your understanding that what they're
9 referring to is, in Plymouth, where we saw
10 south of the Baker River, through downtown
11 Plymouth, concrete under the road?

12 A. (Johnson) Yes. This is what they're
13 referencing.

14 Q. Yes. And is it your understanding that the DOT
15 is -- will require the Project to replace all
16 the concrete that it cuts, as well as the base
17 and the sub-base materials?

18 A. (Johnson) Yes.

19 Q. Okay. And, in order to do that, if the
20 concrete is under the road, and, in this case,
21 I can say "curb-to-curb", because I think, in
22 downtown Plymouth, they have curbs. So, if the
23 concrete is curb-to-curb, the Project is going
24 to need to replace that concrete curb-to-curb,

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1 and it is also going to need to replace any
2 subgrade and grade material that it removed?

3 A. (Johnson) Can you put the exhibit back up?

4 Q. Sure.

5 A. (Johnson) So, if you highlight it, the slabs
6 are 10 feet wide.

7 Q. Okay.

8 A. (Johnson) So, there's a slab that presumably
9 would be in the parking area, another slab that
10 would be presumably to the center of the road,
11 another slab that would be back to the
12 opposite. So, if it is a 40-foot wide road,
13 presumably, there would be four slabs in there.
14 And what the DOT is requesting, that if we
15 impact one of those four, that we replace that
16 particular area.

17 Q. That slab?

18 A. (Johnson) Correct.

19 Q. Okay. So, you're required to just simply
20 replace the subgrade and the grade material,
21 and the 10-foot slab sections you cut into?

22 A. (Johnson) That's what they're requesting, yes.

23 Q. Okay. And is that the Project's intention? Or
24 are you going to seek a variance for this?

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1 A. (Johnson) I don't know. I'm not familiar with
2 that.

3 Q. You don't know that. Okay.

4 A. (Johnson) Generally, pouring a concrete slab is
5 relatively quick.

6 Q. But removing the 10-foot slab is going to be a
7 little bit more than simply saw-cutting into it
8 to create the trench, correct?

9 A. (Johnson) So, that would happen during final
10 restoration. So, you would saw-cut, temporary
11 restore, and then you'd come back, in final
12 restoration, you would have to, instead of just
13 milling and paving, you would have to mill and
14 take up that concrete layer as well, and then
15 put concrete back and pave over top. It would
16 be an extra step in the final restoration
17 phase.

18 Q. And you'd probably want to compact that
19 subgrade as well at the same time?

20 A. (Johnson) Of course.

21 Q. Okay. So, what's on the screen now is Counsel
22 for the Public's Exhibit 235, which is the
23 DOT's April 3, 2017 letter that you referred to
24 a few moments ago. Do you see that?

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1 A. (Johnson) I do.

2 Q. Okay. Now, in the second paragraph, the DOT
3 indicates "The final horizontal and vertical
4 location of the installation within the highway
5 right-of-way remains to be resolved." Do you
6 see that?

7 A. (Johnson) I do.

8 Q. And they go on to describe that it's an
9 "iterative process", as you indicated, and that
10 the "process will not be complete until design
11 is finalized". Do you see that?

12 A. (Johnson) I do.

13 Q. So, as of today, all the issues with the DOT
14 are not yet worked out, correct?

15 A. (Johnson) That's correct. The final design is
16 under review and ultimately approved by the
17 DOT.

18 Q. Yes. So, that step still needs to occur, the
19 DOT needs to review the final plans, including
20 whatever variances are granted, or, if
21 variances aren't granted, how you design around
22 that. But, nonetheless, the DOT needs to
23 review final plans before it gives its final
24 approval, correct?

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1 A. (Johnson) I believe that it's the approval for
2 the actual permits, not the approval as part of
3 the SEC process.

4 Q. That's what I meant. I meant the --

5 A. (Johnson) Okay. Yes.

6 Q. Yes. I didn't mean the DOT was going to step
7 in for the SEC.

8 A. (Johnson) Correct. It's an Occupancy and Use
9 Permit, and then Excavation Permits.

10 Q. Correct. So that the final DOT approval is yet
11 to come?

12 A. (Johnson) That's correct.

13 Q. Okay.

14 A. (Johnson) As is, if I will, most of the DES
15 approvals and some of the other, you know,
16 there's lots of documentation that still needs
17 to be completed.

18 Q. Okay. And, just as a general summary of this
19 letter, rather -- because the Committee can
20 read it for itself and we can point out things.
21 But, generally, the prior letters still apply,
22 correct?

23 A. (Johnson) Absolutely.

24 Q. They're referred to here?

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1 A. (Johnson) Yes.

2 Q. And what this letter does is provide you with
3 further guidance and comments on the plans as
4 they exist today, correct?

5 A. (Johnson) Correct.

6 Q. And, from today, you need to either make design
7 changes to address DOT's comments or seek
8 variances to address DOT's comments?

9 A. (Johnson) That is correct.

10 Q. And, as I indicated a moment ago, you're
11 striving to get final DOT approval for the
12 Project, correct?

13 A. (Johnson) That is correct.

14 MR. PAPPAS: Okay. I thank the panel
15 and the Committee for your patience. I have no
16 further questions, Mr. Chairman.

17 CHAIRMAN HONIGBERG: All right. We
18 will take our lunch break now, come back in
19 less than an hour. When we return, we'll be
20 picking up with the Municipal Groups.

21 Anything we need to do before we
22 leave?

23 *[No verbal response.]*

24 CHAIRMAN HONIGBERG: All right.

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1 Seeing none, we will adjourn for lunch.

2 (Lunch recess taken at 12:16
3 p.m. and concludes the **Day 7**
4 **Morning Session.** The hearing
5 continues under separate cover
6 in the transcript noted as **Day 7**
7 **Afternoon Session ONLY.**)

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C E R T I F I C A T E

I, **Steven. E. Patnaude**, a Licensed Shorthand Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of these proceedings taken at the place and on the date hereinbefore set forth, to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

Steven E. Patnaude, LCR
Licensed Court Reporter
N.H. LCR No. 52
(RSA 310-A:173)