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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. Whitley 3

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

1 Q. So, do you have your supplemental testimony
2 with you again this morning?

3 A. (Johnson) I do.

4 Q. And just for the record again, that's
5 Applicants' 86, I believe?

6 A. (Johnson) That's correct.

7 Q. We talked a little bit yesterday about the
8 Project's efforts on outreach to
9 municipalities. And I believe that the
10 testimony from this panel and from other panels
11 has been that that's been a real point of
12 emphasis. Is that correct?

13 A. (Johnson) Yes.

14 Q. While I was looking at one of the attachments
15 to your testimony, which is the up-to-date kind
16 of data on the outreach efforts, and I noted
17 that, in the last year and a half, so, since
18 January 2016, the Project has only met with
19 nine host communities. Does that sound
20 accurate?

21 A. (Johnson) That's about accurate, yes.

22 Q. If there's such an emphasis on outreach and
23 coming to agreement, that strikes me as a very
24 low number.

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1 A. (Johnson) So, there are many types of outreach,
2 whether it's phone calls, whether it's letters.
3 These happen to be the actual visits that we've
4 made with the towns. Obviously, it's their
5 prerogative to respond when we inquire whether
6 they'd like a meeting. And, as you note, these
7 16 -- or, 2016 and '17 lists that the towns
8 that have reached out to us and had an official
9 town meeting.

10 Q. So, that's not a reflection of the Project
11 making a decision to wait and see what the SEC
12 does before continuing outreach to the
13 municipalities?

14 A. (Johnson) No. Absolutely not.

15 Q. Thank you, Mr. Johnson.

16 A. (Johnson) You're welcome.

17 Q. I want to turn now to some of the
18 municipalities that I represent, and just go
19 through some of the Project maps and AOT maps.
20 And just for the panel's information again,
21 some of the communities that I'll be going
22 through are New Hampton, Pembroke, and the
23 Ashland Water & Sewer Department. And, so,
24 they're primarily all overhead portions of the

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1 line, Mr. Bradstreet. So, I suspect that most
2 of my questions will be directed at you. But,
3 as before, if anyone else has an answer, please
4 feel free to chime in.

5 I'm going to start with the Town of New
6 Hampton. And what's on the screen there is the
7 Project map for the Town of New Hampton. Yes.
8 Do you see that in front of you there on the
9 screen?

10 A. (Bradstreet) Yes, I do.

11 Q. Are you familiar with the scenic easement along
12 I-93, in Bridgewater and New Hampton?

13 MS. DORE: Attorney Whitley, is it an
14 exhibit?

15 MR. WHITLEY: Oh, yes. I'm sorry.
16 Thank you. It's Applicants' Exhibit 2,
17 Attachment 2. Apologies.

18 **BY THE WITNESS:**

19 A. (Bradstreet) As to your question about the
20 easement, I think I'm aware that there is an
21 easement. I don't know much of the specifics.

22 BY MR. WHITLEY:

23 Q. Okay. Is anyone else on the panel aware of
24 that easement?

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

1 A. (Bowes) Aware of it, yes, but not the
2 specifics.

3 Q. Okay. Same answer? You shook your head.

4 A. (Johnson) Same answer.

5 Q. Okay. Thank you. I'll represent to you that
6 it restricts structures within that area. Does
7 that sound, to the extent you have familiarity
8 with it, does that sound accurate?

9 A. (Bradstreet) I guess I'm not aware of it
10 restricting our heights outside of that
11 easement.

12 MS. DORE: Attorney Whitley, I have
13 to, I'm sorry, but which page it is in
14 Attachment 2? There are 380 pages here.

15 MR. WHITLEY: It's Sheet 129.

16 BY MR. WHITLEY:

17 Q. I'm sorry, Mr. Bradstreet. Could you -- do you
18 want me to say the question again?

19 A. (Bradstreet) Yes. Please.

20 Q. So, my question was whether or not you're aware
21 that the easement restricts structures?

22 A. (Bradstreet) I guess the Project did a thorough
23 review of all the restrictions along these
24 easements. And, if a restriction was noted, it

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

1 would have been incorporated into our design.

2 Q. Okay. Now, it appears that the structures in
3 this area were placed outside of or right on
4 the boundary of that easement. Is that
5 correct?

6 A. (Bradstreet) Looks like they're very near, yes.

7 Q. And, if we look to the tower information. Oh,
8 hold on. Let me just point out which towers
9 we're going to be looking at here.

10 So, on the New Hampton side there, just
11 before it crosses the Pemi River, do you see
12 those three towers, the three Project towers
13 there? So, DC-1144, --

14 A. (Bradstreet) Yes. In between 93 and the Pemi
15 River?

16 Q. That's correct. So, 1144, and 1143, and 1142?

17 A. (Bradstreet) Yes. I see that.

18 Q. And then the relocated 115 towers, which are
19 168, 169, and 170?

20 A. (Bradstreet) Correct.

21 Q. Okay. And, just to go over the heights of
22 those towers, the 142 is 110 feet -- the 1142,
23 pardon me, 110 feet; the 1143 is 105 feet; and
24 the 1144 is 110 feet. Correct?

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

1 A. (Bradstreet) That looks correct, yes.

2 Q. And then, for the 115 towers, the 168 is
3 125 feet; the 169 is 100 feet; and the 170 is
4 115 feet. Correct?

5 A. (Bradstreet) Looks correct, yes.

6 Q. Okay. Turn now to the AOT map of this area.
7 And, just for the record, this is Applicants'
8 Exhibit 1, Appendix 6c. And this is sheet -- I
9 believe it's 246. Yes, 246.

10 And isn't it correct that, for the
11 structures that I've just identified and that
12 we've been discussing, there's going to be some
13 vegetative clearing associated with those
14 structures? I'm pulling it up a little closer
15 here so you can see that.

16 A. (Bradstreet) Yes. It looks like there's some
17 clearing proposed on either sides of the
18 existing right-of-way.

19 Q. Okay. So, you have a scenic easement here,
20 which is immediately adjacent to where these
21 towers are located, that restricts structures.
22 But, right next to that easement, you've placed
23 six towers, six towers with a minimum height of
24 100 feet and a maximum height of 125 feet.

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

1 Isn't that accurate?

2 A. (Bradstreet) That's the structure heights that
3 are proposed, correct.

4 Q. And, in addition you're going to be doing some
5 vegetative clearing. So, while the Project may
6 arguably not be violating the terms of the
7 easement, you're certainly adding taller
8 structures and taking away vegetative buffer in
9 the exact vicinity where that easement is
10 located?

11 A. (Bradstreet) I guess I wouldn't say it's in the
12 "exact vicinity of the easement". But it's on
13 our easement, yes.

14 Q. So, if you're not in violation of the letter of
15 the easement, you're violating the spirit of
16 that easement?

17 MR. NEEDLEMAN: Objection.

18 CHAIRMAN HONIGBERG: Mr. Whitley.

19 MR. WHITLEY: The grounds for the
20 objection?

21 MR. NEEDLEMAN: How could we possibly
22 violate an easement when we're not on the
23 easement property?

24 MR. WHITLEY: And my question was --

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

1 well, I'll withdraw the question. That's fine.

2 BY MR. WHITLEY:

3 Q. I want to turn now, Mr. Bradstreet, to a
4 different segment of the line in New Hampton.
5 You see that on your screen there? This is the
6 Project map, the revised Project map for the
7 Project. This is Sheet 126. And this is where
8 the line comes into New Hampton.

9 A. (Bradstreet) Yes, I see that.

10 Q. And I'm pulling up now Sheet 126. And you see
11 that, on the left-hand side of the screen there
12 is the Ashland Water & Sewer facility. And,
13 then, as you go along the line, you come into
14 New Hampton. Do you see that?

15 A. (Bradstreet) Yes, I do.

16 Q. The portion of the line in New Hampton there --
17 whoops, I keep hitting the wrong button,
18 apologies. The portion of the line in New
19 Hampton there, as you go to the right, it comes
20 up against I-93, correct?

21 A. (Bradstreet) Yes. It looks like it parallels
22 I-93 for maybe four or five structures, yes.

23 Q. Okay. But, in terms of accessing this segment
24 of the right-of-way, the Project is going to

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1 have to come from the Ashland side of the
2 river, correct?

3 A. (Bradstreet) I believe that's the plan.
4 Correct.

5 Q. And that's because, obviously, the Project's
6 not going to come to this portion of the
7 right-of-way from the I-93 --

8 A. (Bradstreet) Yes. We have no plans to access
9 the Project from a limited access highway.
10 Correct.

11 Q. Right. Right. And your AOT maps reflect this.
12 This is that same property there. The scale is
13 a little bit different. But do you see this as
14 the same property?

15 A. (Bradstreet) Yes, I believe.

16 MS. DORE: Attorney Whitley, what are
17 we looking at right now?

18 MR. WHITLEY: We are looking at the
19 AOT map, which, again, is Applicants'
20 Exhibit 1, Appendix 6c.

21 I think, for the record, can I just
22 say that that's going to be the citation, and
23 just give the page number from here on out. Is
24 that acceptable, Mr. Chair?

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1 CHAIRMAN HONIGBERG: I think, if
2 you're staying within one exhibit, and you're
3 moving within pages, it's easy enough. It's
4 just a little -- sometimes a little unclear if
5 you're changing exhibits, you're changing
6 documents. This is mostly for your benefit, so
7 your record is clear.

8 MR. WHITLEY: Well, let me just --
9 I'll put on the record then that I'm switching
10 between the AOT maps and the revised Project
11 maps. The AOT maps, again, are Applicants'
12 Exhibit 1, Appendix 6c. The revised Project
13 maps are Applicants' Exhibit 2, Attachment 2.

14 CHAIRMAN HONIGBERG: Okay. Thank
15 you.

16 BY MR. WHITLEY:

17 Q. And this is that portion of the right-of-way we
18 were just discussing, where access would not be
19 possible from where I-93 intersects the
20 corridor. Correct?

21 A. (Bradstreet) Yes. We do not plan to come off
22 I-93.

23 Q. Okay. So, then, the Project's means of access
24 is over or through Ashland Water & Sewer

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

1 Department, which is back on Sheet Number 241
2 of the AOT Application. You see that on the
3 left-hand side there?

4 A. (Bradstreet) Yes. I think it's not crystal
5 clear in this picture, but, yes.

6 Q. I can pull up a better one here. There you go.
7 So, what I've put on the screen now is the
8 Project map, and this is again Revised Project
9 Sheet 126. And that's the access point to that
10 New Hampton property, correct?

11 A. (Bradstreet) Correct.

12 Q. Okay. And do you know what spans the Squam
13 River?

14 A. (Bradstreet) I'm sorry what -- as far as a
15 bridge or something? I don't know the
16 specifics personally.

17 Q. Okay.

18 A. (Bradstreet) I don't know if anybody else does,
19 but --

20 A. (Johnson) It's a bridge that's able to
21 basically handle a small tractor.

22 Q. Okay. Do you know the width of that bridge,
23 Mr. Johnson?

24 A. (Johnson) Off the top of my head, it's around

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

1 six feet, something of that nature.

2 Q. Okay. Is it -- to your knowledge, is it
3 reinforced to the extent that construction
4 vehicles could cross it?

5 A. (Johnson) No.

6 Q. And the Project is not planning on using the
7 Water & Sewer Department property to access the
8 right-of-way currently?

9 A. (Johnson) We've had discussions with the Water
10 & Sewer Department about an access agreement in
11 this area. At this time, it has not been
12 resolved.

13 Q. Okay. So, if you're not using the Ashland
14 Water & Sewer Department property, you're going
15 to have to get access to the right-of-way
16 further north up the line, correct?

17 A. (Johnson) That's correct.

18 Q. Has the Project considered using helicopters at
19 all to reach the New Hampton property we're
20 discussing?

21 A. (Johnson) Only for stringing activities, which
22 I believe they're planning on using across the
23 entire program.

24 Q. Okay.

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1 A. (Johnson) But, no, not specifically for this
2 area. It is an option. But I do not believe
3 that the contractors at that point -- are at
4 that point at this time.

5 Q. So, if you're going to be spanning that narrow
6 inadequate-for-construction-vehicle-purposes
7 bridge to access this property, you're going to
8 have to make improvements to that bridge,
9 correct?

10 A. (Johnson) That is correct.

11 Q. Okay. As well as make improvements to perhaps
12 various portions of the access road within the
13 right-of-way?

14 A. (Johnson) Consistent with access roads across
15 the program, yes.

16 Q. And, because of the I-93 corridor at the end of
17 this New Hampton property, any traffic going to
18 that end of the line is going to have to turn
19 around and come back over this same bottleneck
20 here at the Squam River?

21 A. (Johnson) Yes.

22 Q. And, as you sit here today, do you know what
23 would be required to upgrade that bridge, to
24 whatever the Project would deem necessary?

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

1 A. (Johnson) I do not personally.

2 Q. Does anyone else on the panel? Mr. Bradstreet?

3 A. (Bradstreet) I do not know. No.

4 Q. When would that information be available?

5 A. (Johnson) The contractor, in this case, PAR
6 Electric, would have to go out and assess the
7 conditions of that bridge, and then propose a
8 new solution. Any bridge replacement, I
9 believe, is consistent with a culvert
10 replacement, with the rules and regulations
11 associated with that, which have to be cleared
12 by the Department of Environmental Services
13 prior to installation.

14 Q. Okay. I want to walk through some of the other
15 line portions in New Hampton. And I'm going to
16 turn now to the AOT plans, Sheet 254. Let me
17 zoom out here, so it's a better perspective.
18 Do you have that in front of you,
19 Mr. Bradstreet?

20 A. (Bradstreet) Yes, sir.

21 Q. Okay. So, for these portions of the
22 transmission corridor, to the north there, the
23 Pemi River, and then you're going to access
24 that northern segment via Old Bristol Road, as

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1 well as the southern segment that goes to the
2 right of the picture, correct?

3 A. (Bradstreet) So, you're saying both from Old
4 Bristol Road, north and south?

5 Q. Yes.

6 A. (Bradstreet) So, the plan would be to head
7 north --

8 *[Court reporter interruption.]*

9 **BY THE WITNESS:**

10 A. (Bradstreet) The plan would be to head north
11 off of Old Bristol Road, as well as south.

12 BY MR. WHITLEY:

13 Q. Okay. This will give you a better view of
14 that. And, so, I see the two aprons there onto
15 Old Bristol Road. But there is also an off
16 right-of-way access towards the bottom of the
17 picture, you see that?

18 A. (Bradstreet) Yes. I believe that's the access
19 to the existing Pemigewasset Substation.

20 Q. Okay. Okay. Because that was one of my
21 questions, was what was the purpose for that
22 off right-of-way access?

23 A. (Bradstreet) I think it's just because it's
24 existing.

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

1 Q. Okay. So, assuming you get your approval and
2 the Project is approved, is that off
3 right-of-way access going to remain then?

4 A. (Bradstreet) It exists today. So, yes.

5 Q. Okay.

6 A. (Bowes) It's for the existing substation, not
7 necessarily for the transmission construction.

8 Q. And that's what I gathered from
9 Mr. Bradstreet's answer, but I just wanted to
10 be clear.

11 A. (Bradstreet) I guess, to clarify further, the
12 area, I guess, to the east of the substation
13 would most likely be removed, like the rest of
14 the transmission access roads. But the drive
15 from Old Bristol Road would remain.

16 Q. Okay. And would that drive from Old Bristol
17 Road have any sort of security associated with
18 it? Gates, anything like that? Does it
19 currently?

20 A. (Bradstreet) I would assume it does not. The
21 substation has the fencing required.

22 Q. And the apron to access the northern segment
23 appears to extend into Old Bristol Road. Is
24 that accurate? And, by "extend", I mean it

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

1 extends -- it appears to be at least halfway
2 into Old Bristol Road?

3 A. (Bradstreet) I think it appears to be halfway
4 into the right-of-way boundary, but not
5 necessarily into the road itself.

6 Q. Okay.

7 A. (Bradstreet) The apron would start at the edge
8 of pavement, or I believe it's paved here.

9 Q. Okay. So, going through these various AOT
10 maps. There's a couple places where the apron
11 appears to extend into the right-of-way
12 boundary of a road. But it sounds like your
13 answer is that, when it appears that way on the
14 plan, it's actually just going to be to the
15 edge of the pavement?

16 A. (Bradstreet) That would be the intent here. I
17 think you can kind of make out the road
18 alignment in the photo.

19 Q. Uh-huh.

20 A. (Bradstreet) So, there's some distance between
21 the edge of right-of-way and the edge of
22 pavement.

23 Q. Okay. Because the right-of-way boundary of the
24 road and the edge of the traveled way may not

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

1 be the same thing?

2 A. (Bradstreet) Right. And the purpose of this
3 apron is to make sure we have adequate access
4 for trucks to turn off of the pavement onto the
5 access road.

6 Q. And do you know how wide Old Bristol Road is at
7 this access point?

8 A. (Bradstreet) I do not. But I think we can get
9 a measurement real quick.

10 A. (Johnson) About 25 to 30 feet.

11 Q. Okay. And, so, when you have construction
12 vehicles accessing either the northern portion
13 or the southern portion of the corridor,
14 there's going to be a potential to block both
15 lanes of traffic due to the narrowness of this
16 road?

17 A. (Bradstreet) I guess I don't know if the
18 sequence would ever require both directions at
19 the same time. We can definitely coordinate
20 that so that I think it would not happen.

21 Q. But assume, just for the sake of this
22 conversation, that you've got a crane truck
23 that's got to turn into the northern segment or
24 the southern segment of this corridor. So,

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1 that would require a pretty wide turning
2 radius, would it not?

3 A. (Bradstreet) It would.

4 Q. And is a 25 to 30-foot traveled way enough of a
5 turning radius to get onto either segment
6 without blocking the other lane of travel?

7 A. (Bradstreet) Again, I think it can be
8 coordinated so that it does not block travel.
9 I would say this is the same as a semi truck
10 turning into, you know, a general entrance to
11 any kind of construction area or an entrance
12 into a business even.

13 Q. Ms. Farrington, I'm going to turn to you for a
14 second. I understand from yesterday's
15 testimony, I think it was yesterday, that you
16 haven't done any analysis of how much traffic
17 to expect at these access points, is that
18 correct?

19 A. (Farrington) That is correct.

20 Q. And, so, that answer would carry over to the
21 Town of New Hampton and these access points we
22 see here?

23 A. (Farrington) Correct. We don't expect the
24 number of vehicles accessing these points at

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

1 any given period of time, perhaps like a peak
2 hour, to be substantial enough to warrant any
3 sort of analysis.

4 Q. Okay. But you haven't done any calculation of
5 traffic impact at this specific location
6 though?

7 A. (Farrington) No, I have not.

8 Q. I believe yesterday, Mr. Bradstreet, when we
9 were talking about similar access points, there
10 was some testimony about gravel mud traps on
11 these aprons. Do you recall that?

12 A. (Bradstreet) I don't recall specifically. But,
13 yes, I know what you're talking of.

14 Q. Okay. I don't see those indicated on any of
15 the maps. Is there a particular reason for
16 that?

17 A. (Bradstreet) I don't think it was specifically
18 called out. But the plan would be for gravel
19 traps to be I think it's 15 feet of the first
20 entryway of an access road from the road. So,
21 15 feet from the road, into the access, would
22 be that mud trap area.

23 Q. Okay. Okay. Because I -- to save time this
24 morning, I mean, I didn't see gravel mud traps

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1 indicated on any of these plans. So, I just
2 wanted to clarify that that was the Project's
3 intent, was to have those gravel mud traps at
4 all of these aprons where access is provided to
5 the right-of-way?

6 A. (Bradstreet) Somebody can correct me if I'm
7 wrong on the panel, but, yes, I believe that is
8 the plan. I believe that is what's shown on
9 the details that the contractor will be
10 required to follow.

11 Q. Okay. Thank you. Are any of you aware of the
12 status of this road? And, by "status", I mean
13 "Class V", "Class VI".

14 A. (Bradstreet) I am not.

15 A. (Bowes) No, I'm not.

16 Q. Okay.

17 A. (Johnson) Not.

18 Q. Do any of you have any knowledge about the
19 significance of that status designation?

20 A. (Johnson) As you get higher in numbers, it's,
21 you know, less maintained and not -- at a point
22 where it's not plowed in the winter.

23 Q. That's partially correct, Mr. Johnson, yes.

24 So, this road is a Class V road. And I'll

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1 represent to you that that means that it's a
2 public road, but that is maintained by the
3 Town. And it sounds like that's consistent
4 with at least your understanding, Mr. Johnson?

5 A. (Johnson) It is.

6 Q. Are any of you aware of whether or not the Town
7 of New Hampton has seasonal weight
8 restrictions?

9 A. (Bradstreet) I would assume they do.

10 Q. But not specifically, though?

11 A. (Bradstreet) I mean, the Project will research
12 what the requirements are and incorporate that
13 into the construction schedule.

14 Q. But, as you sit here today, has the Project
15 done that research, to your knowledge?

16 A. (Bradstreet) I know I have not. I don't know,
17 Sam, if you have a better answer?

18 A. (Johnson) No. The answer is, to date, no.

19 Q. Okay. I'll represent to you that the New
20 Hampton seasonal weight restriction is a limit
21 of 10 tons on the roads that they have
22 designated as needing that protection. It's
23 likely that there will be vehicles and loading
24 on those vehicles that will exceed that amount,

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

1 isn't that correct?

2 A. (Bradstreet) For construction, at times, yes.
3 There will most likely be larger vehicles than
4 that.

5 Q. And, so, what will the Project do if it needs
6 to move those construction vehicles and
7 equipment into this segment of the
8 right-of-way, and it happens to be during the
9 weight restriction season in town?

10 A. (Bradstreet) I think that's part of our
11 construction coordination schedule effort. We
12 will schedule this work to make sure that we
13 are not there when those restrictions would
14 impede work.

15 Q. But I understand that there's, I guess, a bit
16 of a difference between, you know, hoping to
17 not have to violate a seasonal weight
18 restriction and committing to not violating a
19 seasonal weight restriction. And I'm hoping
20 that you can clarify which one the Project is
21 offering to do?

22 A. (Bradstreet) I guess I'll voice my opinion, and
23 somebody can weigh in if they have other
24 thoughts. But the purpose of the construction

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

1 schedule is to ensure we're not there when it's
2 restricted.

3 Q. Uh-huh. Anybody else on the panel disagree
4 with that assessment?

5 A. (Johnson) No.

6 A. (Bowes) No.

7 A. (Johnson) If I might add, this would be another
8 item that could be included in a memorandum of
9 understanding. If we were to engage with the
10 Town of New Hampton, this is certainly
11 something that we could add as a -- whether
12 it's posting a bond or whatever. But I believe
13 that we've stated earlier in testimony that, if
14 we do damage roads, then we will fix them to
15 the existing or better conditions. I believe
16 that was on Monday we discussed that at length.

17 Q. Thank you. I want to turn your attention to
18 AOT Map 256. And this is another segment of
19 the line in New Hampton. And, just for
20 context, by the way, on the bottom left-hand of
21 the picture, you see the area map there, just
22 in case anyone needs orientation.

23 But this is another point where the
24 Project is going to be gaining access to the

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

1 corridor. Do you see that there,

2 Mr. Bradstreet?

3 A. (Bradstreet) Yes, I do.

4 Q. And, so, the Project is going to be using Brook
5 Road for this AOT map, this map segment, to
6 access the corridor, correct?

7 A. (Bradstreet) Correct.

8 Q. And that's going to be accessing the segment
9 that's to the left in the picture, and then
10 I'll, you know, represent to you that the
11 segment continues to the right beyond what's
12 shown here?

13 A. (Bradstreet) Yes, sir.

14 Q. Yes. I count three aprons at this access
15 point. Why do you need three aprons here?

16 A. (Bradstreet) I believe the plan is for the
17 apron to the left to access that span that
18 continues and runs to the north. One of the
19 aprons to the right is probably going to be the
20 main access point to continue south. And the
21 third apron is to access that single structure
22 that's directly off of Brook Road.

23 Q. Why can't you link up the two construction pads
24 here and do away with one of those access

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1 aprons?

2 A. (Bradstreet) I think there's an opportunity for
3 that.

4 Q. Because it strikes me that three access aprons,
5 and how wide is the corridor there? 150 feet?

6 A. (Bradstreet) The right-of-way?

7 Q. The right-of-way, thank you.

8 A. (Bradstreet) 225.

9 Q. 225. It strikes me that three access aprons,
10 and that length of this road, is troublesome.
11 And, so, I didn't -- so, has the Project looked
12 at connecting the two construction pads,
13 instead of using a third apron?

14 A. (Bradstreet) I guess I would say I do not know
15 if that was specifically addressed. But it's
16 something that could definitely be reviewed and
17 incorporated, if it doesn't have any further
18 impact.

19 Q. And, as we discussed before, the apron that
20 goes to the northern segment, the fact that it
21 appears to be in the middle of the road is not
22 necessarily accurate. It's not going to be
23 that far out in the road, correct?

24 A. (Bradstreet) Right. So, what's shown in the

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1 middle of the road is based off of the parcel
2 boundary. And, if you could clearly see the
3 edge of the pavement, it would match up with
4 the pavement.

5 Q. Okay. Okay. And are you guys aware of how
6 wide Brook Road is here?

7 A. (Bradstreet) One second.

8 Q. Sure.

9 A. (Bradstreet) Approximately 25 feet.

10 Q. I'm sorry, Mr. Bradstreet. You said "25 feet",
11 I believe?

12 A. (Bradstreet) Approximately 25 feet, yes.

13 Q. Okay. And is that measurement the traveled way
14 or is that the road corridor?

15 A. (Bradstreet) I believe that's the pavement.

16 Q. Okay. And, again, Ms. Farrington, you're not
17 aware of any -- you haven't done any
18 calculation on the expected amount of traffic
19 here, nor have you done a calculation of
20 possible traffic impact at this location?

21 A. (Farrington) That's correct. So, if I may, it
22 might help if I explain a little bit of how the
23 traffic analysis would be done.

24 Q. Ms. Farrington, I just wanted you to answer the

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1 question that I asked. Thank you.

2 A. (Farrington) Okay.

3 Q. And, Mr. Bradstreet, again, the plan doesn't
4 show any gravel mud traps, but it sounds like
5 that is what is indeed planned, correct?

6 A. (Bradstreet) Yes. Every access point off of a
7 main road will have that gravel mud trap at the
8 beginning.

9 Q. Okay. Does the Project have any awareness of
10 what the designation of this road is?

11 A. (Bradstreet) I do not.

12 A. (Johnson) No.

13 Q. I heard the click, so I looked up. I'll
14 represent to the panel that this is a Class V
15 road as well. Does the panel have any
16 knowledge of whether this is a paved road, a
17 gravel road, anything like that?

18 A. (Johnson) It looks to be a gravel road.

19 Q. Okay. But you're basing that on what?

20 A. (Johnson) On the Google images.

21 Q. Okay. So, has anyone on the panel traveled to
22 this segment of the road?

23 A. (Johnson) I have not, no. Our constructability
24 gentlemen -- or, people have been out in the

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1 field, and, yes, have walked through this.

2 Q. They have walked this segment?

3 A. (Johnson) Yes.

4 Q. Okay. So, similar to the last road we spoke
5 about, this road, too, could be subject to the
6 seasonal weight restrictions?

7 A. (Bradstreet) Yes. I believe that's correct.

8 Q. All right. I want to turn now to another
9 segment. This one is AOT Map 259. And, just
10 for context, it's that red square there in the
11 bottom left. Oh, apologies. That's the wrong
12 segment. One more. There we go. So, this is
13 still AOT 259, I just pulled up the wrong page
14 for the record.

15 Okay. You see that there, Mr. Bradstreet?

16 A. (Bradstreet) Yes, sir.

17 Q. I'll zoom out, so you get a little more context
18 here. So, in this segment, the right-of-way is
19 accessed via Coolidge Woods Road, correct?

20 A. (Bradstreet) Yes. It appears so.

21 Q. And, as before, Ms. Farrington, you're not
22 aware of any expected traffic here, nor have
23 you done a calculation of possible traffic
24 impact, correct?

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1 A. (Farrington) Correct.

2 Q. Is anyone on the panel aware of the status of
3 Coolidge Woods Road?

4 A. (Bradstreet) I am not.

5 A. (Johnson) I'm going to guess it's a Class V?

6 Q. You are correct, Mr. Johnson. Yes. It's Class
7 V. Is anyone aware of the surface of the road,
8 whether it's paved, gravel?

9 A. (Johnson) It appears to be gravel.

10 Q. And is anyone aware what the width of the road
11 is?

12 A. (Johnson) I just measured, and it's 25 feet as
13 well.

14 Q. And that is, again, the traveled portion, not
15 the corridor, correct?

16 A. (Johnson) That's correct.

17 Q. So, you're aware that this road, too, is
18 subject to that seasonal weight limitation?

19 A. (Johnson) Yes, sir.

20 Q. All right. I want to turn to another road
21 segment now. This is going to be AOT Map
22 Number 246. And we looked at this a little
23 earlier this morning. This is the segment of
24 the corridor right before it crosses the Pemi

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1 River and goes into Bridgewater. But I want to
2 talk right now about the access via Highway
3 132. Do you see that, Mr. Bradstreet?

4 A. (Bradstreet) Yes, I do.

5 Q. I can zoom in. And here as well there's off
6 right-of-way access. What's the purpose of
7 that off right-of-way access onto that
8 construction pad?

9 A. (Johnson) So, there's a relatively steep slope
10 that goes from 132 as it heads towards the
11 Pemigewasset River. That is land that's owned
12 by PSNH. And, so, it's a existing access road
13 that allows for a more gentler slope, if you
14 will, for vehicles to access those two
15 structures down in the plateau of the
16 Pemigewasset River.

17 Q. So, you said it's presently existing, it's not
18 planned for this Project?

19 A. (Johnson) So, I believe PSNH currently uses
20 that as a maintenance access road. There will
21 have to be some improvements. But they will be
22 removed when the Project is complete.

23 Q. And there's a -- so, it accesses the bottom
24 side on the picture of that construction pad,

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1 correct? That off right-of-way access?

2 A. (Johnson) Yes. It appears to be that, yes.

3 Q. But the other side, the upper portion of that
4 construction pad, is accessed via an apron
5 within the corridor from 132, correct?

6 A. (Johnson) That would -- that's correct, yes.

7 Q. Okay. My understanding from yesterday is that,
8 when the Project prepares a construction pad,
9 that you clear that area and level the site, is
10 that accurate?

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

12 Q. Okay. So, if you're leveling the construction
13 pad, and you have access via either the off
14 right-of-way access or the apron, then why do
15 you need a second access point?

16 A. (Johnson) Good question. I think just to keep
17 options available.

18 Q. Okay.

19 A. (Johnson) I believe that, in the beginning, we
20 may use the access road off of 132 for smaller
21 vehicles that would get in. And, then, once
22 the heavy machinery comes in for drilling and
23 structure erection, then it would come off the
24 longer access road.

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1 Q. Okay.

2 A. (Johnson) As you can see in the plan, the
3 contour lines are fairly close together. So,
4 there is a slope that comes down that way. So
5 it would not be conducive to any kind of heavy
6 type of machinery.

7 Q. So, that answer seems at odds with the one you
8 gave initially.

9 A. (Johnson) So, the clearing activities or the
10 survey crews, for example, would use pickup
11 trucks. So, it would be very easy for them to
12 come down a little slope and get to that level.

13 Q. But, if you have access that's suitable for a
14 larger piece of equipment, those smaller
15 vehicles could use that access as well?

16 A. (Johnson) Absolutely, yes. Yes. No question.
17 I think the optionality was the only reason
18 there's two here.

19 Q. Okay. Okay. So, other than convenience,
20 there's no engineering need for that third
21 access point?

22 A. (Johnson) That's correct.

23 Q. Okay. And the off right-of-way access, is
24 there any plan to remove that, assuming the

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1 Project goes forward?

2 A. (Johnson) Yes.

3 Q. Okay. And, while the Project is under
4 construction, is that going to be secured in
5 any way?

6 A. (Johnson) I don't know. We could certainly
7 look into putting a gate up or something of
8 that nature, so that other folks wouldn't use
9 it.

10 Q. I guess I'm a little confused, because I
11 thought that was already the plan of the
12 Project, was to make sure that, by doing the
13 work in the corridor, the Project wasn't
14 opening up access points to unauthorized use of
15 the corridor. And, so, the way to combat that
16 and prevent that from happening was that
17 right-of-way access was going to be limited and
18 secure. Is that -- do I have that
19 understanding incorrectly?

20 A. (Bowes) I think, in general, that's correct.

21 Q. Okay.

22 A. (Bowes) It doesn't mean we're going to install
23 gates at every location, especially if PSNH
24 uses that access now.

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1 Q. What does it mean, if it doesn't mean a gate?

2 What does it mean then?

3 A. (Bowes) It means we may not be putting gates up
4 at this location.

5 Q. Well, how are you securing it, if you're not
6 putting a gate up? What's the alternative?

7 A. (Bowes) We would not.

8 A. (Johnson) We could post "No Trespassing" signs,
9 etcetera.

10 Q. Okay. That's not really the same thing as
11 securing access.

12 A. (Johnson) Agreed.

13 A. (Bowes) So, my experience is just installing a
14 gate just leads to a alternative path around
15 the gate. And signage, although may satisfy a
16 legal requirement, it really tends not to be
17 very effective, if someone wants to access the
18 right-of-way.

19 Q. Okay. So, maybe do nothing then?

20 A. (Bowes) It may be best to do nothing in this
21 case.

22 Q. I want to stay in the Town of New Hampton and
23 just talk a little bit about noise impacts for
24 a second. And I don't know who I should direct

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1 these questions to, Mr. Bowes or

2 Mr. Bradstreet, is --

3 A. (Bowes) Probably the two of us.

4 Q. Okay. Okay. So, are either of you aware that
5 New Hampton has some regulations restricting
6 noise in town?

7 A. (Bowes) It would not surprise me, but I don't
8 specifically know, --

9 Q. Okay.

10 A. (Bowes) -- if there's ordinances, regulations,
11 or more detailed regulations.

12 Q. Mr. Bradstreet, any different answer?

13 A. (Bradstreet) No. I would agree with what
14 Mr. Bowes just said.

15 Q. Okay. I'll represent to you both that they do
16 have such an ordinance. And that, in
17 residential areas, there is a dBA limitation at
18 the property line that is 60 dBA by day and 50
19 dBA by night. And, when I say "dBA", I'm sure
20 you know what I'm referring to?

21 A. (Bradstreet) Yes.

22 A. (Bowes) Yes, sir. It's a sound pressure level,
23 yes.

24 Q. Yes. And they define daytime as "7:00 a.m. to

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1 8:00 p.m", and then, obviously, nighttime is
2 the remaining hours, "8:00 p.m. back to
3 7:00 a.m." And I've pulled up here Project Map
4 127, revised Project Map 127 for the Project.
5 And you see the yellow dots above and below the
6 corridor there. Those are residential uses,
7 correct?

8 A. (Bradstreet) Yes, I believe so.

9 Q. Zoom in to give you a better view here. So,
10 you see, for this segment of the line, which
11 runs across the center of the page there, there
12 are a couple of residences that are -- that
13 appear to be right on the edge of the
14 right-of-way. And I'm looking at the two
15 yellow dots below the corridor on the picture,
16 and to the left-hand side of the page. One has
17 a property designation of "6115" and the other
18 one has a property designation of "6117". Do
19 you see those?

20 A. (Bowes) I do.

21 Q. And wouldn't you agree that those residences
22 appear to be just outside the right-of-way?

23 A. (Bowes) That is correct.

24 Q. And the two towers -- the two Project towers or

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1 structures that are closest to those two
2 residences are DC-1124 and DC DC-1125, correct?

3 A. (Bradstreet) Yes. That looks correct.

4 Q. Okay. And then we go up and just look at the
5 specifics for those towers. And, again, it was
6 1124 and 1125. So, 1124 is going to be 95 feet
7 tall and 1125 is going to be 90 feet tall,
8 correct?

9 A. (Bradstreet) It appears so, yes.

10 Q. And they correspond with C218, which is the one
11 that's right here in the center. And, from
12 that segment, it appears that the Project line
13 is roughly 85 feet from the edge of the
14 right-of-way. Is that correct?

15 A. (Bradstreet) That's correct.

16 Q. And, again, those houses are right on the edge
17 of the right-of-way. So, those houses are
18 roughly 85 feet from the Project towers,
19 correct?

20 A. (Bradstreet) They're slightly further, but,
21 yes.

22 Q. Yes. And, going back to the Project Map view
23 here, this is a residential area. So,
24 arguably, the town's noise limitations would

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1 apply?

2 A. (Bowes) Would you happen to have a copy of that
3 ordinance that you could put up?

4 Q. I don't have it electronically, unfortunately.

5 A. (Bowes) So, oftentimes, the noise ordinances
6 exclude construction noise. I'm just wondering
7 if that's the case for this town?

8 Q. This one -- this one does not, no. No. Is
9 there any noise mitigation planned for work in
10 this area, from the construction?

11 A. (Bowes) Yes. There's obviously some things on
12 this picture that would dominate the local
13 noise, with the I-93, and it looks to be an
14 active quarry. That aside, the Project still
15 will take noise mitigation measures. A report
16 was actually done as part of the DOE Draft EIS
17 process that outlined all of the types of
18 construction, the vehicles used, and the amount
19 of noise that they generate.

20 Q. So, let's just -- let's talk about what type of
21 activity these residences --

22 A. (Bowes) Sure.

23 Q. -- could expect. So, there's going to be tree
24 clearing, potentially?

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1 A. (Bowes) So, for right-of-way clearing, there
2 would be several types of equipment used. Each
3 one of those is listed on, in this case, Data
4 Table 10 of that report.

5 Q. Uh-huh.

6 A. (Bowes) And it gives an SPL, or sound pressure
7 level, for each type of equipment. And also
8 does what I think is very nice is that it gives
9 distances away from that equipment. So, you
10 can actually see what the sound level impact of
11 each type of equipment at, say, 100 feet,
12 200 feet, *etcetera*, away.

13 Q. But, if we could, Mr. Bowes, I want to get back
14 to the types of activity.

15 A. (Bowes) Yes.

16 Q. So, you said site preparation or tree clearing?

17 A. (Bowes) So, the right-of-way clearing would be
18 one, yes.

19 Q. Right. There would be some other prep of the
20 access roads or improvement to the access roads
21 that could involve heavy equipment?

22 A. (Bowes) Yes. That would be part of the
23 right-of-way activity, yes.

24 Q. Okay. But that could include use of a

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1 bulldozer?

2 A. (Bowes) Yes. That's actually one of the pieces
3 of equipment that's noted in this data table.

4 Q. Okay. There could be large crane trucks
5 delivering equipment?

6 A. (Bowes) Not in this phase, but that would be a
7 later phase.

8 Q. Okay.

9 A. (Bowes) The next phase I would refer you to
10 would be the foundation portion of the Project.
11 And, again, all of the types of equipment used
12 for foundations, that's actually found in Data
13 Table 11. Then, the next would be the
14 structure assembly, --

15 Q. Uh-huh.

16 A. (Bowes) -- which is found in Data Table 12.
17 Data Table 13 goes into the construction noise
18 from wire stringing. Those are the basic
19 activities. And then you'd have some of the
20 same activities for the right-of-way clearing
21 to remove those roads. So, there's probably
22 five different phases of construction noise
23 activities.

24 Q. And you said that mitigation was currently

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1 planned in some areas, noise mitigation, that
2 is?

3 A. (Bowes) Well, for all of the areas, there's
4 some type of noise mitigation, yes.

5 Q. Okay. And I want to know, for this particular
6 area, does the panel have any sense of what
7 noise mitigation will be planned for here?

8 A. (Bowes) Yes.

9 Q. And what would that be?

10 A. (Bowes) So, the first thing would be limiting
11 the construction work hours. As you mentioned,
12 we're actually, it sounds like, inside the
13 noise ordinance for this town. So, we're
14 saying "7:00 a.m. to 7:00 p.m.", not -- I think
15 you said "8:00 p.m." for this town.

16 Q. Correct.

17 A. (Bowes) So, that's the first thing you would do
18 is limit the construction activity hours. The
19 next thing is making sure that all the
20 equipment used meets either federal or state
21 requirements for noise emissions. Most of
22 those are federal requirements, but, in New
23 Hampshire, the DOT also adopts some of those,
24 so making sure that all the equipment is within

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1 its legal limits.

2 Q. If I could just interject, Mr. Bowes. So, when
3 you say "compliance with state and federal
4 guidelines" and equipment being, I guess, up to
5 those specs, do I understand that that the
6 equipment that's going to be used, when it
7 arrives on-site, it will have the noise
8 mitigation kind of already built into it?

9 A. (Bowes) Correct. The type of mufflers or type
10 of silencers used for the equipment would be
11 designed into the work equipment itself.

12 Q. Okay.

13 A. (Bowes) The next thing we'd do is make sure
14 each morning that the equipment was functional.
15 All the mufflers were intact, that there was no
16 erratic operations of the equipment. And
17 sometimes you can easily tell when an equipment
18 is malfunctioning by the amount of noise it's
19 generating. That equipment would be removed
20 from service immediately.

21 Part of the construction outreach would
22 also be going on to these homes, probably about
23 six weeks before construction, and describing
24 what types of activities would take place.

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1 And, in that week of construction, we would go
2 out and knock on the doors again and let the
3 residents know that we were coming, the type of
4 work we would be doing, if there were any
5 issues that we needed to be aware of. And, so,
6 we'd work on a case-by-case basis along the
7 right-of-way to ensure that we tried to
8 minimize the impacts. If they had a particular
9 issue that they were dealing with on a
10 particular day, we could stand down for that
11 period of time, for example.

12 Q. Thank you.

13 A. (Bowes) So, those are some of the mitigations
14 we would take, in general. And that's not just
15 for this location, but it would be for all of
16 the overhead right-of-way construction.

17 Q. I want to turn the panel's attention to another
18 segment in town. This is Project Map 136.
19 And, just for context here -- oh, this one,
20 that's right, doesn't have the little area shot
21 there. But, as you see from what's on the
22 screen there, this is where the line runs from
23 New Hampton into the Town of Hill by crossing
24 the Pemi River. Do you see that?

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1 A. (Bradstreet) Yes, sir.

2 Q. Okay. And, again, in this area, you see the
3 yellow circles, which are residences that are
4 somewhat near to the line or the corridor. Do
5 you see that?

6 A. (Bradstreet) Yes, I see some.

7 Q. And I want to direct your attention to -- you
8 see the little elbow that the corridor makes at
9 the top of the screen there, there are yellow
10 dots that are, let's see, in between Structure
11 DC-1201 and DC-1202. Do you see that one?

12 A. (Bradstreet) Yes.

13 Q. And, then, across Coolidge Woods Road, there's
14 another house that is across the road from
15 DC-1201. Do you see that?

16 A. (Bradstreet) So, basically, kind of directly
17 above the designation "A111" in the map shown?

18 Q. No. No. You want too far.

19 A. (Bradstreet) Oh. Above DC-1201, okay. Yes, I
20 see it.

21 Q. Yes. Just want to go and get the specifics on
22 those towers, when my computer let's me. There
23 we go.

24 So, DC-1201 and 02: 1201 is 90 feet, 1202

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1 is 70 feet?

2 A. (Bradstreet) That looks correct.

3 Q. Both those are represented by segment C225,
4 which is right in the middle of the page here.
5 And you see that the Project line, similar to
6 the last segment, appears to be about 85 feet
7 from the right-of-way boundary?

8 A. (Bradstreet) Correct.

9 Q. Other than what you just described, Mr. Bowes,
10 is there any other specific noise mitigation
11 that is planned for this portion of the line?

12 A. (Bowes) There is not.

13 Q. But, again, it would be some of the same
14 activities going on here that you previously
15 described, correct?

16 A. (Bowes) Actually, all of the same activities,
17 yes.

18 Q. Yes. Okay. I want to change gears now for a
19 second and talk about the engineering study
20 that was conducted at the Ashland Water & Sewer
21 Department facility. That, I believe, had a
22 draft date of March 29, 2017. Is anyone on the
23 panel familiar at all with that?

24 A. (Bowes) Yes, I am.

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1 Q. Okay. Anyone else, other than Mr. Bowes?

2 A. (Bradstreet) I think we all are.

3 Q. Okay.

4 A. (Johnson) Move it this way.

5 Q. Okay. And, when you gentlemen said that you're
6 familiar, is it just a rough familiarity or
7 have you actually reviewed the report?

8 A. (Bowes) I have reviewed the report.

9 A. (Johnson) I have as well.

10 A. (Bradstreet) Yes.

11 Q. Same to you, okay. Okay. And did any of you
12 have a role in providing input to Nobis
13 Engineering in the preparation of that report?

14 A. (Bradstreet) I did not.

15 A. (Bowes) I reviewed an earlier draft of the
16 report.

17 A. (Johnson) I reviewed an earlier draft of the
18 report.

19 Q. Okay. And did either of you give comments to
20 Nobis Engineering after reviewing that initial
21 draft?

22 A. (Bowes) Yes, I did.

23 A. (Johnson) Yes, I did.

24 Q. Okay. And what were the nature of those

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1 comments?

2 A. (Bowes) To draw to a conclusion at the end,
3 which they have done, I guess they have come up
4 with six or seven conclusions. They had done
5 the analysis, but hadn't -- ultimately, we need
6 to have a conclusion for the impacts of the
7 Project.

8 Q. And I'm going to pull it up shortly, Mr. Bowes.
9 So, we will discuss it in a little more detail.

10 A. (Johnson) My comments were more editorial in
11 nature.

12 Q. Okay. So, what I've pulled up on the screen is
13 that report. Does that look accurate to you?
14 That's the one that you most recently reviewed?

15 A. (Bowes) Yes. It does look like the same
16 report.

17 Q. And do you see on the bottom there, it's the
18 March 29, 2017?

19 A. (Bowes) Yes. That's the report I have.

20 Q. Is this the most recent version of that report?

21 A. (Bowes) Yes, it is.

22 Q. Okay.

23 MS. DORE: Could you tell us what
24 exhibit number it is?

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1 MR. WHITLEY: This is going to be
2 "Joint Municipality 195" [*sic* - Jt. Muni 201].
3 This was just recently disclosed to us, which
4 is why you don't have it as of yet.

5 BY MR. WHITLEY:

6 Q. Okay. I want to turn to the limitations that
7 the report has indicated. And this is Page 27
8 of that report. Well, I take that back. It's
9 Page 27 of the PDF. You gentlemen see that on
10 the screen there?

11 A. (Johnson) Yes.

12 Q. One of the limitations that struck me was
13 Number 2. So, I'll give you a chance to just
14 read that real quick. And it basically says
15 that the soil profile that's described is
16 "generalized", "intended to convey trends in
17 subsurface conditions", "the boundaries between
18 particular strata are approximate", but that
19 "actual soil transitions are probably more
20 erratic". Is that accurate?

21 A. (Bowes) Yes.

22 Q. And -- I'll withdraw that. Let's go down now
23 to Number 5. Give you a second to just read
24 that. So, in Number 5, Nobis is recommending

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1 additional work at this property. That
2 correct?

3 A. (Bowes) Yes, they are.

4 Q. Have they been engaged to do that work as of
5 yet?

6 A. (Bowes) Not at this time. Once the final
7 report is done, then the Project will certainly
8 evaluate that.

9 Q. But, as you sit here today, they have not been
10 retained to do anything further, other than
11 provide a final version of this report?

12 A. (Bowes) That is correct.

13 Q. Okay. I want to pull up right now a figure
14 that was provided as part of this report. And
15 it is Figure 2 to the report, and it's on Page
16 25 of the PDF. And I'll blow it up, because I
17 know it's small.

18 So, the Project in this area, and by "this
19 area" I mean in the area of the four lagoons
20 you see there, is going to consist of three new
21 structures within the right-of-way. And that
22 would be DC-110 [DC-1110?], 111 [1111?], and
23 112 [1112?], and then, further to the south,
24 DC-113 [DC-1113?]. Do you see all those?

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1 A. (Bowes) Yes.

2 Q. And DC-10 -- DC-1110, 1111, and 1112 are
3 adjacent to the lagoons, and DC-1113 is farther
4 from the lagoons, but closer to the settling
5 tanks, which are those two round circles just
6 above the red dotted line. Correct?

7 A. (Bowes) Yes.

8 Q. And I believe the report itself states that
9 DC-1112 is the closest of those structures to
10 any of the lagoons. And the report states that
11 it's 75 feet from the Water & Sewer Department
12 fencing, and about 110 feet to the edge of
13 Lagoon 2. That accurate?

14 A. (Bowes) It sounds about right, yes. Subject to
15 check.

16 Q. And, Mr. Johnson, are you doing that checking
17 right now?

18 A. (Witness Johnson nodding in the affirmative).

19 A. (Bowes) Looks accurate, yes.

20 Q. Okay. Okay. Can I -- it strikes me as odd
21 that, when I ask questions or when other people
22 ask questions about dimensions, details of
23 clearing, those sorts of things, that the panel
24 is not referring to the plans that all of us

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1 have at our disposal, but is referring to some
2 other source of information that we don't have
3 access to and that the Committee won't have
4 access to. And I just wonder if -- if the
5 Committee is to evaluate the evidence,
6 shouldn't they have the most accurate
7 information to do that?

8 A. (Bowes) So, knowing that the previous
9 questioner we offered to bring this up, we
10 didn't make that offer for you. We certainly
11 can project what we're looking at.

12 Q. But I don't mean "projecting it". I mean
13 allowing the parties and the Committee the
14 ability to manipulate it as they may need to
15 do. And that has not been offered to my
16 knowledge?

17 A. (Bowes) That is correct.

18 MR. NEEDLEMAN: Well, I'll note that,
19 for the record, it's the same information
20 everybody has, it's just in the GIS format, so
21 that you can access it and measure it. But you
22 all have the information.

23 MR. WHITLEY: Well, I -- I don't want
24 to argue. Okay.

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1 BY MR. WHITLEY:

2 Q. So, the description here in the engineering
3 report describes that the structures that are
4 going to be in the right-of-way here are all
5 lattice towers. They're going to have a base
6 of roughly 30 by 30. And they're going to be
7 anchored to four foundations at the corners,
8 roughly 3 to 5 feet in diameter each. Is that
9 accurate?

10 A. (Bradstreet) Yes. That's true.

11 Q. But the exact type of foundation is currently
12 not known. And, as I understand, the Project
13 could do either a concrete grilled [drilled?]
14 shafts or a grillage foundation. Is that
15 accurate?

16 A. (Bradstreet) So, for lattice towers right now,
17 the Project is considering the option for
18 either a drilled shaft, like you said, which is
19 a drilled concrete shaft foundation, or a
20 grillage, which is buried steel, basically.

21 Q. Okay. But both of those foundation types
22 involve some sort of digging in the subsoil and
23 laying an adequate foundation for the towers?

24 A. (Bradstreet) In general, any foundation

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1 requires digging.

2 Q. True. Is there one of those methods that
3 requires drilling further into the subsurface?

4 A. (Bradstreet) So, drilled shafts would typically
5 be deeper than a grillage.

6 Q. How much deeper?

7 A. (Bradstreet) It depends.

8 Q. Just roughly, can you say?

9 A. (Bradstreet) It could be the same, it could be
10 10 feet, it could be 20 feet. It depends.

11 Q. And does that depend on the site-specific
12 conditions that the Project may encounter?

13 A. (Bradstreet) That's exactly what it depends on.

14 Q. The report goes on to describe whether or not
15 the lagoons are lined, and, if so, what they
16 are lined with. Is that correct?

17 A. (Bowes) That is correct.

18 Q. And there's a bit of a -- I don't want to say
19 confusion, but there's a bit of a inconsistency
20 between the various historical documents that
21 were attached to the report and that were the
22 basis for some of the report, correct?

23 A. (Bowes) Yes. The original design documents
24 indicated it was a clay liner. The

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1 investigation found that it is not a clay
2 liner.

3 Q. Well, Mr. Bowes, I thought the original designs
4 indicated asphalt?

5 A. (Bowes) Oh. I'm sorry. You're correct.

6 Q. Yes. The original drawings, from 1967, I
7 believe, indicated asphalt lined the lagoons.
8 Subsequent documents from New Hampshire DES and
9 another engineering firm that worked with the
10 Department to get a Groundwater Discharge
11 Permit, described the lining as "unlined".

12 I'll represent to you that the Water &
13 Sewer Department believes that they're, in
14 fact, lined with clay. But that question,
15 about what is, in fact, the lining, was not
16 determined by this report, correct?

17 A. (Bowes) That is correct.

18 Q. So, I just mentioned that the Water & Sewer
19 Department needed to get a Groundwater
20 Discharge Permit, and they had to do that
21 through DES. And, as part of that Discharge
22 Permit process, the Department installed sentry
23 wells to monitor and evaluate potential impacts
24 to groundwater and surface water from the

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1 lagoons. Do you agree with that?

2 A. (Bowes) That is correct. The lagoons lose
3 approximately 50,000 gallons a day to
4 groundwater.

5 Q. True. But I want to stay on the sentry wells
6 for just one second, Mr. Bowes.

7 A. (Bowes) The wells are there to monitor that
8 leakage out of the lagoons.

9 Q. I know. But we're going to come back to that.
10 So, just hold on one second please.

11 So, if you're looking at Figure 2, those
12 sentry wells are indicated by the light blue
13 "MW", and then the little hatch mark -- there's
14 probably an engineering term for that little
15 circle with the -- what is that?

16 A. (Bowes) I think it's a monitoring well.

17 Q. Yes. But, I mean, there's a name for the
18 circle with the -- never mind. Anyway, so,
19 Monitoring Well 14, Monitoring Well 15, 16, 17,
20 if you look above the lagoons in the picture,
21 you see two more, 13 and 18. And I'll
22 represent to you there's an additional
23 monitoring well that's further to the top of
24 the picture where the town waste or landfill is

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1 located. Is that accurate?

2 A. (Bowes) I will accept there's another one. I'm
3 not sure I saw the one you said was off the
4 page?

5 Q. Oh, no. Well, yes. It's here [indicating].
6 It's right there.

7 A. (Bowes) Okay.

8 Q. Very top, "MW-12". And, as you mention,
9 Mr. Bowes, there is -- one of the historical
10 documents, there's a memo from DES in 2005.
11 And it suggests that the lagoons lose roughly
12 50,000 gallons per day via infiltration to the
13 groundwater, correct?

14 A. (Bowes) Yes. I see a 1997 study that indicates
15 that.

16 Q. Yes. There may be more than one. But, yes.
17 But the number is correct?

18 A. (Bowes) That's the estimate, I believe. You
19 know, more than a decade ago, or two decades
20 ago, if it was '97.

21 Q. So, do you think that number is no longer
22 accurate then?

23 A. (Bowes) I think it could be higher, yes.

24 Q. And what do you base that on?

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1 A. (Bowes) Just that, if there were liners placed
2 within the lagoons, and they have deteriorated,
3 I would just assume that they would have
4 extensive deterioration since 1997.

5 Q. Okay. But you don't have any data that you're
6 using to make that assumption?

7 A. (Bowes) I do not.

8 Q. Okay.

9 A. (Bowes) The report did not detail that data.

10 Q. Okay. Thank you. So, Nobis did some testing
11 in and around the lagoons. And they did some
12 boring holes, and they fitted several of those
13 boring holes with monitoring wells. And, if
14 you look at Figure 2 again, the borings and
15 monitoring wells that Nobis installed are the
16 black circle wells, and they have numbers, if
17 you look to the right of the lagoon, it's
18 "B-1", and then "Monitoring Well 1", and then
19 lower, "B-5 (Monitoring 3)". Go to the other
20 side of the lagoons, on the left-hand side, and
21 starting from the bottom, "B-7 (Monitoring Well
22 4)", "B-2 (Monitoring Well 2)", and then "B-10
23 (Monitoring Well 6)". And then the last one at
24 the top there is "B-8 (Monitoring Well 5)". Do

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1 you see all those?

2 A. (Bowes) Yes, I do.

3 Q. And you'll see below the lagoons, there's a
4 couple of borings where they don't have the
5 monitoring well designation next to them. And
6 those are in light green. And those are looks
7 like all centered just below Lagoon 4. And
8 those are "B-3", "B-9", "B-4", and "B-6".
9 Correct?

10 A. (Bowes) Yes.

11 Q. And the report mentions that they had wanted to
12 put monitoring wells at those locations as
13 well, but couldn't, because they ran into some
14 subsurface interference and couldn't drill down
15 deep enough. Is that correct?

16 A. (Bowes) Subject to check, I would agree with
17 that. I don't recall that specifically.

18 Q. And the purpose -- one of the purposes of the
19 monitoring wells was to get a sense of the
20 groundwater flow from the lagoon area and just
21 see where it went. Is that a fair statement?

22 A. (Bowes) Yes.

23 Q. And one of the conclusions they came to is that
24 the groundwater flow roughly goes towards the

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1 Pemigewasset River. The way this is oriented
2 it's tough to tell, but that's a southwesterly
3 direction towards the river. Is that accurate?

4 A. (Bowes) Yes. I believe that's what they
5 concluded.

6 Q. The same testing, as well as some historical
7 data that the Department had, they tested for
8 certain contaminants at these well locations.
9 Correct?

10 A. (Bowes) Yes.

11 Q. And they found elevated levels of chloride and
12 nitrate in some of the locations. Wouldn't you
13 agree?

14 A. (Bowes) Yes.

15 Q. And that, looking at the data that was at their
16 disposal, it indicated an upward trend in those
17 contaminant amounts. Is that also correct?

18 A. (Bowes) That is correct.

19 Q. So, after performing this study, Nobis
20 concluded that there was going to be no adverse
21 effect on the performance of the lagoons. Is
22 that correct?

23 A. (Bowes) From the installation of the new
24 structures, that's correct.

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1 Q. Right. And I take it that the panel agrees
2 with that assessment?

3 A. (Bowes) I would say I'll wait for the final
4 report. But, in general, I would say I tend to
5 agree with that analysis.

6 Q. What is your hesitation?

7 A. (Bowes) Just that it's not a final report at
8 this point.

9 Q. Do you anticipate anything changing from this
10 version to the final report?

11 A. (Bowes) Not that I'm aware of, no.

12 Q. Okay. So, out of an abundance of caution,
13 you're just reserving judgment until you see
14 the final report?

15 A. (Bowes) Exactly.

16 Q. The report's conclusions, though, are a little
17 tenuous, because we don't know what lining is
18 really underneath all these lagoons, do we?

19 A. (Bowes) So, that's the -- you know, the
20 recommendation or Finding (b) in the report,
21 which would be to do some further analysis to
22 determine, first, if it's lined or not, and the
23 condition of the lining. I think that was more
24 for the operation of the wastewater plant than

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1 it was a determination whether the Northern
2 Pass Transmission line would impact it.

3 Q. But Nobis is currently not tasked with doing
4 any further work?

5 A. (Bowes) We had the discussion further or
6 previously around that issue. It's probably
7 not Northern Pass's job to assess the condition
8 of the wastewater treatment facility. So,
9 although they made those recommendations, they
10 may be better applied to the Town, rather than
11 to Northern Pass.

12 Q. Well, the Town is not proposing to run a new
13 transmission structure, though, right next to
14 the wastewater treatment facility, is it?

15 A. (Bowes) No, and I didn't mean to imply that.
16 Just that it seems like they have a failing
17 system, this report has identified that. And
18 it's maybe something maybe they should consider
19 repair or replacement of.

20 Q. Correct me if I'm wrong, but I don't recall
21 seeing in the report any sort of an evaluation
22 of impacts on the property within the corridor.
23 Actually, let me restate that. I don't recall
24 seeing in the report impacts of construction

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1 activities to the subsurface area that is below
2 the Project corridor.

3 A. (Bowes) Other than the foundations, I think
4 you're correct.

5 Q. Okay. So, the focus of the report was really
6 on the lagoons themselves and the other assets
7 of the Water & Sewer Department?

8 A. (Bowes) And the installation of the line
9 adjacent to that.

10 Q. And does the report have any evaluation of the
11 characteristics of the soil immediately below
12 the lagoons?

13 A. (Bowes) I'm not familiar with what the soil
14 sampling results showed.

15 Q. Okay. And are you aware of whether there is
16 any similar evaluation of soil characteristics
17 in the corridor area?

18 A. (Bowes) At this point, I do not believe there
19 are. We will be doing soil sampling for those
20 foundation locations, again, to determine the
21 type of foundation needed.

22 Q. But you haven't done that to date though?

23 A. (Bowes) No. I don't believe we've done that.

24 Q. Okay. When do you anticipate doing that, do

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1 you know? Is that the contractor?

2 A. (Johnson) Yes. It would probably be
3 spring/summer of next year.

4 Q. Okay. Isn't it true that this report doesn't
5 really address how work within the Project
6 corridor could impact the Town's monitoring
7 wells that are in light blue there?

8 A. (Bowes) So, the final recommendation of the
9 report talks about those wells. And it clearly
10 says that we need to be very careful working
11 around them, to ensure that they are still
12 functional, because that's a requirement for, I
13 believe, the permit with New Hampshire DES.

14 Q. Pulling up now the Ashland Alteration of
15 Terrain package, which I will orient, one
16 second. And, for the record, I'm going to go
17 to the Ashland AOT Sheet 240.

18 CHAIRMAN HONIGBERG: Off the record.

19 *[Brief off-the-record discussion*
20 *ensued.]*

21 BY MR. WHITLEY:

22 Q. Does the panel see that the AOT maps indicate
23 the construction pads for those four tower
24 structures that were also displayed in the

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1 engineering report at Figure 2?

2 A. (Bowes) Yes.

3 Q. Okay. And, so, I'm just going to flip back to
4 the other one just to reorient us here.

5 A. (Bowes) Yes. I'm doing the same thing, so I
6 can see them side-by-side.

7 Q. Yes. So, again, what I really want to talk
8 about is the three towers that are right below
9 the lagoon. So, that's 1110, 1111, and 1112,
10 and also -- excuse me -- the Department's
11 monitoring wells, which are nearby those
12 structures. And the ones that I'm concerned
13 about again are MW-14, 15, 16, and 17. Do you
14 see that, Mr. Bowes?

15 A. (Bowes) I do.

16 Q. Okay. So, if we look back at the AOT plan, you
17 see the three construction pads there. What
18 are the dimensions of those construction pads
19 roughly?

20 A. (Bowes) We'll get you the exact dimensions.
21 For the center one, it's 100 by 120. So,
22 that's the approximate for all three.

23 Q. Okay. Okay. And, as you sit here, will that
24 construction pad impact the monitoring wells

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1 that are adjacent to it? So, for the center
2 structure, that would be either Monitoring Well
3 15 or 16?

4 A. (Bowes) Does not appear it will directly
5 impact. But I would say it would indirectly
6 impact both 15 and 16.

7 Q. Okay. And a similar question, Mr. Bowes, for
8 the DC-1110 structure pad. And, again, there
9 it is to the left, and I believe you said it
10 was "120 by 30"?

11 A. (Bowes) 100.

12 Q. One hundred. Oh, pardon me.

13 A. (Bowes) It would directly impact that
14 structure, DC-1110.

15 Q. So, it would directly impact MW-14?

16 A. (Bowes) It would.

17 Q. Okay. And, for structure DC-1112, let's look
18 at the pad. We're concerned about MW-17,
19 though. And, as you sit here, do you believe
20 it will impact directly MW-17?

21 A. (Bowes) It would directly impact that
22 Monitoring Well 17.

23 Q. Okay.

24 A. (Bowes) So, in this case, both of the outside

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1 pads will have to be relocated --

2 Q. Okay.

3 A. (Bowes) -- to accommodate those monitoring
4 wells.

5 Q. Okay.

6 A. (Bowes) And we're going to have to install
7 special protection for all four of these wells
8 during the construction phase.

9 Q. Okay. And when do you plan to make those plan
10 corrections?

11 A. (Bowes) So, I know we had a couple from
12 yesterday. I think we're going to commit to
13 making those updates, say, within the next 30
14 days, get those filed with the SEC.

15 Q. Okay. And you mentioned the indirect impacts
16 to MW-15 and MW-16. And I wanted to come back
17 to these two, because they appear, from the
18 engineering report satellite photo, and I
19 presume it's a satellite photo, that they are
20 very close to the access roads. And is that
21 what you meant by "indirect impact" or were you
22 referring to something else?

23 A. (Bowes) It was both the access roads and the
24 pad itself.

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1 Q. Okay.

2 A. (Bowes) But I would agree that they will
3 definitely be impacted, though, not physically,
4 directly impacted.

5 Q. And is there any plan to alter the access roads
6 in the corridor to avoid MW-15 and 16? And
7 I'll pull up the AOT map again there.

8 A. (Bowes) Again, now that we have close to a
9 final report, I would say we're in a position
10 to have those discussions with the wastewater
11 treatment facility. I would suggest that we do
12 monitor -- or, both monitor the condition
13 adjacent to those wells, but also shift the
14 access away from them.

15 Q. I mean, I can represent to you that I think the
16 Department's going to want the access road
17 moved so that there's no impact.

18 A. (Bowes) And we would certainly want to
19 accommodate that request.

20 Q. I guess I'm concerned that "accommodating" is
21 maybe not the same thing as "committing". And
22 I don't know if you're in a position to make a
23 commitment at this time?

24 A. (Bowes) I am. That we would definitely commit

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1 to doing that.

2 Q. Okay. Thank you. Does anyone on the panel
3 know when the existing one --

4 MR. WHITLEY: Actually, you know
5 what, this would be a good time. I withdraw
6 that question. Sorry.

7 CHAIRMAN HONIGBERG: All right.
8 We're going to take our morning break, come
9 back in ten or fifteen minutes. Off the
10 record.

11 *[Brief off-the-record discussion*
12 *ensued.]*

13 *[Recess taken at 10:30 a.m. and*
14 *the hearing reconvened at 10:48*
15 *a.m.]*

16 MS. BAILEY: Mr. Whitley, you may
17 proceed.

18 MR. WHITLEY: Thank you.

19 BY MR. WHITLEY:

20 Q. So, right before we went to break I started
21 asking a question, and I'll pick up back there.
22 This corridor has an existing 115 line in it
23 presently, correct?

24 A. (Bowes) Yes.

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1 Q. Okay. And it's represented in the AOT and also
2 on the engineering study -- well, different
3 colors, but it's the one that's closer to the
4 lagoons, correct?

5 A. (Bowes) That is correct.

6 Q. Okay. Do we know when that 115 was built?

7 A. (Bowes) Specifically, no. But, based upon the
8 construction type out there, I'd say the
9 1950s/1960s vintage.

10 Q. Okay.

11 A. (Bowes) We can certainly found out, if you'd
12 like.

13 Q. Okay. So, it predates likely the construction
14 of the lagoons and the wastewater treatment
15 facility?

16 A. (Bowes) Probably, yes.

17 Q. Okay?

18 A. (Bowes) I'm not sure specifically, though.

19 Q. Okay. And the Nobis report was looking at a
20 limited dataset. I believe it was 2012 to
21 2016, does that sound accurate?

22 A. (Bowes) For the -- I see, for the groundwater
23 samples, yes.

24 Q. Yes.

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1 A. (Bowes) Yes.

2 Q. And the Town had some historical data beyond
3 that time period, correct?

4 A. (Bowes) I believe they do, yes. It's in the
5 back, towards the back of the report.

6 Q. Right. But the Nobis report -- the scope of
7 the Nobis report was not to look at whether and
8 to what extent the 115 lines may have any
9 impact on the flow of groundwater away from the
10 lagoons, towards the Pemi River?

11 A. (Bowes) I think that's accurate. It was not
12 included in the report.

13 Q. Okay. So, there is a possibility, wouldn't you
14 agree, currently unaddressed, that the
15 construction of the 115 lines may have played
16 some role in the lagoons, the amount of
17 groundwater that is escaping from the lagoons
18 and heading towards the Pemi River?

19 A. (Bowes) I guess, theoretically possible, highly
20 unlikely. I mean, the foundations or the pole
21 depths are maybe six or seven feet here.

22 Q. Okay. Are you -- is anyone on the panel aware
23 of what the Department uses to monitor and
24 control and operate the wells? And by "what

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1 they use", I mean are you aware that they use
2 an electronic system to gather that data?

3 A. (Bowes) I am not aware.

4 Q. Okay. I believe they refer to it, and it's an
5 acronym, and it's "SCADA", S-C-A-D-A. Does
6 that sound familiar?

7 A. (Bowes) I'm familiar with the acronym, yes. We
8 use the same type of equipment to monitor the
9 electric power system.

10 Q. Okay. Okay. Well, that is -- I'll represent
11 to you, that's what they use to gather their
12 data from the monitoring wells. The Nobis
13 report did not address, you'd agree, any
14 potential interference between EMF and the
15 operation of the SCADA by the Department?

16 A. (Bowes) I don't believe it did.

17 Q. Okay. You mentioned before the break,
18 Mr. Bowes, that the Project was going to commit
19 to reconfiguring the locations here so as to
20 avoid impact to the municipal monitoring wells,
21 correct?

22 A. (Bowes) That's correct.

23 Q. As part of that reconfiguring, will there be
24 any thought given to fewer towers, spanning the

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1 same rough distance, but using fewer towers?

2 A. (Bowes) That's certainly something we could
3 look at. My only hesitation would be that it
4 would probably impact the foundations. But we
5 could certainly look for longer spans here,
6 certainly.

7 Q. Okay.

8 A. (Bradstreet) And, I guess, just to add to what
9 Mr. Bowes just said. I mean, that's an option
10 we can consider. It would have to be evaluated
11 and determined if there is, you know, height
12 increases, or if there are issues specifically
13 with clearances to the adjacent existing line.

14 Q. That was my -- that was my next question, is I
15 understand some of the Project's testimony
16 today and other days is that, when you decrease
17 the number of towers, there's a possibility you
18 may be increasing the height?

19 A. (Bradstreet) That's correct. Yes.

20 Q. Okay. Thank you. I want to turn now to a
21 different topic. And I believe this is going
22 to be back to you, Mr. Bradstreet. And going
23 to go through some of the maps in the Town of
24 Pembroke. So, just bear with me one second and

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1 I'll pull these up.

2 MR. WHITLEY: And, just for the
3 record, what I'm pulling up and what I'm going
4 to be asking the panel about are the revised
5 Project maps for the Town of Pembroke. And
6 those can be found at Applicants' Exhibit 2,
7 Attachment 2. And I'm also going to be asking
8 questions about the AOT package for the Town of
9 Pembroke. And that is -- or, that can be found
10 at Applicants' Exhibit 1, Appendix 6c.

11 BY MR. WHITLEY:

12 Q. Okay. So, let's start, Mr. Bradstreet, and you
13 may recall that yesterday we looked at this
14 briefly when Ms. Pacik was discussing the City
15 of Concord. But you'll see here that this is
16 where the Project leaves Concord, on the
17 left-hand side of the screen, crosses the
18 Soucook River, and enters into Pembroke on the
19 right side of the screen. You see that?

20 A. (Bradstreet) Yes, sir.

21 Q. Okay.

22 MS. DORE: Attorney Whitley, sheet
23 number?

24 MR. WHITLEY: Oh, thank you. I'm

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1 sorry, ma'am. This is AOT Sheet 311.

2 MS. DORE: Thank you.

3 BY MR. WHITLEY:

4 Q. So, I want to turn now to AOT Sheet 313. Oh,
5 I'm sorry. Before we do that, I apologize. I
6 want to stay on 311 and ask a question about
7 the existing with 115 line that's in this area.

8 So, I'm turning now to the Project maps.
9 There we go. So, this is the Project map for
10 that same area, Mr. Bradstreet. You see that?
11 The Soucook River to the left-hand side?

12 A. (Bradstreet) Yes. Yes.

13 Q. Yes. Here, I'll zoom in and make it --

14 A. (Bradstreet) It just took me a minute to get
15 oriented.

16 Q. Yes. It takes me a minute to get oriented,
17 too. So, and this, for the record, is
18 Project -- my computer is fighting hear. Sheet
19 164 Project Map. So, the existing 115, is that
20 that "V-182" line at the top there, in blue?

21 A. (Bradstreet) It's actually "C-189", but, yes.

22 Q. Oh. Okay.

23 A. (Bradstreet) There's been some additional
24 construction within this corridor that's

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1 changed some of the numberings. But, yes.

2 It's the "V-182", or it's also referenced as
3 the "C-189".

4 Q. And I see that at the left-hand side there.

5 It's the same line, but a different number
6 designation?

7 A. (Bradstreet) Yes.

8 Q. Okay. Okay. My question was that, in the AOT
9 plan, so, again, that's AOT 311, flipping back
10 there, it looks like, from this schematic, that
11 that line is to be relocated or removed, if you
12 see that light brown segment right there?

13 A. (Bradstreet) Right.

14 Q. But then it turns yellow on the same line,
15 which the legend indicates would mean that it's
16 going to stay in that location.

17 A. (Bradstreet) Correct.

18 Q. And, so, I'm -- so, you're going to remove a
19 portion of the line from where this is, going
20 left toward the Soucook River, but then you're
21 going to leave the tower up?

22 A. (Bradstreet) Yes. Let me walk you through it.

23 Q. Yes. That's what my confusion is is --

24 A. (Bradstreet) Sure.

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1 Q. -- what is going on right here?

2 A. (Bradstreet) So, I'm going to start on the
3 right side off the map, where the yellow is.
4 That last structure that's yellow, before it
5 converts to a brown line, is an existing
6 structure to be remaining. The structures to
7 the left are going to be replaced in place.
8 So, they will be put back where the existing
9 structure is, but it will be reconstructed.
10 So, in a sense, we'll be connecting to that
11 last yellow square, and rebuilding the
12 conductor in that area of the brown line.

13 Q. Okay. Thank you. And that's why, if we go
14 back to the revised Project map, why there may
15 be two different line designations?

16 A. (Bradstreet) Correct.

17 Q. Okay. Okay. Thank you.

18 A. (Bradstreet) So, I believe, in this area, we're
19 only rebuilding that area of the C-189 at the
20 specific river crossing, for the most part.

21 Q. Okay.

22 A. (Bradstreet) And then it's tying back into the
23 existing.

24 Q. Okay. So, in other words, you're not taking

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1 down a line, but leaving up the structures and
2 the line in this location?

3 A. (Bradstreet) No. It will still be connected,
4 yes.

5 Q. Okay. Thank you. Now, I want to turn to AOT
6 Sheet 313. And this is a little further down
7 the corridor in Pembroke. And let me just --
8 let me zoom out here, Mr. Bradstreet, so you
9 can get a sense of where this is. You see in
10 the lower left there?

11 A. (Bradstreet) Yes. I know where we're at.

12 Q. Okay. Yes. So, access to this portion of the
13 corridor is going to be via State Route 106,
14 what you see on the right side of the screen
15 there. Correct?

16 A. (Bradstreet) It does appear, yes.

17 Q. Yes.

18 A. (Bradstreet) Yes. Can you zoom down just a
19 little bit?

20 Q. Yes.

21 A. (Bradstreet) Is there an access that comes up
22 from the south, too?

23 Q. Well, I'm going to ask about that in a second.
24 But, yes, there is.

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1 A. (Bradstreet) Okay. Okay.

2 Q. But, yes. There you go. So, that's the access
3 point from 106, correct?

4 A. (Bradstreet) Yes.

5 Q. Okay. And it appears that this segment of the
6 line involves quite a fair number of
7 construction pads and structures and access
8 roads. And there's a good bit of topography
9 that the Project is going to have to deal with
10 within the corridor. Is that accurate?

11 A. (Bradstreet) I think that's a fair statement,
12 yes.

13 Q. But, again, we don't know the anticipated
14 traffic that's going to be generated at that
15 access point from 106 to do those jobs within
16 the corridor at this time?

17 A. (Bradstreet) I think, as Lynn has stated --

18 Q. Please -- I didn't mean to cut you off.

19 *[Court reporter interruption.]*

20 **BY THE WITNESS:**

21 A. (Bradstreet) As Lynn stated previously.

22 BY MR. WHITLEY:

23 Q. Okay. Once the Project is completed, are there
24 any plans to secure the access to the corridor

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1 from 106?

2 A. (Bradstreet) As far as I'm aware, the access
3 will be removed. So, that would, I guess, in
4 essence, be securing it.

5 Q. Okay. And how wide is the travel portion of
6 106 at this access point?

7 A. (Johnson) Approximately 40 feet.

8 Q. And, similar to the New Hampton maps, the
9 aprons may appear to be towards the center of
10 the corridor, but they're, in effect, to the
11 edge of the payment, correct?

12 A. (Bradstreet) That's correct.

13 Q. Yes. And, similarly, to the New Hampton maps,
14 even though it's not indicated on the plans,
15 there will be a gravel mud trap in both
16 directions here. So, in either direction, you
17 turn off of 106, those mud traps will be
18 located?

19 A. (Bradstreet) Correct.

20 Q. Okay. And just to save some time,
21 Mr. Bradstreet, that goes for all of the map
22 segments in Pembroke, similar to New Hampton,
23 correct?

24 A. (Bradstreet) That is correct.

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1 Q. Okay. Thank you.

2 A. (Bradstreet) One thing that might be worth
3 discussing just quickly, while we're looking in
4 this area, is this could be an area where we
5 could work with the business owner to improve
6 access. I know there's an access drive that
7 comes off of Keith Avenue. What's shown on the
8 permit drawings assumes we would not be able to
9 come to some kind of agreement. But that could
10 be an option to further improve access.

11 Q. And, by that, Mr. Bradstreet, do I take it
12 that, rather than one of the aprons on 106, the
13 Project would get access by going onto Keith
14 Avenue, going through that business location,
15 and then exiting the rear of that property to
16 access the line somewhere down there?

17 A. (Bradstreet) Could.

18 Q. Okay. And have you had any contact with that
19 property owner?

20 A. (Bradstreet) I know we have. And I have
21 personally walked through their facility to see
22 what goes on.

23 Q. Mr. Johnson, is that accurate?

24 A. (Johnson) That is correct.

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1 Q. Okay.

2 A. (Johnson) Yes. I believe that's the Dirt
3 Doctor.

4 A. (Bradstreet) That is the trucking company, I
5 think.

6 A. (Johnson) Oh, is it?

7 Q. So, I take it that some of you have visited
8 this area of the corridor?

9 A. (Johnson) Yes.

10 A. (Bradstreet) Yes, I have.

11 Q. So, you'll agree that it's a fairly heavily
12 trafficked route, 106, that is?

13 A. (Bradstreet) I walked down 106, and it didn't
14 strike me as a concern for my safety. But
15 there was definitely traffic.

16 Q. Okay. And wouldn't you agree that it's a
17 well-traveled route of access between Pembroke
18 and the communities to the north and south of
19 it?

20 A. (Bradstreet) I'm not a local resident, but I
21 think I have heard that it is well used.

22 Q. So, the potential for a traffic impact at this
23 access point could be significant?

24 Ms. Farrington, that's --

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1 A. (Bradstreet) I can't comment on that, though.

2 A. (Farrington) No. That would not be my
3 expectation.

4 Q. But you haven't done any specific calculation
5 or estimate of traffic impacts at that
6 location?

7 A. (Farrington) That is correct. And I do not
8 believe the Project intends to do laydown areas
9 or access points.

10 Q. Okay. I want to turn now to AOT Map 313A. It
11 should be the next page. And, Mr. Bradstreet,
12 I think this may be what you were referring to
13 just a second ago. This is, and let me just
14 orient you. One second here. This is one line
15 segment below the one we were just looking at.
16 And I believe you started to ask about another
17 means of access. And is this what you were
18 thinking of or something else?

19 A. (Bradstreet) I just know this is how they
20 access the existing corridor. It doesn't
21 appear that the Project is proposing to use
22 that as the means.

23 Q. Okay. Because that was -- that was my question
24 here, was that there is an off right-of-way

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1 access here, but I didn't know what the purpose
2 of it was. And it sounds like your testimony
3 is that it's preexisting?

4 A. (Bradstreet) It is an existing access point.
5 And, based on the drawings, I would say it
6 doesn't appear we plan to use it.

7 Q. Okay. Is there any plan to remove this access
8 point, assuming the Project is completed?

9 A. (Bradstreet) I don't believe the Project would.
10 We're not using it. So, there's nothing for us
11 to remove.

12 Q. Well, if you're not using it, then you could
13 ensure site security by not having a means of
14 access to the corridor, could you not?

15 A. (Bowes) So, I think PSNH uses that or may use
16 that today. That's why it would probably
17 remain.

18 Q. Okay. Thank you. So, beyond the right-of-way
19 corridor here, the black hash marks there, that
20 is still the PSNH transmission corridor,
21 correct?

22 A. (Bradstreet) That is correct.

23 Q. Okay. Okay. Okay, I want to turn now to AOT
24 Plan 314. Orient you here for a second. So,

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1 this is, again, another segment beyond the
2 elbow in the line right there. You see that,
3 Mr. Bradstreet?

4 A. (Bradstreet) Yes, I do.

5 Q. Okay. Let me just zoom in for a second here.
6 If you look at this portion of the corridor, as
7 you go to the right of this picture, and I'm
8 not going to suggest what direction that is,
9 but go to the right here, I note that there are
10 several encroachments beyond the right-of-way
11 corridor for construction impacts. And I
12 wanted to start there, at the elbow at the top.
13 And that construction pad, wouldn't you agree,
14 is indicated beyond the limits of the
15 right-of-way?

16 A. (Bradstreet) Yes. I believe this is an error.
17 The Project has acquired right-of-way along
18 this section, sort of from the angle as you
19 move to the right. And it looks like what's
20 shown is the existing corridor edge, and the
21 expanded corridor edge must be missing.

22 Q. Okay. Is there anyone else on the panel that
23 can confirm that understanding?

24 A. (Johnson) I confirm that.

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

1 Q. Okay. So, how much does it change what we're
2 seeing here?

3 A. (Bradstreet) So, it looks like the dashed black
4 line on the bottom edge of the right-of-way
5 should line up with sort of the green or any of
6 the indicated clearing edge. Can you see that?

7 Q. Okay. So, you're saying that the kind of
8 turquoise vegetative clearing line --

9 A. (Bradstreet) Right.

10 Q. -- is where the more accurate line --

11 A. (Bradstreet) It lines up with the expanded
12 edge, that's correct.

13 Q. Okay. And at what point did the Project gain
14 that additional right-of-way easement?

15 A. (Bradstreet) As far as year? I would have to
16 check. It's been many years.

17 Q. Okay. But, as you sit here, this particular
18 map is not an accurate depiction of --

19 A. (Bradstreet) The edge of right-of-way boundary
20 isn't accurately shown on this map.

21 Q. Okay. So, because you have already obtained
22 additional right-of-way, I assume that you've
23 spoken with the landowner in this location and
24 have their permission to expand the

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1 right-of-way as you indicated?

2 A. (Bradstreet) Yes, sir.

3 Q. I want to turn now to AOT Sheet 315. And this,
4 again, Mr. Bradstreet, is just one line segment
5 in an easterly direction from where we just
6 were. Do you see that?

7 A. (Bradstreet) Yes, I do.

8 Q. Okay. And the Project is proposing to access
9 the corridor via Fourth Range Road. And I'll
10 blow that up so you can get a better sense
11 there. Do you see that?

12 A. (Bradstreet) Yes.

13 Q. Do you have any knowledge of what the
14 designation of Fourth Range Road is in the Town
15 of Pembroke?

16 A. (Bradstreet) I do not.

17 Q. Okay. I'll represent to you that this is a
18 Class VI road. Do you have any knowledge about
19 what the surface of this road is?

20 A. (Bradstreet) I would guess it's gravel.

21 Q. Mr. Johnson, does your information confirm
22 that?

23 A. (Johnson) I'm looking at a Google image, just
24 regular Google, and it looks to be gravel, yes.

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1 Q. Okay. I mentioned this before, but my
2 recollection of the response was that no one
3 has any specific familiarity with what it means
4 to be a Class VI road versus a Class V road?
5 Ms. Farrington?

6 A. (Farrington) Yes. Just let me find that
7 particular note.

8 A. (Bradstreet) While she's pulling that up, just
9 for clarification, in case you're going to ask,
10 the right-of-way line is also mis-shown on this
11 map.

12 Q. I was going to ask, Mr. Bradstreet.

13 A. (Farrington) According to the New Hampshire DOT
14 website, Class VI is a non-maintained --

15 *[Court reporter interruption.]*

16 **BY THE WITNESS:**

17 A. (Farrington) According to the New Hampshire DOT
18 website, a Class VI road is a non-maintained,
19 pass-at-your-own-risk.

20 BY MR. WHITLEY:

21 Q. Yes. So, I'll represent to the panel that
22 Class VI basically means that it's a public
23 road, but it's not one the Town has any
24 obligation to maintain.

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

1 So, has the Project done any sort of
2 outreach to determine who is responsible for
3 maintaining this road presently?

4 A. (Johnson) We have not. But I would assume it
5 would be the local inhabitants.

6 Q. But you don't know that as you sit here?

7 A. (Johnson) That's correct.

8 Q. And, similarly, as you sit here, you don't know
9 what that standard of -- standard of travel --
10 or, let me rephrase that question. As you sit
11 here, you don't know to what standard they
12 maintain that road to?

13 A. (Johnson) I've personally been out there to vis
14 -- not visually look at the road. But, no, I
15 do not know to what standard it is.

16 Q. Okay.

17 A. (Johnson) It is definitely a passable road,
18 compared to some of the roads we looked at up
19 north.

20 Q. And is it your understanding that DOT's
21 restoration standard would be applicable to a
22 Class VI road such as this?

23 A. (Johnson) I do not know.

24 Q. Mr. Bowes?

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1 A. (Bowes) So, the Project would restore it to the
2 DOT standards, if that's what you're asking?

3 Q. Yes. That was the --

4 A. (Bowes) Yes.

5 Q. And do you know if DOT has a specific standard
6 for Class VI roads or gravel roads?

7 A. (Bowes) I believe, for gravel roads, I'm not
8 sure if it's a Class VI road or not, I know
9 they do maintain some roads that are, I
10 believe, Class VI. So, we can certainly
11 consult with DOT for that.

12 Q. And, Mr. Bradstreet, you anticipated my
13 question, but just to have it on the record.
14 There are several encroachments in this
15 segment, are there not?

16 A. (Bradstreet) Can you define the specific
17 encroachments?

18 Q. Yes. Yes. I'd be happy to. So, by
19 "encroachment", I mean there are, if you looked
20 at the left of the page here, there's two
21 construction pads which are indicated beyond
22 the limits of the right-of-way. There's
23 turquoise, vegetative clearing, that is beyond
24 the limits of the right-of-way on the left-hand

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- 1 side. As you cross Fourth Range Road and go in
2 an easterly direction, there is -- looks like
3 every construction pad, as you run along the
4 corridor, is indicated as encroaching the
5 right-of-way. And that's all the way to the
6 end of this, this sheet. There is also
7 indicated vegetative clearing along that same,
8 or a portion of that, that's also beyond the
9 indicated limits of the right-of-way. Correct?
- 10 A. (Bradstreet) Yes. As stated previously, the
11 edge of right-of-way is not shown correctly on
12 this map.
- 13 Q. Okay.
- 14 A. (Johnson) If I may add, it extends all the way
15 to Cross County [Country?] Road.
- 16 Q. The corridor?
- 17 A. (Johnson) So, just off the right of the page
18 here, you can just see the beginning of a road?
- 19 Q. Oh. Yes.
- 20 A. (Johnson) So, that right-of-way line is
21 incorrect right up to that road.
- 22 Q. Oh. Understood. Thank you, Mr. Johnson. I
23 think, actually, we may get to that shortly.
- 24 A. (Johnson) Okay.

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1 Q. So, I want to turn back to the intersection
2 with Fourth Range Road for a second. The
3 construction pad on the right side of the road
4 there, that construction pad appears to be in
5 the road. Is that accurate?

6 A. (Bradstreet) I would say it's at or very near
7 the -- excuse me -- the edge of the travel
8 lane.

9 Q. Okay. But, from this plan, it does appear that
10 it extends into the road, does it not?

11 A. (Bradstreet) I believe you might be referencing
12 the -- what's shown as the parcel boundary, but
13 not necessarily the pavement boundary or the
14 gravel boundary.

15 Q. And does the Project have permission to extend
16 beyond the property boundary into the road,
17 road corridor?

18 A. (Johnson) In this case, the Project would go to
19 the edge of the roadway, as the easement itself
20 gives them the right to do that, but not -- not
21 onto the roadway, clearly.

22 Q. But I believe Mr. Bradstreet just said that the
23 pad goes beyond the property boundary into the
24 right-of-way corridor. And my question was,

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1 because you're beyond that property corridor
2 into the road property, --

3 A. (Johnson) So, the easement itself goes over top
4 of the road, which allows us to come up to
5 there. For clarity, we can certainly move this
6 crane pad to the edge of the property boundary,
7 so there's no confusion.

8 Q. Is that a --

9 A. (Johnson) We will commit to that.

10 Q. -- a commitment?

11 A. (Johnson) Yes.

12 Q. Okay. Thank you.

13 A. (Johnson) Yes.

14 Q. Ms. Farrington, you've testified previously for
15 New Hampton that you didn't do any sort of
16 estimates of impact or calculations about
17 traffic conditions at the New Hampton
18 intersections. And I assume that that would
19 carry over to these Pembroke intersections as
20 well?

21 A. (Farrington) Yes. That's correct.

22 Q. Okay. Thank you. I want to, before we go on
23 to the next one, I want to flip over to the
24 revised Project maps. And I'm looking at or

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1 will be looking at Sheet 165. Do you see that,
2 Mr. Bradstreet?

3 A. (Bradstreet) Yes, I do.

4 Q. So, this sheet doesn't line up exactly with
5 that AOT one we were just looking at. But, on
6 the right-hand side of what's on the screen
7 right there, it does correspond. Do you see
8 that?

9 A. (Bradstreet) Yes.

10 Q. And I wanted to draw your attention, before I
11 zoomed away, to the yellow DOT, that is it
12 appears currently bisected by the edge of the
13 right-of-way. Do you see that?

14 A. (Bradstreet) I see a yellow dot that's very
15 close to the edge of right-of-way.

16 Q. Okay. So, the yellow, as you'll recall,
17 represents a residential property, correct?

18 A. (Bradstreet) I believe so, yes.

19 Q. Okay. And I believe your testimony was just
20 that the limits of the right-of-way have been
21 expanded. And, if we go back and look at the
22 AOT maps for that segment, it's right around --
23 that house would be right around where that one
24 540 topo line is, give or take. Correct?

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

1 A. (Bradstreet) I think it would be closer to 550,
2 on the road. It lines up with that access
3 drive. The right-of-way boundary is shown
4 correctly on the map that you have up
5 currently, the Project map.

6 Q. Okay.

7 A. (Bradstreet) But the right-of-way boundary is
8 not shown correctly in the AOT drawing.

9 Q. Okay. Right.

10 A. (Bradstreet) So, the house would be close to
11 the edge of what we're showing for clearing on
12 the AOT drawing.

13 Q. Okay. And that was my question, was the
14 clearing that is indicated on AOT map, whether
15 that would come up to the residential structure
16 or would go beyond it?

17 A. (Bradstreet) Yes. So, if you go back to the
18 other map, and assume you're still looking at
19 the clearing boundary, it would line up with
20 that edge of right-of-way.

21 Q. Okay. But maybe we're misunderstanding each
22 other. Is the clearing going to go beyond
23 where this residential structure is located,
24 and go below that, so, looking at the map,

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1 south, to the dotted line there?

2 A. (Bradstreet) I think the answer is "no".

3 But --

4 Q. Okay.

5 A. (Bradstreet) -- we're only going to clear to
6 the edge of right-of-way, the red line.

7 Q. Okay. Thank you. That's what I needed.

8 A. (Bradstreet) There's a lot of lines.

9 Q. Okay. Looking back at the AOT map, it sounds
10 as if you've gotten permission from this
11 landowner to extend the right-of-way as
12 indicated?

13 A. (Bradstreet) Yes.

14 Q. Okay. Okay. So, the construction pad that
15 appears to encroach no longer does so?

16 A. (Bradstreet) Correct. We have property rights
17 to the edge of that clearing boundary.

18 Q. Okay. Thank you. I want to turn now to AOT
19 Sheet 316. And, as you mentioned, Mr. Johnson,
20 I believe this is Cross Country Road.
21 Mr. Bradstreet, you'll note here, as we scroll
22 to the right, that there are encroachments
23 beyond the indicated right-of-way. I don't
24 want to go through all of them, but I just want

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1 you to agree with me that there are a number of
2 those encroachments shown on this plan?

3 A. (Bradstreet) Correct.

4 Q. Okay. And, as before, I assume that the
5 Project has gotten expanded right-of-way rights
6 in these areas, correct?

7 A. (Bradstreet) Correct. If you would like, we
8 could double check the Project maps, and it
9 should show the correct edge of right-of-way.

10 Q. Okay.

11 A. (Bradstreet) Similar as before.

12 Q. Okay. And, so, the expanded right-of-way
13 rights that you assert that you've
14 maintained -- or, attained would go down to
15 that turquoise vegetative clearing line that we
16 see there?

17 A. (Bradstreet) That is correct.

18 Q. Okay. Okay. And that would resolve any of the
19 encroachments that are shown on this particular
20 AOT map?

21 A. (Bradstreet) Yes.

22 Q. Okay. I see there, in the kind of left-hand
23 side of the screen, that construction pad
24 appears to encroach into the road. Is that

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1 accurate as well?

2 A. (Johnson) Again, we will commit to moving that,
3 so that it does not encroach on the road.

4 Q. Thank you. I want to turn now to AOT Sheet
5 317, which is -- here is Cross Country Road.
6 And the Project intends to access certain
7 segments of the corridor via Cross Country Road
8 at this location, correct?

9 A. (Bradstreet) Yes, sir.

10 Q. And do you have any knowledge of the status of
11 this particular road?

12 A. (Bradstreet) I do not.

13 Q. Any knowledge as to whether it's gravel,
14 asphalt, paved?

15 A. (Johnson) It's gravel.

16 Q. I don't want to -- my understanding,
17 Mr. Johnson, is that it's asphalt. So, I don't
18 know what information you're basing it on --

19 A. (Johnson) I'm looking at Google.

20 Q. Okay.

21 A. (Johnson) Yes. If it is asphalt, that's good.

22 Q. Okay.

23 A. (Johnson) Yes. On regular Google, it does show
24 that it's paved.

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

1 Q. Okay. Okay, Mr. Bradstreet, I believe you
2 addressed this before in a prior sheet that we
3 were looking at, but I believe your testimony
4 was that, similar to before, the right-of-way
5 indicated here is also extended to that
6 vegetative clearing boundary. Does it stop at
7 Cross Country Road?

8 A. (Bradstreet) It does.

9 Q. Okay.

10 A. (Bradstreet) But you are correct.

11 Q. Okay. And that extended right-of-way would
12 resolve the encroachments that are shown on
13 this plan?

14 A. (Bradstreet) Yes, sir.

15 Q. Okay. Turning now to Page 9 -- or, excuse me,
16 AOT Sheet 318. And, in this area, the Project
17 crosses Sixth Range Road. Do you see that,
18 Mr. Bradstreet?

19 A. (Bradstreet) Yes. I see it designated, yes.

20 Q. Okay. And why doesn't the Project access the
21 right-of-way from Sixth Range Road?

22 A. (Bradstreet) I guess, from what I'm looking at,
23 it doesn't appear to be a road. But I don't
24 know.

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1 Q. And what leads you to that conclusion?

2 A. (Bradstreet) I don't see a road.

3 Q. Okay. I'll represent to you that it is a road,
4 and it may just be the angle of the satellite
5 photo, but a road does exist there. So, any
6 other reason that you're not accessing the
7 corridor through Sixth Range Road?

8 A. (Bradstreet) I mean, the only thing I can think
9 of is, as our construction folks planned out
10 how they would access this, we have plenty of
11 access in either direction, and determined that
12 we didn't need to come in from Sixth Range
13 Road. But that's speculation.

14 Q. And similar question regarding Flagg Road,
15 which is further to the right in this picture?

16 A. (Bradstreet) Sure. I would assume it's the
17 same thing then.

18 Q. Okay.

19 A. (Johnson) So, another consideration could be
20 that the fact that these roads are relatively
21 narrow and have a lot of canopy as we can see,
22 just can't see the road from these satellite
23 images, but it might not be suitable for the
24 delivery of equipment and/or material.

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1 Q. Okay. Okay. Due to the narrowness of the road
2 and the canopy?

3 A. (Johnson) Correct.

4 Q. Yes. The portion that traverses Sixth Range
5 Road appears to have kind of a widening to it.
6 What's the purpose of that widened access road?

7 A. (Bradstreet) Yes. So, anywhere along the
8 access road where it flares out like that is
9 typically designated as an area where a truck
10 could go around another truck, basically.

11 Q. Okay.

12 A. (Bradstreet) And, based off of what we just
13 discussed, it looks like we might need to shift
14 that.

15 A. (Johnson) We will commit to shifting that.

16 Q. Thank you, Mr. Johnson. That was my next
17 question. Any of you have any knowledge of the
18 status of Sixth Range Road and Flagg Road?

19 A. (Bradstreet) I do not.

20 Q. Okay. I'll represent to you both that they're
21 Class VI roads, and therefore the Town has no
22 obligation to maintain them. Has anyone had
23 any contact with people in the area to
24 determine who maintains these roads and to what

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1 standard?

2 A. (Johnson) We have not at this time, because
3 we're not planning on using them. Clearly,
4 we'll have to coordinate with the local folks
5 there for where we do cross those particular
6 roads. But, at this time, we have not.

7 Q. And you said you "weren't using them", but you
8 are traversing them to get from one part of the
9 corridor to another?

10 A. (Johnson) Correct. Which is why we would have
11 to coordinate with the folks that maintain
12 those roads.

13 Q. Okay. Okay. But, to the extent you're
14 traversing caused any damage to the roads, --

15 A. (Johnson) Absolutely, yes.

16 Q. -- you would --

17 A. (Johnson) The same standards apply.

18 Q. Okay.

19 A. (Johnson) We would have to fix them.

20 Q. And looking back at Flagg Road, it appears that
21 that construction pad is placed into the road.

22 A. (Johnson) We will commit to moving that
23 construction pad, yes.

24 Q. Thank you. I want to turn now to AOT Plan

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1 Sheet -- when the Project intends to traverse
2 these Class VI roads, are you going to do any
3 sort of improvement to accommodate the weight
4 of the construction vehicles?

5 A. (Johnson) So, our contractor will have to
6 assess that. And, clearly, if they believe
7 that there will be damage to that road that
8 would require some improvements, then they
9 would coordinate with the local people that
10 maintain that to come up with some mutually
11 agreeable improvements, so that it would enable
12 the construction equipment to cross, but then
13 would not inhibit traffic coming the other way.

14 Q. And that was my next question, Mr. Johnson, was
15 to the extent that sort of improvement was
16 necessary, I was wondering if that would entail
17 raising the grade of that section of the Class
18 VI road or somehow blocking access of the
19 traveling public along these roads?

20 A. (Johnson) So, priority clearly would be to the
21 access along the existing road. I would go so
22 far as to say that, if there was somebody
23 crossing -- a construction equipment crossing
24 that, that they would have to have some sort of

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1 flaggers to ensure that, as people drive up and
2 down that road, there is ample warning of that
3 construction equipment being moved across the
4 right-of-way there.

5 Q. Okay. And, to the extent any improvements are
6 required here, assuming the Project is
7 permitted and constructed, those improvements
8 would then be removed, correct?

9 A. (Johnson) That's correct.

10 Q. Okay. Okay, now I want to turn to --

11 A. (Johnson) I'll just add, unless the locals want
12 it left.

13 Q. Okay.

14 A. (Johnson) But, yes. The plan is to remove them
15 at this time.

16 Q. Okay. Turn now to AOT Plan Sheet 319. And the
17 Project's going to be accessing this portion of
18 the corridor via Fuller Road, on the right
19 there. And I'll zoom in so you can see a
20 little better. You see that, Mr. Bradstreet?

21 A. (Bradstreet) Yes, sir.

22 Q. Okay. The panel have any knowledge of the
23 status of this road?

24 A. (Bradstreet) I do not.

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1 Q. I'll represent that it's a Class VI road. Does
2 the panel have any awareness of who maintains
3 it and to what standard?

4 A. (Bradstreet) I do not have that either.

5 Q. And it appears, Mr. Bradstreet, that the aprons
6 in this access point are not accurate. Would
7 you agree with that?

8 A. (Bradstreet) This is similar to what we've
9 discussed previous. What's shown for the
10 outline of Fuller Road is the parcel boundary.
11 And what's shown for the apron is geared more
12 towards actual edge of pavement for traveled
13 way.

14 Q. Okay.

15 A. (Bradstreet) Parcel boundaries aren't always
16 100 percent accurate, I guess, --

17 Q. So, if the underlying satellite data is
18 accurate, then this portion of the roadway is
19 slightly outside of the roadway corridor?

20 A. (Bradstreet) Or, the parcel boundary as shown
21 on the tax data is inaccurate.

22 Q. Uh-huh.

23 A. (Bradstreet) I believe our aprons are based
24 more off of survey.

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1 Q. Okay.

2 A. (Johnson) Then, again, the same standard would
3 apply with aprons, of up to the edge of the
4 travel way.

5 Q. The travel portion?

6 A. (Johnson) Yes.

7 Q. Okay. I want to turn now to AOT 320. And this
8 is just an extension of what we were just
9 looking at. On the left-hand side is Fuller
10 Road, which was the point of access that we
11 were just discussing. And you see,
12 Mr. Bradstreet, that that's the way the Project
13 provides access to the remainder of that
14 segment of the corridor?

15 A. (Bradstreet) Correct.

16 Q. All right. I want to turn now to 321. And,
17 again, this is a continuation of that corridor.
18 And this sheet, 321, indicates that the Project
19 is going to access the corridor via North
20 Pembroke Road. Correct?

21 A. (Bradstreet) That's correct.

22 Q. Okay. Do you have any knowledge as to the
23 status of North Pembroke Road?

24 A. (Bradstreet) I do not.

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1 Q. Okay. I'll represent to the panel that it's a
2 Class V road maintained by the Town. Turn now
3 to AOT Plan Sheet 322. And this is where the
4 Project crosses from Pembroke into I believe
5 it's Allenstown. But it crosses the Suncook
6 River, which is the boundary between those two
7 municipalities. Do you see that there?

8 A. (Bradstreet) Yes, I do.

9 Q. Okay. And access to the respective Pembroke
10 right-of-way segment here, there's two access
11 points. In the left there you see Route 28,
12 North Pembroke road, and on the right or in the
13 middle of the screen you see access via
14 Bachelder Road. Do you see that?

15 A. (Bradstreet) Yes, sir.

16 Q. Why the extra access over Bachelder Road, if
17 you already have access to this pad via Route
18 28?

19 A. (Bradstreet) So, I'll start, and Mr. Johnson
20 might chime in. But, again, it's for
21 flexibility. It also provides -- think of it
22 as a semi truck coming from Bachelder Road
23 could access the right-of-way, traverse through
24 our on right-of-way access road, and then leave

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1 the site on 28. So, it could also assist in
2 the flow of traffic.

3 Q. But have you done any sort of traffic analysis
4 to justify that sort of additional access
5 point?

6 A. (Bradstreet) As Ms. Farrington stated, I don't
7 believe we have.

8 Q. Is that accurate, Ms. Farrington?

9 A. (Witness Farrington nodding in the
10 affirmative.)

11 Q. You're nodding "yes", so just for the record?

12 A. (Farrington) Yes. And I think, when you were
13 talking about "vehicle flow", you mean for
14 construction vehicles through the site?

15 A. (Bradstreet) Yes. So, I guess, maybe to
16 elaborate on that a little bit, instead of
17 having a semi back up, turn around, and leave,
18 they can just enter, continue straight traffic,
19 and pull back onto the road. So, it also
20 improves safety for our workers.

21 Q. And if you look at the Route 28 access point,
22 it appears that the construction pad goes
23 beyond the property boundary. But I assume
24 your testimony is consistent as before, in that

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1 it is up to the traveled portion of the road?

2 A. (Bradstreet) I believe what's shown shows that,
3 yes.

4 Q. Okay. So, in other words, your testimony is
5 that the construction pad here is not going to
6 impede the flow of traffic?

7 A. (Bradstreet) Correct.

8 Q. Are any of you aware of whether the Town of
9 Pembroke has seasonal weight restrictions?

10 A. (Bradstreet) I would assume they do.

11 Q. Okay. But no specific knowledge as to that?

12 A. (Bradstreet) I believe the whole state does.

13 Q. Okay. I'll represent to you that they do, in
14 fact, have seasonal weight restrictions. And
15 that theirs are a little more stringent than
16 New Hampton's, which we previously discussed.
17 Theirs apply to vehicles with a gross weight of
18 1,800 pounds. And, so, I think it's safe to
19 assume that some of the construction vehicles
20 and the materials that are involved in this
21 Project are going to exceed that amount.

22 Correct?

23 A. (Bowes) You said "1,800". Do you mean

24 "18,000"?

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1 Q. Oh, yes. You're right. I missed a zero.

2 A. (Bradstreet) Okay. Just that a lot of cars
3 would also.

4 Q. I'm sorry. Thank you. Yes. So, the same
5 question though, 18,000 pounds?

6 A. (Bradstreet) Yes.

7 Q. Okay. And these restrictions apply in the Town
8 of Pembroke, I'll represent to you, not just to
9 Class V roads, but to the various Class VI
10 roads that we just discussed. So, that's
11 Fourth Range Road, Sixth Range Road, Flagg
12 Road, and Fuller Road as well. And can I
13 assume that the panel's previous testimony
14 about coordinating sequencing of construction
15 to avoid any weight restrictions is similarly
16 applicable to the Town of Pembroke?

17 A. (Bradstreet) Yes.

18 MR. WHITLEY: Off the record.

19 *[Brief off-the-record discussion*
20 *ensued.]*

21 BY MR. WHITLEY:

22 Q. I want to change topics and just address tower
23 heights within the Town of Pembroke. And I
24 assume that's still you, Mr. Bradstreet?

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1 A. (Bradstreet) Probably.

2 Q. Okay. Yes. The last several segments -- or,
3 let me do it this way. What I've got here now
4 is the revised project maps for the Town of
5 Pembroke. And I'll blow this up so they're a
6 little more legible. And what I wanted to ask
7 you about was the last several segments in
8 town. And the first one I'm going to pull up
9 corresponds to revised Project Map 167. There
10 it is. You see this is the segment that
11 crosses Sixth Range Road and continues
12 east/southeasterly direction?

13 A. (Bradstreet) Yes.

14 Q. Okay. The structures there, if we go up to the
15 segment information, you see that the
16 structures in this project map area are all
17 fairly large, you see that? Or tall, all
18 fairly tall?

19 A. (Bradstreet) They're taller than the other
20 areas we've looked at, yes.

21 Q. That's correct. The tallest one here being 140
22 feet, that's 3132 --

23 *[Court reporter interruption.]*

24 BY MR. WHITLEY:

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1 Q. -- 3132-196. Is that correct, Mr. Bradstreet?

2 A. (Bradstreet) Yes, it is.

3 Q. Yes. And then the one right after that,

4 3132-197, 135 feet. And then the next one,

5 3132-198, 130 feet. Correct?

6 A. (Bradstreet) Those are correct, yes.

7 Q. So, if we go to the next AOT -- or, excuse me,

8 revised Project Map Sheet for Pembroke, which

9 would be 168, so this is an extension of the

10 one we just saw. And, again, going in an

11 easterly/southeasterly direction. These two

12 have larger structures -- or, taller structures

13 associated with them, do they not?

14 A. (Bradstreet) Similar to the last section, but,

15 yes.

16 Q. And, again, here we see the structure

17 specifics. I won't go through them all. But

18 you can see that the lowest structure in this

19 area is 120 feet, the highest is 140. And

20 there are numerous that are 130 and one that's

21 135?

22 A. (Bradstreet) Correct.

23 Q. Now, I want to go to the last segment in

24 Pembroke, which is Sheet 169. And this, as I

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1 mentioned earlier, is where the Project crosses
2 the Suncook River into Allenstown, correct?

3 A. (Bradstreet) Yes.

4 Q. And, if we go up to the specifics related to
5 those structures, again, here they're fairly
6 tall structures, correct?

7 A. (Bradstreet) Similar to the previous.

8 Q. So, we have three segments continuously, Sheets
9 167, 168, 169, that amounts to 26 towers along
10 those three sheets. Does that sound accurate?

11 A. (Bradstreet) Yes. I will take your word for
12 it.

13 Q. Okay. Well, my math is suspect, so -- so,
14 among those three segments, however, I believe
15 your testimony -- you confirm that they all
16 contained fairly tall structures, correct?

17 A. (Bradstreet) I would say these structures are
18 taller than other parts of the Project.

19 Q. Sure. And the cross sections for all 26 of
20 those towers in these three Project sheets are
21 all S1-19 or S1-19T, is that accurate?

22 A. (Bradstreet) I believe so, yes.

23 Q. Okay. And we have those right in front of us
24 here. And, obviously, this is specific to

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1 Project Sheet 169. But, if we were on another
2 Project sheet, and it's the same segment, it
3 would be the same schematic, is that correct?

4 A. (Bradstreet) If it's S1-19, it would be the
5 same.

6 Q. Okay. Thank you. And, so, for the S1-19 and
7 S1-19T segments, which, again, have taller
8 tower heights than some of the others
9 associated with the Projects, the right-of-way
10 width is 150 feet, correct?

11 A. (Bradstreet) Yes.

12 Q. And you have, if you look at both S1-19 and
13 S1-19T, there is a distance of 65 feet between
14 the proposed Project line and the existing 115
15 line in these corridors, correct?

16 A. (Bradstreet) That is right.

17 Q. And, then, from the edge of the right-of-way
18 closest to the Northern Pass tower, to the
19 Northern Pass tower is 35 feet for all of these
20 26 towers that we're talking about?

21 A. (Bradstreet) To the centerline of the tower,
22 yes.

23 Q. That's right.

24 A. (Bradstreet) Yes.

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1 Q. Okay. And I note that the towers -- let me
2 rephrase that. The tower heights along these
3 areas are so tall, partly due to the fact that
4 it's a vertical configuration. Is that fair?

5 A. (Bradstreet) The right-of-way requirements are
6 making the design a vertical, which increases
7 the height, yes.

8 Q. Okay. Okay. And that was my next question, is
9 that the right-of-way width here has dictated
10 or -- not "dictated", but has limited your
11 options, in terms of structure heights?

12 A. (Bradstreet) The clearance requirements have
13 made a horizontal structure not possible here.

14 Q. Okay. Has the Project considered relocating
15 the existing 115 to accommodate a horizontal
16 structure?

17 A. (Bradstreet) We have looked at what that option
18 would mean, and that does not mean we could go
19 to a horizontal structure. There's not enough
20 space.

21 Q. Okay. And has the Project --

22 A. (Bradstreet) I guess, just to put it in
23 perspective, for a horizontal 345 structure,
24 typically, we would need a 150-foot

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1 right-of-way.

2 Q. And by "150 feet right-of-way", you mean -- I
3 didn't follow your answer, I'm sorry.

4 A. (Bradstreet) So, I guess, if we were to install
5 a horizontal 345 kV structure, typically, NU
6 would -- or, Eversource would require a
7 150-foot right-of-way for that structure.

8 Q. Okay. Thank you. Thank you. And has the
9 Project had outreach to any of the properties
10 along these three segments to see about
11 expanding the right-of-way?

12 A. (Bradstreet) I would -- I'll defer to
13 Mr. Johnson.

14 A. (Johnson) We have not.

15 Q. Okay.

16 A. (Johnson) So, just to elaborate on that just a
17 little bit, if we only got sporadically one or
18 two property owners to give us that additional
19 space, it wouldn't help us. We need a
20 contiguous space of several miles for it to
21 make sense to do that.

22 Q. No, I understand that. But previous segments
23 of the line in Pembroke you were able to get
24 extended right-of-way rights from several

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1 property owners, as you testified to earlier.

2 A. (Johnson) That is correct. Yes.

3 Q. Okay. So, why not seek the same sort of
4 extension in this area of town to attempt to
5 lower the tower heights?

6 A. (Johnson) I don't know the answer to that.

7 MR. WHITLEY: Okay. That's all I
8 have. Thank you very much.

9 WITNESS JOHNSON: Thanks.

10 CMSR. BAILEY: All right. Thank you.
11 I think we'll take an early lunch break today,
12 and come back at 12:50. And we'll take up
13 Municipal Group 2, I believe, at that time.
14 Thank you.

15 (Lunch recess taken at 11:53
16 a.m. and concludes the **Day 8**
17 **Morning Session**. The hearing
18 continues under separate cover
19 in the transcript noted as **Day 8**
20 **Afternoon Session ONLY**.)

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24**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)