STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

May 3, 2017 – 9:01 a.m. DAY 8
49 Donovan Street Morning Session ONLY
Concord, New Hampshire

{Electronically filed with SEC on 05-11-17}

IN RE: SEC DOCKET NO. 2015-06
Joint Application of Northern
Pass Transmission, LLC, and
Public Service Company of
New Hampshire d/b/a Eversource
Energy for a Certificate
of Site and Facility.
(Hearing on the merits)

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:

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

Dir. Craig Wright, Designee Dept. of Environ. Serv.
Christopher Way, Designee Dept. of Resources &
Economic Development
William Oldenburg, Designee Dept. of Transportation
Patricia Weathersby Public Member

ALSO PRESENT FOR THE SEC:

Iryna Dore, Esq., Counsel for SEC
(Brennan, Caron, Lenehan & Iacopino)

Pamela G. Monroe, SEC Administrator

(No Appearances Taken)

COURT REPORTER: Steven E. Patnaude, LCR No. 052
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(resumed)

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P R O C E E D I N G

CHAIRMAN HONIGBERG: Good morning, everyone. Welcome to another beautiful day here in Concord, New Hampshire.

Is there anything we need to deal with before we resume questioning?

[No indication given.]

CHAIRMAN HONIGBERG: All right.

Mr. Whitley, you may proceed.

MR. WHITLEY: Thank you, Mr. Chair.

Good morning, everyone.

WITNESS BOWES: Good morning.

(Continuation of the witness panel of Kenneth Bowes, Derrick Bradstreet, Lynn Farrington, Samuel Johnson, John Kayser, and Nathan Scott.)

CROSS-EXAMINATION (resumed)

BY MR. WHITLEY:

Q. Mr. Johnson, I wanted to turn back to you just briefly. In my efforts to get us out of there last night at a reasonable time, I went over a question that I wanted to ask you.

A. (Johnson) Sure.
Q. So, do you have your supplemental testimony with you again this morning?
A. (Johnson) I do.

Q. And just for the record again, that's Applicants' 86, I believe?
A. (Johnson) That's correct.

Q. We talked a little bit yesterday about the Project's efforts on outreach to municipalities. And I believe that the testimony from this panel and from other panels has been that that's been a real point of emphasis. Is that correct?
A. (Johnson) Yes.

Q. While I was looking at one of the attachments to your testimony, which is the up-to-date kind of data on the outreach efforts, and I noted that, in the last year and a half, so, since January 2016, the Project has only met with nine host communities. Does that sound accurate?
A. (Johnson) That's about accurate, yes.

Q. If there's such an emphasis on outreach and coming to agreement, that strikes me as a very low number.
A. (Johnson) So, there are many types of outreach, whether it's phone calls, whether it's letters. These happen to be the actual visits that we've made with the towns. Obviously, it's their prerogative to respond when we inquire whether they'd like a meeting. And, as you note, these 16 -- or, 2016 and '17 lists that the towns that have reached out to us and had an official town meeting.

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

A. (Johnson) No. Absolutely not.

Q. Thank you, Mr. Johnson.

A. (Johnson) You're welcome.

Q. I want to turn now to some of the municipalities that I represent, and just go through some of the Project maps and AOT maps. And just for the panel's information again, some of the communities that I'll be going through are New Hampton, Pembroke, and the Ashland Water & Sewer Department. And, so, they're primarily all overhead portions of the
line, Mr. Bradstreet. So, I suspect that most of my questions will be directed at you. But, as before, if anyone else has an answer, please feel free to chime in.

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

A. (Bradstreet) Yes, I do.

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

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


BY THE WITNESS:

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

BY MR. WHITLEY:

Q. Okay. Is anyone else on the panel aware of that easement?
A. (Bowes) Aware of it, yes, but not the specifics.

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

A. (Johnson) Same answer.

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

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

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

MR. WHITLEY: It's Sheet 129.

BY MR. WHITLEY:

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

A. (Bradstreet) Yes. Please.

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

A. (Bradstreet) I guess the Project did a thorough review of all the restrictions along these easements. And, if a restriction was noted, it
would have been incorporated into our design.

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

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

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

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

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

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

A. (Bradstreet) Yes. I see that.

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

A. (Bradstreet) Correct.

Q. Okay. And, just to go over the heights of
those towers, the 142 is 110 feet -- the 1142,
pardon me, 110 feet; the 1143 is 105 feet; and
the 1144 is 110 feet. Correct?
Q. And then, for the 115 towers, the 168 is 125 feet; the 169 is 100 feet; and the 170 is 115 feet. Correct?
A. (Bradstreet) Looks correct, yes.
Q. Okay. Turn now to the AOT map of this area. And, just for the record, this is Applicants' Exhibit 1, Appendix 6c. And this is sheet -- I believe it's 246. Yes, 246.

And isn't it correct that, for the structures that I've just identified and that we've been discussing, there's going to be some vegetative clearing associated with those structures? I'm pulling it up a little closer here so you can see that.
A. (Bradstreet) Yes. It looks like there's some clearing proposed on either sides of the existing right-of-way.
Q. Okay. So, you have a scenic easement here, which is immediately adjacent to where these towers are located, that restricts structures. But, right next to that easement, you've placed six towers, six towers with a minimum height of 100 feet and a maximum height of 125 feet.
Isn't that accurate?

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

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

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

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

MR. NEEDLEMAN: Objection.

CHAIRMAN HONIGBERG: Mr. Whitley.

MR. WHITLEY: The grounds for the objection?

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

MR. WHITLEY: And my question was --
well, I'll withdraw the question. That's fine.

BY MR. WHITLEY:

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

A. (Bradstreet) Yes, I see that.

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

A. (Bradstreet) Yes, I do.

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

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

Q. Okay. But, in terms of accessing this segment of the right-of-way, the Project is going to
have to come from the Ashland side of the river, correct?

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

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

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

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

A. (Bradstreet) Yes, I believe.

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

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

I think, for the record, can I just say that that's going to be the citation, and just give the page number from here on out. Is that acceptable, Mr. Chair?
CHAIRMAN HONIGBERG: I think, if you're staying within one exhibit, and you're moving within pages, it's easy enough. It's just a little -- sometimes a little unclear if you're changing exhibits, you're changing documents. This is mostly for your benefit, so your record is clear.

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

CHAIRMAN HONIGBERG: Okay. Thank you.

BY MR. WHITLEY:

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

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

Q. Okay. So, then, the Project's means of access is over or through Ashland Water & Sewer
Department, which is back on Sheet Number 241 of the AOT Application. You see that on the left-hand side there?

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

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

A. (Bradstreet) Correct.

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

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

Q. Okay.

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

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

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

A. (Johnson) Off the top of my head, it's around
six feet, something of that nature.

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

A. (Johnson) No.

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

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

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

A. (Johnson) That's correct.

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

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

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

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

A. (Johnson) That is correct.

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

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

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

A. (Johnson) Yes.

Q. And, as you sit here today, do you know what would be required to upgrade that bridge, to whatever the Project would deem necessary?
A. (Johnson) I do not personally.

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

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

Q. When would that information be available?

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

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

A. (Bradstreet) Yes, sir.

Q. Okay. So, for these portions of the transmission corridor, to the north there, the Pemi River, and then you're going to access that northern segment via Old Bristol Road, as
well as the southern segment that goes to the right of the picture, correct?

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

Q. Yes.

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

[Court reporter interruption.]

BY THE WITNESS:

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

BY MR. WHITLEY:

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

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

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

A. (Bradstreet) I think it's just because it's existing.
Q. Okay. So, assuming you get your approval and the Project is approved, is that off right-of-way access going to remain then?

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

Q. Okay.

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

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

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

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

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

Q. And the apron to access the northern segment appears to extend into Old Bristol Road. Is that accurate? And, by "extend", I mean it
extends -- it appears to be at least halfway
into Old Bristol Road?

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

Q. Okay.

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

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

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

Q. Uh-huh.

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

Q. Okay. Because the right-of-way boundary of the
road and the edge of the traveled way may not
be the same thing?

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

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

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

A. (Johnson) About 25 to 30 feet.

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

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

Q. But assume, just for the sake of this conversation, that you've got a crane truck that's got to turn into the northern segment or the southern segment of this corridor. So,
that would require a pretty wide turning
radius, would it not?
A. (Bradstreet) It would.
Q. And is a 25 to 30-foot traveled way enough of a
turning radius to get onto either segment
without blocking the other lane of travel?
A. (Bradstreet) Again, I think it can be
coordinated so that it does not block travel.
I would say this is the same as a semi truck
turning into, you know, a general entrance to
any kind of construction area or an entrance
into a business even.
Q. Ms. Farrington, I'm going to turn to you for a
second. I understand from yesterday's
testimony, I think it was yesterday, that you
haven't done any analysis of how much traffic
to expect at these access points, is that
correct?
A. (Farrington) That is correct.
Q. And, so, that answer would carry over to the
Town of New Hampton and these access points we
see here?
A. (Farrington) Correct. We don't expect the
number of vehicles accessing these points at
any given period of time, perhaps like a peak hour, to be substantial enough to warrant any sort of analysis.

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

A. (Farrington) No, I have not.

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

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

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

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

Q. Okay. Okay. Because I -- to save time this morning, I mean, I didn't see gravel mud traps
indicated on any of these plans. So, I just
wanted to clarify that that was the Project's
intent, was to have those gravel mud traps at
all of these aprons where access is provided to
the right-of-way?

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

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

A. (Bradstreet) I am not.

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

Q. Okay.

A. (Johnson) Not.

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

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

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

So, this road is a Class V road. And I'll
represent to you that that means that it's a public road, but that is maintained by the Town. And it sounds like that's consistent with at least your understanding, Mr. Johnson?

A. (Johnson) It is.

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

A. (Bradstreet) I would assume they do.

Q. But not specifically, though?

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

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

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

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

Q. Okay. I'll represent to you that the New Hampton seasonal weight restriction is a limit of 10 tons on the roads that they have designated as needing that protection. It's likely that there will be vehicles and loading on those vehicles that will exceed that amount,
isn't that correct?

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

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

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

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

A. (Bradstreet) I guess I'll voice my opinion, and somebody can weigh in if they have other thoughts. But the purpose of the construction
schedule is to ensure we're not there when it's restricted.

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

A. (Johnson) No.

A. (Bowes) No.

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

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

But this is another point where the Project is going to be gaining access to the
corridor. Do you see that there,
Mr. Bradstreet?
A. (Bradstreet) Yes, I do.
Q. And, so, the Project is going to be using Brook
Road for this AOT map, this map segment, to
access the corridor, correct?
A. (Bradstreet) Correct.
Q. And that's going to be accessing the segment
that's to the left in the picture, and then
I'll, you know, represent to you that the
segment continues to the right beyond what's
shown here?
A. (Bradstreet) Yes, sir.
Q. Yes. I count three aprons at this access
point. Why do you need three aprons here?
A. (Bradstreet) I believe the plan is for the
apron to the left to access that span that
continues and runs to the north. One of the
aprons to the right is probably going to be the
main access point to continue south. And the
third apron is to access that single structure
that's directly off of Brook Road.
Q. Why can't you link up the two construction pads
here and do away with one of those access
Q. Because it strikes me that three access aprons, and how wide is the corridor there? 150 feet?
A. (Bradstreet) The right-of-way?
Q. The right-of-way, thank you.
A. (Bradstreet) 225.
Q. 225. It strikes me that three access aprons, and that length of this road, is troublesome. And, so, I didn't -- so, has the Project looked at connecting the two construction pads, instead of using a third apron?
A. (Bradstreet) I guess I would say I do not know if that was specifically addressed. But it's something that could definitely be reviewed and incorporated, if it doesn't have any further impact.
Q. And, as we discussed before, the apron that goes to the northern segment, the fact that it appears to be in the middle of the road is not necessarily accurate. It's not going to be that far out in the road, correct?
A. (Bradstreet) Right. So, what's shown in the
middle of the road is based off of the parcel boundary. And, if you could clearly see the edge of the pavement, it would match up with the pavement.

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

A. (Bradstreet) One second.

Q. Sure.

A. (Bradstreet) Approximately 25 feet.

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

A. (Bradstreet) Approximately 25 feet, yes.

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

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

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

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

Q. Ms. Farrington, I just wanted you to answer the
question that I asked. Thank you.

A. (Farrington) Okay.

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

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

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

A. (Bradstreet) I do not.

A. (Johnson) No.

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

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

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

A. (Johnson) On the Google images.

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

A. (Johnson) I have not, no. Our constructability gentlemen -- or, people have been out in the
field, and, yes, have walked through this.

Q. They have walked this segment?
A. (Johnson) Yes.

Q. Okay. So, similar to the last road we spoke about, this road, too, could be subject to the seasonal weight restrictions?
A. (Bradstreet) Yes. I believe that's correct.

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

Okay. You see that there, Mr. Bradstreet?
A. (Bradstreet) Yes, sir.

Q. I'll zoom out, so you get a little more context here. So, in this segment, the right-of-way is accessed via Coolidge Woods Road, correct?
A. (Bradstreet) Yes. It appears so.

Q. And, as before, Ms. Farrington, you're not aware of any expected traffic here, nor have you done a calculation of possible traffic impact, correct?
Q. Is anyone on the panel aware of the status of Coolidge Woods Road?
A. (Bradstreet) I am not.
A. (Johnson) I'm going to guess it's a Class V?
Q. You are correct, Mr. Johnson. Yes. It's Class V. Is anyone aware of the surface of the road, whether it's paved, gravel?
A. (Johnson) It appears to be gravel.
Q. And is anyone aware what the width of the road is?
A. (Johnson) I just measured, and it's 25 feet as well.
Q. And that is, again, the traveled portion, not the corridor, correct?
A. (Johnson) That's correct.
Q. So, you're aware that this road, too, is subject to that seasonal weight limitation?
A. (Johnson) Yes, sir.
Q. All right. I want to turn to another road segment now. This is going to be AOT Map Number 246. And we looked at this a little earlier this morning. This is the segment of the corridor right before it crosses the Pemi
River and goes into Bridgewater. But I want to talk right now about the access via Highway 132. Do you see that, Mr. Bradstreet?

A. (Bradstreet) Yes, I do.

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

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

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

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

Q. And there's a -- so, it accesses the bottom side on the picture of that construction pad,
correct? That off right-of-way access?
A. (Johnson) Yes. It appears to be that, yes.
Q. But the other side, the upper portion of that
construction pad, is accessed via an apron
within the corridor from 132, correct?
A. (Johnson) That would -- that's correct, yes.
Q. Okay. My understanding from yesterday is that,
when the Project prepares a construction pad,
that you clear that area and level the site, is
that accurate?
A. (Johnson) For the most part, yes.
Q. Okay. So, if you're leveling the construction
pad, and you have access via either the off
right-of-way access or the apron, then why do
you need a second access point?
A. (Johnson) Good question. I think just to keep
options available.
Q. Okay.
A. (Johnson) I believe that, in the beginning, we
may use the access road off of 132 for smaller
vehicles that would get in. And, then, once
the heavy machinery comes in for drilling and
structure erection, then it would come off the
longer access road.
Q. Okay.

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

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

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

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

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

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

A. (Johnson) That's correct.

Q. Okay. And the off right-of-way access, is there any plan to remove that, assuming the
A. (Johnson) Yes.

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

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

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

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

Q. Okay.

A. (Bowes) It doesn't mean we're going to install gates at every location, especially if PSNH uses that access now.
Q. What does it mean, if it doesn't mean a gate? What does it mean then?

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

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

A. (Bowes) We would not.

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

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

A. (Johnson) Agreed.

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

Q. Okay. So, maybe do nothing then?

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

Q. I want to stay in the Town of New Hampton and just talk a little bit about noise impacts for a second. And I don't know who I should direct
these questions to, Mr. Bowes or
Mr. Bradstreet, is --
A. (Bowes) Probably the two of us.
Q. Okay. Okay. So, are either of you aware that
New Hampton has some regulations restricting
noise in town?
A. (Bowes) It would not surprise me, but I don't
specifically know, --
Q. Okay.
A. (Bowes) -- if there's ordinances, regulations,
or more detailed regulations.
Q. Mr. Bradstreet, any different answer?
A. (Bradstreet) No. I would agree with what
Mr. Bowes just said.
Q. Okay. I'll represent to you both that they do
have such an ordinance. And that, in
residential areas, there is a dBA limitation at
the property line that is 60 dBA by day and 50
dBA by night. And, when I say "dBA", I'm sure
you know what I'm referring to?
A. (Bradstreet) Yes.
A. (Bowes) Yes, sir. It's a sound pressure level,
yes.
Q. Yes. And they define daytime as "7:00 a.m. to
8:00 p.m", and then, obviously, nighttime is
the remaining hours, "8:00 p.m. back to
7:00 a.m." And I've pulled up here Project Map
127, revised Project Map 127 for the Project.
And you see the yellow dots above and below the
corridor there. Those are residential uses,
correct?
A. (Bradstreet) Yes, I believe so.
Q. Zoom in to give you a better view here. So,
you see, for this segment of the line, which
runs across the center of the page there, there
are a couple of residences that are -- that
appear to be right on the edge of the
right-of-way. And I'm looking at the two
yellow dots below the corridor on the picture,
and to the left-hand side of the page. One has
a property designation of "6115" and the other
one has a property designation of "6117". Do
you see those?
A. (Bowes) I do.
Q. And wouldn't you agree that those residences
appear to be just outside the right-of-way?
A. (Bowes) That is correct.
Q. And the two towers -- the two Project towers or
structures that are closest to those two residences are DC-1124 and DC-1125, correct?

A. (Bradstreet) Yes. That looks correct.

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

A. (Bradstreet) It appears so, yes.

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

A. (Bradstreet) That's correct.

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

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

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

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

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

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

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

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

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

A. (Bowes) Sure.

Q. -- could expect. So, there's going to be tree clearing, potentially?
A. (Bowes) So, for right-of-way clearing, there would be several types of equipment used. Each one of those is listed on, in this case, Data Table 10 of that report.

Q. Uh-huh.

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

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

A. (Bowes) Yes.

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

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

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

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

Q. Okay. But that could include use of a
bulldozer?

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

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

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

Q. Okay.

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

Q. Uh-huh.

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

Q. And you said that mitigation was currently
planned in some areas, noise mitigation, that is?

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

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

A. (Bowes) Yes.

Q. And what would that be?

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

Q. Correct.

A. (Bowes) So, that's the first thing you would do is limit the construction activity hours. The next thing is making sure that all the equipment used meets either federal or state requirements for noise emissions. Most of those are federal requirements, but, in New Hampshire, the DOT also adopts some of those, so making sure that all the equipment is within
Q. If I could just interject, Mr. Bowes. So, when you say "compliance with state and federal guidelines" and equipment being, I guess, up to those specs, do I understand that that the equipment that's going to be used, when it arrives on-site, it will have the noise mitigation kind of already built into it?

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

Q. Okay.

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

Part of the construction outreach would also be going on to these homes, probably about six weeks before construction, and describing what types of activities would take place.
And, in that week of construction, we would go out and knock on the doors again and let the residents know that we were coming, the type of work we would be doing, if there were any issues that we needed to be aware of. And, so, we'd work on a case-by-case basis along the right-of-way to ensure that we tried to minimize the impacts. If they had a particular issue that they were dealing with on a particular day, we could stand down for that period of time, for example.

Q. Thank you.

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

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

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

A. (Bradstreet) Yes, I see some.

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

A. (Bradstreet) Yes.

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

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

Q. No. No. You want too far.

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

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

So, DC-1201 and 02: 1201 is 90 feet, 1202
is 70 feet?
A. (Bradstreet) That looks correct.
Q. Both those are represented by segment C225, which is right in the middle of the page here. And you see that the Project line, similar to the last segment, appears to be about 85 feet from the right-of-way boundary?
A. (Bradstreet) Correct.
Q. Other than what you just described, Mr. Bowes, is there any other specific noise mitigation that is planned for this portion of the line?
A. (Bowes) There is not.
Q. But, again, it would be some of the same activities going on here that you previously described, correct?
A. (Bowes) Actually, all of the same activities, yes.
Q. Yes. Okay. I want to change gears now for a second and talk about the engineering study that was conducted at the Ashland Water & Sewer Department facility. That, I believe, had a draft date of March 29, 2017. Is anyone on the panel familiar at all with that?
A. (Bowes) Yes, I am.
Q. Okay. Anyone else, other than Mr. Bowes?
A. (Bradstreet) I think we all are.
Q. Okay.
A. (Johnson) Move it this way.
Q. Okay. And, when you gentlemen said that you're familiar, is it just a rough familiarity or have you actually reviewed the report?
A. (Bowes) I have reviewed the report.
A. (Johnson) I have as well.
A. (Bradstreet) Yes.
Q. Same to you, okay. Okay. And did any of you have a role in providing input to Nobis Engineering in the preparation of that report?
A. (Bradstreet) I did not.
A. (Bowes) I reviewed an earlier draft of the report.
A. (Johnson) I reviewed an earlier draft of the report.
Q. Okay. And did either of you give comments to Nobis Engineering after reviewing that initial draft?
A. (Bowes) Yes, I did.
A. (Johnson) Yes, I did.
Q. Okay. And what were the nature of those
comments?

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

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

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

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

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

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

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

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

A. (Bowes) Yes, it is.

Q. Okay.

MS. DORE: Could you tell us what exhibit number it is?
MR. WHITLEY: This is going to be "Joint Municipality 195" [sic - Jt. Muni 201]. This was just recently disclosed to us, which is why you don't have it as of yet.

BY MR. WHITLEY:

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

A. (Johnson) Yes.

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

A. (Bowes) Yes.

Q. And -- I'll withdraw that. Let's go down now to Number 5. Give you a second to just read that. So, in Number 5, Nobis is recommending
additional work at this property. That correct?

A. (Bowes) Yes, they are.

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

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

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

A. (Bowes) That is correct.

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

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

Q. And DC-10 -- DC-110, 1111, and 1112 are adjacent to the lagoons, and DC-1113 is farther from the lagoons, but closer to the settling tanks, which are those two round circles just above the red dotted line. Correct?

A. (Bowes) Yes.

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

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

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

A. (Witness Johnson nodding in the affirmative).

A. (Bowes) Looks accurate, yes.

Q. Okay. Okay. Can I -- it strikes me as odd that, when I ask questions or when other people ask questions about dimensions, details of clearing, those sorts of things, that the panel is not referring to the plans that all of us
have at our disposal, but is referring to some
other source of information that we don't have
access to and that the Committee won't have
access to. And I just wonder if -- if the
Committee is to evaluate the evidence,
shouldn't they have the most accurate
information to do that?

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

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

A. (Bowes) That is correct.

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

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

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

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

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

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

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

A. (Bradstreet) In general, any foundation
Q. True. Is there one of those methods that requires drilling further into the subsurface?
A. (Bradstreet) So, drilled shafts would typically be deeper than a grillage.
Q. How much deeper?
A. (Bradstreet) It depends.
Q. Just roughly, can you say?
A. (Bradstreet) It could be the same, it could be 10 feet, it could be 20 feet. It depends.
Q. And does that depend on the site-specific conditions that the Project may encounter?
A. (Bradstreet) That's exactly what it depends on.
Q. The report goes on to describe whether or not the lagoons are lined, and, if so, what they are lined with. Is that correct?
A. (Bowes) That is correct.
Q. And there's a bit of a -- I don't want to say confusion, but there's a bit of a inconsistency between the various historical documents that were attached to the report and that were the basis for some of the report, correct?
A. (Bowes) Yes. The original design documents indicated it was a clay liner. The
investigation found that it is not a clay
liner.

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

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

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

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

A. (Bowes) That is correct.

Q. So, I just mentioned that the Water & Sewer
Department needed to get a Groundwater
Discharge Permit, and they had to do that
through DES. And, as part of that Discharge
Permit process, the Department installed sentry
wells to monitor and evaluate potential impacts
to groundwater and surface water from the
lagoons. Do you agree with that?

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

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

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

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

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

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

Q. Yes. But, I mean, there's a name for the circle with the -- never mind. Anyway, so, Monitoring Well 14, Monitoring Well 15, 16, 17, if you look above the lagoons in the picture, you see two more, 13 and 18. And I'll represent to you there's an additional monitoring well that's further to the top of the picture where the town waste or landfill is
located. Is that accurate?
A. (Bowes) I will accept there's another one. I'm not sure I saw the one you said was off the page?
Q. Oh, no. Well, yes. It's here [indicating]. It's right there.
A. (Bowes) Okay.
Q. Very top, "MW-12". And, as you mention, Mr. Bowes, there is -- one of the historical documents, there's a memo from DES in 2005. And it suggests that the lagoons lose roughly 50,000 gallons per day via infiltration to the groundwater, correct?
A. (Bowes) Yes. I see a 1997 study that indicates that.
Q. Yes. There may be more than one. But, yes. But the number is correct?
A. (Bowes) That's the estimate, I believe. You know, more than a decade ago, or two decades ago, if it was '97.
Q. So, do you think that number is no longer accurate then?
A. (Bowes) I think it could be higher, yes.
Q. And what do you base that on?
A. (Bowes) Just that, if there were liners placed within the lagoons, and they have deteriorated, I would just assume that they would have extensive deterioration since 1997.

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

A. (Bowes) I do not.

Q. Okay.

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

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

A. (Bowes) Yes, I do.

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

A. (Bowes) Yes.

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

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

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

A. (Bowes) Yes.

Q. And one of the conclusions they came to is that the groundwater flow roughly goes towards the
Pemigewasset River. The way this is oriented it's tough to tell, but that's a southwesterly direction towards the river. Is that accurate?

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

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

A. (Bowes) Yes.

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

A. (Bowes) Yes.

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

A. (Bowes) That is correct.

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

A. (Bowes) From the installation of the new structures, that's correct.
Q. Right. And I take it that the panel agrees with that assessment?

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

Q. What is your hesitation?

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

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

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

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

A. (Bowes) Exactly.

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

A. (Bowes) So, that's the -- you know, the recommendation or Finding (b) in the report, which would be to do some further analysis to determine, first, if it's lined or not, and the condition of the lining. I think that was more for the operation of the wastewater plant than
it was a determination whether the Northern Pass Transmission line would impact it.

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

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

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

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

Q. Correct me if I'm wrong, but I don't recall seeing in the report any sort of an evaluation of impacts on the property within the corridor. Actually, let me restate that. I don't recall seeing in the report impacts of construction
activities to the subsurface area that is below
the Project corridor.

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

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

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

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

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

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

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

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

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

Q. Okay. When do you anticipate doing that, do
you know? Is that the contractor?

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

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

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

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

CHAIRMAN HONIGBERG: Off the record.

[Brief off-the-record discussion
ensued.]

BY MR. WHITLEY:

Q. Does the panel see that the AOT maps indicate
the construction pads for those four tower
structures that were also displayed in the
A. (Bowes) Yes.

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

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

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

A. (Bowes) I do.

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

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

Q. Okay. Okay. And, as you sit here, will that construction pad impact the monitoring wells
that are adjacent to it? So, for the center structure, that would be either Monitoring Well 15 or 16?

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

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

A. (Bowes) 100.

Q. One hundred. Oh, pardon me.

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

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

A. (Bowes) It would.

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

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

Q. Okay.

A. (Bowes) So, in this case, both of the outside
pads will have to be relocated --

Q. Okay.

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

Q. Okay.

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

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

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

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

A. (Bowes) It was both the access roads and the pad itself.
Q. Okay.

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

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

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

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

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

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

A. (Bowes) I am. That we would definitely commit
Q. Okay. Thank you. Does anyone on the panel know when the existing one --

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

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

[Brief off-the-record discussion ensued.]

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

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

MR. WHITLEY: Thank you.

BY MR. WHITLEY:

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

A. (Bowes) Yes.
Q. Okay. And it's represented in the AOT and also on the engineering study -- well, different colors, but it's the one that's closer to the lagoons, correct?

A. (Bowes) That is correct.

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

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

Q. Okay?

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

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

A. (Bowes) Probably, yes.

Q. Okay?

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

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

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

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

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

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

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

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

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

Q. Okay. Are you -- is anyone on the panel aware of what the Department uses to monitor and control and operate the wells? And by "what
they use", I mean are you aware that they use
an electronic system to gather that data?
A. (Bowes) I am not aware.
Q. Okay. I believe they refer to it, and it's an
acronym, and it's "SCADA", S-C-A-D-A. Does
that sound familiar?
A. (Bowes) I'm familiar with the acronym, yes. We
use the same type of equipment to monitor the
electric power system.
Q. Okay. Okay. Well, that is -- I'll represent
to you, that's what they use to gather their
data from the monitoring wells. The Nobis
report did not address, you'd agree, any
potential interference between EMF and the
operation of the SCADA by the Department?
A. (Bowes) I don't believe it did.
Q. Okay. You mentioned before the break,
Mr. Bowes, that the Project was going to commit
to reconfiguring the locations here so as to
avoid impact to the municipal monitoring wells,
correct?
A. (Bowes) That's correct.
Q. As part of that reconfiguring, will there be
any thought given to fewer towers, spanning the
same rough distance, but using fewer towers?

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

Q. Okay.

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

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

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

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

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

BY MR. WHITLEY:

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

A. (Bradstreet) Yes, sir.

Q. Okay.

MS. DORE: Attorney Whitley, sheet number?

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

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

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

A. (Bradstreet) Yes. Yes.

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

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

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

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

Q. Oh. Okay.

A. (Bradstreet) There's been some additional construction within this corridor that's
changed some of the numberings. But, yes.
It's the "V-182", or it's also referenced as
the "C-189".
Q. And I see that at the left-hand side there.
It's the same line, but a different number
designation?
A. (Bradstreet) Yes.
Q. Okay. Okay. My question was that, in the AOT
plan, so, again, that's AOT 311, flipping back
there, it looks like, from this schematic, that
that line is to be relocated or removed, if you
see that light brown segment right there?
A. (Bradstreet) Right.
Q. But then it turns yellow on the same line,
which the legend indicates would mean that it's
going to stay in that location.
A. (Bradstreet) Correct.
Q. And, so, I'm -- so, you're going to remove a
portion of the line from where this is, going
left toward the Soucook River, but then you're
going to leave the tower up?
A. (Bradstreet) Yes. Let me walk you through it.
Q. Yes. That's what my confusion is is --
A. (Bradstreet) Sure.
Q. -- what is going on right here?
A. (Bradstreet) So, I'm going to start on the right side off the map, where the yellow is. That last structure that's yellow, before it converts to a brown line, is an existing structure to be remaining. The structures to the left are going to be replaced in place. So, they will be put back where the existing structure is, but it will be reconstructed. So, in a sense, we'll be connecting to that last yellow square, and rebuilding the conductor in that area of the brown line.
Q. Okay. Thank you. And that's why, if we go back to the revised Project map, why there may be two different line designations?
A. (Bradstreet) Correct.
Q. Okay. Okay. Thank you.
A. (Bradstreet) So, I believe, in this area, we're only rebuilding that area of the C-189 at the specific river crossing, for the most part.
Q. Okay.
A. (Bradstreet) And then it's tying back into the existing.
Q. Okay. So, in other words, you're not taking
down a line, but leaving up the structures and
the line in this location?

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

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

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

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

A. (Bradstreet) It does appear, yes.

Q. Yes.

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

Q. Yes.

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

Q. Well, I'm going to ask about that in a second. But, yes, there is.
A. (Bradstreet) Okay. Okay.

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

A. (Bradstreet) Yes.

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

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

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

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

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

[Court reporter interruption.]

BY THE WITNESS:

A. (Bradstreet) As Lynn stated previously.

BY MR. WHITLEY:

Q. Okay. Once the Project is completed, are there any plans to secure the access to the corridor
A. (Bradstreet) As far as I'm aware, the access will be removed. So, that would, I guess, in essence, be securing it.

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

A. (Johnson) Approximately 40 feet.

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

A. (Bradstreet) That's correct.

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

A. (Bradstreet) Correct.

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

A. (Bradstreet) That is correct.
Q. Okay. Thank you.

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

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

A. (Bradstreet) Could.

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

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

Q. Mr. Johnson, is that accurate?

A. (Johnson) That is correct.
Q. Okay.

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

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

A. (Johnson) Oh, is it?

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

A. (Johnson) Yes.

A. (Bradstreet) Yes, I have.

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

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

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

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

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

Ms. Farrington, that's --
A. (Bradstreet) I can't comment on that, though.

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

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

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

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

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

Q. Okay. Because that was -- that was my question here, was that there is an off right-of-way
access here, but I didn't know what the purpose of it was. And it sounds like your testimony is that it's preexisting?

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

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

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

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

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

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

A. (Bradstreet) That is correct.

Q. Okay. Okay. Okay, I want to turn now to AOT Plan 314. Orient you here for a second. So,
this is, again, another segment beyond the
elevator in the line right there. You see that,
Mr. Bradstreet?
A. (Bradstreet) Yes, I do.
Q. Okay. Let me just zoom in for a second here.
If you look at this portion of the corridor, as
you go to the right of this picture, and I'm
not going to suggest what direction that is,
but go to the right here, I note that there are
several encroachments beyond the right-of-way
corridor for construction impacts. And I
wanted to start there, at the elbow at the top.
And that construction pad, wouldn't you agree,
is indicated beyond the limits of the
right-of-way?
A. (Bradstreet) Yes. I believe this is an error.
The Project has acquired right-of-way along
this section, sort of from the angle as you
move to the right. And it looks like what's
shown is the existing corridor edge, and the
expanded corridor edge must be missing.
Q. Okay. Is there anyone else on the panel that
can confirm that understanding?
A. (Johnson) I confirm that.
Q. Okay. So, how much does it change what we're seeing here?

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

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

A. (Bradstreet) Right.

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

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

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

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

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

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

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

A. (Bradstreet) Yes, sir.

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

A. (Bradstreet) Yes, I do.

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

A. (Bradstreet) Yes.

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

A. (Bradstreet) I do not.

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

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

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

A. (Johnson) I'm looking at a Google image, just regular Google, and it looks to be gravel, yes.
Q. Okay. I mentioned this before, but my recollection of the response was that no one has any specific familiarity with what it means to be a Class VI road versus a Class V road? Ms. Farrington?

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

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

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

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

[Court reporter interruption.]

BY THE WITNESS:

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

BY MR. WHITLEY:

Q. Yes. So, I'll represent to the panel that Class VI basically means that it's a public road, but it's not one the Town has any obligation to maintain.
So, has the Project done any sort of outreach to determine who is responsible for maintaining this road presently?

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

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

A. (Johnson) That's correct.

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

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

Q. Okay.

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

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

A. (Johnson) I do not know.

Q. Mr. Bowes?
A. (Bowes) So, the Project would restore it to the
DOT standards, if that's what you're asking?
Q. Yes. That was the --
A. (Bowes) Yes.
Q. And do you know if DOT has a specific standard
for Class VI roads or gravel roads?
A. (Bowes) I believe, for gravel roads, I'm not
sure if it's a Class VI road or not, I know
they do maintain some roads that are, I
believe, Class VI. So, we can certainly
consult with DOT for that.
Q. And, Mr. Bradstreet, you anticipated my
question, but just to have it on the record.
There are several encroachments in this
segment, are there not?
A. (Bradstreet) Can you define the specific
encroachments?
Q. Yes. Yes. I'd be happy to. So, by
"encroachment", I mean there are, if you looked
at the left of the page here, there's two
construction pads which are indicated beyond
the limits of the right-of-way. There's
turquoise, vegetative clearing, that is beyond
the limits of the right-of-way on the left-hand
side. As you cross Fourth Range Road and go in an easterly direction, there is -- looks like every construction pad, as you run along the corridor, is indicated as encroaching the right-of-way. And that's all the way to the end of this, this sheet. There is also indicated vegetative clearing along that same, or a portion of that, that's also beyond the indicated limits of the right-of-way. Correct?

A. (Bradstreet) Yes. As stated previously, the edge of right-of-way is not shown correctly on this map.

Q. Okay.

A. (Johnson) If I may add, it extends all the way to Cross County [Country?] Road.

Q. The corridor?

A. (Johnson) So, just off the right of the page here, you can just see the beginning of a road?

Q. Oh. Yes.

A. (Johnson) So, that right-of-way line is incorrect right up to that road.

Q. Oh. Understood. Thank you, Mr. Johnson. I think, actually, we may get to that shortly.

A. (Johnson) Okay.
Q. So, I want to turn back to the intersection with Fourth Range Road for a second. The construction pad on the right side of the road there, that construction pad appears to be in the road. Is that accurate?

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

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

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

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

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

Q. But I believe Mr. Bradstreet just said that the pad goes beyond the property boundary into the right-of-way corridor. And my question was,
because you're beyond that property corridor into the road property, --
A. (Johnson) So, the easement itself goes over top of the road, which allows us to come up to there. For clarity, we can certainly move this crane pad to the edge of the property boundary, so there's no confusion.

Q. Is that a --
A. (Johnson) We will commit to that.

Q. -- a commitment?
A. (Johnson) Yes.

Q. Okay. Thank you.
A. (Johnson) Yes.

Q. Ms. Farrington, you've testified previously for New Hampton that you didn't do any sort of estimates of impact or calculations about traffic conditions at the New Hampton intersections. And I assume that that would carry over to these Pembroke intersections as well?
A. (Farrington) Yes. That's correct.

Q. Okay. Thank you. I want to, before we go on to the next one, I want to flip over to the revised Project maps. And I'm looking at or
will be looking at Sheet 165. Do you see that, Mr. Bradstreet?

A. (Bradstreet) Yes, I do.

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

A. (Bradstreet) Yes.

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

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

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

A. (Bradstreet) I believe so, yes.

Q. Okay. And I believe your testimony was just that the limits of the right-of-way have been expanded. And, if we go back and look at the AOT maps for that segment, it's right around -- that house would be right around where that one 540 topo line is, give or take. Correct?
A. (Bradstreet) I think it would be closer to 550, on the road. It lines up with that access drive. The right-of-way boundary is shown correctly on the map that you have up currently, the Project map.

Q. Okay.

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

Q. Okay. Right.

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

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

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

Q. Okay. But maybe we're misunderstanding each other. Is the clearing going to go beyond where this residential structure is located, and go below that, so, looking at the map,
south, to the dotted line there?

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

But --

Q. Okay.

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

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

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

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

A. (Bradstreet) Yes.

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

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

Q. Okay. Thank you. I want to turn now to AOT
Sheet 316. And, as you mentioned, Mr. Johnson,
I believe this is Cross Country Road.

Mr. Bradstreet, you'll note here, as we scroll
to the right, that there are encroachments
beyond the indicated right-of-way. I don't
want to go through all of them, but I just want
you to agree with me that there are a number of those encroachments shown on this plan?

A. (Bradstreet) Correct.

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

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

Q. Okay.

A. (Bradstreet) Similar as before.

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

A. (Bradstreet) That is correct.

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

A. (Bradstreet) Yes.

Q. Okay. I see there, in the kind of left-hand side of the screen, that construction pad appears to encroach into the road. Is that
accurate as well?

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

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

A. (Bradstreet) Yes, sir.

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

A. (Bradstreet) I do not.

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

A. (Johnson) It's gravel.

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

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

Q. Okay.

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

Q. Okay.

A. (Johnson) Yes. On regular Google, it does show that it's paved.
Q. Okay. Okay, Mr. Bradstreet, I believe you addressed this before in a prior sheet that we were looking at, but I believe your testimony was that, similar to before, the right-of-way indicated here is also extended to that vegetative clearing boundary. Does it stop at Cross Country Road?

A. (Bradstreet) It does.

Q. Okay.

A. (Bradstreet) But you are correct.

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

A. (Bradstreet) Yes, sir.

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

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

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

A. (Bradstreet) I guess, from what I'm looking at, it doesn't appear to be a road. But I don't know.
Q. And what leads you to that conclusion?
A. (Bradstreet) I don't see a road.
Q. Okay. I'll represent to you that it is a road, and it may just be the angle of the satellite photo, but a road does exist there. So, any other reason that you're not accessing the corridor through Sixth Range Road?
A. (Bradstreet) I mean, the only thing I can think of is, as our construction folks planned out how they would access this, we have plenty of access in either direction, and determined that we didn't need to come in from Sixth Range Road. But that's speculation.
Q. And similar question regarding Flagg Road, which is further to the right in this picture?
A. (Bradstreet) Sure. I would assume it's the same thing then.
Q. Okay.
A. (Johnson) So, another consideration could be that the fact that these roads are relatively narrow and have a lot of canopy as we can see, just can't see the road from these satellite images, but it might not be suitable for the delivery of equipment and/or material.
Q. Okay. Due to the narrowness of the road and the canopy?
A. (Johnson) Correct.
Q. Yes. The portion that traverses Sixth Range Road appears to have kind of a widening to it. What's the purpose of that widened access road?
A. (Bradstreet) Yes. So, anywhere along the access road where it flares out like that is typically designated as an area where a truck could go around another truck, basically.
Q. Okay.
A. (Bradstreet) And, based off of what we just discussed, it looks like we might need to shift that.
A. (Johnson) We will commit to shifting that.
Q. Thank you, Mr. Johnson. That was my next question. Any of you have any knowledge of the status of Sixth Range Road and Flagg Road?
A. (Bradstreet) I do not.
Q. Okay. I'll represent to you both that they're Class VI roads, and therefore the Town has no obligation to maintain them. Has anyone had any contact with people in the area to determine who maintains these roads and to what extent?
A. (Johnson) We have not at this time, because we're not planning on using them. Clearly, we'll have to coordinate with the local folks there for where we do cross those particular roads. But, at this time, we have not.

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

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

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

A. (Johnson) Absolutely, yes.

Q. -- you would --

A. (Johnson) The same standards apply.

Q. Okay.

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

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

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

Q. Thank you. I want to turn now to AOT Plan
Sheet -- when the Project intends to traverse these Class VI roads, are you going to do any sort of improvement to accommodate the weight of the construction vehicles?

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

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

A. (Johnson) So, priority clearly would be to the access along the existing road. I would go so far as to say that, if there was somebody crossing -- a construction equipment crossing that, that they would have to have some sort of
flaggers to ensure that, as people drive up and
down that road, there is ample warning of that
construction equipment being moved across the
right-of-way there.

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

A. (Johnson) That's correct.

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

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

Q. Okay.

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

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

A. (Bradstreet) Yes, sir.

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

A. (Bradstreet) I do not.
Q. I'll represent that it's a Class VI road. Does the panel have any awareness of who maintains it and to what standard?
A. (Bradstreet) I do not have that either.
Q. And it appears, Mr. Bradstreet, that the aprons in this access point are not accurate. Would you agree with that?
A. (Bradstreet) This is similar to what we've discussed previous. What's shown for the outline of Fuller Road is the parcel boundary. And what's shown for the apron is geared more towards actual edge of pavement for traveled way.
Q. Okay.
A. (Bradstreet) Parcel boundaries aren't always 100 percent accurate, I guess, --
Q. So, if the underlying satellite data is accurate, then this portion of the roadway is slightly outside of the roadway corridor?
A. (Bradstreet) Or, the parcel boundary as shown on the tax data is inaccurate.
Q. Uh-huh.
A. (Bradstreet) I believe our aprons are based more off of survey.
Q. Okay.
A. (Johnson) Then, again, the same standard would apply with aprons, of up to the edge of the travel way.
Q. The travel portion?
A. (Johnson) Yes.
Q. Okay. I want to turn now to AOT 320. And this is just an extension of what we were just looking at. On the left-hand side is Fuller Road, which was the point of access that we were just discussing. And you see, Mr. Bradstreet, that that's the way the Project provides access to the remainder of that segment of the corridor?
A. (Bradstreet) Correct.
Q. All right. I want to turn now to 321. And, again, this is a continuation of that corridor. And this sheet, 321, indicates that the Project is going to access the corridor via North Pembroke Road. Correct?
A. (Bradstreet) That's correct.
Q. Okay. Do you have any knowledge as to the status of North Pembroke Road?
A. (Bradstreet) I do not.
Q. Okay. I'll represent to the panel that it's a Class V road maintained by the Town. Turn now to AOT Plan Sheet 322. And this is where the Project crosses from Pembroke into I believe it's Allenstown. But it crosses the Suncook River, which is the boundary between those two municipalities. Do you see that there?

A. (Bradstreet) Yes, I do.

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

A. (Bradstreet) Yes, sir.

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

A. (Bradstreet) So, I'll start, and Mr. Johnson might chime in. But, again, it's for flexibility. It also provides -- think of it as a semi truck coming from Bachelder Road could access the right-of-way, traverse through our on right-of-way access road, and then leave
the site on 28. So, it could also assist in
the flow of traffic.

Q. But have you done any sort of traffic analysis
to justify that sort of additional access
point?
A. (Bradstreet) As Ms. Farrington stated, I don't
believe we have.

Q. Is that accurate, Ms. Farrington?
A. (Witness Farrington nodding in the
affirmative.)

Q. You're nodding "yes", so just for the record?
A. (Farrington) Yes. And I think, when you were
talking about "vehicle flow", you mean for
construction vehicles through the site?
A. (Bradstreet) Yes. So, I guess, maybe to
elaborate on that a little bit, instead of
having a semi back up, turn around, and leave,
they can just enter, continue straight traffic,
and pull back onto the road. So, it also
improves safety for our workers.

Q. And if you look at the Route 28 access point,
it appears that the construction pad goes
beyond the property boundary. But I assume
your testimony is consistent as before, in that
it is up to the traveled portion of the road?

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

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

A. (Bradstreet) Correct.

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

A. (Bradstreet) I would assume they do.

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

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

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

Correct?

A. (Bowes) You said "1,800". Do you mean "18,000"?
Q. Oh, yes. You're right. I missed a zero.
A. (Bradstreet) Okay. Just that a lot of cars would also.

Q. I'm sorry. Thank you. Yes. So, the same question though, 18,000 pounds?
A. (Bradstreet) Yes.

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

A. (Bradstreet) Yes.

MR. WHITLEY: Off the record.

[Brief off-the-record discussion ensued.]

BY MR. WHITLEY:

Q. I want to change topics and just address tower heights within the Town of Pembroke. And I assume that's still you, Mr. Bradstreet?
Q. Okay. Yes. The last several segments -- or, let me do it this way. What I've got here now is the revised project maps for the Town of Pembroke. And I'll blow this up so they're a little more legible. And what I wanted to ask you about was the last several segments in town. And the first one I'm going to pull up corresponds to revised Project Map 167. There it is. You see this is the segment that crosses Sixth Range Road and continues east/southeasterly direction?

A. (Bradstreet) Yes.

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

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

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

[Court reporter interruption.]

BY MR. WHITLEY:
Q. -- 3132-196. Is that correct, Mr. Bradstreet?
A. (Bradstreet) Yes, it is.

Q. Yes. And then the one right after that, 3132-197, 135 feet. And then the next one, 3132-198, 130 feet. Correct?
A. (Bradstreet) Those are correct, yes.

Q. So, if we go to the next AOT -- or, excuse me, revised Project Map Sheet for Pembroke, which would be 168, so this is an extension of the one we just saw. And, again, going in an easterly/southeasterly direction. These two have larger structures -- or, taller structures associated with them, do they not?
A. (Bradstreet) Similar to the last section, but, yes.

Q. And, again, here we see the structure specifics. I won't go through them all. But you can see that the lowest structure in this area is 120 feet, the highest is 140. And there are numerous that are 130 and one that's 135?
A. (Bradstreet) Correct.

Q. Now, I want to go to the last segment in Pembroke, which is Sheet 169. And this, as I
mentioned earlier, is where the Project crosses
the Suncook River into Allenstown, correct?
A. (Bradstreet) Yes.

Q. And, if we go up to the specifics related to
those structures, again, here they're fairly
tall structures, correct?
A. (Bradstreet) Similar to the previous.

Q. So, we have three segments continuously, Sheets
167, 168, 169, that amounts to 26 towers along
those three sheets. Does that sound accurate?
A. (Bradstreet) Yes. I will take your word for
it.

Q. Okay. Well, my math is suspect, so -- so,
among those three segments, however, I believe
your testimony -- you confirm that they all
contained fairly tall structures, correct?
A. (Bradstreet) I would say these structures are
taller than other parts of the Project.

Q. Sure. And the cross sections for all 26 of
those towers in these three Project sheets are
all S1-19 or S1-19T, is that accurate?
A. (Bradstreet) I believe so, yes.

Q. Okay. And we have those right in front of us
here. And, obviously, this is specific to
Project Sheet 169. But, if we were on another
Project sheet, and it's the same segment, it
would be the same schematic, is that correct?
A. (Bradstreet) If it's S1-19, it would be the
same.
Q. Okay. Thank you. And, so, for the S1-19 and
S1-19T segments, which, again, have taller
tower heights than some of the others
associated with the Projects, the right-of-way
width is 150 feet, correct?
A. (Bradstreet) Yes.
Q. And you have, if you look at both S1-19 and
S1-19T, there is a distance of 65 feet between
the proposed Project line and the existing 115
line in these corridors, correct?
A. (Bradstreet) That is right.
Q. And, then, from the edge of the right-of-way
closest to the Northern Pass tower, to the
Northern Pass tower is 35 feet for all of these
26 towers that we're talking about?
A. (Bradstreet) To the centerline of the tower,
yes.
Q. That's right.
A. (Bradstreet) Yes.
Q. Okay. And I note that the towers -- let me rephrase that. The tower heights along these areas are so tall, partly due to the fact that it's a vertical configuration. Is that fair?

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

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

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

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

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

Q. Okay. And has the Project --

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

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

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

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

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

A. (Johnson) We have not.

Q. Okay.

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

Q. No, I understand that. But previous segments
of the line in Pembroke you were able to get
extended right-of-way rights from several
property owners, as you testified to earlier.

A. (Johnson) That is correct. Yes.

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

A. (Johnson) I don't know the answer to that.

MR. WHITLEY: Okay. That's all I have. Thank you very much.

WITNESS JOHNSON: Thanks.

CMSR. BAILEY: All right. Thank you.

I think we'll take an early lunch break today, and come back at 12:50. And we'll take up Municipal Group 2, I believe, at that time. Thank you.

(Lunch recess taken at 11:53 a.m. and concludes the Day 8 Morning Session. The hearing continues under separate cover in the transcript noted as Day 8 Afternoon Session ONLY.)
CERTIFICATE

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)