STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

May 4, 2017 - 9:02 a.m.            DAY 9
49 Donovan Street          MORNING SESSION ONLY
Concord, New Hampshire

{Electronically filed with SEC 05-11-17}

IN RE:    SEC DOCKET NO. 2015-06
NORTHERN PASS TRANSMISSION -
EVERSOURCE; Joint Application of
Northern Pass Transmission LLC and
Public Service 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:

Chmn. Martin Honigberg   Public Utilities Comm.
(Presiding Officer)

Dir. Christopher Way, Des. Dept. of Resources &
Economic Development
Craig Wright, Designee   Dept. of Environmental
Services
William Oldenburg, Des.  Department of
Transportation
Patricia Weathersby     Public Member
Rachel Whitaker         Alternate Public Member

ALSO PRESENT FOR THE SEC:

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

Pamela G. Monroe, SEC Administrator

COURT REPORTER:  Cynthia Foster, LCR No. 14
# INDEX

## WITNESS PANEL
- NATHAN SCOTT
- LYNN FARRINGTON
- SAMUEL JOHNSON
- KENNETH BOWES
- DERRICK BRADSTREET
- JOHN KAYSER

(Resumed)

Cross-Examination Continued by Mr. Reimers 3

Cross-Examination by Ms. Pastoriza 68

Cross-Examination by Ms. Fillmore 97
P R O C E E D I N G S

PRESIDING OFFICER HONIGBERG: Good morning, everyone. Day 9 begins. We're where Day 8 left off unless there's anything we need to deal with before Mr. Reimers continues? All right, seeing nothing, Mr. Reimers, you may proceed.

MR. REIMERS: Mr. Chair, just kind of a road map, I expect that I will end either at lunch or soon after lunch. Just so you know what to expect. I think I'd be within my four hours?

PRESIDING OFFICER HONIGBERG: Okay.

CROSS-EXAMINATION CONTINUED

BY MR. REIMERS:

Q Welcome back. Yesterday when we left we were at Sheets 45 and 46 of the Project maps which are Appellant's Exhibit 2, Attachment 6. And we were talking about the Kauffmann Forest owned by the Forest Society and the various tracts that make up that Forest; do you recall that?

A (Johnson) I do.

Q Okay. And I believe you said when we were talking about the Kauffmann Tract itself which is here on Sheet 45 right here, and extends onto..
Sheet 46, that you said that the tallest structure currently is about 50 feet tall.

A (Johnson) I believe it's 52 feet but close enough.

Q And the relocated towers on the Kauffmann Tract would range in height from -- or the Northern Pass and the relocated towers on the Kauffmann Tract would range in height from 80 feet to 110 feet; is that right?

A (Johnson) That seems about right, yes.

Q I had asked whether there would be 24 Northern Pass or relocated 115 kV towers in the Kauffmann Tract and Mr. Bradstreet counted 20 and he was correct because we were looking at Sheet 45.

But if you count the towers on the Kauffmann Tract, beginning on Sheet 45 and continuing on to Sheet 46, I believe that there would be 24. Would you agree with that? 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24?

A (Johnson) You went off the page from our view, but 24 is the correct number. There are two tracts that are both Kauffmann.

Q And of the 12 Northern Pass towers in those
Kauffmann Tracts, all 12 would be taller than 100 feet in height or 100 feet or taller; is that correct?

A (Johnson) Yes.

Q And when those towers are constructed, you would have to build a crane pad for each one; is that right?

A (Johnson) Correct.

Q And is that one crane pad, would you use the same crane pad to build the Northern Pass tower and the relocated tower?

A (Johnson) No.

Q Okay. So it's one crane pad per tower?

A (Johnson) I take that back. There are several that overlap each other. So we may have a larger crane pad for the Northern Pass and a smaller crane pad for the relocated 15 line. Some of them do overlap each other, however, so not necessarily uniquely would crane pads per.

Q And what staging areas will you use when you're constructing in the Kauffmann Forest?

A (Johnson) So, again, we discussed this a couple day ago. Most likely the staging areas will be the crane pads themselves, and, effectively,
what the contractor will do will lay down the structure on the pad ahead, and as they finish the foundation, they will then go and pick up that structure and bring it back and erect it with the crane.

Q And do you yet have a designated laydown area that will be used for this portion?

A (Johnson) Not in this area at this time. We have the three that weren't part of original Application.

Q Right. Are any of those three going to be the laydown area that you use to construct in the Kauffmann Forest?

A Do not believe so. No.

Q So after the Kauffmann Forest, the right-of-way traverses some nonconservation land and then on Sheet 47, here, it enters the White Mountain National Forest; do you see that?

A I do.

Q And prior to it entering the Forest, it crosses Route 110; do you see that?

A (Johnson) That is correct.

Q And we're still in Stark, aren't we?

A (Johnson) Yes.
Q And in this stretch of the right-of-way on Sheet 47, there are some residences in this general vicinity, aren't there?

A (Johnson) Yes.

Q And when you get to the White Mountain National Forest, there would be 9 proposed Northern Pass towers; is that correct?

A So the sheet that you just showed was a little triangle or a point?

Q Right.

A (Johnson) There's one structure there.

Q I'm showing you Sheet 48 which includes that triangle and then includes additional. And actually goes on to Sheet 49.

A (Johnson) I count 8, but -- and that one makes 9.

Q So we'd have one here?

A (Johnson) Yes.

Q Two.

A (Johnson) Um-hum.

Q 3, 4, 5, 6, 7, 8, and then the 9th is on Sheet 49; is that right?

A (Johnson) That is correct.

Q And then there would be also relocated 115 kV
towers in the White Mountain National Forest here, wouldn't there?

A (Johnson) There is.

Q And there would be 1, 2, 3, 4, 5, 6, 7, 8, 9 of those as well?

A (Johnson) That is correct.

Q So you're proposing to build 18 towers in this section of the White Mountain National Forest?

A (Johnson) That is correct.

Q And these appear to range in height from 70 feet to 101 and a half feet? Does that sound right?

A (Johnson) Appears that way, yes.

Q What is currently the tallest tower existing in that section of the White Mountain National Forest?

A (Johnson) 52 feet.

Q That would be below the tree line if the tree line were 60 feet tall?

A (Johnson) If the tree line were 60 feet, yes.

Q And if the tree line were 60 feet, all new 18 towers would rise above the tree line, wouldn't they?

A (Johnson) Portions of it, yes.

Q After Stark, the next town is Northumberland; is
Q And the Northern Pass would run six miles through Northumberland?
A (Johnson) That is correct.
Q And there's an existing 115 kV line in Northumberland?
A (Johnson) That is correct.
Q And the height of the existing 115 kV lines, the towers, are 42 to 55 feet?
A (Johnson) I'll take your word for it but okay. Sure.
Q Based on the Project maps that were revised in February 2016?
A (Johnson) Yes.
Q And all of those towers that exist now in Northumberland would be below a 60-foot tree line; is that right?
A (Johnson) If it was 60 feet, then yes.
Q Do you know what the tree line is in any part of Northumberland?
A (Johnson) We do, but I don't have that information with me today.
Q And the new 115 kV towers in Northumberland
would range from 74 to 105 feet in height?

A (Johnson) Sounds about right.

Q Okay. And if the Project maps show that the Northern Pass towers would range from 70 feet to 130 feet in height, would that be correct?

A (Johnson) Again, I don't have that in front of me, but it sounds reasonable.

Q The existing right-of-way in Northumberland is 150 feet wide; is that right?

A (Johnson) I can check that. Yes.

Q And it's currently cleared to 140 feet?

A (Johnson) I believe portions of it are cleared to the full 150, but --

Q What additional clearing will occur in Northumberland?

A (Johnson) It looked like some selective trimming or clearing on either side of the right-of-way.

Q Would this statement be true? In Northumberland the right-of-way would be cleared an additional ten feet?

A (Johnson) I wouldn't say everywhere because there are some spaces where it's cleared already, edge to edge, but there are areas where the ten feet will be cleared.
Q In Northumberland, the right-of-way crosses the Cape Horn State Forest; is that right?
A (Johnson) That is correct.
Q And I'm looking at Sheet 51 of Applicant's Exhibit 2, Attachment 2, which is the 2016 Project maps. And is this here where the project enters the Cape Horn State Forest?
A (Johnson) It looks that way, yes.
Q And if the project maps indicate that 43 Northern Pass and relocated 115 kV towers are proposed for the Cape Horn State Forest, would that be accurate?
A (Johnson) Subject to check, sounds about right.
Q And those 43 towers in Cape Horn would range in height from 70 feet to 101 feet in height, is that right?
A (Johnson) Again, subject to check, but sounds about right.
Q Of those 43 towers that range from 70 to 101 feet in height, only two would be 70 feet tall. Is that right?
A (Johnson) Again, subject to check.
Q I'll show you on Sheet 53. Do you see here that there's two 70-foot towers?
Q And according to the project maps of the 42 towers in Cape Horn, those are the two shortest ones, but those are right next to towers that are 88 feet and 83 and a half feet tall, aren't they?

A It appears that way, yes.

Q What is the tallest current tower in Cape Horn?

A I believe 52 feet.

Q 52 feet?

A Um-hum.

PRESIDING OFFICER HONIGBERG: Mr. Reimers, I have a question for you. I'm hearing a lot of information that's coming straight out of the Application. Straight out of their submissions. Is there some reason to expect them to disagree with what's in their Application? Presumably, you plan to use this information for some purpose down the road.

MR. REIMERS: You're exactly right.

PRESIDING OFFICER HONIGBERG: Do you need them to commit to something that's in their Application? Isn't that sufficiently committed that you can use it?
MR. REIMERS: Well, there are instances where portions of the Application conflict with this information.

PRESIDING OFFICER HONIGBERG: Okay. Are we going to highlight those because I think they would probably stipulate to the heights in the Application unless there's some conflict that you'd highlight for us and so we don't necessarily have to go through every map and confirm that the heights that are on the map or the heights that are in the diagrams match up with those towers. Because it's taking a long time for you to do that.

MR. REIMERS: It is. If you don't mind, I'll continue going through the maps, but I will do it at a much quicker pace.

PRESIDING OFFICER HONIGBERG: Because I don't think they're going to disagree with you. Highlight the conflicts, they'll resolve it for you, and we'll move on, okay?

BY MR. REIMERS:

Q So Cape Horn State Forest was in Northumberland, is that right?

A (Johnson) That is correct.
Q And the next town would be Lancaster?

A (Johnson) Yes.

Q And the existing right-of-way is 150 feet wide in Lancaster?

A I believe so. Yes.

Q And it's cleared to 140 feet?

A Again, I believe portions of it are cleared to the edge, but some of it is not so yes.

Q And there will be additional clearing?

A (Johnson) Yes.

Q And in Lancaster, would you agree that all of the existing towers are below the tree line?

A (Johnson) Again, if you're using our hypothetical of 60 feet then yes.

Q And would you agree that all of the new 115 kV and Northern Pass towers would be above the tree line in Lancaster?

A (Johnson) Portions of it would be, yes.

Q And the tallest new tower at 115 feet, that would be approximately 54 feet taller than the tallest existing tower?

A (Johnson) Subject to check.

Q Now, in Lancaster the right-of-way would cross multiple conservation properties; are you aware
A (Johnson) I am.

Q On Sheet 56, for example, the right-of-way would cross the Lancaster Town Forest?

A (Johnson) Correct.

Q And the proposed structures in the Lancaster Town Forest would be 90 to 97 feet in height, is that correct?

A (Johnson) I believe 90 to 95, but again, subject to check.

Q And what is the tallest existing structure in the Lancaster State Forest?

A (Johnson) It appears to be 52 feet.

Q And then after the Lancaster State Forest, the right-of-way on Sheet 56 crosses the Campon conservation easement; do you see that?

A (Johnson) I do.

Q And two structures are proposed at heights of 80 to 92 and a half feet; is that right?

A (Johnson) I only see one structure at 80 feet, but it could be a nuance of the map that I'm looking at versus what you have.

Q Aren't there two, if you're looking at Sheet 56, aren't there two proposed towers in the Campon,
one relocated kV line?

A (Johnson) Yes. I'm sorry. I was counting just the DC line.

Q So there's two new structures that would be proposed.

A (Johnson) That's correct.

Q And what, currently, what is the tallest tower on that easement?

A (Johnson) 43.

Q And then from the Campon easement, the right-of-way enters the Barto and Baker easement?

A (Johnson) That's correct.

Q With towers ranging from 85 to 101 feet in height. What is the current tallest tower on that easement?

A (Johnson) Appears to be 43 feet.

Q And on Sheets 57 and 48, the right-of-way enters another conservation easement which is the CRP Savage easement; do you see that?

A (Johnson) I do.

Q And the heights of the proposed Northern Pass would be 85 to 95 feet there?

A (Johnson) Again, subject to check, but sure.
Q What is the tallest tower currently on the CRP Savage easement in this area?
A (Johnson) It looks like 52 feet.
Q After Lancaster, the right-of-way continues to Whitefield; is that right?
A (Johnson) That's correct.
Q And in Whitefield there would be two Northern Pass sections, a northern section and then the right-of-way enters Dalton and then reenters Whitefield?
A (Johnson) That's correct.
Q And there is an existing 115 kV line in these sections?
A (Johnson) As you get closer towards the Whitefield substation, the right-of-way becomes much larger and there are many more lines in that area.
Q And in some portions there are two existing kV lines?
A (Johnson) And some distribution lines as well.
Q In Whitefield, the kV lines range from 43 to 101 feet in height. Would you agree if the Project maps indicate that?
A (Johnson) Sorry, which?
Q  The kV lines, between the two sets.
A  (Johnson) kV means kilovolt?
Q  I'm sorry. The 115 kV lines. There are two 115 kV lines in some portions of the right-of-way in Whitefield.
A  (Johnson) That's correct. I'm sorry. What heights did you mention?
Q  Between all of the 115 kV lines, the tallest would be 101.5 feet, would that be accurate?
A  (Johnson) I'll take your word for it, sure, subject to check.
Q  And the Northern Pass towers would range from 60 to 100 feet, according to the Project maps so some of the new relocated 115 kV towers would actually be taller than the Northern Pass towers.
A  (Johnson) Appears that way, yes. By a foot or so, according to your map.
Q  Foot and a half.
A  (Johnson) Yes.
Q  How wide is the existing right-of-way, rights-of-way in Whitefield, and how much is currently cleared?
A  (Johnson) So again, it varies. Depending which
length or leg you're on, if you will.

Q  How much additional clearing will there be?
A  (Johnson) I believe the majority of the right-of-way is cleared edge to edge. There is some that will need some trimming or selective clearing. If we refer back to similar to where we were in Lancaster there could be areas where there's five to ten feet of additional clearing along one edge. But at this height of these trees that ends up being trimming as opposed to wholesale clearing.

Q  In Whitefield the right-of-way crosses the Pondicherry unit of the Silvio O. Conte Wildlife Refuge?
A  (Johnson) It does.

Q  And what is the tallest existing tower in the wildlife refuge?
A  (Johnson) There's a lot of them so -- it appears to be 52 feet.

Q  And so clearly shorter than the proposed Northern Pass towers of 65 to 125 feet?
A  (Johnson) Correct.

Q  After the first Whitefield section, the line would go through Dalton?
A (Johnson) Correct.

Q And in Dalton, what is the tallest existing tower in Dalton?

A (Johnson) Again, there are several so just bear with me.

Q Would any be taller than the shortest Northern Pass tower of 65 feet?

A (Johnson) There is a few that are in the high 50s, but the answer would be no.

Q Okay. After the Dalton section goes back into Whitefield, and then the next town would be Bethlehem; is that correct?

A (Johnson) That's correct.

Q And Transition Station 5 is in Bethlehem, would be in Bethlehem?

A (Johnson) That's correct.

Q And that would be the area of the Baker Brook Cabins?

A (Johnson) That's correct.

Q Has the location of this transition station since it was depicted on the Project maps in February 2016?

A (Johnson) It has not.

Q Has there been discussion with a property owner
there about making changes to the transition
station or potentially moving it?

A  (Johnson) We have had some discussions with an
abutting land owner, but at this time those
discussions are private.

Q  Do you see any scenario where that transition
station would be moved to a different location?

A  (Johnson) I believe, as Mr. Bowes opined
yesterday, we are always willing to listen to
offers or suggestions.

Q  In Bethlehem, there are two sections; there's
the 4.9-mile overhead section and the 3.1-mile
underground section; is that right?

A  (Johnson) That is correct.

Q  And the underground section after the transition
station would go through the Rocks Estate owned
by the Forest Society; are you familiar with
that?

A  The underground section would go along Route 302
and Route 18.

Q  Adjacent to the rocks and through a portion of
it.

A  (Johnson) The roads go -- yes.

Q  I'm looking at Sheet 77, and we're talking
about this area along 302, and then where it
turns on 18.

A (Johnson) That's correct.

Q So along 302 and 18, what will be the road
closures in this specific area?

A (Johnson) So I don't believe there are any road
closures. There is going to be potentially lane
closures but no permanent road closures in this
area.

Q Can you describe in more detail the lane
closures?

A (Farrington) So it would be a single lane
closure with alternating traffic. At locations
where we're doing trenching installation, it
would be controlled by a flagger. For smaller
sections during long-term either -- I'm sorry.
So for either splice box, splicing operations
where we come back at a later date for a shorter
period of time, there would be a temporary
traffic signal so they haul them in on trailers
and alternate traffic on the open lane using
that configuration.

Q Okay.

A (Farrington) Same with HDD. Since it's longer
term, those are temporary signals.

Q From the transition station in Bethlehem, the project goes underground until Bridgewater. Is that right?

A (Johnson) That is correct.

Q And soon after returning to overhead and Bridgewater, the right-of-way would cross the Pemigewassett River into Ashland, and then from Ashland into New Hampton, and then in New Hampton the right-of-way of way crosses the Pemigewassett River again; is that correct?

A (Johnson) That is correct.

MR. REIMERS: Dawn, would you turn it over to hard wire, please?

Q Is this a photograph of that second Pemigewassett crossing?

A (Johnson) It appears to be a photograph from, I'm unclear which side of the river it is. But it's labeled New Hampton so --

Q I'm showing you a photograph from an Applicant's Exhibit 1, Appendix 17, and this is Mr. DeWan's photograph at page 4-19.

A (Johnson) I recognize it. As I mentioned, this slide right before this would show you the
orientation of where this photograph was taken from, but, regardless, it says New Hampton so I'll believe you.

Q I understand it's taken from the New Hampton side looking into Bridgewater.

A (Bowes) That would be the first crossing and not the second. We were looking at the second crossing you directed us to.

Q Right.

MR. IACOPINO: While we're at it, are you looking at a simulation or actual photo?

MR. REIMERS: This is the stimulation actually, and here is the photograph. And this is at page 4-18.

Q So looking at 4-18, this photograph, the existing 115 kV line is not very visible, is it?

A (Johnson) You can see the conductor.

Q Can't see any towers though, can you?

A (Johnson) You can, but they're right in the tree line. There's a crossarm that I can see. The second tree in just to the left of that, it looks like a crossarm to me.

Q I'll take your word for it.

A (Johnson) I'm in the business so --
Q I know.
A (Johnson) -- I can see these things.
Q I'll defer to your eye on that. And then so
we're looking at this photograph and then this
would be the photo simulation that Mr. DeWan
made. Would you agree that the new towers would
dominant the view?
A (Johnson) These structures are definitely more
visible.
Q And to put these towers up, would there be two
1200-square-foot crane pads constructed?
A (Johnson) No. Again, similar to what we talked
about earlier, there is some overlap on these
crane pads.
Q So you're saying there would be one larger crane
pad?
A (Johnson) Not necessarily larger, but a DC crane
pad is definitely larger than the AC crane pad
in there, but the AC crane pad overlaps the
significant portion of the DC or either way
around.
Q That's what I meant by a larger one. You've got
two that overlap in some way to form a
contiguous surface?
A (Johnson) That's correct.

Q And how will the vegetation be cleared down to the river?

A (Johnson) So I believe we've been working with the Pemigewassett River Advisory Council and other folks to limit the amount of clearing that would happen here, and actually, depending on clearances, there could be a situation where we didn't have to clear at all. Clearly, it would depends on the type of species and how tall that future growth would be, and I believe that there are also some plans of replanting that slope with some shrub or lower growing height species as well.

Q So the simulation that we're looking at may not depict what you may end up planting?

A (Johnson) Correct. It looks like that slope has been completely cleared. Again, I believe the plan is to selectively cut any species on that slope that would interfere with the clearances and to leave any of the low growth that would be there. Again, our arborist has been involved or the Eversource arborist has been involved in these discussions, and as a general matter there
are several locations across the project where I believe that Department of Environmental Services has requested that when we're spanning long areas such as this that we consider leaving the undergrowth so that we're not disturbing completely the land, and this is one of the areas.

Q And after that river crossing, the right-of-way continues, I guess, in New Hampton and traverses the Franklin Falls Reservation conserved land. Do you see that on the map?

A (Johnson) I do.

Q And then do you see where it clips the Conkling Conservation Easement land?

A (Johnson) I do.

Q Are you aware that the Forest Society holds the easement on the Conkling property?

A (Johnson) I'm aware it's privately held. I did not know it was the Forest Society.

Q And then on Sheet 136, the right-of-way reenters the Franklin Falls Reservoir Conservation Area again. You see that?

A (Johnson) I do.

Q And then on Sheet 137, the right-of-way crosses
the Pemigewassett River again. Do you see that?

Q Would that be the third or the fourth crossing?

A (Johnson) I believe that is the third.

Q How many crossings of the Pemigewassett are there total?

A (Johnson) Five, I believe, off the top of my head.

Q And do any of the existing towers in the Franklin Falls conservation area rise above 60 feet?

A (Johnson) In this particular area, it looks like they're 74 and a half.

Q The existing ones are?

A (Johnson) Yes.

Q Okay. And the proposed Northern Pass towers would be 95, between 70 and 95 feet?

A (Johnson) That looks about right.

Q And then after --

A (Johnson) So, in general, the structures are higher here because they're spanning the river and it's just a longer span so you have to have taller structures, both existing and new.

Q After the Franklin Falls Conservation Area, the
right-of-way enters the William H. Thomas State Forest?

A (Johnson) That is correct.

Q The right-of-way then enters Hill; the town of Hill, that is. Is that right?

A (Johnson) I believe you're already in Hill when you cross the river but yes.

Q Right here.

A (Johnson) Correct. As you cross the river, that's the town boundary.

Q Now, on Sheet 138, as it leaves the Franklin Falls Reservation Area, it traverses near several, a cluster of residences, is that right, in Hill?

A (Johnson) That's correct.

Q And then when the right-of-way continues into Bristol, I believe, the right-of-way again enters the Franklin Falls Reservation land; is that correct?

A (Johnson) It looks like it clips it, yes.

Q And then a few sheets later in Franklin, the right-of-way goes through the Great Gains Memorial Forest. Do you see that?

A (Johnson) I do. You want the same answer?
Q  Sure.
A  Existing structures are 83 and a half feet.
Q  The existing structures in the Great Gains Memorial Forest?
A  (Johnson) Yes. There's two lines that are there.
Q  You say 83 and a half?
A  (Johnson) 83 and a half is the tallest, yes.
Q  And the 6 proposed 115 kV towers would range from 79 to 97 feet?
A  (Johnson) Yes.
Q  And the five proposed Northern Pass towers would range from 75 to 95 feet?
A  (Johnson) That is correct. There's another line in that right-of-way which has the higher structures.
Q  The 83 and a half?
A  (Johnson) Yes. In this particular drawing the blue line with the purple dots or squares.
Q  In this section in the Great Gains Memorial Forest, for example, with the rebuilt 115 kV line ranging from 79 to 97 feet and the Northern Pass line ranging from 75 to 95 feet in height, you're basically building two transmission lines
of roughly equal height, aren't you?

A (Johnson) Thereabouts, yes.

Q And this is just one example along the route where that's the case?

A (Johnson) Correct.

Q The right-of-way continues through Franklin, crossing into Northfield, through Canterbury and into Concord. In Concord, are you aware that the right-of-way passes through the Spear Conservation Easement?

A (Johnson) I am.

Q And where the towers would be, the Northern Pass towers would be 95 feet, 95 feet and 80 feet?

A (Johnson) Sure.

Q Okay. What is the tallest tower currently in this Spear Conservation Easement?

A (Johnson) 83 and a half feet.

Q And then also in Concord, are you aware that the right-of-way would cross another SPNHF easement which is on the Blood property?

A (Johnson) I am.

Q And the Northern Pass towers would be 100 feet, 90 feet and 95 feet; is that right?

A (Johnson) Looks correct, yes.
Q And then also in Concord --
A (Johnson) Just for reference, the tallest existing structure is 88 feet in that area.
Q 88? And then in Concord the right-of-way also goes through the Turtle Pond Conservation Area?
A (Johnson) Yes.
Q Now, in Turtle Pond, you would use crane pads that would be on top of timber matting; is that right?
A (Johnson) So there are many options that we can use here. Two involve winter construction so assuming that the pond froze to a depth that would support equipment, we would certainly use winter construction and have no matting or anything. We'd do all the activities on the actual snow or ice, as it would be. As I recall the pond is relatively shallow along the edges, but then has a relatively deep organic mass below that before you get to some sort of solid type ground. So matting is an option that you could use if you were doing it in the summer months or in the winter months you could use frozen conditions. A third option would be to use a flotation device that would support a
drilling rig, and a fourth option could be driving sheet pilings and then doing the work inside of those pilings. Again, the actual methodology will be determined by PAR as they get more towards their constructability.

Q So you haven't determined how that would work yet, which method you will use?

A (Johnson) That is correct.

MR. REIMERS: Dawn, could you turn it over to the hard wire, please?

A (Johnson) Just for continuity, the largest existing structure there is 92 feet.

Q Thank you. I'm showing you Applicant's Exhibit 1, Appendix 6 C, Sheets 303 and 304, which are attached to the Applicant's Alteration of Terrain Permits. Are you familiar with these?

A (Johnson) I am.

Q Now, do you see where on Sheet 303 in Turtle Pond it shows a crane pad on temporary wetlands matting?

A (Johnson) It is. Yes.

Q But that's not necessarily the method that will be used?

A (Johnson) So, again, as we've talked about a few
times in the last couple days, the Applicant has chosen to permit basically the worst case scenario or the most impactful scenario so that we're basically covered, if you will, if we choose to use a less impactive type of construction. So you can see we've permitted an access road through the swamp as well as crane pads. Clearly, the contractor is going to review this and choose the most optimal solution from their perspective as long as it is less than the impact of what we've permitted.

Q After Turtle Pond, the right-of-way continues through Concord.

MR. REIMERS: Dawn, you can go back to the ELMO, please.

Q And into Pembroke, is that right?

A (Johnson) It does.

Q After Pembroke would be Allenstown, and in Allenstown the right-of-way enters Allenstown in the Bear Brook State Park; is that right?

A (Johnson) That is correct.

Q So with regard to Bear Brook State Park, the right-of-way enters in the park and then soon afterward exits the park. Not soon afterward.
On Sheet 116 is what we're looking at here where it enters. And then on Sheet 170, it continues through the park, is that right?

A (Johnson) That is correct.

Q And then here leaves the park, then continues kind of adjacent to the park. Is that right?

A (Johnson) That is correct.

Q The heights of the towers in Bear Brook are some of the tallest or are the tallest along the line, aren't they?

A (Johnson) I don't know if they're the tallest, but they are taller than the ones that we've been discussing to this point.

Q Within Bear Book, the proposed Northern Pass towers would range from 115 feet to 145 feet. Would you agree with that?

A (Johnson) Subject to check, sure. Yes.

Q So far in my questioning, we haven't gone through a period of, let's say, ten poles that all range in that height, have we?

A (Johnson) That's correct.

Q And you would build a 1200-square-foot crane pad for each one?

A (Johnson) Yes. Again, the contractor could
choose to make those smaller if they chose.
Again, we're permitting on a conservative basis.

Q  The final tower just east of the park which is
Tower 3132-232, you see that?
A  (Johnson) I do.

Q  And the proposed tower is 125 feet tall?
A  (Johnson) Correct.

Q  Do you know what the height of that existing
tower there is?
A  (Johnson) 72 feet.

Q  And that 125-foot-tall tower would be relatively
close to this residence, wouldn't it?
A  (Johnson) Sorry. Which residence are you
pointing to?

Q  Pointing to the residence, the yellow circle
just below the proposed tower on New Rye Road?
A  (Johnson) That is correct.

Q  Continuing through Allenstown on Sheet 173, the
right-of-way crosses the WRP Conservation
Easement; do you see that?
A  (Johnson) I do. My sheet is --

Q  Here it is. Here's the WRP Conservation
Easement?
A  (Johnson) Um-hum. And the proposed towers
either in or right next to it would be 130 feet
or 140 feet tall?
A (Johnson) Correct.
Q It would be more than twice the tree line,
wouldn't it?
A (Johnson) Again, I don't know the tree line. We
could look it up for you if you'd like.
Q We'll use our assumed -- unless you have better
data here.
A (Johnson) What we have is Lydar which is sort of
a digital survey by airplane that would give us
the tree heights in any specific location, but
we'd have to go back to that data to
specifically pull the information off. The
existing structures there are 88 feet tall.
Q The existing transmission structures.
A (Johnson) Yes. So if we're using our 60 foot
again, portions of it would both be taller.
Q And then when the line enters Deerfield, it
would go through the Alvah Chase Town Forest on
Sheet 175?
A (Johnson) That is correct.
Q And then on Sheets 178 to 179, the right-of-way
crosses more conservation parcels; do you see
that?

A (Johnson) I do.

Q Starting with the Levesque property? And then the WRP Conservation Easement, the Menard Forest. I believe this is the Menard Forest as well.

A (Johnson) I have it as the Melinda L. Geddes Trust but sure.

Q Could be. I'm not sure where that line ends.

A (Johnson) Either way, it's conserved land, yes.

Q Thank you. When Mr. Pappas was asking you about crane pads the other day and it's come up here again, it was testified that a general crane pad is 100 feet by 120 feet.

A (Johnson) For the DC portion, yes.

Q For the DC portion. So how many DC towers, how many crane pads or how many towers on the DC portion are there?

A (Johnson) Approximately 800 say. Approximately 800.

Q And is a roller used to flatten the area?

A (Kayser) It may be. The contractor will have their, as they determine what they need to develop the area, it may be used.
MR. REIMERS: Dawn, could you go back to hard wire, please?

BY MR. REIMERS:

Q When Mr. Pappas was asking you about that list of vehicles and equipment that would be used along the right-of-way and to construct a crane pad, I thought I heard someone say, because a roller was listed, I thought I heard someone say no, a roller won't be used. Am I wrong?

A (Johnson) I recall the conversation or the list. But I'm not sure the exact -- we could go back in the record if you want and look. I personally have been involved in crane pads where the contractor chose not to use a roller and deemed it suitable once he'd laid the gravel and removed his equipment that it was flat and level enough for him to use. I've also been there when chosen to use a roller so I've seen it both ways.

Q I'm showing you what is Applicant's Exhibit 1, page 27. Page 27 of the Application. And in that center paragraph, it discusses the building of crane pads, and right about in the middle there's a sentence that begins, "Finally, a
roller is used to flatten and compact the pad."

So you're saying that's just an option?

A (Johnson) I've seen it done both ways from a constructability perspective.

Q But you're proposing to build this particular project, and your Application says that a roller is used to flatten and compact the pad, but that's not necessarily how it will be?

A (Johnson) So, again, as we've stated, we're trying to put an Application forth that has the conservativeness that would allow a contractor some means and methods that they could choose to build. Clearly, a roller is an extra piece of equipment that would have to be brought on to the site. If they choose not to use that methodology, I believe that it's up to the contractor to decide how flat or how compact that crane pad is for them to get their cranes to be able to be stabilized. As I mentioned earlier, I've seen that construction technique used both ways, with or without a roller.

Q And, Mr. Johnson, the other day, Mr. Pappas was asking about work within wetlands, and you mentioned timber mats that would be laid down,
and you stated that these mats are intended to prevent permanent damage to wetlands. Do you remember that?

A (Johnson) I do.

Q And do the mats in fact prevent all permanent damage to wetlands?

A (Johnson) To my knowledge, yes. I believe that's a standard practice that's approved by the DES for, if you will, protection of a wetland.

Q But my question was, do you know whether timber matting does in fact prevent all permanent impacts to wetlands?

A (Johnson) So I'm not an environmentalist. I believe that panel is coming, but to my knowledge, I believe what it does is it allows the wetland to restore itself over a period of time, whatever that time period is. Again, I'm not the expert in that field.

Q So looking at that same paragraph on page 27, and there's a sentence that begins with, "in areas where crane pads," do you see that?

A (Johnson) Yes, I do.

Q "In areas where crane pads must unavoidably be
located in wetlands, layers of removable timber mats are typically used to construct the pads. Alternatively, a large rock base layer may be used to allow water to flow underneath the pad with smaller rock layered on top of larger rock, followed by the final layer of gravel intermixed with soil."

So I read that to understand, to mean, that either layers of timber mats are going to be placed on the wetlands or there's going to be a large rock base layer and a smaller rock layer followed by a final layer of gravel, all on top of the wetlands. Do you read it that way?

A (Johnson) I do, yes.

Q And then for the crane pad is, and then concrete is poured on top of all of that, right?

A (Johnson) No.

Q What is the --

A (Johnson) The gravel is the top layer of a crane pad. Effectively, it's enough to support and spread the weight of whatever drill equipment or crane equipment is required to work on the structure.

Q How much does the crane weigh?
A (Johnson) It depends widely depending on the size of the structure that you're putting in. John, I don't know if you have them.
A (Kayser) I don't know the exact weights. We'd have to look that up.
A (Johnson) Okay.
Q If you're putting in a 60-foot-tall Northern Pass tower, you're saying the crane would be different than the crane that would be used for an 80-foot-tall tower?
A (Johnson) Sure. So structures are limited by the allowable trucking capacity. So the maximum truck, I believe, is, the truck length is 53 feet. So for a structure that was 60 feet, it may come in two sections of 30 feet. They would then erect the first one, depending on the type of structure, they would erect the first 30 feet and then a crane would pick up the second 30 feet and slide it over the top.
   If it was a bolted structure they would bolt the two together and a single crane would then pick up the 60 foot. For structures that are taller, there may be more segments. You could have, for 120-foot structure, for example,
you could have three 40-foot lengths that would
then slide over each other as they build it.

Now, for a lattice structure? I was
speaking then of monopole. For a lattice
structure, the actual components could be built
from the ground up, meaning sort of as an
erector set and you just continue to lift pieces
up. Or it could be prefabricated, and then part
of it's brought in on site and lifted in one
complete lift. Obviously, for the lattice
structures, you would need a much lighter crane
than you would for a monopole structure.

Q But you don't know what any of these cranes
weigh?

A (Johnson) Off the top of my head. Like I said,
we can certainly go research that for you.

A (Bradstreet) I guess one point, although we
don't have a specific weight, it's safe to say
that the majority, if not all, of the cranes on
this Project will be over-the-road cranes.

A (Johnson) As opposed to those that have to be
built on site which you see on a vertical
building type of construction.

MR. IACOPINO: Could you repeat what you
said about them being over-the-road cranes?

A (Bradstreet) So more a crane that could transport itself over the road without having to have, say, an oversized permit or something like that.

A (Bowes) Versus some cranes that are actually brought in on sections and then built on site and those are used for, say, like a wind turbine project.

PRESIDING OFFICER HONIGBERG: So to be clear, your testimony is that the cranes are the type of cranes that do not need to be assembled on site. They can be driven across the roads to the site.

A (Bradstreet) Yes, sir.

A (Kayser) Yes.

MR. ROTH: Mr. Chairman, I think he said something a little more nuanced than that.

PRESIDING OFFICER HONIGBERG: I don't know what he said before, but I know what he just said no.

MR. ROTH: He said "the majority if not all" before.

PRESIDING OFFICER HONIGBERG: Okay. Mr.
Bradstreet, are there any places where the cranes will have to be assembled on site?

A (Bradstreet) For the overhead transmission line, I can say I don't believe there are any. Now, I'm not 100 percent certain on the converter itself. The converter site in Franklin. But I do not believe so.

BY MR. REIMERS:

Q Now, going back to the Forest Society's Kauffmann Forest, are you familiar with the extensive wetlands complex that the right-of-way goes through there?

A (Johnson) Again, I'm not the environmental scientists that have done that work. I'm aware that there are wetlands in that area, but I'm not particularly knowledgeable about the type or quality of such wetlands.

Q I'm showing you what is Applicant's Exhibit 1, Appendix 6 C, which are the maps regarding the Alteration of Terrain Permit and I'm showing you the section of the maps that includes the Kauffmann Forest. And do you see those blocks of color?

A (Johnson) I do.
Q And those are depicted as crane pads in temporary wetlands matting. Is that right?

A (Johnson) Yes.

Q So at least for the purpose of the Alteration of Terrain Permit, the Applicants were proposing to do timber matting and then crane pads on top of those for a significant portion throughout the Kauffmann wetlands; is that right? Showing you two back-to-back pages.

A (Johnson) Yes, from a construction perspective, all of that length it looks like is in a wetland area, and it looks like crane pads and matting will be used for the access roads. And the crane pads, sorry. Just to be clear, there are several locations along the project length where this is a necessity. There's some very wet areas.

Q Now, right now through the Kauffmann Forest is a 45- to 55-foot-tall 115 kV line; is that right?

A (Johnson) Again, I'll take your word for it. I believe we established earlier what the heights were.

Q And it's a 150 foot right-of-way.

A (Johnson) That's correct.
Q  If any of those, let's take the 55-foot-tall
tower. If a 55-foot-tall tower were to collapse
in an ice storm, for example, the tower's fall
zone would be within the right-of-way which is
150 feet; is that right?
A  (Johnson) I'll defer to Mr. Bradstreet on these
questions.
A  (Bradstreet) So I think your question was under
an extreme ice event, if a structure were to
collapse, which is a very rare occurrence, it
would fall within the 150 foot right-of-way?
Q  Correct.
A  (Bradstreet) So I think the answer to that is
most likely, yes.
Q  What would be the scenario where it wouldn't be
most likely? If it were carried away?
A  (Bradstreet) Carried away by what?
Q  I'm asking you. You said most likely it would
fall within the 150 foot right-of-way. Is there
a scenario where a 55-foot-tower could fall
within that right-of-way and not land within the
right-of-way?
A  (Bradstreet) I'm not aware of one under an
extreme ice event.
PRESIDING OFFICER HONIGBERG: Mr. Bradstreet, I think he's asking a fairly simple question. You said most likely it will fall within the right-of-way or under most circumstances. Under what circumstances would it not fall in the right-of-way?

A (Bradstreet) In the condition he asked me about, I'm not aware of any. Maybe I should be more clear and not general in my response.

PRESIDING OFFICER HONIGBERG: Yes. If you feel you need to hedge, the next question is going to be, okay, why did you just hedge that answer. If you think the answer is no, say that. If you think the answer is yes, say that. If you're not sure, say that.

A (Bradstreet) For an ice storm, I don't think there is ever a case. Under, say, a tornado of some kind, maybe.

Q Okay.

A (Bradstreet) Sorry, Chairman.

PRESIDING OFFICER HONIGBERG: It just shortens the process for you, too.

BY MR. REIMERS:

Q So in the most likely event, barring a tornado
or something like that, you wouldn't expect the tower to fall off of the right-of-way on to property owned by the Forest Society that is not encumbered by the right-of-way?

A (Bradstreet) That's correct.

Q Under the proposed configuration, the relocated 115 kV line would be on towers ranging in height from 83.5 to 77 feet in height, and they would be 25 feet from the right-of-way?

A (Bradstreet) I can't remember. It's 25 or 30.

Q All right. No matter. We're talking about details like that.

A (Bradstreet) Yes.

Q So even if it were 30 feet, in the event of a tower collapse, that tower could potentially fall off of the right-of-way, a portion of it could fall off the right-of-way.

A (Bradstreet) I would say in general, in the event there is a tower failure or a structure failure, the conductors that are attached to that structure and attached to all the other remaining structures provide longitudinal support such that if the structure itself in that specific location did fail, which, again,
is a very rare instance, those conductors would keep it within the right-of-way.

A (Bowes) Also the type of event you're talking about in a severe ice storm would cause extensive tree damage in this area as well. So the most likely scenario would be trees falling on to the right-of-way, taking the conductors down and then pulling structures in the same direction as the conductors, but there would be probably widespread damage to the Kauffmann Forest in an ice storm like that.

Q I think what I've heard in prior testimony is that there are mechanisms like on a monopole that if it's going to collapse, it's going to collapse in a particular direction. Did I hear that correctly?

A (Bradstreet) I think that's sort of what I just explained as far as the conductors holding it together or in the right-of-way since they are all connected in line.

Q I took that to mean that the conductors are actually going to hold it up somehow rather than keep it within the right-of-way?

A (Bradstreet) Well, they can hold it up, but they
also will train it from going, I guess, either way from the conductors that are in line with the rest of the line.

Q Now --

A (Bowes) The way they would hold it up, again, if it's an AC line, there would be three conductors on either side of the structure. So there's tensions and stresses would be shared between those conductors. That's why you'd get some benefit of having the conductors. For the DC portion, of course there's only two conductors per structures on either side.

Q In the event that a tower or a portion of a tower falls, and it hit the ground, is it possible that any part of that tower or component could pierce the ground at all? Stick into the ground?

A (Bradstreet) I guess I'm not aware of a specific instance where that has happened. I don't know the answer to your question, I guess. I guess I'll point out that these aren't necessarily pointy objects, but --

Q They're made of metal, aren't they?

A (Bradstreet) They're made of metal.
Q And in the Kauffmann Forest you're aware that there's a buried natural gas pipeline?

A (Bradstreet) Yes, sir.

Q Is it possible that in the event of a tower failure that the natural gas pipeline could be compromised?

A (Bradstreet) I do not believe there is.

Q It's not possible?

A (Bradstreet) I just answered your question. I do not believe there is.

Q Switching gears a little bit, I wanted to get more information about potential changes to the project because of a data request response that the Applicants made that I don't quite understand. The Forest Society asked the following question to the Construction Panel following their Technical Session. And this is SPNHF 167.

At the Technical Session on February 21st, 2017, witnesses stated to the effect that revisions were being made to the various sets of underground engineering plans. Now, with respect to those revisions, are the revisions contemplated to show any project structure
relocated more than ten percent away from the
where the current plans show it?
A (Johnson) Could you repeat that again?
Q Sure. The question was regarding revisions made
to various sets of underground engineering
plans. And in the response, it states, "At this
time the Applicants do not expect major project
structure components to shift more than ten
percent." See that answer?
A (Johnson) Yes.
Q So with respect to those revisions, do you
expect shifts of less than ten percent?
A (Johnson) So as we've discussed earlier, the
types of shifts that we're discussing are taking
the alignment or splice pits from basically at
the shoulder or slightly into the road to off of
the road and potentially changing an alignment
in the similar way. So the types of shifts
we're talking about are relatively small over
the 60 miles.

The DOT has requested in one or two cases
that we move a splice vault 50 to 100 feet
either up or down the road, depending on
specific circumstances. The Project is
reviewing those case by case. But if you're asking if, I think the intent of this question was are you discussing moving any of the routes to different routes, first and foremost? And secondly, are you moving some of the, an HDD, for example, or a trenchless crossing up or down the road, the answer is for the most part no. Again, pending one or two that the DOT has suggested that we move. So this question would still be answered as we do not expect them to shift more than ten percent.

Q And in the response it says you do not expect major structure components to shift more than ten percent. What about minor components?

A (Johnson) So, again, as we've just discussed, there are fluctuations of the alignments in the splice pits that would move into the shoulder or not so those are the minor ones that we're discussing.

Q So what do you consider a major Project structure versus a minor Project structure?

A (Johnson) So there's three major components, I would guess, and it's the trenchless crossings, the splice pits, and the alignment itself. So I
would agree there are no minor in this case.

MR. REIMERS: Mr. Chair, would now be an okay time to take a break? I know it's a little early, but I think I forgot a piece of paper in our room.

PRESIDING OFFICER HONIGBERG: Sure, we'll break for 15 minutes.

(Recess taken 10:20 - 10:37 a.m.)

PRESIDING OFFICER HONIGBERG: If we could return to our seats, Mr. Reimers will be able to resume.

BY MR. REIMERS:

Q I want to ask you about the part of the Project south of Deerfield. In your Project maps, I'm looking at the February 2016 version. Sheets 181 through 189 show work beyond the substation in Deerfield, Candia, Raymond, Auburn, Chester, Londonderry and Derry; is that right?

A (Johnson) I don't believe there's any in Auburn, but there are ten structures between Deerfield and Scobie Pond that will need heightened, if you will, heightening of the structure by somewhere between five and ten feet.

Q So you're agreeing that there's Project work in
all of those towns, but you're not sure about Auburn?

Q (Johnson) So as part of the study of interconnecting into that location at Deerfield, ISO New England has determined that there are some upgrades that need to be done to the system. The work in that corridor is to ten structures, I believe, in the towns that we've discussed?

Q Okay. And those are all included, the work that's going to be done is included in the Project maps for the Northern Pass?

A (Johnson) That is correct.

Q So the Scobie Pond substation, that's in Londonderry?

A (Johnson) That is correct.

Q And it will be upgraded as part of the proposed Project?

A (Johnson) So I wouldn't say necessarily upgraded, but there will be an addition to the substation, a small addition of some capacitor banks that will hook into or attach to the substation.

Q And there are two 345 kV lines that run between
Deerfield and Scobie Pond substations?

A (Johnson) That is correct.

Q And those two lines will be upgraded as part of the Project; wouldn't they?

A (Johnson) No. Just those ten structures as I discussed earlier. So not the entire line, just the ten structures.

Q The purpose of the upgrades to the substation and replacement of those ten towers would be so that these lines and associated structures would carry a greater level of power associated with the Northern Pass?

A (Bowes) A greater level of power, yes. Those ten structures that Mr. Johnson talked about are shorter than are needed. As the power flows on those two lines, they will tend to sag more and the structure elevation, changes in elevation will prevent that sag from being a clearance violation underneath the line.

Q So to avoid a clearance violation, you need to replace those ten structures.

A (Bowes) Replace or -- there's another way to do it without replacing them. It's called "raising the phases," but, in essence, it's either
replacement or raising the structure heights.

Q What does raising it entail? Can you describe how that works?

A (Bowes) So a direct replacement would be changing the existing pole five to ten feet higher. In this case, I believe they're H-frame so it would be two structures. Two extra poles would be replaced. And the crossarm that they support would be raised a few feet as well. If it's phase raising, in this case they're wood structures, you actually brace each of the wood poles, cut the pole, jack it up, and then reattach the brace at a higher level.

Q Will these ten structures be taller than they currently are?

A (Bowes) Yes.

Q All of them?

A (Bowes) Yes.

Q And what are their current heights?

A (Bowes) Hold on just a sec.

Q While you're looking, my next question would be and then what would be the new heights.

A (Johnson) So I can answer the second one very quickly. I believe nine of the ten structures
will increase by five feet, and one will
increase by, I think, nine or nine and a half
feet.

So the existing structure is unknown
height. It doesn't tell me in my particular
database. I could look that up for you.

Q Okay.

A (Johnson) But the delta increase is five feet to
nine and a half for one structure.

Q And a 345 kV capacitor bank would be constructed
at the Scobie Pond substation?

A (Johnson) That is correct.

Q And 345 kV breakers would also be installed?

A (Bowes) That's correct.

Q And these additions would require expansion of
an existing fence at the Scobie Pond substation?

A (Bowes) So there's work inside the existing
fence line which are the circuit breakers, and
then there's a new fenced area adjacent to the
existing substation. So I wouldn't say it's an
expansion. It's actually kind of a new portion
of a substation for the capacitor bank.

Q An expansion of it.

A (Bowes) It's not physically attached to it.
That's what I'm saying. It's physically remote so you'd now have two fenced closures, not one.

Q What's the size of the existing fenced area?

A (Bowes) Hold on just a minute. In acres it's approximately ten acres today.

Q What will the second one be?

A (Bowes) Approximately one acre.

Q So the kV line, the two kV lines coming into the Scobie Pond substation will not be upgraded, but the Scobie Pond substation will be upgraded? Is that what your testimony was?

A (Bowes) So I guess we're getting into what the definition of upgrade is. So for the two 345 kV lines coming from Deerfield to Scobie Pond, ten of the structures will be raised in height. No change in the conductors which is normally what we call an upgrade. So it has a greater electrical capacity. In this case, they're being uprated which means we're just changing the electrical clearance issues. At Scobie Pond, there are additions in Scobie Pond, both inside the existing fence line which are the capacitor banks, and then a new one-acre site adjacent to the existing substation for the
Do you recognize -- this is SPNHF 169. This is from the Forward NH website. Have any of you seen this page on your website? Do you have it on your screens?

A (Johnson) Yes. We do. Sorry.

Q Have any of you seen this page on from your website?

A (Johnson) Yes.

Q Where it begins with describing the Northern Pass Project and the components of it. Moving on to the DC line, the AC transmission line, the converter terminal, and here are the substation upgrades that we're talking about. Is that right?

A (Johnson) That's correct.

Q And we were just talking about what the term "upgraded" means, and here it says, "This review by ISO conducted as part of what is an I.3.9 request has determined that the two 345 kV lines between Deerfield substation and the Scobie Pond substation in Londonderry, New Hampshire, will need to be upgraded along with the minor upgrades at each substation. This upgrade
involves replacing a total of ten structures along the existing transmission line to allow the existing lines to carry a greater level of power." Is that accurate?

A (Bowes) Yes.

Q Leaving aside Deerfield, the Project has excluded the municipalities along this section from this Project; is that right?

A (Johnson) Are you asking if we've made direct communications or have discussed parts of the Project with some of these towns? The answer is we have not specifically targeted these towns as part of our normal communications. We have had some communications with some of these towns regarding the Project as a course of the normal communications that PSNH or Eversource would have with these towns.

Q But these towns have not been included on this list of communication on your website. Is that right?

A (Johnson) You are correct.

Q So Londonderry is not listed, neither is Derry, Auburn, Chester, Raymond or Candia; is that right?
A  (Johnson) That is correct.
Q  I'm showing you SPNHF Exhibit 170, and all those
towns that I just listed are down in the
southern portion of the state?
A  (Johnson) Correct.
Q  And these towns have not been included in
Mr. DeWan's Aesthetics evaluation, have they?
A  (Bowes) I don't know.
A  (Johnson) Neither do I.
Q  And have these towns been evaluated as part of
Mr. Varney's and Normandeau's evaluation of
Orderly Development?
A  (Bowes) I don't know.
Q  I'm showing you what is Applicant's Exhibit 1,
Appendix 46, the table of contents page, page
iii. This is from Mr. Varney's report. Do you
see Auburn, Londonderry, Derry, or Candia on
that list?
A  (Bowes) I do not.
Q  Yet, these towns that we're talking about down
near the Scobie Pond substation, they were
included in your Project maps, right?
A  (Johnson) Correct.
Q  And they were not included, for example, in
Mr. Varney's report, correct?

A (Bowes) That would appear so, yes.

Q Now I'm showing you what is SPNHF 172 which is a letter from Attorney Needleman to Chairman Honigberg including copies of Notice of Public Information Sessions, and if I turn the page to the actual notice that was in the newspaper, bear with me. This is very small print. Do you see the highlighted portion where it discusses Raymond, Candia, Chester, Auburn and Londonderry?

A (Bowes) Yes.

Q So those towns were part of the Public Notice in this instance, weren't they?

A (Bowes) Yes.

Q And if you read that, it is in relation to the replacement of a number of structures as well as the Scobie Pond substation upgrades; is that right?

A (Bowes) Yes.

Q And there's no question that there will actually be construction in those towns; is that right?

A (Johnson) Again, I'm uncertain about Auburn, but there will be single structures or several
structures, depending which town, that will need to be either replaced or have their height increased as we discussed. And in Londonderry, there will be a small addition to the existing substation.

Q And this construction is required by ISO to avoid a clearing violation?

A (Bowes) So it's part of the analysis that was done to make sure there was no adverse system impact. We have chosen to make these modifications and presented them to ISO, and they have accepted them.

Q You could have suggested other modifications?

A (Bowes) That is correct.

Q I don't have any further questions. Thank you.

PRESIDING OFFICER HONIGBERG: All right.

Next up, I believe, is Municipal Group 2. Ms. Fillmore.

MS. FILLMORE: Thank you, Mr. Chairman.

(Discussion off the record)

MS. FILLMORE: This is a little unorthodox. We would like to split up questioning for Municipal Group 2, and the town of Easton would like to have Kris Pastoriza ask a few questions
before I do the rest of them.

PRESIDING OFFICER HONIGBERG: How are the topics being split up?

MS. FILLMORE: She will be asking specific questions about Easton, and they're topics that I'm not going to cover.

PRESIDING OFFICER HONIGBERG: We'll see how that goes.

MS. FILLMORE: Thank you, Mr. Chairman. I appreciate it.

CROSS-EXAMINATION

BY MS. PASTORIZA:

Q Kris Pastoriza. I'm on Easton Conservation Commission. Part of Central Municipal's Intervenor Group.

MR. HONIGBERG: We're having trouble hearing you.

Q Is that better?

MR. HONIGBERG: It is.

Q So more than a year ago, in April 2016, DOT produced comments on the first Northern Pass Permit packages. They made several requests of Northern Pass. Among these were, number one, the right-of-way type shall be shown on the
plans to help identify the type of road being impacted by the Project. Two, the road needs to be accurate in order to approve the location of the proposed facility. Three, the clearing limit should be shown on the plans. Four, all waterways shown on the plans should be labeled. And five, ledge limits shall be shown on the Plan and Profile.

And my question is were any of these requests fulfilled in your permit packages that we have access to, 12, 18, 16?

A (Bowes) Could I see a copy of the document?

Q Hard copy is with the Committee. I think there may be extra copies.

MS. FILLMORE: I'm looking to see, Mr. Chairman, which exhibit that was numbered as.

PRESIDING OFFICER HONIGBERG: Is it unnumbered? Is that what I'm being told?

MS. FILLMORE: The hard copies that you're getting are unnumbered. They have subsequently been numbered, and they're on the ShareFile site marked, and I'm going to look right now and figure out which one.

PRESIDING OFFICER HONIGBERG: Let's go off
the record while we find what number we're
talking about.

(Discussion off the record)

PRESIDING OFFICER HONIGBERG: We're back on
the record. Ms. Pastoriza, you may continue.

BY MS. PASTORIZA:

Q So on the screen is Joint Muni 199.
A (Bowes) We have it.

Q Do you want me to repeat my question?
A (Bowes) I think there were several questions in
there so yes, please.

Q All right. There were five requests made in
this comment from DOT to NPT, among others.
Number one, the right-of-way type shall be shown
on the plans to help identify the type of road
being impacted by the Project. Number 2, the
right-of-way needs to be accurate in order to
approve location of the proposed facility.
Number 3, the clearing limits should be shown on
the plans. Number 4, all waterways shown on the
plans should be labeled. And 5, ledge limits
shall be shown on the Plan and Profile.

A (Bowes) So I must have a different document.

Q They're not listed by the numbers I put on them.
I had them marked out in red on the hard copy. They're spread out throughout that document.

A (Bowes) So maybe we'll take them one at a time. I think number one was number 1? Or is number 1?

Q Yes.

A (Johnson) So the right-of-way type is being incorporated into the next revision of the drawings.

A (Bowes) I'm sorry. What was the second one?

Q Number 3 is number 4 as on the document. The clearing limits. That's number 4.

A (Johnson) So, again, the clearing limits will be shown on the revised plans.

Q And the waterways question is number 5.

A (Johnson) Same answer. They will be shown.

Q So question that I labeled number 2 is number 1 on the Underground Comments. Page 2.

A (Johnson) Again, those will be added. I will add that the Applicant has provided Applicant Exhibit number 130 which is what we're calling the stick plans of the survey for the entire underground of the 52 underground miles. I believe it's for all of them, the full 60 miles.
Q  And the ledge limit question is number 32. Page 4.

A  (Johnson) Again, those will be included on the next revision of the drawings.

Q  And when might that next revision be available to us?

A  (Johnson) So as we discussed on Monday, I believe, we are in an iterative process with the DOT, and those design drawings are going back and forth or the design revisions. We are in the midst of the variance requests for exception requests to the Utility Accommodation Manual. Once all of those are resolved, then the design engineer will be creating the next revision. We're really sort of in that iterative phase. It will probably be more than a month before the next set of drawings are available.

Q  So more than a month being one month and a week, two months?

A  (Johnson) Undetermined at this time. It could be several months, yes.

Q  On April 3rd, 2017, and this is document CS 30 on the ShareFile site, DOT issued a Conditional Permit to NPT. One of the conditions of this
permit was, quote, "The Applicant shall provide a certified survey report delineating means and methods of determining the right-of-way shown on the plans. The report shall include notations on all records and plans used. The report shall be certified by the licensed land surveyor in charge that the right-of-way lines shown on the submitted plans are accurate locations defined by ground survey and all pertinent research."

A (Johnson) That documentation is Applicant's Exhibit number 130.

Q And you're familiar with that?

A (Johnson) I have it here in front of me, yes.

Q So Meridian submitted a survey report on April 17th, 2017. This report covered Bridgewater to North Woodstock and has a surveyor's seal on it. Is that correct?

A (Johnson) That is correct.

Q And this report was followed by several short reports for towns north of North Woodstock, on the site it is undated and they do not have surveyor's seals on them. Is that correct?

A (Johnson) I believe that those are part of a letter with four attachments, and the cover
letter has been signed and sealed by a surveyor.

Q So that seal applies to those short town summaries?

A (Johnson) Yes.

Q So Applicant Exhibit 62433 which is Meridian's Land Survey Summary of Easton and Franconia states, in quotes, "Research was conducted at the New Hampshire State Archive Records for the original roadway layout. We could not find a volume or page reference, only a map prepared in April 1903 showing no defined width or geometry. Research was conducted at the County Registry and many existing maps were recovered and each one is labeled on the prepared map."

You're familiar with that report.

A (Johnson) Could you possibly put that up on the screen?

Q Do you have that? It's in with --

A (Johnson) I have the maps. Unfortunately, I don't have any of the accompanying correspondence.

The only reason I'm questioning is because I don't believe that Meridian did the work in Easton. I believe that was BL Companies, and as
far as the land research itself, it was done by Arago Land Services. So I'm a little confused as to document you're describing. So I'm just looking to see if I can see a copy of it.

Q On the ShareFile site it follows the one we were just speaking about. The survey report. April 17th.

PRESIDING OFFICER HONIGBERG: It is actually the first page of the packet was handed out coincidentally. So Ms. Monroe is going to give Mr. Johnson one of the ones that is up here.

A (Johnson) So this is from BL Companies, not Meridian.

Q And the first one was from BL or from Meridian?

A (Johnson) So in general, the work as you noted that was done between Bridgewater and North Woodstock that the actual physical survey work was done by Meridian, the physical survey work that was done from North Woodstock all the way to Bethlehem was done by BL Companies. And the research or the record research that was done was done by Arago Land Services for the entire length.
Q So the first document that has the surveyor's seal is applying to what towns?
A (Johnson) So I'll just say in general, the document on BL Companies' letterhead is for North Woodstock through Bethlehem and then the North Country. And the document that is sealed on Meridian letterhead is for Bridgewater to North Woodstock.
Q So the short town summaries do not have the surveyor's seal on them?
A (Johnson) Correct. There was a cover document from BL Companies that had the seal and these were accompanying documents to those.
Q So when this short summary of Easton and Franconia mentions many existing maps, are these private property survey maps?
A (Johnson) I believe so. Yes.
Q And is there a short survey summary for Bethlehem and Sugar Hill?
A (Johnson) I believe there is, yes.
Q Could you point that out?
A (Johnson) It's the exact same document as this. I believe the title is different, and says Bethlehem and Sugar Hill. Again, my records
aren't here so I just have the actual maps.

Q So have any of you been to the New Hampshire State Archives?

A (Johnson) I have not. As I said earlier, the Arago Land Services was the company that did that research.

Q So are you aware that on their website as well as at the Archives they have a 535-page guide to their holdings?

A (Johnson) I do not know.

Q So Muni Exhibit 196 shows the listings at the Archives for the irrelevant towns. Referring back to the summary for Easton/Franconia, they stated that they went to the Archives and could not find anything but a 1905 road map, and this document shows what is in the Archives Guide for those towns.

A (Johnson) I'll take your word for it. Again, I'm not familiar with this document.

Q And the SEC has this. I didn't think it was worth putting up there. But the first page, let me back up a bit. At the Archives, they have road layouts for every town in New Hampshire, and those are listed in these town listings,
road highway layouts. So Franconia is listed as having a road highway layout if you look in the Archives documentation. And Easton is not listed as having road highway layout, but if you actually look in the section of the Archives that has these layouts, you will find the town of Easton there, and it will point you to the fact that Easton used to be Landaff as well as Lincoln. So anyone who went to the Archives in search of road layouts would find these documents. So are you aware of how the Archives works? The process for searching for documents in and road layouts?

A (Johnson) Again, I'm not, but it sounds like you're educating me on where we would find Easton.

Q For the record here, these are my copies of what's at the Archives for town road layouts. So did Meridian or BL land research for Easton, Franconia, Woodstock, Sugar Hill and Bethlehem include any of these road layout records that are available at the Archives?

A (Johnson) So, again, I'm not a survey expert, and I'm representing the stamped product that
our surveyors have put forth, but I believe that they did indeed go to the Archives, including not only the State Archives but the DOT Archives, and any of the archives that they could find from a municipality to determine where these right-of-ways, when they were established and how they were established and then they, how they were upgraded over time as we get to the 2000s and where we are today.

Q Does the documentation provided on your site show any of the road layouts?

A (Johnson) I believe the Exhibit number 130 is exactly that. It's the road layouts. And as surveyed. So the right-of-way boundaries as we provided on these stick plans detailed the road boundaries as they exist today.

Q I mean the historic road layouts. What was collected from town records where a town in their Town Report states what roads that they laid out in their town.

A (Johnson) No. I don't know that that's even pertinent, if you will. The surveyors have certified the conditions as they exist today.

Q So are you aware that these road layouts are the
first order of documentation for the width of a road?

A (Johnson) I would agree that they are how a road was established back in the 1800s or early 1900s. However, through time, those road layouts have changed and been modified as different projects and/or the roads themselves changed course. So I would agree with you that those would be a starting point, but as I mentioned earlier, our surveyors have provided us with documentation that they believe is correct, and they've stamped those drawings such that they are basically saying that they are accurate as of what's in the drawings today.

Q So does your documentation put forth by these surveyors include a 1797 two rod layout from the Easton/Franconia border over the bridge to the Gale River?

A (Johnson) Again, the surveyors are producing reports that are what they believe is the conditions of the roads today where the right-of-way extends today. And again, it's just me because I'm not a licensed surveyor by any means, but I believe the original layouts
would be at baseline, and if there was evidence
of more recent road widths and/or plans that
describe a road width those would supersede the
original road widths back from whatever you
mentioned.

PRESIDING OFFICER HONIGBERG: Ms. Pastoriza, would you repeat the question, please?

Q Did your surveyors incorporate into their research the 1797 two-rod layout from the Easton/Franconia border to the bridge over the Gale River?

PRESIDING OFFICER HONIGBERG: Mr. Johnson, do you understand the question?

A (Johnson) I do. I do not know whether they incorporated that.

Q Did they incorporate the 1797 three-rod layout from Landaff to Easton?

A I do not know.

Q Did they incorporate the 1804 layout from the Franconia/Easton border to the former Landaff line in which no width was stated?

A I do not know.

Q Did they incorporate the 1811 layout from
Kendall Brook to Steven Kinsmill's sawmill which
is now Center Easton, and it was a 450-foot-wide
layout?

A I do not know.

Q Did they incorporate the 1829 three-rod layout
from the Jackman Cemetery near the Woodstock
Town Offices to the junction of Route 3?

A I do not know.

Q Did they incorporate the 1833 layout from
Franconia Ironworks to Haverhill?

A I do not know.

Q Did they incorporate the 1838 expansion of Route
116 from the Franconia Meetinghouse to the
Easton border at 3 rods wide?

A I do not know.

Q Did they incorporate the 1840 layout of the
Moosilauke New Road, present Route 112, from
Moosilauke Brook south?

A I do not know.

Q Do they incorporate the 1855 three-rod layout
from the 116 and 112 junction in Easton east to
the Woodstock town line?

A I do not know.

Q Do they incorporate the 1856 three-rod reroute
just south of Gibson Road for 55 rods south on present Route 116?

A (Johnson) I do no know.

PRESIDING OFFICER HONIGBERG: How many more you got?

MS. PASTORIZA: Two.

BY MS. PASTORIZA:

Q Did they incorporate the 1871 two- and three-rod layout from Littleton through Bethlehem, Sugar Hill and Franconia?

A I do not know.

Q Do they incorporate the 1905 transferral of the Lost River Road to the State of New Hampshire three rods wide?

A I do not know.

Q And are you aware that if there is not new construction by DOT where they do a taking that the original layout width is what the right-of-way width is?

A So, again, I'm not a survey person, but I believe that there are prescriptive rights of a road that has not been able to be defined, if you will, by an existing right-of-way. And, effectively, what that means is if a road exists...
with shoulders and/or drainage ditches, then the width of whatever the accepted travel lane or travel area is is then prescribed to be the width of that road.

Q And are you aware that when the width has been prescribed, that that width is good until DOT may come in and make a taking for a construction project?

A (Johnson) I wouldn't doubt you. I do not know.

Q So did your surveyors go to the Landaff, Easton, Lincoln, Sugar Hill, Franconia, Lisbon or Bethlehem town halls to look at their records for road layouts that were not in the collections at the Archives?

A (Johnson) I believe they did, yes.

Q And did they present any of that evidence for the record?

A (Johnson) Again, the record is the stick drawings, Applicant's Exhibit 130, which describes their final product of the layout as we believe it exists today.

Q And was it not required by DOT that all plans that were referenced in that layout be on the layout?
A (Johnson) I believe they are on the layout.
Q So if it's not on the layout, then you're not providing documentation for it.
A (Johnson) I don't believe their request was to provide the actual documentation. I believe the request was to provide the reference.
Q So if there is no reference on the layout, then there is no documentation it's referring to?
A (Johnson) It's my understanding.
Q Did the surveyors go to the New Hampshire State Library which has copies of all town records?
A (Johnson) I do not know.
Q Did the surveyors do research on all the land deeds at the Grafton County Registry of Deeds to find the locations of people referenced in the old layouts so as to determine where they were?
A (Johnson) I do not know.
Q Two days ago there was discussion of the 1833 layout. Do you recall that?
A (Johnson) Vaguely, yes.
Q Was there an assertion that the layout was four rods throughout Franconia/Easton?
A (Johnson) I do not recall. We can check the record.
Q So are you aware that Mr. Hodgdon has been in a conversation with DOT about the central proposed burial route for four years?

A I know Mr. Hodgdon has been employed by the Project for about that length of time, and, naturally, his expertise is with the DOT. I'm not necessarily knowledgeable of all discussion that he's had with the DOT.

Q So you know he's had some discussions?

A (Johnson) Yes.

Q But you don't know the extent of them?

A (Johnson) Correct. Mr. Hodgdon does participate in the monthly meetings that we have with the DOT, and that's about the extent of the knowledge I have regarding his communications with them.

Q So in Joint Muni Exhibit 198, in 2016 DOT gave Mr. Hodgdon references for several historical layouts and maps as well as DOT plans for the central proposed burial route meaning DOT plans which covered portions of that route. With them came the caveat, and I quote, "As with all the plans I will be sending you, I want to caution you with the right-of-way lines existing and
proposed shown on those plans. Confirming all the accurate right-of-way lines shown would take extensive research and time not all lines shown are accurate."

So were you aware of this communication to Mr. Hodgdon by DOT?

A (Johnson) I was not.

Q How did your surveyors confirm the accuracy of DOT plans specifically in the vicinity of the two-rod layout near the Profile School on Route 18?

A (Johnson) Again, I do not know the specifics of that. We hired the surveyors to do their work, and they have produced this drawing which I'm relying on because they've stamped it.

Q So you have no idea if they went through the effort of confirming the accuracy of DOT plans as DOT cautioned them to do?

A (Johnson) I have no idea.

Q So are you aware that Mr. Hodgdon sent 26 emails to DOT between 2012 and 2016 and received 115 documents from them including references to historical layouts, DOT plans and layout maps?

A (Johnson) I am not aware of that.
Q  And do you know whether any of these documents made it into your surveyor's plan survey?
A  (Johnson) I would assume they did as he is part of the team that is discussing the survey rights, but, again, I cannot confirm or deny.
Q  Given that none of the documents submitted for Easton contain anything other than private property surveys, it would be reasonable to assume they did not make it in.
A  (Johnson) Again, I don't know.
Q  So on Tuesday it was brought to our attention, at least mine, for the first time Meridian and BL's survey and their three-level survey technique. That's Applicant's Exhibit 62271 and 2. So is this a standard road survey method?
A  (Johnson) I'm not sure I follow your question.
Q  Is this three level survey method, is that standard, is that used?
A  (Johnson) Again, I'm not an expert in the survey field, but I would ascertain that if they can't specifically verify that they would tend to classify the, for lack of better words, the assertiveness or the validity, if you will, of their comfort with the survey lines that they've
So can you provide an example of another place where this survey method was used?

Again, I'm not a survey person normally. This is not under my type of watch.

Would you say that the right-of-way research by Meridian, Arago and BL included, as required by DOT, quote, "all pertinent research"?

I would assume that they did the research that was required to lay out the drawings as they've done.

They were required to look at all pertinent research. Do you feel that they did that?

Again, they're the professionals so I'm going to rely on the fact that they've done the research that they deem required to stamp the actual drawings that they've given to us.

Given what I've showed you and spoken about in terms of documentation regarding road width that didn't make it into their survey, can you reasonably conclude that all pertinent research was in that document?

I can't confirm or deny. So the answer is I don't know.
Q  So on Monday someone in the panel stated, I think, 200 private survey markers were used in your survey. Is that correct?

A  (Johnson) I don't recall that, but, again, it's a matter of record. We could find it.

So given that your surveyor could not find any historical evidence for right-of-way width in Easton and Franconia, and given that some sections of the road have unknown layouts or layouts of unstated width, do you have any evidence that the surveyors placing these private property markers at the road boundary knew the road layout width?

A  (Johnson) I'm sorry. Could you ask that question again?

Q  Given that your surveyor could not find any historical evidence for right-of-way widths in Easton and Franconia, and given that some sections of the road have unknown layouts or layouts of unstated width, do you have any evidence that the surveyors placing these private property markers at the road boundary knew the road layout width?

A  (Johnson) Okay. There was some confusion.
That's why I asked you to repeat the question.

I believe that our surveyors did not place any markers anywhere along the route. They were simply looking for the historical existing markers. I believe they found several properties within Franconia and Easton that are clearly defined as what the right-of-way boundary is, and that's shown on the maps where they detailed that they found iron pins that matched the records or deeds that have been filed at the towns or wherever the research place was.

For those that are unknown or uncertain if you will, and I know there are several lengths of the alignment that are uncertain, I believe they've chosen to use a historical four-rod right-of-way or they've chosen to use the prescriptive rights of the road width that they've measured. But, again, that's the extent of my knowledge of how this was prepared.

Q So you're talking about the historical four-rod layout. Are you assuming that that went through Franconia and Easton at four rods throughout?

A (Johnson) No. That's not what I was
ascertaining. I believe that there's enough evidence in Franconia to delineate a line, whatever the right-of-way width is. I know that in parts of Easton and south towards Woodstock that there was a four-rod layout. I believe you've mentioned it earlier in one of your lines. I don't know how it's been incorporated into the drawings themselves.

Q So a few survey markers confirming what?
A (Johnson) I believe there's more than a few, but I believe that the iron pins and/or drawings that they found matched the deeds of land owners as they are today which establishes the right-of-way width if you have them on both sides of the road.

Q How could a private property survey establish a right-of-way width on the road unless the surveyor happened to know that right-of-way width when they were doing the survey?
A (Johnson) So our surveyors are finding physical evidence of the established property boundaries, if you will, of the private landowners. When those property boundaries are along the roadway, it establishes the edge of that boundary.
Q Why would it establish the edge of the boundary given that the surveyor probably did not know the width of the right-of-way?

A (Johnson) If you establish a boundary on one side of the road and establish a boundary on another side of the road, by default what's left is the road.

Q I would submit that a private surveyor has to place two of the private survey markers on the road boundary when a property is on the road. By default, he has to place them somewhere. If that surveyor does not know the width of the right-of-way, is it not reasonable he would place that survey marker at a distance where it could be easily found without being a problem to traffic?

A (Johnson) Again, our surveyors didn't place any markers. Just to be clear. We were finding markers that other surveyors had put closer. Again, I'm not a surveyor so I can't dispute or refute your ascertation.

Q Are you aware that a private property survey is not connected to the width of the right-of-way unless that surveyor happened to know the
A (Johnson) I guess I'm confused because I would assume that a private property owner who staked their boundary or had a licensed surveyor stake their boundary would be staking their boundary at the edges of the road. So a road that's laid out in 1790 or 180-whatever wouldn't necessarily be the same 200 years later.

Q How could a private surveyor mark a road boundary without knowing the width of the road right-of-way?

A (Johnson) I don't know that the road boundary has anything to do with it. The surveyor is going to mark the boundaries of the deed of that plot of land, and that whatever that deed says is where he's going to put the corner boundaries.

Q And if the deed simply says the road is the boundary as is common on many properties, he will have to place the marker somewhere?

A (Johnson) So I believe in this case our surveyors chose not to use that as a boundary line. They chose to use that as an indeterminate. And when they find iron pits or
other physical evidence that they could use as an edge of boundary that they've chosen to use that as the certification.

Q So you're saying the only iron pins referenced were ones from land surveys where the boundary was defined in such a way that it ended at a certain distance from the road?

A (Johnson) That's correct. If you look at our drawings, you'll see that they match exactly with the plan drawings that are the deed records. So, for example, farther south where the Forest Service has taken a 500-foot width, clearly there are no iron pins because that 500 foot width is in the middle of the forest, but they've taken a road width to be 500 feet wide prescriptively, they just determined that, and that's what the plans now say.

Q So several months ago in response to a Northern Pass discovery request, Central Abutters Group submitted historical documentation on the right-of-way widths in Franconia and Easton. Was this information incorporated into your survey?

A (Johnson) I do not know.
Q A week ago or maybe more, I submitted 53 pages of historical and on-the-ground documentation of right-of-way width in Bethlehem, Sugar Hill, Franconia, Easton and Woodstock. That's Exhibit APOBP 16. Since it appears that the surveying is an iterative process, do you anticipate incorporating this information into your survey?

A (Johnson) I believe the surveyors are finished with their work, and they have certified their work so if they have not already incorporated the information that you've provided, I don't think they will be theirs going forward.

Q Do you expect the survey to satisfy the data request from the Central Abutters Group for proof of right-of-way width?

A (Johnson) We do.

Q Even though the majority of the survey shows an uncertain right-of-way width?

A (Johnson) I believe that the survey is showing what our surveyors have certified is the right-of-way width. Again, whether it's from a plan, whether it's from historical documentation or whether it's from the prescriptive rights of the roads.
Q What about the majority of the survey where the line is uncertain?

A (Johnson) Again, I believe they've chosen to use the prescriptive rights of the roads.

Q Has the Meridian survey data been submitted to DOT?

A (Johnson) I believe so. Yes. Very recently.

Q And have they accepted the survey?

A (Johnson) I do not know the answer to that.

Q That's it. Thank you.

PRESIDING OFFICER HONIGBERG: Ms. Fillmore?

MS. FILLMORE: I just need one minute to set up my visual aid.

CROSS-EXAMINATION

BY MS. FILLMORE:

Q On the screen right now is Joint Muni 200 which was uploaded to the ShareFile site just recently. It is a compilation of documents from several other exhibits so there are other exhibit markings as we go through here, but they are all gathered together in one document which I will get the Committee as quickly as possible.

MR. IACOPINO: Is this one on the ShareFile?
MS. FILLMORE: Yes. About 35 minutes ago. And we will have printed copies available.

BY MS. FILLMORE:

Q So on the screen right now is a Sample Specification for Horizontal Directional Drilling Contractors, and I'm not sure to whom I should direct this question. I think it might be Mr. Bowes.

A (Bowes) Or Mr. Kayser. I think there's actually a similar document attached to his Prefiled.

Q Well, you guys can decide who would like to speak to it. So I assume that both of you are familiar with this document, is that correct?

A (Bowes) Generally familiar, yes. Mr. Kayser may be more specifically familiar.

A (Kayser) I'm generally familiar. Mr. Scott may be more familiar with it.

Q Can you tell me what it's used for, please?

A (Scott) Essentially, this document is an example of the specification that would be provided at each HDD location to an HDD contractor, this document being prepared by Brierly Associates for those specific locations.

Q And when contractors are being selected, are
they required to meet all of the qualifications that are listed in this document?

A (Scott) I would assume so, yes.

Q Is one of those qualifications a clean record, free of any safety or environmental violations?

A (Scott) I don't know what a clean record free of those things requirements is for the Project, but it would be required to meet the Project requirements.

Q Section 1.04 of this document, Quality Assurance. 1.04 B, there we go. Company Qualifications. That's what I was looking for. So that list does not include anything about safety or environmental records, does it?

A (Scott) I believe this is a technical specification.

Q So it doesn't.

A (Scott) I don't believe that's listed for the technical specification portion though.

Q Is that listed in any list of qualifications that are required?

A (Scott) When it's put out, it would be, yes.

A (Bowes) So along with the technical specification, there would be commercial terms
and conditions, there would be safety and environmental conditions, and in the case if Eversource had a work practice or work method, that would also be included, and it would be required to follow that.

Q Thank you. Section 1.04 L talks about daily reports that will be required, and I'd like to draw your attention to number 1 which says "drill fluid daily required data." Can you explain to me what that is?

A (Scott) I believe it's, not being a specific expert on how this is logged in the field, I believe the intent of this is to define how much fluid would be used during the drilling process for that day.

Q And does anyone on the Panel know approximately how much drill fluid would be used on average during a day?

A (Scott) Not off the top of my head. It's a volumetric calculation based upon the bore size and the length to be drilled per day.

A (Bowes) Typically 3 to 5 percent would be lost during the drill phase so if you were drilling a certain number of feet with a certain diameter...
of bore, it would be a calculated quantity.

Q You said 3 to 5 percent would be lost?
A (Bowes) Correct. That lines the hole itself.

Q So the list of the drill fluid daily data would include the amount that was lost?
A (Bowes) The amount used for the amount of length that was bored that day. Yes.

Q Okay. Can you turn to page 7? Section 1.06. Section J.

Under the heading of Special Requirements, one of the specifications, Section J, says "Contractor shall stop all drilling operations and shall notify engineer at the earliest opportunity and no longer than 1 hour after first observation of a drill fluid release at the ground surface or into a wetland or waterway outside of the designated entry/exit pit laydown areas."

Do you see that?
A (Kayser) Yes.

Q Why can they wait up to an hour before reporting it?
A (Kayser) The contractor, if they have any release, they're going to need to start working
on that to minimize that release so it's once they start that work, then they will start their contact, but it's -- you expect immediately, but they do have some time to get that contact out there.

A (Scott) I'd also like to add that there's a specific inadvertent release plan in your testimony.

A (Kayser) Correct. Attached to my Prefiled Testimony, Attachment A, there is a Monitoring and Operations Plan that goes through the different things the contractor will do for the conditions of normal drilling, loss of circulation, or a drilling fluid release. And also, one of the conditions of DES approval is that we have an approved monitoring and operations plan prior to construction.

Q Section 2.01 C 7, on the screen now, requires that the "Drill fluid system shall have connections between the pump and the drill pipe that are relatively leak-free."

What exactly is relatively leak-free?

A (Scott) I believe that's essentially saying that it should operate similar to any plumbed system
where leaking is not intended to occur. However, there are occasionally leaks. As it's noted, it would be fixed.

Q Why wouldn't the specifications simply say leak-free?

A (Scott) I believe that any plumbing system has the potential to leak.

Q All right. I'm looking now at 3.01 Section H 1 which is on the screen. And it talks about the Drill Fluid Management and Contingency Release Plan which needs to include, among other things, that someone notify the Engineer of circulation losses greater than 25 percent of downhole pump volumes and for all observable drill fluid releases.

And so that refers to the slurry that goes into the hole and isn't recovered later, is that right?

A (Scott) That's referring to the drilling mud itself, not necessarily the "not recovered" part but the entire volume of it.

Q I'm sorry. I'm not sure I understood your answer.

A (Scott) So if in the drilling process, as
Mr. Bowes has stated, you would expect not have three percent or so return. So this would be if 25 percent did not return.

Q So does that mean that if 24 percent were lost, it wouldn't need to be reported?

A (Scott) I believe this is based upon typically if you're drilling along and then you go through, say, a rod of drilling, and you're not getting as much returns as typical, and then you continue drilling and the returns start going back, then you haven't encountered a major issue. Yes. But once you're getting past that 25 percent number, then there's an issue that should be addressed.

Q So I think if I understand your answer, a significant amount of drill fluid could be lost in a day and wouldn't need to be reported as a special incident of any kind?

A (Scott) I believe it's, it may find a location that's not in the drill hole itself, a void space, if you will, to fill. And if as you're drilling along, as long as it's not continuing to flow out of the drilling hole and returns continue, then you're all right. If that does...
not continue to occur, then it should be addressed. And if you see any above grade example of an inadvertent release, then it should be addressed.

Q How long would you wait to find out if it were simply filling a void?

A (Kayser) And I think Attachment A, the Monitoring & Operations Plan, that is Condition 2 which is Loss of Circulation and the actions that are bulletized on the first page are "Slow down drilling and adjust drill operation to regain circulation, perform focused visual monitoring." So that's why the contractor would be looking to see, are there any inadvertent returns that are coming to the surface and then, "Restart or continue drilling if no release is detected but continue to visually observe the drill" so to seek to regain the circulation so they're going to be monitoring that to make sure there are no inadvertent releases.

Q Thank you. I'd like to switch gears a little bit and ask some questions about the height of the towers, and I think this again may be Mr. Bowes, but I'm not sure.
A (Bowes) Yes. Okay.

Q In your Supplemental Testimony from April, your Track 2 testimony, you listed 18 areas in which the company considered reducing the height of the towers. Is that correct?

A (Bowes) We certainly, many locations. I'm not sure it was 18, but I can check that.

Q I'll represent to you that it was 18.

A (Bowes) I accept that.

Q Do you know if any of those locations were in Bethlehem?

A (Bowes) So this is covered on pages 5, 6, actually goes all the way through to page 11 of my testimony. It does indicate the town where we considered changes in each location, and I do not see Bethlehem among the ones where we considered avoidance, minimization or mitigation.

I do see it on page 5 where we have considered visual buffer plantings as suggested by the expert for the Council for the Public, and in that section, lines 20 through 26, there are, looks like two locations in Bethlehem.

Q Okay. I'd like to talk a little bit about the
overhead towers. The overhead portion through Bethlehem. On the screen now is a portion of the Revised Overhead Plans submitted in February of 2016, and these Sheets show the existing and proposed transmission towers in this location. Can you tell me how wide the right-of-way is in this area?

A (Bowes) Just a moment.

Q I'll represent to you that it's 265 feet.

A (Bowes) Yes.

Q And so can you go back to the map? There are three different sheets that I have here that show the overhead, most of the overhead route through Bethlehem, and the purple dots on the blue line are the existing transmission line. Is that correct?

A (Bowes) Yes.

Q And the purple solid line on the other side is the existing distribution line?

A (Bowes) Yes.

Q And then the orange line would with the red dots in the middle is the proposed tower locations, correct?

A (Bowes) For the new DC line, yes.
Okay. And so the proposed one goes in between the other two. And the heights as indicated on the specification sheets that are part of, also here, let's see, the next page. Three pages. So there are three pages with specifications about the heights of the towers and instead of going through all of it I'd like to save time and represent to you that the heights of the towers are between 60 and 105 feet as proposed in that area. Average of about 84, 85.

A (Bowes) I will accept that. Yes.

Q As you can see on at the detail sheet, the current height of the transmission towers is 55 feet.

A (Bowes) I would say that's a typical height. We went through it earlier this morning, and many of them are shorter than that.

Q So would it be fair to say that the proposed tower heights in this area would be approximately 30 feet higher on average than what's there right now?

A (Bowes) Yes.

Q Okay. Would it be possible to accomplish the same thing with more towers and a lower height?
A (Bowes) I think I'm going to defer to Mr. Bradstreet on design.

A (Bradstreet) So I guess to answer your question, additional structures could reduce structure height for the proposed line. However, at some point there's a limitation, I guess, on how short you can go.

Q Has that been looked at in this area?

A (Bradstreet) Adding structures?

Q Yes.

A (Bradstreet) I don't believe we've specifically looked at adding structures in this area. We've done some analysis to determine, I guess, how short could the structures be, assuming there was no environmental limitation or whatever as far as putting structures extremely close together. About the shortest the DC line could be is 60 feet and maintain all the electrical clearance requirements.

Q So if it could be as short as 60 feet, would it be possible to have the line be 60 feet in this area?

A (Bradstreet) I believe if we put structures very near each other then yes.
Q Would there need to be more than there are now for the existing line?
A (Bradstreet) No.

Q Given that so much of the concern about this Project relates to the imposition of new taller invasive structures, is there a reason that that design was not given consideration in this area?
A (Bradstreet) Other impacts would drive us to think that's, I guess, not the right solution for the Project. Environmental impacts, specifically.

Q Do you know that or are you guessing?
A (Bradstreet) Looking at the maps that you had up, we would have significantly more wetlands impacts, yes. We know that for a fact.

Q Thank you. Okay. I'd like to shift gears and talk a little bit about municipal permits and ordinances for a few minutes. And, again, anyone who feels comfortable answering, please go ahead.

Are you aware that the Town of Bristol has a noise ordinance?
A (Bowes) I'm aware that many of the towns in New Hampshire have noise ordinances. Some have
regulations and then some have specific
regulations. I do believe Bristol has one, yes.
I think it's just an ordinance though. Not a
regulation.

Q Is there a difference between an ordinance and a
regulation?

A (Bowes) Yes. So in ordinance is for nuisance
noise, and it allows the police or other legal
authority to stop nuisances from occurring. A
regulation, at least in my mind, is when you
have a specific sound pressure level that's
dictated with, say, hours of 7 a.m. to 7 p.m.,
something like that. And then there's more
detailed regulations that get into specific
types of noises.

Q Okay. We can use your definition.

Then this indeed would be an ordinance
that's up on the screen now, and this comes from
Joint Muni Exhibit 118, although it is part of
200 as well. And we can just look at a few
sections here. Section III(A)(3)(a). There we
go. One of the things that is prohibited by
this ordinance is, I'm looking at Section 3(a)
now the screen. "Making loud or unreasonable
noises in a public place or in a private place
which can be heard in a public place," et
cetera, et cetera. And then Item (b),
"Disrupting the orderly conduct of business in
any public or private facility."

Do you see that?

A (Bowes) Yes, I do.

Q And then go down to Section V. No, regular 5.
Item C. There is a list of exemptions in this
ordinance and one of them here is in Section C;
do you see that?

A (Bowes) I do.

Q So that would be "Noises resulting from
emergency maintenance work as performed by the
Town, State or public utility companies, to
include snow removal operations."

Is that correct?

A (Bowes) That's what it says, yes.

Q Would this Project fit under emergency or
maintenance work?

A (Bowes) I don't believe it would, no.

Q And then there is another at the bottom of that
page and continuing on to the next page, another
exemption for "Any other noise resulting from
activities of a temporary duration permitted by law or for which a license or permit has been granted by the Town."

Did you or anyone else contact the town to see about obtaining a permit?

A (Bowes) So I know we've had some discussions about municipal permits over the last few days, and this would be an area we would try to do under an MOU agreement, and then have that MOU agreement as part of the overall SEC process.

If we couldn't reach agreement with a municipality, then we would look to the SEC for jurisdiction for things like construction noise, even though it's not clear to me that that may actually be exempted from this ordinance.

Q Let me take your answer in a couple of different places. So it's not clear that it wouldn't be exempted?

A (Bowes) I think it is exempted. Construction noise.

Q Assume for the moment that it's not.

A (Bowes) Okay.

Q So instead of getting a permit from the town, this town or any town, the company's approach is
to try to reach agreements with the towns about
the parts of the ordinances that are not
convenient?

A (Bowes) No.

Q Even if the company were to reach an agreement
with a town about such an ordinance, and I'll
represent that there are several towns along the
route that do have noise ordinances, some of
them have what you would refer to as
regulations, even if an agreement were reached,
what would happen if you encountered a
circumstance in which that limit or that
agreement was going to cause an inconvenience
for the Project?

A (Bowes) Maybe you could be more specific?

Q If there were an agreement about construction
hours, and it turned out that the work needed to
be done for the next two weeks at 6 o'clock in
the morning instead of after 7 or after 8, but
you had agreed with the town that it would be
six. Sorry. You had agreed with the town it
would be 7 or 8, but you need to start earlier.

A (Bowes) So we'd try to define those conditions
as part of the MOU process. I mean, it's
possible there could be an exception to that. We would go back to the town and seek their concurrence that that change could occur. I'm thinking, as an example, we mentioned in Concord previously, where there would be some wire stringing operations, the DOT would probably require us to do that say at two a.m. in the morning to cross I-393. That would be an exception to the work hours, but we'd try to define those up front.

In certain towns, we may want to move large oversized loads in periods of time that would be outside that 7 a.m. to 7 p.m. construction work hours. We'd try to define those up front, but there could be a circumstance where it did come up because of whatever reason. We would go back to the town and say we believe it's more convenient for you as well as us to do this at five a.m. before the start of commuter traffic, and if we didn't have that then we would stick with the original plan of 7 a.m.

Q You would. So if the Committee were to make a condition of approval of this Project that the Applicant would have to comply with all of those
agreements that were reached with the towns, the company would do that?

A (Bowes) Yes, we would.

Q On a slightly different but not unrelated note, I'd like to talk a little bit about permit conditions from DOT. And what's on the screen now is the permit letter of April 3rd, 2017, from DOT. This is also Applicant's Exhibit 107, Page 5. Can you go to condition number 10?

At the top of the screen now is condition number 10 which says, "The NHDOT permits concern only the type and manner of work to be performed within the NHDOT right-of-way. The Department cannot and does not grant permission to enter upon or use any privately owned land."

Do you see that?

A (Bowes) Yes, I do.

Q Okay. Do you know whether any of the access roads, staging or laydown areas will be located outside of DOT's right-of-way?

A (Bowes) Yes. I believe there was some we looked at yesterday.

Q And reading condition number 10, does it make sense that NHDOT says specifically here that its
permits concern only the type and manner of work to be performed within DOT's right-of-way?

A (Bowes) Yes.

Q But some of the work will be done outside of DOT's right-of-way?

A (Bowes) So the first question is yes, it does make sense that they would only talk about access for the Project for the New Hampshire DOT because that's the regulating agency. If we have private property lines or own the property, then we could also use those access roads. Those are the ones we talked about yesterday.

A (Johnson) If I may clarify, I believe that the Department is providing a permit which is the occupancy and use permit and the excavation permit specific to their right-of-way. I believe that this number 10 is intended to say that they do not have the ability to grant us permission to work in either a trenching, a trenchless or a splice vault location on private property or any of the work zone areas associated with that type of work. Laydown areas and things as I believe you're referring to would be agreements that the Project has made
with private land owners and/or municipalities to store material and/or stage equipment in other places, and the DOT, I believe, in this is basically saying that they're not giving a permit for that particular use of land or material.

Q So if any of the access roads, staging or laydown areas involved a municipally controlled road or municipal property, the company would seek an agreement or permission from the municipality before doing that?

A (Bowes) So this is access off of a municipal road. We covered that in some detail yesterday. And the Project would look to the SEC for that approval if we could not come to agreement with the town through an MOU.

Q But, according to condition number 10, DOT says that it doesn't have jurisdiction. Its permit does not apply to anything other than NHDOT's right-of-way.

A (Bowes) That is correct. That's why I said the SEC.

Q And can you point me to a law that gives the SEC jurisdiction over municipal roads?
MR. NEEDLEMAN: Objection. I think that calls for a legal conclusion.

MS. FILLMORE: Withdrawn.

BY MS. FILLMORE:

Q I think this may have come up before so I'll make this short. Are you aware that towns and cities have authority under RSA 231:191 to impose weight limits on municipal roads to prevent unreasonable damage or excessive municipal maintenance expense?

A (Bowes) Yes. We covered this again in detail yesterday. And we agree that we will follow the Class V and Class VI requirements for towns and schedule our construction activities around those limitations.

Q Did you discuss that the statute gives municipalities the option to require a bond to ensure restoration?

A (Bowes) I'm not sure if we discussed that specifically, but one of the examples I think Mr. Johnson used was around using a bond.

Q All right. I'd like to talk a little bit about construction impacts, and in particular, the way that they might impact the town of Plymouth. On
the screen right now, this is from Counsel for
the Public's Exhibit 133, and it is Map 48 which
is a map of Plymouth, and it shows the proposed
route in orange, orange dotted lines that go
through. Do you see that?
A (Bowes) Yes.
Q Thank you. Do you see where the fire station is
on this map?
A (Bowes) Yes.
Q Do you know whether Plymouth has a professional
or a Volunteer Fire Department?
A (Bowes) I guess I'm only pausing because I
consider Volunteer Fire Departments professional
as well. They may not be paid, but I just have
a different definition, I guess. So you're
saying they are compensated and full-time or if
they're voluntary, I don't know.
Q I was really referring more to where they might
be when the fire alarm goes off. I'll represent
to you that a Volunteer Fire Department tends to
use firefighters who are not hanging around at
the Fire Department all day.
A (Bowes) So again, I wouldn't agree with the
all day.

Q  I apologize to anyone in your family who might be a firefighter.

        Could you agree with me that it's possible that when an emergency occurs, firefighters might need to come from somewhere else to the fire station?

A  (Bowes) Yes. Typically volunteers have another job or another employment, and they travel to the fire station, pick up the necessary equipment and respond to the emergency.

Q  In fewer words, that's exactly what I just asked.

        So if there were road closures or lane closures on Route 3 which is all along the proposed route on this map, and firefighters needed to come from different places to get to the fire station on Route 3 in Plymouth at the orange dot, if they needed to get there and some of those intersections were blocked off, would that possibly delay a firefighter's getting to the fire station?

A  (Bowes) Lynn's going to handle that.

Q  Okay.
A (Farrington) Yes.

Q And then to get the engines back out to the site where the emergency is, if the emergency were at, say, Plymouth State University which on this map is above the orange line where it says Holderness Road. It's in that area. If there were a road closure or a large lane closure or a significant delay on Route 3 in that area and a fire truck needed to get across the river to the other side, might that create a delay in response time?

A (Farrington) Yes, it may, other than the example we used for the traffic signals and flaggers. They generally give emergency vehicles with their lights on the right-of-way.

Q If they needed to use a detour -- in this case have you looked at what the detours might be?

A (Farrington) Yes.

Q And where did you find that would be the most reasonable place to get from one side of the river to the other?

A (Farrington) So I believe that's in our Application, specifically WBR 3, the TCP section.
Q And would that involve -- assuming you that you could not go from Route 3 over Bridge Street.
A (Farrington) We have no intentions of closing access from Route 3 to Bridge Street. It's Route 3 southbound on this map that there may be a detour. Going north on Route 3 to Bridge Street you have access.
Q So this is south on Route 3. Can you point out where on this map on your screen the detour would be if there were a lane closure?
A (Farrington) It was actually right at the roundabout where you were. So because construction at the roundabout, it will just close a few of the turning movements that you could normally make, not the entire roadway. The northbound lane will always be open. You just can't go northbound to west at the time of the construction, directly at the roundabout.
Q Thank you.
A (Farrington) Sure.
Q All right. On the screen right now is an excerpt from Counsel for the Public's Exhibit 148 which is the Supplemental Testimony of Kavet and Rockler from April 17th, 2017, and on the
screen now is the answer to the question of "What will be the economic impact to businesses in Plymouth." Is anyone on the panel familiar with this section of testimony?

A (Johnson) I am not.

A (Bowes) No, I am not either.

Q All right. Well, as we can see, this paragraph goes through the "best case construction period of about 70 days, which would include road closures and a total loss of parking spaces, a 30 percent reduction in business during this period could lead to direct income reductions of $1.2 million and the loss of more than 50 direct jobs." Do you see that?

A (Bowes) I do. I don't know the underlying data that supports that.

Q Understood. Does the company have any plan to avoid the impacts described in this paragraph?

A (Bowes) So specifically for Plymouth, yes. Although it's probably too late to go back to this, we had proposed three alternative routes to the downtown area. Worked and developed one to a point where we had intended to list it as an alternative but were told by the City of
Plymouth they were no longer interested in that.

But aside from that, we have hired a company that did a project recently for downtown Concord where they did some construction, I think it's Louis Karno, who will be working with local businesses in several towns that are agreeable to minimize the business impact, and we have talked about nighttime construction hours or extended construction hours that would minimize what -- I'll accept the 70 days although not necessarily agree with it -- but for purposes of this that could dramatically reduce the time in that downtown area.

We've also talked about some things the Project could do and we've started that outreach with the businesses along not just this part but the entire route for a discussion about how the Project could accommodate them both for always having access to their facility, but things like minimizing the parking that would be temporarily lost.

And we've actually talked about and I think in the Technical Sessions about guiding our workers and our Project resources towards some
of those local businesses by providing them an
incentive to eat at local establishments, to
shop at local businesses. So those are some of
the things that we would try to do to minimize
the impact to businesses.

If we were not able to, we've also talked
about, Mr. Quinlan talked about a claims process
which not only includes residential issues with
property damage or impacts but also loss of
business, and we've been pretty up front with
saying if businesses have data they should start
collecting it now pre-project so that it makes
that process much easier to process a claim in
the future.

Q Are you aware that the key employee with Louis
Karno is no longer employed by that company?
A (Bowes) I was not. No.

PRESIDING OFFICER HONIGBERG: Off the
record.

(Discussion off the record)

BY MS. FILLMORE:
Q All right. Back to Plymouth again, downtown,
and then can you go to the next one? One more?

Okay. This is the roundabout area. I'd
like to look a little bit more closely at the projections that Counsel for the Public's expert made for what construction in downtown Plymouth would actually look like. And in here, you can see the roundabout.

And go to the next one.

This is an actual view. So where is the parking on this road?

Q Yes.

A (Bowes) Presently?

Q Right.

A (Bowes) It's on both sides of the road.

Q Can you go to the next one?

A (Bowes) Presently?

Q Yes.

A (Bowes) It's on both sides of the road.

Q Right.

A (Bowes) Presently?

Q Yes.

A (Bowes) It's on both sides of the road.

Q Right.

A (Bowes) Presently?

Q Yes.

A (Bowes) It's on both sides of the road.

Q Right.

A (Bowes) Presently?

Q Yes.

A (Bowes) It's on both sides of the road.

Q Right.

A (Bowes) Presently?

Q Yes.

A (Bowes) It's on both sides of the road.

Q Right.

A (Bowes) Presently?

Q Yes.

A (Bowes) It's on both sides of the road.

Q Right.
the trench here is slightly closer to the centerline than it actually is, and we believe that under further refinement of the actual construction that we could maintain a single parking lane where those cars are today on the, to the left of the photograph as well as a travel lane next to the construction zone.

Q And is that a commitment that the company is making? To maintain one lane of parking?

A (Bowes) That was our plan, yes.

Q To commit to it?

A (Bowes) No, that was the original plan that we filed is to maintain both the travel lane here as well as a parking lane.

Q Has DOT approved that?

A (Johnson) That's part of the process we're going through right now.

Q So if I understand your response, the company is committed to asking for it but not doing it.

A (Bowes) Part of the plan that we're filing. If it's approved that would be the plan we follow.

Q I see. This picture is an aerial view a little bit farther down Route 3. Can you back up a little bit?
MR. IACOPINO: Ms. Fillmore, all of the pictures that you're referring to, just for ease, are in your Exhibit 200, correct?

MS. FILLMORE: Yes. They are. I was only providing the other numbers in case somebody wanted to look at more of the document.

BY MS. FILLMORE:

Q Can anyone tell me where the bus station or the bus stop is here?

A (Johnson) I'm not familiar with it, no.

Q Okay. I'll represent to you that on the right side of the screen where there is a crosswalk is where the Concord Coach bus stops presently. The ticket office is across the street on the other side of that crosswalk. And has that been factored into the plans for construction in downtown Plymouth?

A (Farrington) It has not. I'm not sure that other than creating a provision where the bus ticketing counter and stop needs to be accessible and available at all times there's anything particular that we would do in addition to that.

Q Has anyone approached Concord Coach and asked
them about this?

A (Bowes) I think only by letter at this point. We can certainly check the records to see if we have had interaction with them. We can do that at the break.

Q If that wasn't part of the planning and a letter went out and for some reason wasn't received, then would any further attempt be made?

A (Bowes) Yes.

Q Thank you. I was not here on other days but it's my understanding that someone brought up a parking lot in the vicinity of Main Street where alternate parking might occur?

A (Johnson) Yes. I believe that was me, and it was off of Green Street or behind all these buildings.

Q And how far away from the businesses on Main Street is that parking lot?

A (Johnson) Several hundred feet.

Q And are you aware of how often that parking lot is used?

A (Johnson) I believe daily.

Q Has anyone looked to see if there are, in fact, any extra spaces that are not being used on a
regular basis in that parking lot?

A (Johnson) I don't believe we've done that analysis, no. When I was there, there were extra spots, but --

Q I'm going to assume that this is another photo that you believe is inaccurate, but going back to your assertion from a little bit earlier, if half of the parking on this street were lost during the construction process, are you confident that there is enough alternate parking in Plymouth that's accessible that could be used?

A (Johnson) As I mentioned earlier, we haven't done that analysis.

Q Is this hearing the first time that difficulty, that might be experienced by businesses in downtown Plymouth has come up?

A (Farrington) No. I think part of the assumption rather than saying we'll just keep all of the parking open all the time, what we were looking to do was come up with kind of creative ways that we could work around the business peak hours and peak seasons in a way that we could time construction in front of a business when it
would have the least impact.

Q What if different businesses located next door to one another had different peak seasons? Some of them would be out of luck; is that right?

A (Farrington) We would certainly be happy to work with everyone to try to find the best possible solution.

MS. FILLMORE: I think this might be a great time to take a break.

PRESIDING OFFICER HONIGBERG: Then that's what we'll do. We'll try to come back at close to 20 minutes after 1 as we can.

(Lunch recess taken at 12:30 p.m. and concludes the Day 9 Morning Session. The hearing continues under separate cover in the transcript noted as Day 9 Afternoon Session ONLY.)
CERTIFICATE

I, Cynthia Foster, Registered Professional Reporter and Licensed Court Reporter, duly authorized to practice Shorthand Court Reporting in the State of New Hampshire, hereby certify that the foregoing pages are a true and accurate transcription of my stenographic notes of the hearing for use in the matter indicated on the title sheet, as to which a transcript was duly ordered;

I further certify that I am neither attorney nor counsel for, nor related to or employed by any of the parties to the action in which this transcript was produced, 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.

Dated at West Lebanon, New Hampshire, this 10th day of May, 2017.

___________________________
Cynthia Foster, LCR