STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

June 2, 2017 - 9:02 a.m.    DAY 12
49 Donovan Street    Morning Session ONLY
Concord, New Hampshire

{Electronically filed with SEC on 06-12-17}

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

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:

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

Dir. Craig Wright, Desigee    Dept. of Environ. Serv.
Christopher Way, Desigee    Dept. of Resources &
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

(No Appearances Taken)

COURT REPORTER: Steven E. Patnaude, LCR No. 052
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**WITNESS PANEL:**

KENNETH BOWES  
LYNN FARRINGTON  
SAMUEL JOHNSON  
JOHN KAYSER  

(resumed)

Cross-examination by Mr. Cote  
Cross-examination by Mr. Berglund  
Cross-examination by Ms. Schibanoff

**QUESTIONS BY SEC COUNSEL/SUBCOMMITTEE BY:**

Mr. Iacopino  
Mr. Way  
Ms. Whitaker  
Ms. Weathersby

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CHAIRMAN HONIGBERG: All right. So, the order of business this morning, see if I get this right, the Deerfield abutters are going to question the remaining members of the panel. Ms. Schibanoff has requested, and the Applicant does not object, to spending a few minutes asking the panel about a couple of small issues. The Committee members are going to question the members of the panel who are here. And then the Applicant will have an opportunity to redirect.

Did I miss anything to finish this panel?

[No verbal response.]

CHAIRMAN HONIGBERG: All right. I see shaking heads, that's a good sign. All right, Deerfield abutters, I don't know who's going to start, but you may proceed.

(Continuation of the witness panel including Kenneth Bowes, Lynn Farrington, Samuel Johnson, and John Kayser.)
MR. COTE: My name is Bob Cote. I'm with the Deerfield Abutters Group. And, Dawn, could I ask you to put the Apple TV on.

[Short pause.]

MR. COTE: Okay. I would like to --

most of my questions are --

WITNESS KAYSER: Our screens aren't up yet.

MR. COTE: Okay.

[Short pause.]

MR. COTE: Do you see the image up there?

WITNESS FARRINGTON: Yes.

MR. COTE: Okay. Most of my questions are relating to an area in Deerfield that I'm pretty familiar with. But I just wanted to show a couple of slides first to give you an overview.

CROSS-EXAMINATION (resumed)

BY MR. COTE:

Q. So, this is Applicant Exhibit 2, Attachment 2, Sheet 178. And this is in Deerfield. And right about in the center of the image right now is our home. And we have just a small
piece of property where the Project actually crosses our land that is in the center image right now. And you can see a large yellow hashed area, which is a wetland. And I'm going to switch to Deerfield Abutter 34, Page 2. And this is the wetland that I mentioned in the previous slide. And that gate that you see is right about on our property boundary, looking down into the wetland. And this view is looking east. And I am -- this picture actually was taken from Mr. Berglund's hayfield. The drop from that gate, down to the wetland, is about 40 feet over a distance of maybe 130 feet or so. So, that's the overview.

And I'm going to switch to Applicant Exhibit 03, and it's a wetland map, S1. And I'm going to look at the -- not the satellite view, but the plan view of that. So, if you could see on this drawing that there's an area of vegetation removal? Looks like it's maybe about 30 feet of removal. And I just wanted to confirm, will that actually -- will there actually be trees beyond the right-of-way that will be cut in this area or does that...
vegetation removal just indicate overhanging trees?

A. (Bowes) So, it looks like there are -- there's clearly no tree removals beyond the right-of-way. And it looks like most of it is side-trimming. There may be one or two trees, based on where the crown is on our visual here, that might come down. But they're trees that are already on the right-of-way. But very minor tree-clearing, I would say.

Q. Okay. How is the actual boundary of the right-of-way determined?

A. (Bowes) So, we'll have a survey done, and then we'll stake it. And we'll actually mark the trees that would be removed.

Q. And are there reference points existing out there to -- how, I mean, how -- I guess what I'm asking is, how will be a surveyor determine where they measure from to determine where the actual boundaries are?

A. (Bowes) So, they will use the easement documents. And, then, if there are markers, they will obviously go off markers. If there are no markers, then they will find a portion
of the right-of-way where there are markers and then go from there. Use that as the -- as a triangulation point.

Q. Okay. And, if there's a dispute, how would that be resolved?

A. (Bowes) So, as part of the pre-construction process, we will be out knocking on doors. And, if you have a particular concern, we can obviously come out and mark the right-of-way right now and work through that process. But, about six weeks before we start construction, we'll go out and do the marking, and have conversations with the abutters. And, hopefully, disputes can be resolved at that point.

And, if not, you know, obviously, you have the opportunity to ask right now. And you've heard many of the people asked us questions, we've already been out to their homes and done markings.

Q. Okay. Thank you. Going back to this topography, it's a little hard to see, but that lower elevation line near the wetland is about 400 feet, and that would be at the upper right
of the construction pad. And the lower left of
the construction pad, the elevation is about
440 feet. Do you see that?
A. (Bowes) Yes.
Q. So, if that construction pad is at the
elevation of the wetland, then that would mean
at the opposite corner there would be about a
40-foot cut. Could you clarify what might
actually be happening in this area?
A. (Kayser) We don't have the specifics of this
area. But the contractor could also build up
in that area where the -- where you see the
matting of the wetlands, they can stack mats to
provide a level site for that. So, they could
also do it that way, put -- stack mats, level
that off with the land above that for a level
construction pad.
Q. So, do you know what elevation the base of that
tower will be at right now or when it's
constructed?
A. (Kayser) We do have that information. I do not
have that specifically.
A. (Bowes) We do, yes. It's 413 feet.
A. (Kayser) Okay.
Q. Okay. So, it's reasonable to assume that the pad would be at 413 feet?

A. (Bowes) Exactly, yes. And I would think, again, in this case, we permitted a very large area. We obviously have to get onto the pad with the access road. And I'm thinking we probably wouldn't necessarily use all of the area where the wetland is, nor would we cut 40 feet out of -- 30 feet out of the side. They would probably arrange their work to minimize both of those things. Both corners of that pad probably will not be used, other than, you know, the top right for access. They're going to look at this situation and say "why would we cut all this dirt out, take all the time and cost to do that." They will try to reposition the vehicles to do that work for the new four sets or the four foundations, without having to cut, without having to fill. We just are permitting a much larger space to make sure they do have some options if they run into difficulties out there.

Q. It's reasonable to assume there will be some leveling in that area for the pad, or you're
saying it's going to be a lot smaller than -- likely be a lot smaller than is indicated on this?

A. (Bowes) I think it will be definitely smaller than indicated on this. And I think there will be less cut on the bottom left and less fill in the wetland. I think they will be able to work this from, you know, basically where the G146-23 is, inward on that slope. You know, they may have 10 feet of fill and 10 feet of cut, rather than, you know, 20 and 20.

Q. Okay. Thank you. Do you know what kind of foundations will be used there? Will it involve concrete?

A. (Bowes) Yes. It definitely will involve concrete, for the --

A. (Kayser) Right.

A. (Bowes) -- for the Northern Pass line. And the G146-23 probably will just be a drilled hole, just drilling, and then set the pole directly in the ground.

Q. Okay. So, from that, I don't know if you can see the gate there, but I did want to ask a question that's been brought up a little bit
before. From that gate, down to that elevation
of 413, is still quite a drop. It's probably
about 20 feet vertically. Would you actually
get -- it's probably more than a 20 percent
grade there. It's difficult to walk up right
now even. Can you really get a concrete truck
down in there?

A. (Bowes) Yes. It would have to be built up to
do that. So, there's going to be some
temporary fill added there.

Obviously, if we come in from that
direction, which seems logical in this case.

Q. All right. Thank you. So, I'd like to switch
back to Deerfield Abutter Exhibit 34. So, do
you see this photo?

A. (Kayser) Yes.

A. (Bowes) Yes.

Q. Your wetland maps indicate timber or timber
mats out to that first -- that pole that's in
the middle of the wetland area. And I think
you've indicated that you may not use this
route. You may come from the other direction.

Is that correct?

A. (Bowes) That's a potential opportunity, yes.
Or, you know, if we don't get a heavy freeze, you know, we would attempt to use an ice road, but that may not be practical here.

Q. Well, that's what I was going to ask you about. Because I walked across that on January 1st, actually, this year, and it was still a little iffy just for foot traffic. It was quite slushy. And I wasn't sure the ice was even completely frozen. And this photograph was taken April 11th, which is just a little late in the winter, and you can see there's open water in part of that area.

So, if you encounter these kind of conditions, what would be the -- and, from one direction or another, you'll need to put mats down in that general area, correct?

A. (Bowes) That is correct.

Q. So, if the water is -- if you came from the opposite direction, and the water is 6 feet deep, you would put multiple layers of matting in there?

A. (Bowes) That is correct.

Q. That water, since it's a deeper part of that wetland, do you know what you would practically
do to determine if there were turtles
over-wintering in that area?
A. (Bowes) I do not. The environmental panel
probably would have a better answer for that.
Q. Okay. Sticking with that photo, and you may
want to look back at a project map. It's my
understanding that that existing pole that's
right there, that existing 115 kV line, is
going to be relocated. And I would guess it's
going to go about 30 feet to the left, which is
north, and then about 70 feet towards the east,
which is away from where this photo was taken.
Is that approximately correct?
A. (Bowes) Yes. It's about approximately right,
yes.
Q. So, do you see the beaver lodge?
A. (Bowes) Yes.
Q. What would happen to that?
A. (Bowes) So, we would work with our
environmental personnel and the DES. If it had
to be removed or relocating, we would do that.
Otherwise, we'd attempt to work around it. So,
there may be an opportunity to, you know, slide
that structure a few feet around this beaver
house.

Q. So, your construction pad would typically be about 90 feet by 90 feet. So, I think that would involve more than a few feet of relocation?

A. (Bowes) I would agree with that. Right now, the permitted pad is much larger, and certainly covers that whole beaver house. But I think we can probably work from one side or the other, again, depending on the conditions out there, and work around this.

Q. When would that decision be made about reconfiguring the work in that area, if it were determined to be necessary?

A. (Bowes) So, probably right during that construction phase. Because, again, the first attempt would be to try to use an ice road. That's probably a low probability. So, we would have to build an access road out, unless the conditions were ideal. In that case, we would have to determine which side we were going to come from. And, then, ultimately, how we would reposition around this beaver home, or remove the beaver.
Q. So, if that construction were done in the winter, would that be an appropriate time to relocate beavers?

A. (Bowes) It's probably a better question for the environmental panel. I understand your issue. I think it's probably not the right time to relocate beavers.

Q. Thank you. Do you know what the height of that existing tower is there? It's, I think, G146-22.

A. (Bowes) Yes. Hold on just a second. Sixty-five (65) feet.

Q. And, when it's relocated, it will be?

A. (Bowes) Ninety-seven (97) feet.

Q. So, almost -- did you say 65 to 97?

A. (Bowes) Yes.

Q. So, it will be 32 feet taller?

A. (Bowes) Yes.

Q. I assume that's typical of most of the relocated line. It's going to be significantly taller than the existing 115 kV lines?

A. (Bowes) So, I would say this location is somewhat unique, just because of the span length. But, in general, the structures are
taller for the relocated than the existing.

Q. Okay. Will that relocated structure have a concrete foundation?

A. (Bowes) Highly unlikely. So, I would say it would be a direct embedment. So, we wouldn't have to build a foundation for the one in the water.

Q. So, how deep would you need to drill for direct embedment?

A. (Kayser) Probably, I would say, 12 to 15 feet. Until we get the actual soil borings, it will give the exact location. But, typically, it's 10 percent of the pole height, plus two to four feet.

Q. Isn't the soil in a wetland likely to not really be structurally very stable?

A. (Kayser) Yes. Exactly. They will have to determine, you know, how deep they would need to go with that one. And there's a possibility it could go deeper.

Q. So, would they -- what if they hit ledge?

A. (Kayser) Then, that's ideal. Then, we have a good solid base for the pole.

Q. So, you'd drill into the ledge?
A. (Kayser) Yes, we may, depending on where they hit the ledge.

Q. Okay. I'd like to switch back to Applicant's Exhibit 02, Project Maps, Sheet 178. And I'm looking at G146-24, and the adjacent Northern Pass towers. Do you see what I'm looking at?

A. (Kayser) Yes.

Q. And, if you go to the key, for G146-24, it shows a cross section S1-20, which indicates that the Northern Pass line in that vicinity is a lattice structure. And, if you look at one of the Northern Pass lines, that's 297 and 298, and they both indicate "S1-20T" as the cross section, which shows the Northern Pass tower as a monopole. So, which configuration is the correct?

A. (Johnson) So, you are correct. That is incorrectly labeled on the diagram. It is correct for the DC line, but incorrect for the AC line, the relocated 115. So, it should be "S1-20T".

Q. So, how do we, you know, avoid a alternate opinion? At some point in the future, are these plans going to be corrected?
A. (Johnson) Yes, they will. So, the set that's about to come out in a week or so, those -- it will be updated in that set.

Q. Are you aware that that same discrepancy exists for -- on this map, for G146-25 through G146-33, where they are all indicate "lattice structures", and then the corresponding towers on the Northern Pass indicate "monopoles"?

A. (Johnson) Yes. It looks to me like, when we updated the 345 line, that we forgot to update the relocated 115 line. So, we will make the adjustment, and then check all of these to make sure that they're correct.

Q. Okay. I would like to take a quick look at -- this is Applicant's Exhibit 06, Supplemental Testimony of Mr. Quinlan. And it's Page 49 of 59. But I just wanted to point out that the last two sentences reference "best management practices prior to and during construction". Would you agree that that is appropriate practice?

A. (Bowes) Yes.

Q. So, going back to Deerfield Abutter 34 exhibit. So, what we've got here on the screen is the
gate leading down to our property. This photo was taken March 1st of this year, during a conductor replacement maintenance project or upgrade. And you can see the ruts from the vehicle traffic. And, if you look in the opposite direction, down towards the wetland, you can see that the vehicles went actually maybe 30 feet beyond where the transmission line is actually located and into the wetland. And I think this work actually was probably the end of February, as you can see the wetland is not even frozen at this point. So, would you say that appropriate best management practices were in place?

A. (Bowes) I will assume that this was done by Eversource contractors, so for the sake of the discussion today. I'm not going to dispute that. So, in this case, no, I would say it's not a best management practice. There should have been some matting provided, as well as some marking of the wetland area. And that does not appear to be followed in this picture.

Q. Okay. I'm going to switch back to Applicant Exhibit 02, Attachment 2. And what I wanted to
note is the conservation easements along this segment of the right-of-way, you see -- I'm not sure what these designations are, but you see 9707, the Levesque [sic] lot; and 9711, the conservation easement; 9710, conservation easement. And, then, continuing onto the next sheet, there's 9712, a large Menard easement; then 9714 easement, conservation easement; another adjacent conservation easement; and then, in the center here, is a Menard property, with a pond. And going back to just the view of that wetland. So, most of the land in this vicinity is conservation land.

And this isn't really an exhibit, but the definition of "conserve", and "protecting something of environmental or cultural importance from harm or destruction". So, would you say that it's reasonable to assume that, in this segment of the Project, that there are a lot of property owners who have an interest, a significant interest, since their land is in conservation easement, to protect their properties from development?

A. (Bowes) I can agree with that, yes. It's very
common for transmission rights-of-way, you know, after the easement has been granted, to place those lands into a conservation easement.

Q. So, would it be a logical assumption that mitigating impacts from the Project in this area would be maybe a higher objective than other areas of the Project?

A. (Bowes) For this particular picture, definitely yes. I mean, we're inside, you know, a wetland area. So, I would definitely agree with that.

Q. Okay. So, starting at this structure here, and continuing from there to the Deerfield Substation, it's my understanding that most of the Northern Pass structures will be lattice structures, is that accurate?

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

Q. So, do you think the visual impact of a lattice structure is greater or less than a monopole?

A. (Bowes) So, I know some people believe that a monopole is more aesthetically pleasing. As an engineer, I'm probably not the correct person to ask, and I think I've stated that before. I don't really have an opinion one way or the other for the aesthetics of a transmission
structure, whether it's a monopole or a lattice structure.

Q. This is a transcript from Day 1 of Mr. Quinlan's testimony: "We have some areas committed to use monopoles, that's a more slender, lower structure, lower visual impact type of construction. It's kind of a streamline single pole, as opposed to kind of an erector set."

So, I guess I'm coming back to this area of the Project, and wondering why, you know, from the top of Eversource, that the opinion that the monopole is "lower visual impact", why didn't -- why isn't the design decision made with, you know, consideration of the properties in this area?

A. (Bowes) So, I believe Mr. Quinlan shared his opinion of monopoles being more aesthetically pleasing. Is this a request you're making of us? It's not clear.

Q. Well, my question was regarding the design criteria, and why an effort was not made to minimize the visual impact in this area?

A. (Bowes) So, obviously, you'll have the
opportunity to ask our aesthetic or visual
expert these type of questions. We try to
balance both the required foundations, the
amount of construction activities along the
right-of-way, and it is definitely a balance
between, you know, a larger single foundation
for a monopole and four smaller foundations for
a lattice structure. That's part of what goes
into the decision. And, in this case, we had
chosen lattice structures for this base design.

Q. Okay. I've got up here Applicant's Exhibit 16,
Prefiled Testimony of DeWan and Kimball. And
"we consider mitigation an action to avoid,
minimize, or eliminate adverse visual impacts".
So, I guess, did they consult with you on
minimizing the impact in this area?

A. (Bowes) They did with Mr. Bradstreet. And I
know they didn't feel that this particular area
warranted monopole structures. Again, a
question better posed to them than to me.

Q. Okay. So, back to this wetland. That this
relocated 115 kV pole is going to be a monopole
structure 97 feet in height, with a direct
drilled foundation?
A. (Bowes) A direct buried, but, yes. Probably drilling would be used, yes.

Q. And then what will be the height of the Northern Pass structure in that area?

A. (Bowes) One hundred twenty (120) feet.

Q. So, it's 20 feet taller. And, so, it's essentially a similar structure to the relocated 115 kV line. It's 97 versus 120. And, in one instance, you're using a monopole, but adjacent to it you're using a lattice structure. It's difficult -- could you explain why that design decision makes sense?

A. (Bowes) So, all of the 115 structures on the Project, not just in this area, but along the entire route, are monopoles. And it's really a function of the requirements for the structural integrity and the connection to the foundation. In this case, we can use direct embedment, in most cases, for the 115 line. We don't have that option for too much of the 345 or the 320 kV DC line.

Q. But I guess I'm not understanding your explanation why two poles in essentially similar locations, why one would be the lattice
and the other would be a monopole? So, it's the justification for the 20-foot taller Northern Pass structure in that area not being a monopole?

A. (Bowes) So, I guess I'm getting confused now. Is it the height of the structure or the type of the structure?

Q. The type.

A. (Bowes) Okay. So, the type is set as we just described, around the basis design was a lattice structure, and that based upon the foundations that were necessary, the access roads supporting that, and the ease of construction within the right-of-way, types of vehicles, all of that.

For the 115 lines, they are all the same type of structure for the entire Project. In this case, there's an existing delta configuration. There will either be a delta or a monopole structure for all of the 115 structures. That's the common design we have used for the entire Project.

We do have two different designs for the 345 AC and the 320 DC. Some are monopoles and
some are lattice structures. Our visual expert and, obviously, Mr. Quinlan have expressed an interest that monopoles provide less visual impact. It sounds like you share that opinion. And I'm still not clear if you're asking us to change the lattice structures to monopoles in this location?

Q. Well, I think that would have been a good design decision from the start. And I still am having trouble understanding why the constructability in that area of Northern Pass requires a lattice structure, but a very similar 115 kV structure next to it doesn't require a lattice?

A. (Bowes) So, if you're asking why we chose different types of structures? The 115, again, because of the size of the conductors, because of the amount of loading, the stresses on that, we can use a structure without a foundation. It's just the physical nature of the equipment, the separation of the phases, and the loading of that structure. So, we can do a structure without a foundation. We do not have that option for the 345 kV
AC or the 320 kV DC. Those structures, in most case, you know, with the exception of the H-frames on the Project, will require a foundation for structural integrity.

MR. IACOPINO: Mr. Bowes, I'm going to interrupt you for just a minute, because I have a question about this that I would have asked later, but I think it's probably more efficient if you do it right now.

BY MR. IACOPINO:

Q. Is there -- you had mentioned the other day as well that a decision is made for each structure along the route. Is there a database or something that actually has the reasons why a particular type of structure was chosen for each place? Or do you guys just know that from looking at the plans and looking at the terrain and things like that?

In other words, is there a database that says "the reasons why we're using lattice in these areas is", "reasons why we're using a monopole is"?

A. (Bowes) So, there's a base database for the entire Project that lists the type of structure
in the original design that Mr. Bradstreet did. Every design variation from that, so every time we've made a change to a lattice to monopole is documented with a reason.

But the base design for the Project was all the 115 structures would be monopoles, all the 345 and 320 kV DC structures would be lattice. So, in effect, the base design was that, but every variation from that he has recorded and documented the reason why we either moved the pole, changed the height of the pole or changed the type of structure.

So, yes, there is a database. And I think he's up to more than a thousand design changes, based upon comments from our visual experts or comments from customers, or for environmental reasons, too, to move a foundation that's either in a sensitive area or wetland area.

Q. And I assume that database has not been made part of the record? In other words, it hasn't been submitted as an exhibit?

A. (Bowes) I don't believe it has.

MR. IACOPINO: Thank you.
Q. Okay. So, you said the constructability was the basis for the decision there. I guess just a general question for the rest of this, what's visible here and beyond, you know, in the area where there's a lot of conservation property, and perhaps all the way to the Deerfield Substation, because it crosses a scenic road, why the decision to relocate the 115 kV line with significantly higher poles, closer to the heights of the Northern Pass proposed line, if those were all monopoles, and the Northern Pass going the rest of the distance from here to the substation was all lattice structures. And, so, it doesn't make sense to me, as an engineer, why one new construction line would be monopoles, and the other you would choose lattice structures. Could you comment on that design decision?

A. (Bowes) I think I've shared with you the rationale why we chose lattice as the base design. Less environmental impact, easier to construct, smaller roads would be needed, the crane sizes would be different, the vehicle sizes would be different to access the
right-of-way. That was the base design decision. And, then, from that, where people have requested changes, we have considered that. And, as I just mentioned, we have over a thousand design changes on the overhead portion of the right-of-way.

Q. Well, I hear your argument about the constructability. But you're going to need those roads and the equipment for the relocated 115 kV line that's monopole?

A. (Bowes) But much smaller equipment. And those are, again, direct embedment. There's no foundations required for the 115 line.

Q. So, are you saying that a structure that's 100 feet tall is significantly different to erect than one that's 120 feet?

A. (Bowes) So, the size of the equipment needed, the size of the structures are very different between 115 kV and 345 kV.

Q. Okay. Just a couple of other minor questions. At the Deerfield Substation, I don't know if you're the right person to answer this, but the SVC transformer will contain approximately 27,000 gallons of -- not sure what the correct
term is, dielectric fluid or cooling oil. Do you know what is the containment structure that typically would retain that volume of fluid in the event of a major leak?

A. (Bowes) So, beneath the transformer, in the foundation and design of it, we provide a secondary containment measure, which is 110 percent of the volume of the -- in this case, mineral oil or dielectric fluid.

Q. Of concrete, basically?

A. (Bowes) Yes, or a lined earthen pit, depending on what the final design is. But there will be a liner in there that would contain 110 percent of the volume of the contents above.

Q. And is that exposed to the -- is that outside or is that under cover?

A. (Bowes) It's underground.

Q. So, precipitation, rain falling in the general vicinity won't get into the enclosure, is that what you're saying, or the containment area?

A. (Bowes) No, it will. And, at the base of the containment, secondary containment, there are oil/water separators that act to allow the water to flow through, but close as oil is
Q. Okay. So, it would have an overflow structure for water/precipitation levels build-up?

A. (Bowes) Well, it allows the water to pass through the membrane at certain locations and enter the ground. But, when oil hits that device, it closes.

Q. Okay. And will the substation expansion be at capacity when the Northern, you know, when Northern Pass is present, or will it -- will the extended design allow for other inputs to the substation?

A. (Bowes) So, there's no other design or projects planned at this point. I don't think we're going to use the entire -- I think we're taking about 8.4 acres for the expansion of Deerfield Substation. I think we're using about half of that in the new portion. So, there would be room to add other devices or other equipment. We have nothing planned at this point.

Q. Okay. Thank you. And my last question, coming back to this, and regarding construction sequencing, and the timber -- the temporary access roads. So, it's my understanding that
the Project sequencing will be to build the new
115 kV line, then transfer the wires over,
dismantle the existing 115 line, and put in the
Northern Pass line. Is that correct?

A. (Kayser) Yes.

Q. What --

A. (Kayser) Yes. That is correct.

Q. What kind of time frame do you think it would
take to complete all of those stages of work in
a wetland area like this?

A. (Kayser) Yes. I would say 30 to 60 days total
construction time in that area. But that would
be spread out over time, as they -- because the
contractor would do the entire 115 kV line in
this area. So, they would work here, and then
continue on, come back, demo out the old line,
and then similar with the 345 kV. But the
actual time they're in that area would probably
be 30 to 60 days.

Q. Okay. So, I want to confirm, this is not
something that could span several seasons, from
start to finish?

A. (Kayser) It would depend on the sequence of the
115 kV, when they move that, and then come back
and do the construction. But it could be two seasons, two construction seasons.

Q. So, would the temporary wetland matting and any potential disruption to the wetland be in place over extended period of time?

A. (Kayser) It would be in place in accordance with our permits. And I don't know the exact days that we can leave wetland matting in in the permit, I haven't looked through all that yet with the stipulations. But they would be -- they would be left in accordance with our permits.

Q. So, is it possible, for example, that you could put in the access roads to do the 115 kV relocation part of the Project, and then leave them there, and come back six months later or a year later and do the Northern Pass segment of the Project?

A. (Kayser) Yes. That is possible.

MR. COTE: Okay. Thank you. That is the end of my questions.

CHAIRMAN HONIGBERG: Mr. Berglund.

MR. BERGLUND: Good morning to members of the Site Evaluation Committee. Good
morning, members of the panel. I'm Erick Berglund, Deerfield, NH.

BY MR. BERGLUND:

Q. I live on Nottingham Road. And you can see some of the lands that surround where we live. You're looking at here is a familiar, I think we just had it up before. This is a hayfield, with the -- showing the right-of-way, --

MR. IACOPINO: Mr. Berglund, perhaps Mr. Pappas can turn that other monitor around, so that you can see it a little bit better when you speak.

MR. PAPPAS: Yes.

MR. BERGLUND: Thank you.

MR. PAPPAS: You're welcome.

MR. BERGLUND: Thank you.

BY MR. BERGLUND:

Q. The right-of-way is actually two right-of-ways, two 100-foot right-of-ways cross this 10-acre hayfield. And this is about a few hundred feet from our home. The one in the north, which is the upper one, was established in 1926. The one in the south is the one that we understand Northern Pass will be attached to, Northern
Pass is attached to the southern 100-foot conservation -- excuse me, easement, utility easement. Is that agreed?

A. (Bowes) Yes. Yes, that's correct.

Q. Thank you. The Northern Pass towers then and poles will be built on the southern 100-foot right-of-way, is that correct?

A. (Bowes) Yes, that's correct.

Q. Would you agree that Northern Pass has no right to access the northern 100-foot right-of-way for any of the Northern Pass construction?

A. (Bowes) Sounds like that's a legal question, and I don't know the answer to it.

Q. Well, I'm going to see if we can get to the bottom of this. There is a handout that Jo Anne is going to bring forth. It's actually two handouts. This is the deed for this easement, 1926 July. And there are two copies. One is the original deed from the Rockingham County Registrar. And you'll see it's a little difficult to read. So, I have transcribed it. I won't say I'm a perfect transcriber, but I think it looks pretty close, if not right on, for the key points to be made here.
MR. BERGLUND: So, the transcribed one is "DA 90". The original one, the copy, is "DA 91".

BY MR. BERGLUND:

Q. As soon as everybody has this before them, I'd like to bring your attention to the transcribed one, which is DA 90. And I believe there -- in my view, the operative paragraphs here are one, three, and four. And I would ask, Mr. Johnson, your area of responsibility, one of them is permitting?

A. (Johnson) In general, yes.

Q. Okay. So, I'd like to ask you to read these paragraphs, one, three, and four.

CHAIRMAN HONIGBERG: He's not reading them out loud. That's not happening. If you want him to read it, he can read it to himself, and then you can ask questions about it.

MR. BERGLUND: Yesterday, we did have people reading.

CHAIRMAN HONIGBERG: We're not reading three paragraphs out of this deed out
loud into the record. They're in the record. You can refer to them and ask questions about them, just give him a few minutes to read it.

MR. BERGLUND: Okay.

BY MR. BERGLUND:

Q. Please read one, three, and four.

CHAIRMAN HONIGBERG: And let us know when you're done, Mr. Johnson.

WITNESS JOHNSON: Okay. I've read it.

MR. BERGLUND: All right.

BY MR. BERGLUND:

Q. Do you agree that the easement language of the northern right-of-way does not grant the right to access this land for construction of Northern Pass Transmission?

MR. NEEDLEMAN: Objection. This calls for a legal conclusion.

CHAIRMAN HONIGBERG: Mr. Berglund, what's your response to that?

MR. BERGLUND: We have a deed. It's pretty clear, to me, that we're talking about the second easement that's not involved with Northern Pass. There's nothing in this deed,
which was July 1926, it didn't reference any future lines, it didn't talk about operating outside of the easement. The rights of Public Service at that time were strictly for work in that easement for that one line that's in the middle of the easement.

CHAIRMAN HONIGBERG: That's an excellent legal argument. That is really a fine legal argument. And you have just proven that you've asked for a legal conclusion from Mr. Johnson.

If you want to ask him if he has some understanding of what rights, if any, they have regarding that second easement, you're free to ask him that. But, if you ask him for a legal conclusion, you're not going to get one.

MR. BERGLUND: Okay. Well, then, I'll take your guidance here.

BY MR. BERGLUND:

Q. Mr. Johnson, what do you understand the rights of the Northern Pass Transmission construction activity are on this easement?

A. (Johnson) So, I can just tell you that I have been given no limitations on the use of either
 easement, either the north 100 feet or the
southern 100 feet, for use to construct
Northern Pass. So, I would say that my
legal -- there have been no legal limitations,
if you will.

Q. So, if I understand you correctly, you're
saying that the 200 feet, the sum of the two
right-of-ways, is accessible and usable by
Northern Pass construction?

CHAIRMAN HONIGBERG: To be more
precise, he's saying that's what his
understanding is.

BY THE WITNESS:

A. (Johnson) That is correct. That is my
understanding.

BY MR. BERGLUND:

Q. Was that from your Legal Department?

A. (Johnson) Yes, because I have been given no
restrictions on where I can place equipment or
access roads, etcetera.

Q. Okay. I guess we know where we stand at this
point in time.

A. (Johnson) To clarify, the "line" versus "lines"
issue we're well aware of. So, if you'll
notice the design of the relocated 115 and the
new 345 kV line through this area is fully
contained within the southern section.

Q. Yes. I have noticed that.
A. (Johnson) Right. And, so, --
Q. And -- I'm sorry.
A. (Johnson) I'm sorry. That was the limitation
that was prescribed upon the design and
permitting of this Project, not the access
roads or anything else of that nature.

Q. Okay. Let's move on to hear about a major
wetland accident. Are you aware that the
wetland adjacent to our hayfield, and that's --

MR. BERGLUND: You can put back the
hayfield one momentarily, and then we'll move
to the other one.

BY MR. BERGLUND:
Q. In the Northern Pass right-of-way, this wetland
is a high quality wetland, according to
Normandeau Associates, as stated in the report:
"Wetlands, rivers, streams, and vernal pools
resource report and impact analysis Northern
Pass Transmission Projects." Are you aware of
that?
A. (Bowes) Generally, yes. And I think it's actually a PSNH easement. That's the only thing I could maybe offer.

Q. Okay. Do you know that the principal function of this wetland identified as "DF 31" is to support wildlife habitat?

A. (Bowes) I will accept that. Again, it's probably a better question for our environmental panel. But I'll accept that.

Q. Okay. Are you aware that this wetland is classified under the New Hampshire Fish & Game Wildlife Action Plan as being in the category of "highest ranked wildlife habitat" in New Hampshire?

A. (Bowes) I didn't know that, but I'll accept that.

Q. Are you aware that there was a major accident in the wetland -- in this wetland during the Public Service New Hampshire G146 rebuild project in 2003?

A. (Bowes) Yes, I am.

Q. Thank you. David Plante was the leader there.

MR. BERGLUND: And, if you put up the next slope, yes.
BY MR. BERGLUND:

Q. So, in this instance, what you're looking at is the day after this accident. And the accident occurred to the left off the photo. It was in the wetland, where an 80-foot, I may be a little bit high on that, but something in the vicinity, transmission pole was pulled down in the wetland. So, are you aware of that?

A. (Bowes) Generally aware of it, yes. I know there was an issue at this location.

Q. Are you aware there were multiple immediate attempts to retrieve the downed pole? Bulldozers were driven into and across the wetland, causing damage to this sensitive environment?

A. (Bowes) I know that vehicles were. I did not know bulldozers were.

MR. BERGLUND: So, would you put up the next photo.

BY MR. BERGLUND:

Q. This will show you -- this is looking down from the hayfield, to the wetland. And a bulldozer/track vehicle drove around, was going down to where the pole was down. This was the
next day now. So, it probably looks, well, approximately the same.

There were also other vehicles going straight to this downed pole. It was a panic attack, in my view. There's another photo here that can show you a close-up.

So, would you agree that bulldozers and track vehicles caused some damage here?

A. (Bowes) Again, I believe vehicles were driven in. I do not know if a bulldozer was.

Q. Do you agree these actions and behaviors violated best management practices for responding and resolving this accident?

A. (Bowes) Yes, I do.

Q. What are the key takeaways that you believe PSNH learned to prevent major accidents like this, and to respond without creating collateral damage, if they do occur?

A. (Bowes) What are the key actions?

Q. What are the key takeaways? In other words, the learning experience here, you could call it that?

A. (Bowes) So, in this case, there was some actions taken with the contractor. Those
remain in place today. That was probably the most severe action taken. Also, we looked to stay within the permit conditions that we have, as well as have implemented best management practices and training for our contractors.

Q. What about for the -- I mean, obviously, there was something wrong in the pole being pulled down, this was when they were pulling the wire through from the substation?

A. (Bowes) Well, obviously, the contractor was not qualified to perform the work they were trying to do. And they were removed from the Eversource property.

Q. But what about preventive actions? Or, I mean, on the part of Public Service? Just pick the right contractor? Or, it's probably more than that, right?

A. (Bowes) So, I said that we, you know, we implemented best management practices and training for our contractors to follow.

Q. Okay. So, here's the question, Mr. Bowes. Will you commit that Eversource will have the necessary safeguards in place for Northern Pass Transmission to ensure that zero major
accidents will occur on this Project?

A. (Bowes) We will certainly set the expectations with our contractors and subcontractors. We will provide the necessary management oversight. And we'll provide training to all of the workers. And hold subcontractors and contractors accountable for their actions. I think that's the most I can do. I can't guarantee there will be zero incidents on this Project. We have had projects of this size and magnitude where we've gone with an exceptional safety and environmental record. But in every case we have not been perfect. I think I've said that before.

Although we strive for perfection, we realize humans are human. And we want to have the right management systems in place and the right corrective actions in place to minimize any impacts, whether it's to the environment or to worker or public safety.

Q. Thank you.

MR. BERGLUND: Okay. And go back to the hayfield please.

BY MR. BERGLUND:
Q. Probably getting sick of the hayfield by now. Turning to the hayfield, are you aware that its principal purpose is to provide habitat for wildlife, particularly ground-nesting birds and species that require open-space fields?
A. (Bowes) I was not, in this case.
Q. You're not aware?
A. (Bowes) That that was the primary purpose? I'm not aware of that, no.
Q. Do you agree there will be significant construction activity in the hayfield requiring heavy trucks, cement trucks, cranes, and bulldozers, to list a few?
A. (Bowes) Yes.
Q. Are you aware that the right-of-way through the hayfield will also see significant heavy construction vehicle traffic, traveling across and down to the wetland, to build the lattice towers planned to be installed in the wetland below the hayfield?
A. (Bowes) That is one route, yes.
Q. What's the approximate weight of a loaded cement truck with this application here?
A. (Bowes) Fifty (50) to 60 tons, probably.
Q. Okay. Can you tell me how many cement trucks are necessary to build a single lattice tower base or whatever, however it's used?

A. (Kayser) A lot of it will depend on the size of the foundations there, but --

Q. Well, these are all laid out, you know, the lattice towers, --

A. (Kayser) Right. But, as we've stated previously, you've got to do the geotech borings to determine exactly what the depth of the foundations are.

Q. Okay.

A. (Kayser) If it's a --

Q. Can you give me a range?

A. (Kayser) It's probably two to three trucks, typically, for the foundations.

Q. Okay.

A. (Kayser) I'd have to go through some calculations to get the exact number.

Q. Is that all at the same time or is there space in between to allow things to set up and --

A. (Kayser) They would probably pour all of the four foundations at the same time, so they could go from one to the other. But, you know,
they may not be able to finish all of them. But, once they start a foundation, they will continue to pour in that same day.

Q. Okay. What's the approximate weight of a crane used to erect lattice towers?
A. (Bowes) Probably 20 to 30 tons, or less.

Q. Thank you. This heavy equipment traversing the hayfield and descending to the wetland will cause severe compaction of the soil. Agree?
A. (Bowes) Yes.

Q. Even if mats are used for the vehicles to travel on, you agree there is still soil compaction?
A. (Bowes) Yes. There will be some.

Q. Thus, long after the construction ends, the hayfield will suffer the environmental impact of construction, correct?
A. (Bowes) I'm not sure that that's an accurate statement. We'll do restoration as we remove the matting or remove the access roads. So, our intention is to leave it in the same condition as we found it.

Q. Are you aware that soil that is compacted does not repair itself, and that it requires
specialized mechanical means to de-compact it?

A. (Bowes) Yes.

Q. Would that be a step that Northern Pass would take?

A. (Bowes) Yes.

Q. To de-compact?

A. [No verbal response.]

Q. Are you aware that the hayfield will be unavailable to the owners and to the public, this land is not posted, for their personal use and enjoyment for the duration of the Northern Pass construction and beyond?

A. (Bowes) Certainly, during the construction. Maybe you could be more specific about "beyond construction"?

Q. Well, I think I meant -- what I meant there was the repair effort that goes on, if you include that as part of the construction activity, then that would be what I mean.

A. (Bowes) I would agree with that, yes.

Q. What's the duration of time that this hayfield will be out of service? I realize, from previous discussion, that events will be happening in a certain sequence.
Q. But start to finish? Excuse me.

A. So, the construction activities in the hayfield for those structures would be probably a little less than in the wetland. But, because this is potentially the access over to the wetland area, that would have to be added to the total duration of time. So, take the time that we talked about during the wetland of 30 to 60 days, and I would say add another 30 to 60 days for the work within the field.

Q. But didn't we also hear that there's probably two seasons that this work would be done in. And, so, are you saying that between those two seasons things are half done, pull all the matting out and everything else and then put it back in? Or just is it totally set up for construction from one season, through the end of the second season, which would be probably a year and a half?

A. So, it could be two seasons, as you just described, for 18 months.

Q. Okay.

A. It will depend upon the permit
Q. Okay. Thank you. Now, I have a question for Mr. Johnson, if I may. I'm referring now to this exhibit. This is Application Exhibit 11, Page 11, of Direct Testimony of Samuel Johnson. And, in there, Mr. Johnson, you said -- you stated that "Each landowner is assigned a unique parcel identification number, which allows the team to specifically track issues", and so on.

Are these already assigned? And, if so, do I have a number?

A. (Johnson) You do. I believe your associate there was naming off numbers earlier.

Q. Oh, in the parcels?

A. (Johnson) Within the parcels.

Q. Is that what those are?

A. (Johnson) So, that's what we've --

Q. ID numbers.

A. (Johnson) Those are ID numbers, yes.

Q. Okay.

A. (Johnson) We call them "line list numbers".

Q. Pardon me?
A. (Johnson) "Line list numbers".

Q. Line list numbers.

MR. BERGLUND: I don't have any more to go up there.

BY MR. BERGLUND:

Q. This is my last set of questions here. It has to do with design. Everybody familiar with Yogi Berra? He's a friend -- he's not a friend.

[Laughter.]

BY MR. BERGLUND:

Q. I don't like the Yankees, but I like him. I like what he says, the way he says things. One of his quotes is "It's never over until it's over." So, I have taken that and adapted it a little bit to what we're trying to do here. And I think the final design is never final until it's final. I think that that paraphrase is what he would say.

So, what's the definition of a "final design", the "final design" for this Project?

A. (Kayser) Yes. I would say the "final design" would be the "Issued for Construction" documents that are provided to the contractors
when they start construction.

Q. Okay. So, at the time, if I hear you right, understand it, the final design is given to the contractor?

A. (Kayser) Correct.

Q. Okay.

A. (Kayser) As we go through the design process, we complete the design, and then the contractor builds the final design.

Q. So, is that final design given to the Site Evaluation Committee for consideration and review and evaluation?

A. (Johnson) So, the actual documents themselves will be provided. The design of the structures are basically 100 percent complete, as far as the location and everything. The only thing that hasn't been fully determined is the foundation. So, the type of structure, the location of the structure, the height of the structures won't change in this final refinement, if you will, of the "Issued for Construction" drawings.

Q. And that's -- that would go to the Site Evaluation Committee. And then there might be
some adjustments through that process, if this is approved, and that goes to the contractor --

A. (Johnson) No. So, we're asking the Site Evaluation Committee to evaluate the design that's been put in front of them. That last set of "Issued for Construction" drawings is produced most likely six weeks prior to construction commencing.

Q. Now, the contractor has some wiggle-room in here, right?

A. (Johnson) No. Let me rephrase that. They do not from the type of structure, location of structure, etcetera. The wiggle-room they do have is working within the bounds of the permits. So, if they want to make a crane pad smaller, or, if they want to adjust an access road that does not affect any wetlands or any other historical or archeological or rare and threatened/endangered species, etcetera, there is some latitude for them to do that.

But, for the most part, you know, once the permit is set, and whatever conditions are part of that permit, they must adhere to that.

Q. Well, I heard yesterday, and I don't remember
who made the statement, --

A. (Johnson) Yes.

Q. -- we were talking about alternative ways to get into -- and I think it was actually this wetland that we've been discussing, because there's a long four or five hundred foot access road to that crane pad or the tower that will be -- the second tower in the wetland. And, that there's an entrance possibility from the east side, probably from Nottingham Road, which would be better from an environmental standpoint.

   And, so, I think I heard that that would be up to the contractor or there could be a commitment made or statement of assurance made by your team that it's going to be from this direction or from that direction. Does the contractor have the opportunity and power to change that, because "we can't do that" or something like that?

A. (Bowes) So, in general, I would say "no". What they can request of the owner is a change, a change order. "We'd like to locate a structure, say, 20 feet to this side or
20 feet, you know, longitudinal along the right-of-way, because we've encountered this new condition in the field." Either something that was not mapped, an underground obstruction, something like that. So, they would request of the owner that change. We would evaluate that change against the permit conditions. And, if it was within the permit conditions, we may grant that change to the contractor.

Q. Now, what if that was a commitment made by your team that the contractor wants to change, and the commitment was made based on a request from, you know, an intervenor or a group of intervenors and so on?

A. (Bowes) I understand.

Q. Do they have any involvement in this decision?

A. (Bowes) Yes, they would. So, every commitment that we've made, including the ones we've made in the last few days, Mr. Johnson tracks in that database. And it's tracked against that line list number. So, we've made some commitments to mark a well, for example, yesterday. That will now be tracked in our
line list number against that particular piece of property. So, if we've made a commitment that we're going to do something a certain way, the contractor is bound by that commitment. And they will have access to that in real-time to see what commitments are on each land parcel.

Q. But -- so, you're saying, if I understand correctly, the contractor cannot change that commitment, or, because before that you said, when they go out in the field, and they see something that's different, it sounded to me like they could change? They could --

A. (Bowes) They can only change with the owner's permission.

Q. Who's the owner?

A. (Bowes) Northern Pass. So, they would have to come back to the Project, and the Project would reach out, as required, to the local landowner to say "The contractor has encountered this situation. Here is their proposed alternative. Is this something that we can work through?" If we've already had a stipulation that says we can't do that, then the contractor is bound.
If there's some flexibility, then we'll try to work out an arrangement that has less impacts for the contractor to continue their operation.

Q. So, you're saying the intervenors, if you will, that were involved in that request that resulted in a commitment, will be part of that -- will be approached and asked to accept it or not?

A. (Bowes) If it's within their realm of decision-making, yes.

Q. I'm not sure what that means.

A. (Bowes) Well, maybe if we use a specific example, then I could answer it. Right now, you're giving me a hypothetical.

Q. Okay. Let's take an example from Bob Cote's. Let's say there was a commitment made to put monopoles, instead of lattice towers, in the wetland that we were discussing before. And, for some reason, when this goes through the final design, and that's what goes to the contractor, the contractor says "we can't do that", for whatever the reason. They went out in the field and found it's not possible, it's not feasible.
So, then, who would go, let's say it's Mr. Cote, --
A. (Bowes) Uh-huh.
Q. -- as well as others that might request this, the commitment was made, who talks to him? Or, the contractor goes back to Northern Pass and says "we can't do this". Next step?
A. (Bowes) So, in that case, it would probably be a little more complicated. Is the contractor would come to Northern Pass, we would have discussions with, in this case, the landowner. That probably will trigger going back to the DES as well. Because something is significant enough where they can't do the construction in that wetland, so we would probably have to seek guidance with DES for the resolution of that. So, it's probably beyond just the owner and the landowner, Northern Pass and the landowner talking, it's probably the permit agency would have to be involved.
Q. Is avoidance a possibility here?
A. (Bowes) I'm not sure I understand, "avoidance" --
Q. Well, in other words, do the monopole. Just
avoid the problem. We heard about this the other day. Avoidance is a measure of mitigation. So, in this case, I'm using it to suggest -- to describe monopoles or nothing.

A. (Bowes) So that, I think what you're saying is, that would avoid a visual impact, but could create a much greater environmental impact. So, that would be the balance that we would have to weigh for that particular example. Do you want us to, in essence, create a much larger foundation within the wetland area, as opposed to the lattice structure? So, that's why I'm saying that's probably a three-way conversation to have at that point. If it's just -- if you're just mitigating one impact, it becomes quite simple. I think we talked about a couple yesterday, where Northern Pass -- or, PSNH was the landowner, request was made to move back from the riverbank, that's a request I could grant, basically, on the spot.

In this case, it's a little more complicated, if you're asking to have a larger environmental impact, and we just heard how, I don't know if the word is "pristine", but how
high quality this wetland is, and now you're asking us to do more impacts within the wetland than what we've proposed. So, in that case, it's a broader conversation of weighing two impacts at the same time: One for potential visual and one for potential environmental.

Q. Okay. I think maybe we have a tough example here.

A. (Bowes) It is a tough example.

Q. Yes. I picked the wrong one. But, anyway, I think I understand what you're saying, in the general, there's going to be some room for discussion here.

A. (Bowes) And, for example, we were asked yesterday, I think the attorney for McKenna's Purchase asked us "can we move one of the structures off their property onto someone else's?" And the answer was a little more complicated there as well. If it was all within one person's property, a much easier discussion.

In this case, I think we'd want to go to the -- as you would probably want yourselves, if we're going to relocate a structure onto
your property, you'd probably want to be involved in that decision.

Q. Absolutely. All right. Okay. Thank you.

This last point, following up on Bob's discussion about beaver dams -- the beaver house and so on. I would like it known that beavers are critical to that wetland, because they maintain the dam. And this was blown out 20-25 years ago, Hurricane Bob, if you remember that huge rainstorm. So, just keep that in mind. I don't know about moving beaver lodges and so on. But we need them, because they are doing a good job.

MR. BERGLUND: Thank you very much.

CHAIRMAN HONIGBERG: Ms. Schibanoff.

MS. SCHIBANOFF: I'm going to speak from here please.

CHAIRMAN HONIGBERG: Off the record.

[Brief off-the-record discussion ensued.]

MS. SCHIBANOFF: And I'm going to address my questions mainly to Lynn Farrington. So, if we could keep a line of sight between us, that would help. My name is Susan...
Schibanoff. And I am a member of the Non-Abutting Property Owners Bethlehem to Plymouth. I live in Easton, on 116, the proposed underground route just off, just off it.

BY MS. SCHIBANOFF:

Q. And I'm going to refer to a document that's called -- the acronym is "SHEB", which I believe stands for "Sugar Hill/Easton/Bethlehem Underground Plans", is that correct? It's a "SHEB" document.

A. (Farrington) It's "Sugar Hill/Easton Bypass Underground Alignment", yes.

Q. Okay. I have it in a printout here 11 by 17. And I think I'm one version back. So, I'm talking -- I'm talking about the 12/08/16 version, and I believe you've got the 12/13/16 version. And we'll --

A. (Farrington) Correct.

Q. Okay. We'll get to that in a second. I think the initial part is the same. If you would turn to Page SHEB G001, which is essentially the first page of the document after the title page, Ms. Farrington.
A. (Farrington) Okay.

Q. And I'm using a magnifying glass, literally. On the left is a legend of different symbols. Could you tell me what the second one from the bottom is please, Ms. Farrington?

A. (Farrington) That's a proposed "underground splice with link".

Q. No, I'm sorry. I'm up in the "existing", the symbols under the "existing".

MS. WHITAKER: I'm going to interrupt for just a second. Could you tell us where we could find that, so we all could follow along?

MS. SCHIBANOFF: I believe, has Counsel for the Public uploaded SHEB?

MS. DORE: Yes. But what is the exhibit number you're referring to?

MS. SCHIBANOFF: I do not have it.

MS. DORE: Can you describe the document? What are you looking at?

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

[Brief off-the-record discussion ensued.]

CHAIRMAN HONIGBERG: We're going to
take a ten-minute break now.

[Recess taken at 10:33 a.m. and
the hearing resumed at 10:45
a.m.]

CHAIRMAN HONIGBERG: All right. Why
don't we go back on the record.

Mr. Pappas, you wanted to say
something real quick, and then we'll let
Ms. Schibanoff begin.

MR. PAPPAS: Yes. The first page on
the ELMO is a legend. Counsel for the Public's
Exhibit 176 contains the same legend, if you
want to follow on your computers.

CHAIRMAN HONIGBERG: Thank you, Mr.
Pappas. Ms. Schibanoff, you may proceed.

MS. SCHIBANOFF: Thank you. My
apologies. I'm a verbal, not a visual person.

BY MS. SCHIBANOFF:

Q. Ms. Farrington, could you look at this document
on the ELMO, which is SHEB G001. And, on the
left side is the legend under "Existing".
Could you tell me what the second symbol from
the bottom is please?

A. (Farrington) Mailbox.
Q. Thank you. And this is a, for the record, a physical steel mailbox, the old kind. It's not an in-box. Okay.

Now, could we go in the plan please, to SHEB C154. Thank you. And I will represent to you that there are mailboxes up and down 116. I can give you a count, if you'd like an approximate count. On my way home yesterday, between the 116/18 intersection and where the National Forest boundary is, I counted 85 mailboxes. I probably missed a few. I was tired last night and it was getting dark. But there are a lot of mailboxes along the road, and they're on both sides of the road.

One of the places that there's a mailbox, on SHEB C154, is at the residence of, as it's listed here, Anne Peckett, which you will see on the top of the ELMO picture.

A. (Farrington) Yes.

Q. And the Pecketts have a mailbox on the road that would be in the work zone.

Ms. Farrington, can you find that mailbox on the plan?

A. (Farrington) I don't see it.
Q. Can you find a mailbox in any of the plans, mailboxes anywhere, any page?
A. (Farrington) I haven't specifically looked. But, if you're telling me that there aren't mailboxes on the survey, I will believe you.
Q. So, there are no mailboxes noted on the survey, in the 12/13, the latest version, the latest iteration?
A. (Farrington) I don't know. But, if that's what you're telling me, I will believe you.
Q. Well, you're the traffic expert, not me. You're the planner.
CHAIRMAN HONIGBERG: Ms. Schibanoff, I think she's willing to accept your representation that you didn't find any in the papers. You may proceed with your next question.
MS. SCHIBANOFF: All right.
BY MS. SCHIBANOFF:
Q. I'm establishing the point that, even though I'm working with the 12/08, one version back, you agree that, in the current version, 12/13, the mailboxes aren't there?
A. [No verbal response.]
Q. Okay. So, to go back to this example of the Anne Peckett property, how will the Pecketts get their mail when the work zone is up and running?

A. (Farrington) Sure. So, when the work zone is directly front of the home, this is how we've typically done it with roadway projects, we will provide a -- if we have to remove and replace or remove and reset the mailbox, we would provide a temporary mailbox during the time that it's directly impacted, and allow access either with the help of construction workers or on the other side of the road.

Q. And what if Ms. Peckett didn't own the other side of the road?

A. (Farrington) If it's in the DOT right-of-way, I don't know that that's a factor.

Q. So, your contention is that you would have the right to put a mailbox into someone else's property, underlying property, even though that the DOT has an easement over?

A. (Farrington) It's my understanding, and how we've done it in other places, yes.

Q. Okay. Let's say Joe Johnson lives across the
road. Every town has one. And he says "no way are you putting a mailbox in my property"?

A. (Farrington) Okay. No problem. We can instruct the construction workers at that site to work with the mail delivery service, and ensure that the mail is delivered to a mailbox on Anne Peckett's side of the road.

Q. And how would that happen please?

A. (Farrington) The construction workers on-site would take the mail from the mail delivery and guide them to the mailbox or escort them around. We could put down a temporary metal plating to walk them across.

Q. So, we have one lane closed, one lane open, the mail carrier stops, waits for you to find a worker to take Ms. Peckett's mail, hop across a trench, and put it in their mailbox?

A. (Farrington) Well, not hopping, no. So, I imagine, if this situation was a particular issue for a landowner, there will be plenty of coordination done ahead of time, so the workers would be aware and be ready for what time the mail delivery person usually drives along. And they would actually open up the work zone by
moving a few barrels, or barriers, depending on
the situation, and allow the mail delivery
service to drive onto a previously placed steel
plate, so they could park out of the way of
traffic, through-traffic on the roadway.

Q. Let's talk about the steel plate for a moment
please.

A. (Farrington) Sure.

Q. In your prefilled testimony, when you were
talking about maintaining access for the
homeowner to come and go, you said, I believe,
it would either be "a short time" or "a matter
of a few minutes" for the workers to get this
steel plate down?

A. (Farrington) Correct. So, the steel plates are
on-site. So, it's just a matter of pushing
them into place.

Q. Do these workers physically run over and pick
up the steel plates and throw them across the
trench?

A. (Farrington) No. They use equipment. The
plates are pretty heavy.

Q. And what equipment do they use?

A. (Farrington) Have to defer to John Kayser.
A. (Kayser) Probably like a bobcat or a similar piece of equipment like that, or a backhoe.

Q. And where would that be parked?

A. (Kayser) It's in the work zone.

Q. So, I'm coming out to my driveway in the morning to go to work. How many extra minutes do I have to anticipate waiting for you to find a worker, get a bobcat, hook up a plate, move it over the trench, drop it down, so I can leave?

A. (Farrington) Each case is different. But I wouldn't anticipate it to be more than a few minutes.

Q. A few minutes.

A. (Farrington) And I do believe there will be door-knocking at each residence impacted. So, if at that time you let them know what your usual departure time is, they can have it ready in advance.

Q. And you represent that as a feasible solution to maintaining access for a homeowner?

A. (Farrington) Yes. Absolutely. I mean, I've had paving projects in front of my house with much less consideration for me getting into my
driveway.

MS. SCHIBANOFF: I have no further questions. Thank you.

CHAIRMAN HONIGBERG: All right. I think we're up to members of the Committee.

(Chairman Honigberg conferring with Atty. Dore.)

CHAIRMAN HONIGBERG: All right. So, we're up to members of the Committee questioning the panel. Who's ready to go?

Mr. Way, you look like you're ready.

MR. WAY: Good morning.

WITNESS JOHNSON: Good morning.

BY MR. WAY:

Q. I guess I'd like to focus a little bit more on the business impacts today. And, like Mr. Oldenburg said the other day, some of this has already been covered. I'm looking for some clarification, maybe some closure on a few issues that we've talked about, so it's clear in my mind what has been said. And, in my position, I oftentimes hear from businesses that are having an issue or have concerns. And, with regards to this Project, you have the
issues that are during the construction phase,
and then, of course, you have issues during the
operations phase. So, I'd like to maybe focus
a little bit on the construction phase, and
that's your expertise.

One, to circle back, let's start here in
Concord. I think Counselor Pacik raised the
issue of the Sabbow Company that has also come
to us a while back. They are located on
Regional Drive, I think, right here in Concord.
I drove by their facility. They're right in
your right-of-way.

Now, as I recall, and maybe, Mr. Bowes,
you mentioned this, that you are in discussions
with the Sabbow Company about the issues that
they were having in the right-of-way?

A. (Bowes) That is correct. We've had a
longstanding relationship with that customer.
They approached us several years ago to use the
easement area for the PSNH rights-of-way for
some of their concrete product storage. And we
executed a Special Use Agreement with them for
that. And, in that agreement, if there's
change, material changes from either the
customer or from the owner in this case, then we have to have a discussion around what type of structures, in the case of Northern Pass, we had to provide them information on what type of structures we're going to place on the property, how that will impact the Special Use Agreement. And we've provided them a whole set of data on the types of activities that will take place on that easement area.

Q. Thank you. And I don't think I want to get into the details, that's your agreement with the company. But one of the -- I guess I imagine, one of the concerns, they have a lot of inventory. These are precast cement structures. So, they're not small in that area. And they're going to have to do relocation, I would imagine, during that period?

A. (Bowes) Yes, they are.

Q. And, so, is that relocation, I'm looking at that, is that considered a business hardship for them? Is that something that you'll work with them, in terms of locating a new area for their inventory?
Q. When you look at special use permits, and you look at the business hardship discussions that we've had, if I have activities within the right-of-way, that doesn't limit my ability to ask for hardship from Eversource with regards to this Project?

A. (Bowes) You are correct.

Q. All right. I would think that also would apply I believe it was called the "Concord Equestrian Center", going up north a little bit as well?

A. (Bowes) Yes. I know Mr. Johnson has had conversations with them.

Q. And that's sort of the same thing, the fact they -- do they have a special use permit for the right-of-way or did it just so happen that they have used the right-of-way?

A. (Johnson) They have used the right-of-way. I am unsure if they have a special use permit or not. However, if there was a need to relocate animals, or temporarily while we are constructing through there, that would be certainly something that we would consider as part of the business interruption.
Q. All right. Very good. How many other businesses, and I would imagine, by this time, you folks have a pretty good inventory of businesses that are impacted along the route. How many other businesses have special use permits for the right-of-way?

A. (Bowes) I would say it's very few.

Q. Very few?

A. (Bowes) Maybe ten at the most.

Q. Ten?

A. (Bowes) That includes -- that includes, though, homeowners, as well as businesses.

A. (Johnson) So, I'd say that that also would exclude agricultural lands. They have their own easement language that they're allowed to continue to use the agricultural aspects of those lands. So, they wouldn't necessarily need a special use permit, is where I'm going.

Q. All right. Fair enough. And, along that same line, Mr. Johnson, I would imagine there are several other businesses that do not have special use permits, but, just by the way of the years, they have migrated in -- or, is that something where, if they have migrated into the
right-of-way, your team would call them on that or was it something that was permitted?

A. (Bowes) So, there are many uses along the right-of-way. Most of them are allowable uses, whether it's, as Mr. Johnson said, an agricultural situation. Tree farms, for example, are very typical along or inside the right-of-way. Some agricultural activities are actually planting, horse farms, horse corrals, things like that. Those are probably allowable under the easement and there's no Special Use Agreement.

There are certain circumstances where an encroachment has actually been placed inside the easement. That's typically when we try to reach out and find agreement with the either homeowner or business, so to make sure that their operations don't interfere with the electric system, and, vice versa, our operations for routine maintenance don't interfere with what they have. And, then, that's typically where we enter into a more formal agreement, like with Sabbow, a formal agreement.
Q. Very good. And can I assume that, for all those that have a Special Use Agreement, and for those that border on a Special Use Agreement, that you have given them notification or that you've already sat down and are in discussions?

A. (Bowes) So, we've certainly given them notification. I can't say we've sat down with every one of them. I know we recently notified all of the businesses along the underground route as well, that was, what, about how long was that? A few months ago we notified all the businesses we could identify by doing our searches along the underground route as well.

Q. All right.

A. (Bowes) So, those normally wouldn't be part of the right-of-way. So, that was a little bit different situation, in the case of businesses along the underground route.

Q. But, if you do have a business that's directly in the right-of-way, that has operations in the right-of-way, you have notified them, I'm assuming a letter, and asking them to contact you?
A. (Bowes) Yes, we have. Multiple times, actually.

Q. And, so, when you look at -- those are on the same level of the Sabbow Company. Because I would look at that company as a high priority, because their operations are totally dependent on that area. Are there any other companies that, regardless of whether they have notified you or not or responded, you've identified them as a critical piece here, and that you've reached -- you've gone out to visit them or --

A. (Johnson) So, I can give you two examples. One is, just a little bit farther up this right-of-way, a company by the name of the "Dirt Doctors" --

[Court reporter interruption.]

CONTINUED BY THE WITNESS:

A. (Johnson) -- a company by the name of the "Dirt Doctors". They do mulching and then dirt activities where they have stored material underneath the conductors in the right-of-way. We have met with them, I want to say, more than a year ago. And, again, I can get you the specific details, if you'd like that.
Another company is the distribution company, again, a little bit farther down the right-of-way here. They have relocated a driveway and sort of expanded their facility to add new trailer parking in the back.

BY MR. WAY:

Q. At Pembroke?

A. (Johnson) I believe so, yes.

Q. All right.

A. (Johnson) So, we met with them at the time, and discussed the plans and our activities, to ensure that their expansion didn't conflict with our Project.

And the most recent one, I know I said "two", but this is three, the most recent one is I believe the Army is planning a new -- I believe it's the Army, is planning a new facility. And there was a driveway crossing that came across our right-of-way. So, we've been coordinating with them to ensure that, again, that their design of the driveway does not conflict with any of our infrastructure.

Q. All right. Thank you. Let's move up to Plymouth. We had sort of a limited time with
Mr. Scott and Mr. Bradstreet for questions yesterday, and I had asked some questions about collocation, or using that term, I know it's not the exact term, with the sewer initiative in the Town of Plymouth, maybe to identify issues there. I'm still trying to get a handle on Plymouth, because Plymouth, we're going down the main street. And that seems -- would you agree that, at this point, that seems like a pretty safe bet in the planning stage?

A. (Johnson) So, from the planning perspective, yes.

Q. All right. And, so, the sense was that going down, the next one down, as I recall it, was Pearl Street and Green Street -- Green Street, --

A. (Johnson) Yes.

Q. -- going down that road. That was probably your initial proposal was to go down Green Street?

A. (Johnson) Yes. So, our initial plan was to go down Main Street, as is our current plan. We had some discussions with the City or the Town of Plymouth. I believe we have an exhibit, if
you'd like us to show that to you, specifics of
the design options that we chose. We can pull
it up on the screen, if you'd like us to. But,
effectively, it was looking at options that
would bring us off of Main Street, and then put
us back onto Route 3 south of town. That was
our primary objective.

Q. And, obviously, I don't have the Town of
Plymouth here to ask the questions. So, just
from your perspective, you said that those
communications stopped?

A. (Johnson) Correct.

Q. That's interesting to me. So, when you say
"stopped", they just didn't return phone calls
or no more meetings? Or, did they give an
example of why this stopped, in other words,
because I think even there was reference to
private property issues? Or what's -- because
that seems it's going to be a major disruption,
in my mind, for the Town of Plymouth?

A. (Johnson) Sure.

Q. And, so, something had to stop this in its
track going down Green Street. And I'm kind of
interested in what that is?
A. (Johnson) So, we were informed by the Town of Plymouth that they no longer wanted to have conversations with the Project, and they would like to have the Project go down I-93.

Q. Okay.

A. (Johnson) And that was the end of our communications with the Town. That's the official. And, so, the public water, the Public Village -- or, Plymouth Village Water & Sewer, we're still having ongoing conversations with. But, from the municipality itself, it was a very abrupt end to our discussions.

Q. So, going down the Main Street of Plymouth, and I think it's fair to say that Plymouth is not acknowledging that as viable either?

A. (Johnson) Correct.

Q. Okay. And, so, when you say that you're in discussions with the -- it would be the Sewer & Water Commission?

A. (Johnson) It's actually a separate entity in Plymouth. It's the Plymouth Village Sewer & Water.

Q. Still reportable to the Selectboard, though?

A. (Johnson) There is some tie there, but I'm not
exactly sure. I do not believe that it is a --
meaning, I think they have their own budgets
and their own thing.

Q. They do?
A. (Johnson) I believe it's somewhat of a separate
entity, yes.

Q. I was looking at some of their meetings,
meeting minutes from the last, what, six, seven
months or so, and I didn't see anything. Were
these discussions taken place -- did they take
place a while ago?

A. (Johnson) Yes. So, there's sort of two levels.
We did a whole series of meetings with them up
front, and it was us going to visit them during
our data-gathering phase. We did another
series of meetings with them that were in the
field, when we were identifying their sewers
and their depths to the tops and bottoms of
their facilities. And that was all done sort
of prior to the November/December. So, it
would have been in sort of August and September
of 2015, leading up to the submittals that went
in in early 2016.

So, we've also now recently kicked off
with this new initiative that they have with their replacement projects that are now on the horizon. And we just started that process of setting up meetings, so that we can discuss, with their engineering company, the initial designs that they're going to put forward, and see if there are synergies between the two projects. But we're in the phase of just setting up those meetings.

Q. And I had asked yesterday whether we were opening a can of worms, in terms of, you know, co-working with a sewer project, which I've seen in other communities. And, so, I would have to imagine that there's -- do you anticipate major problems coming from that? I ask once again, do you anticipate major problems coming from that that could derail?

A. (Johnson) So, clearly, when you're doing two types of construction, and I don't mean that either of them are difficult, it's just that you're doing another set of installation, the length of time would definitely be increased.

There are some synergies, however, with the paving and the structural base that would
have to be replaced, that where you literally wouldn't be digging the streets up twice. So, it makes sense, I think, that, from an overall perspective, that you wouldn't have a complete project come through, and then another complete project come through that would cause two major sets of disruptions. It might be better to do it at once.

Part of it is for us to determine, are we going down the same street? Are we, you know, sort of in conflict with each other? Is one much deeper than the other? And, if there, you know, if there are synergies of design and construction, then we certainly want to capitalize on that.

Q. And how long a stretch are they interested in looking at?

A. (Johnson) I'm not 100 percent sure, but I believe it's from the traffic circle, to the south end of their facilities, which is about three-quarters of a mile down the street.

Q. All right.

A. (Johnson) So, effectively, through town.

Q. And they're located on Green Street, too, are
they not?

A. (Johnson) They are, over -- up by the bridge, yes.

Q. Okay. Very good.

A. (Johnson) I'm sorry, not Green Street. Pearl Street.

Q. Okay. Very good. Trying to get a sense of the outreach that was done to businesses. And I guess my understanding, and maybe, Mr. Johnson, you're the right one to talk about, as it stands right now, you have notified businesses along the underground route?

A. (Johnson) That's correct.

Q. You've given them the option of responding to you?

A. (Johnson) Correct.

Q. Some have responded?

A. (Johnson) Yes.

Q. And some have not. And, as I mentioned earlier, I imagine you're getting a pretty good inventory, a list of impacted businesses, regardless of whether they have responded or
not, you've identified who they are?

A. (Johnson) That's correct. We've also done physical driving through the underground route to identify -- a lot of times, unfortunately, the owner of the facility is not necessarily the business that's there. So, you can't just go to the yellow pages, for example, and find them. So, we've done the physical driving by trying to identify.

We also try to update that on a semi-regular basis, because, as you know, businesses open and close across this length of underground in a somewhat frequent basis. So, we're trying to identify those and keep up to date.

Q. And that inventory of businesses, that list, is that something that's available to us? Is that something we have?

A. (Johnson) We have not provided it to date. But I'm sure that we could.

Q. Could I request that?

A. (Johnson) Sure.

Q. That would be great. So, when you're looking at reaching out to businesses, and then sort of
the recognition that some will respond, some will never even know about it, some for whatever reason. As you're going down, let's say -- let's use Plymouth, because it's a good urban setting, and you're doing your drive-by. At any point, are your field representatives, are they stopping on the street? Are they walking down? Are they going to talk with some of the business owners? Are you -- and I think, Mr. Johnson, you said before that that level of contact was premature?

A. (Johnson) Correct.

Q. Why is it premature again?

A. (Johnson) So, at this phase, like I said, we're informing folks and asking them if they would like us to come out. Part of the discussion that business owners, in my experience, they're much more interested in "When are you going to be there exactly? How long are you going to be in front of me exactly? How are you going to maintain access to my driveway?" Those kind of things.

So, from a construction perspective, we're still figuring out exactly where we're going to
do the work first, second, and third. And, so, it's as we firm up those details is more when we would start that more vigorous outreach to the business owners, so that we have a much more robust story to tell them.

Q. But we're pretty much at a point now where you know this line is going to go --

A. (Johnson) Yes.

Q. -- downtown. So, you've got a pretty good sense of, and I think, Ms. Farrington, you talked about lane closures, we have a pretty good sense of what the layout is going to be. So, wouldn't this be a good time to be reaching out, as a matter of fact, wouldn't it be a good time, particularly if you're going to be altering this design in any way, shape, or form to accommodate that business, that the time would be now, much like we're hearing about individual properties? Wouldn't this be a good time?

A. (Johnson) Absolutely. We'd love to hear from folks. From a design perspective, the fact that a trench or a splice pit is going to be under or located in a certain location probably
won't change, unless there's a wholesale design change in this particular downtown corridor.
So, the fact that it's going to be there is not the same.

I think it would be interesting to hear whether the business community would like things like night work or other things that would limit or alleviate some of the traffic impacts.

A. (Bowes) To add to what Mr. Johnson said, I think now is probably the time, when everything is coming together. We notified businesses a couple months ago. Our last conversations with the DOT, in our monthly meeting, we're starting to go around some of the town centers, where we thought there would be more disruption, and how we would approach that in the future. So, I've kind of laid the groundwork at our last meeting in May, around specifically Plymouth and Franconia, of how we would like to approach the DOT, after we get agreements with the town.

And I committed to the DOT Commissioner, for example, that we're not going to come and ask for night work in downtown Plymouth without
the Town also with us. So, we want to make sure we come together, and we try to resolve all the issues before we request an exception with the DOT.

The types of things for individual business owners in Plymouth, though, those will tend -- I think we saw four examples, I think it was Counsel for the Public that presented them, or it may have been one of the other attorneys, is that they may have disparate interests, as far as work schedule, as far as time of year, as far as time of day. So, ultimately, what we tried to attempt to was to hire this consultant, Louis Karno, is to gather those local businesses together and try to come up with the optimum schedule. We know what our construction placement will now be, in general. We know what -- our constructor is now putting together a schedule. Once they have that draft schedule, that would be the perfect time now to sit with our consultant, Louis Karno, and these four businesses, but there's probably, you know, 40 businesses in downtown Plymouth, and say "Here's what we're thinking. Tell us how
we can accommodate your businesses in general."
And some will have -- some will want nighttime
construction, some will want daytime
construction. So, there's going to be a
give-and-take. But those are the exact type of
conversations we have to have.

And, then, if we want a variance from the
DOT, the Town of Plymouth and Northern Pass go
to the DOT, they're already presoaked for it,
they know we're going to be coming at some
point, and hope to get their approval for, I
would say, staggered work hours is what I will
expect will come out of that. It's not going
to be nighttime and it's not going to be
daytime. It's going to be, for this segment,
it's going to be this month of the year and
these work hours; for this segment, it could be
a very different month of the year and
different work hours.

Q. I can imagine that, in an urban setting, trying
to set the schedule is a "no win" situation
regardless?

A. (Bowes) I wouldn't say "no win". We're trying
to make the most wins for everyone.
Q. Right. But The Flying Monkey may say "I can't have any construction during the evening hours", and someone at the Grille could say, "But the morning hours simply does not work for our cafe".

A. (Bowes) So, there will be some compromises, I'm sure.

Q. All right. So, and that's good to hear, because one of the things, as, Mr. Johnson, you said "this would be the right time to hear from them". And I guess my point is, and I think to, Mr. Bowes, your point, this is the right time to be reaching out to them aggressively, so that they have a sense of where they're going to be in this Project.

In terms of what they might be able to expect with regards to what we have in place right now, I'm very interested in the day-to-day how they operate. And let's say that something happens, they experience -- it could be loud noises beyond what they expected, there could be smells, there could be dust, I think that was raised a little -- that was raised yesterday, something that is beyond what
they were anticipating. How do they rectify that? Do they -- is there a website? Is there a phone call? Is there -- are they walking out the door and, frankly, going -- seeing the construction and finding the man or woman with a clipboard? How are they addressing that issue?

A. (Johnson) So, the answer is "all the above". If it was me, I'd go straight out to the construction representative and have a conversation with them. I think Mr. Bowes has sort of said, you know, if you don't get any satisfaction there, there are sort of levels that you can continue to go up. Clearly, calling a hotline or sending an email triggers a response from the community relations person.

As part of our original door-knocking, there will be contact information given, so that every business owner along that route is aware of the process.

I know that, when Mr. Karno was working through the downtown Concord area, they set up their own sort of mini hotline, where somebody would call him directly or his office or
representative directly, and they would have somebody on-site within minutes, since they were located downtown.

So, those are the kind of things that we would advocate and agree to, as far as construction representation.

Q. Okay. Very good.

A. (Bowes) And, possibly, even with the Town of Plymouth, they may want us to have local -- I'm sorry -- open a local office in the downtown area, so that we have someone there, you know, all the time during construction. That's something we'd certainly consider as part of the MOU.

Q. That would seem to make sense.

A. (Bowes) For that particular area, I think it probably does.

Q. Ms. Farrington, when you look at what's being proposed for the line, I would have to imagine that, one, to me, and having gone down Plymouth -- I happen to have been in Plymouth quite a bit and park -- trying to park in the Main Street quite a bit, it can be challenging. And, so, now we're adding this new dynamic, in
terms of things like loss of crosswalks, loss of handicap parking. How do you deal with that?

A. (Farrington) Sure. So, part of it is the timing, as I think was mentioned. If we can do it during kind of the slower seasons for the businesses, and we're only taking a few parking spaces at a time, there is going to be that very limited, probably 150 feet of actual work zone. So, 150 feet is six parking spaces. So, we'll only be affecting a minimal number at one time. We often will temporarily assign a nearby parking space as handicap, if we're taking away the handicap ones. And we have to, that's a requirement. And, also, crosswalks have to be temporarily moved, and all the ADA requirements have to be met at that temporary location. The --

[Court reporter interruption.]

WITNESS FARRINGTON: I'm sorry.

CONTINUED BY THE WITNESS:

A. (Farrington) Tip-downs are required, and crosswalk detours and pedestrian signing are all required.
Q. Tip-downs? What's a "tip-down"?
A. (Farrington) I'm sorry. So, it's kind of that little ramp at a road.
Q. Okay.
A. (Farrington) And they usually have the yellow kind of thumped mats to help with visually impaired folks.
Q. So, along this entire stretch of Main Street, in Plymouth, we're talking about only you say "150 feet" at any one time?
A. (Farrington) Yes. I believe that's the plan with the speciality construction crew.
A. (Johnson) So, our contractor understands the fact that having a big train of construction through there, while it might be faster, is going to be a lot more interrupted. So, he's committed to using a much smaller work zone. It's going to be slightly slower, but less impactful, as far as parking and some of the other interferences, like sidewalk crossings and things like that.
Q. Probably about the 20 feet per day, as I -- that's the lower end, --
A. (Johnson) Correct.

Q. -- because of that.

A. (Johnson) Yes.

Q. In terms of other things, for example, if loading docks -- have you identified loading docks? Have we identified where we have large suppliers? Can large -- are large trucks going to be able to navigate through this? How is that going to work?

A. (Johnson) So, for the most part, the loading docks are behind the buildings. However, I will say that I have seen, for instance, a Cisco truck dropping off food products to a restaurant or something, typically early in the morning. Those are the exact kind of conversations that we need to have with the business owners, to understand their traffic and the needs, as far as deliveries and things like that. So, that's something definitely that's kind of in this phase of outreach and communication.

Q. All right. And the overflow parking, I think as we talked about now, and as I recall, Ms. Farrington, you said this was not set in
stone in any way, but probably you would be
steering them to a place like Green Street, as
I recall?

A. (Farrington) Yes.

Q. The only challenge with that is someone who has
gone for parking on Green Street, and, as a
matter of fact, if you look at, I think -- I
don't have the exhibit number, but if you look
at the picture of your exhibit, it shows all
full parking. Which, you know, from a business
standpoint is great, but I would imagine that's
going to be a challenging piece to, and
particularly with the ADA issues that was just
raised, but that's not going to be an easy
piece to do, I would imagine?

A. (Farrington) I think that goes back to the
scheduling, the time of year as best we can,
and the time of day. So, hopefully, we can do
it at a time where the loss of six or eight
parking spots isn't quite as impactful as when
there's absolutely no parking left.

Q. And I imagine that scheduling is tough, because
you're going to have to work around Plymouth
State University, plus you're also going to
have to accommodate our tourism season, and
you're going to have to accommodate that
construction season?

A. (Farrington) Exactly.

Q. Good luck with that.

MR. WAY: Bear with me a moment.

MS. WHITAKER: Can I --

MR. WAY: Sure.

MS. WHITAKER: Actually, he just said
something I literally just wrote down in my
notes.

BY MS. WHITAKER:

Q. How do you determine what those busy times
might be? Do you actually talk with the
business owners or do you make assumptions and
move forward on those assumptions?

A. (Farrington) So, it's a mix. We start by doing
a little research in the assumptions. So, we
work with the Plymouth State schedule, that's a
big one. If at all possible, Spring Break is a
great time to get started. The summer break
isn't ideal, because then we see the traffic
volumes in downtown go up. So, maybe -- and
right around graduation we would certainly
avoid. So, we have some general guidance to get started with. If there are any festivals in town or any major events, we would certainly find out and avoid those.

And, then, once we have kind of a rough idea of what we think our best choice is that's where we start to get the real discussions going about time of day with the business owners, and the University.

Q. And do you actually go and talk to the business owners face-to-face or is that, again, a mailing or a phone call or --

A. (Farrington) I don't know if I personally will, but, certainly, face-to-face, Sam and Communications.

A. (Johnson) So, the Communications Team will most likely set up mini forums, if you will, where we can present the Project and then solicit feedback, and it's in a live manner.

MS. WHITAKER: Great. Thank you.

BY MR. WAY:

Q. I was looking at an exhibit from the Counsel for the Public. This was, I believe, Number 148, Kavet/Rockler Supplementary Testimony,
Exhibit A. I believe it was even introduced by -- maybe by Christine Fillmore the other day. And this was interesting, because it was the feedback from downtown Plymouth businesses. And, you know, when I look at that, that's probably represents 150-200 employees when it's all said and done, and they all had a variety of concerns.

And I guess, you know, it would be my hope and my understanding that, you know, and I understand premature, but the time is now, I'd be using that as first, you know, as something that maybe to use as a template for talking with businesses, that direct face-to-face.

And, then, when you look at places like Franconia, I think the same thing, and try to get a sense of how Franconia is going to operate. And I think about things like, as I think was discussed, like a bed-and-breakfast. Now, a bed-and-breakfast can be pretty unforgiving, in terms of its customer base. If you have a bad experience at a bed-and-breakfast, chances are you're not back there again. So, there's -- I believe there's one on
16, and probably -- and several, actually, in
Sugar Hill/Franconia area that I'm familiar
with.

What can you do for them? How are you --
how, and I'm not sure there's an easy answer
for this, what is your pitch to them on how you
might be able to help?

A. (Bowes) So, I would say the basics are the
same. It's "what's the lowest season you have?
If you're going on vacation yourselves? Is
there a time of year that is, I won't say the
"best", but the least impact to you? Is there
certain days of the week that we should be
there?"

Is it an opportunity to do, you know,
accelerated construction or, you know,
decelerated construction in that area? How
fast should we go through that area or how slow
should we go through that area? But it's
ultimately, you know, access to the business.
It's access, you know, sidewalks, if the case
may be, probably not in this case, but, in
other businesses in downtown areas, keeping the
sidewalks open.
For example, if we're going to be in that area of 116, our workers are going to need to stay somewhere. Maybe we say "We'll make an agreement with you. We will rent that bed-and-breakfast out and our workers will stay there. So, this whole idea of providing vouchers or moving business towards a business is another thing that we haven't spent a lot of time talking about, but we've used that successfully. We give our workers vouchers to go eat at a local restaurant. So, then, the revenue possibly could even increase for that business.

If you're in hospitality, we understand that there aren't a lot of rooms in the North Country where our workers will be able to stay. So, they're going to have to travel quite some distance. If we can cut down the travel time for them, it's in our economic interest, as well as the local businesses' economic interests, to have our workers stay there.

Q. Well, you answered another one of my questions, and that was housing. And, so, I would imagine you'll have someone on the ground that's sole
job is to locate places for these people to stay?

A. (Johnson) That is correct.

Q. All right.

A. (Bowes) The whole feeding and lodging of potentially, you know, a thousand or more workers in kind of a small geographic area is going to present some unique challenges for us. But also some unique opportunities for local businesses.

Q. All right. Very good. We'll get to that in a moment a little bit more. Also, on 116, I'm trying to recall, in Franconia, I believe the transfer station is on that road. Is that correct?

A. (Johnson) That is correct, yes.

Q. That is correct. And do you see any issues of access there for residents? Do you see any issues of large trucks that are coming in and out, with regards to the proposed route?

A. (Johnson) So, similar to a residential neighborhood, if there was a vehicle that needed to access that, we would have steel plating available. I think this particular
The case is unique, where we might want to do, you know, an evening or later into an evening to get across that particular intersection, just due to the fact that people do come in and out of that on a regular basis with somewhat larger vehicles.

But, very similar to anything else, we would have an ability to maintain access to that at all times.

Q. All right. Very good. Ms. Farrington, and I'm just going to leap off with what we talked about with Mr. Bowes a moment ago, and that was in terms of the economic impact. And one of the statements you said in your testimony was that these type of activities tend to result in more dollars flowing into the community, correct? More economic impact?

A. (Farrington) It makes sense. I'm not sure if that was in my testimony or not.

Q. I did have something where you said that.

A. (Farrington) Okay. It sounds like something I'd say.

Q. It sounds like something you'd say. And, so, I guess I want to put some flesh on the bones for
that. You know, because I think the idea here is that does the impact that comes from workers spending money and, you know, taking up housing, and putting their local dollars, does that offset the losses that might occur from some of the temporary, and, like a bed-and-breakfast, could be a long-term impact, something like that, is that going to be an offset?

And, so, I guess, and I know we're going to be hearing about more detailed economic impacts, but I wondered if you might -- what are you using as a basis for that statement, in your experience?

A. (Farrington) So, yes, I can't speak to it necessarily -- well, I guess it's a personnel experience that I've had, in that I was assigned to a construction site in the airport in Warwick, Rhode Island for a couple months. And I had never known about Warwick, Rhode Island until that time. And, now, we're actually planning to fly out of there for our honeymoon, just because it's a place I'm now accustomed to. It's a small airport that I
never would have known about, you can get in and out easily. And I have an awful lot of Sheraton Points right there, and they have free parking.

So, I think, in that case, it's just on my mind that people go where they have already been, and it's familiar and comfortable for them. So, perhaps some of these construction workers will come to appreciate the North Country community, and hopefully come back with their families in a few years.

Q. Thank you. So, I appreciate it. So, it's more of an opinion, just based upon your experience, that --

A. (Farrington) Yes. Absolutely.

Q. And, so, maybe, Mr. Bowes, will we be seeing, in the modeling that will be coming up, does that -- because, when I've seen larger projects before and they're placed into a community, you really have a good sense of, and I think I've seen testimony that will address this, but of the direct and indirect impacts that are going to occur in the community to address what I just talked about, whether the loss of
something over here is made up for, and then
some, with something on the other end?
A. (Bowes) Yes. We have, I think, a series of
witnesses that cover various aspects of that,
including the direct effect of tourism, and
also the economic impact of placing this number
of workers, and all of the supply chain that
requires. I mean, we've talked about some of
the negative aspects of all of these trucks.
But there's also all the positive impacts. So,
you know, all of these people are now going
into an area that aren't necessarily workers on
the Project. There's going to be a lot of
deliveries being made for all the primary, as
well as the secondary, products that are going
to need to be supporting all of these workers
and all of the construction activities.
Q. And I remember you saying specifically that you
would work with the business to promote the
business?
A. (Bowes) Most definitely.
Q. And that word "promote" stuck with me. And I
would like to know more about what does that
mean, the word "promote"?
A. (Bowes) So, I have given a couple examples. I used the local restaurants. Where it's to our advantage to have our workers fed and on the job site promptly for the start of work. That doesn't mean we want them traveling a large distance. So, as they're working along the route or along the right-of-way, we want them to be fed and on the work site as soon as possible.

At lunchtime, for example, we don't want them leaving the work site, especially if it's, you know, on a right-of-way. So, there's going to be a unique business opportunity here for the lunch vans and the feeding of all of these workers that probably does not exist today. So, there's going to be some start-up businesses that take advantage of this.

I mean, if you think about all of the other services that a large workforce needs. They're going to need a place to use the facilities, obviously. So, there's going to be temporary facilities for that. All of the road-building activities is going to generate a gravel industry. We're going to have waste
product, for example, in some of our transition stations that's going to be turned into a product that can be used either for local roads or for the Project itself. So, there's going be a recycling here, but all of that's going to take manpower to make that happen.

Whether it's in the retail side, you know, feeding and lodging side, or the construction side. There's going to be a cycle that's generated here. And I know there will probably be some discussion around whether it's a temporary or permanent impact, I understand that. So, at least for the construction phase, there's going to be a huge economic impact in these local areas. And it makes perfect sense for us to use the local businesses to support that. We don't want our workers traveling an hour or more a day to get to work and to leave work.

A. (Johnson) And, if I may add one more thing, that the Project has started a business directory, if you will. We have, I think, somewhere between 200 and 300 businesses that have registered with us through our jobs
hotline. And, effectively, we've provided that, that list of interested businesses that want to work with us, to our general contractor as a starting point for them to outreach exactly in this way out to various people. And that encompasses the gamut of things, even from banks, where people are going to cash their checks, to industrial or large commercial operations, hardware stores, the grocery stores, just anything that would touch a project or our Project would touch, I guess, from a secondary or tertiary type of thing.

So, we do have an ongoing business list, which we can provide to you, if you're interested in that as well.

Q. I would.

A. (Johnson) And, then, we've provided that to our contractors, so that they're, like I said, informed.

Q. And, so, this list is -- you said you register to get on this list?

A. (Johnson) Yes.

Q. And I would -- is this something, when you sent a notification out to the businesses, you made
that offer that "if you go to this website and put your name in, we'll put you on the list"?

A. (Johnson) I believe that's so. I can verify that in a break here. But, yes. That, in effect, is the way we do it.

A lot of the North Country businesses are very interested in this. Obviously, they're sort of, if you will, in my opinion, more advanced, as far as -- in compared to some of the southern businesses, as far as their knowledge of the Project. And, so, that list is available and we'll continue to grow it.

And any time somebody registers, we'll provide that to our contractor.

Q. All right. I would like to request that, if I could?

A. (Johnson) Uh-huh.

Q. Ms. Farrington, in your traffic studies, and I've had to -- I'm working to make sure I understand the difference between the traffic study and the traffic management study that will be coming up. And that will be coming up at a later date?

A. (Farrington) Yes.
Q. All right. And, so, trying to get a sense of how detailed this traffic study was. Tried also to get a sense as to you have extensive experience in, you know, a heavy setting, urban settings, and how that translates to the more rural settings, even though, for us, it may be urban. In your experience, it may be something less. And, then, how that's going to translate.

So, and I'm trying to get a sense how much that took into account the various aspects like travel time, like when I hear "30 seconds to a minute" at each location, there's a part of me that goes "really?" Because that oftentimes isn't the experience.

And, when we look at, you know, I think as Mr. Oldenburg said the other day, something every 2.7 miles, particularly when we look at like a 116, as someone said, that's a major tourism route, are we taking into account -- is that do you feel comfortable with those projections and do you feel comfortable with those projections in that area?

A. (Farrington) Sure. So, as Mr. Oldenburg
alluded to, there is a lot of theory in traffic engineering. We kind of get heckled by the other disciplines. But, basically, for a two-way one-lane roadway, with an alternating traffic, so, either a flagger or a traffic signal, for the initial analysis, we really just did a base comparison. So, it's dependent on two different things: The work zone length and the number of vehicles per hour on that roadway. We were supplied with the number of vehicles per day on each roadway. So, we went through and did a comparison to make sure that all -- all the roadways we're impacting with this setup are below 850 vehicles per hour. So, once we have that information, now we can start to do kind of a more detailed "what is right for each location?"

So, as I -- there have been some recent studies that came out. And, basically, the shorter the work zone, and the less number of vehicles per hour, the less delay you're going to have. It's all very dependent on exactly the moment you hit and the experience you have. So, we talk a lot about averages. But the
acceptable, say you have a thousand vehicles per hour, that's a fairly high number. We don't hit that on any of the roads that we are looking at. A work zone length for that would be 500 feet. That would be considered acceptable by Federal Highway.

So, in downtown Plymouth, where the work zone is much shorter, 150 feet, we will actually be able to move far more vehicles per hour through this. So, the delays will be even more minimal.

For the longer work zones, we set a maximum work zone of 1,600 feet in our traffic control plans. So that can handle up to 625 vehicles per hour. And, once we -- once we get down to the very details of the transportation management plan, we can set the work zone length for each roadway based on the actual number of vehicles per hour that we're expecting.

Q. Because one of the things, as you make these projections, is it -- right now, it's a lump number per day. It doesn't take into -- does it take into account the hourly traffic? So,
for example, all of our towns, they're one of three things: They're a net importer of employees or an exporter, or everybody is doing business right within the area.

A. (Farrington) Yes.

Q. And I'm trying to remember what Franconia is, and I don't even want to hazard a guess. But, you know, if you're having -- if, during a certain period of time, that's when your employees have to get in to Garnet Hill, whatever, and they're having a challenge. Did you take that -- that level of detail wasn't taken into account, was it?

A. (Farrington) Yes, to the best of our ability. So, we use what is called the "K factor". And it allows you to calculate the vehicles per hour in the peak hour of that day. So, whether it's the morning, going in, or the afternoon, coming out. And it's usually around 10 or 12 percent of the vehicles per day volume. So, that will give you the highest vehicles per hour volume to expect. And those are the numbers that I use this for. So, it's more of a "worst case" analysis. Of course, if all of
those vehicles are -- if 90 percent of those vehicles are heading in one direction, it makes the flagger's job much easier, because there's not as much conflict.

Q. Right. And, when I was listening to Ms. Schibanoff today, I thought she raised a good point about mailboxes. But, not just mailboxes, it could be a million things on the road that, every time someone stops, they're stopping traffic, and they're essentially becoming another work zone at that moment in time.

So, when you look at these traffic studies, do you take into account the fact that there's going to be, you know, things such as that that, you know, sort of muck up the calculations?

A. (Farrington) So, the delay for someone turning in and out of the work zone isn't specifically factored in. But we do consider, from a safety perspective, how these folks are going to access their driveway. So, the ideal situation is, of course, working between two driveways, and there's nothing on the opposite side of the
road, and traffic moves freely between the two.

In order to, I guess, promote that ideal situation, we're hoping to impact only half of a driveway at a time. So, you would just cut the trench and dig to sort of the middle of the driveway, backfill that, and then go forward from there. It's not the most efficient way to do work. So, the steel plating is going to come into effect. And, for any of these longer work zones, where we are impacting their driveway in the middle or a business in the middle, there will need to be multiple flaggers to allow access in and out of those sideroads, businesses, things like that.

Q. And I imagine it would have to also be challenging I think to the point that was raised about access to the driveways, putting down the pads, and you said that you -- I got the sense, you said that that would be sort of a personal thing. That people would be knocking on the doors, you know, I may leave at 7:00 in the morning, and you may leave at 8:00 in the morning.

A. (Farrington) Sure.
Q. And, so, you're going to have enough workers on
the crews to be able to accommodate all of
these individual touches that you're going to
have to do every day?

A. (Farrington) Yes. Definitely. I mean, they
won't be impacting so many driveways at a time
that this will be an issue, because the
flaggers won't be able to handle it safely.
And we just can't open up that much of a work
zone and still allow traffic to flow.

And the steel plating, while it is
personalized, that part doesn't concern me, so
much as I guess the emergency call. And that's
where we're really working to get coordination
with the emergency response service. So that,
if they're coming to an address that we're
working nearby, we can respond while they're on
their way.

Q. And the school is out there on Route 116 as
well, is it not?

A. (Farrington) Yes, it is. And that will also be
included. We'll speak with school officials,
and work with their bus routes and bus hours.

Q. All right. I think I'm about there. So, I
guess the only, Mr. Bowes, everybody asks you for a commitment. So, you know, I think it's fashionable. So, I'm going to ask for one, too.

A. (Bowes) Hopefully, it's my last day. So, you can make a commitment, too.

Q. On your last day, make him go. So, in terms of the business outreach, that's the one thing that seems to be lacking for me to be able to evaluate.

A. (Bowes) Uh-huh.

Q. That's something you see coming up. If you were to say "well, when will that happen?" When do you see aggressive business outreach, now that we have a lot of this in front of us, when do you see that happening?

A. (Bowes) So, I'd say it's starting right now, with the letters that have gone out, with the hiring of Louis Karno, with the conversations with the DOT about acceptance that we may need in the future. And I would say now on, the last step of that process is getting a high level schedule from our construction contractor. They have hired resources to do
that. It's in process right now. So, I would say, over the next six to eight weeks, they will have a proxy that we can go to. And I find it much better to place a piece of paper in front of a business owner, rather than a blank piece of paper. So, the piece of paper has "Here's our plan. Tell us how we can make it better." If we just start out with a blank piece of paper, they're going to look at their business needs, and maybe not their neighbors' business needs.

So, we're trying to come up with a plan that is executable by the constructor, and then modify it based on that. We're going to seek input from those businesses, and also our consultant for this, and try to come up with something that's workable for everyone.

And I mentioned, for example, I think it was the DOT representative that questioned us about that traffic circle in Plymouth. And I mentioned maybe that's a weekend-long event, where we would take a weekend and we get through it, and then we don't have that traffic issue around that circle to deal with. It's
one weekend of pain, I understand that. But we get agreement with the Town, for example, to use some local roads for detours, and we just go through that area very quickly. That would alleviate a lot of the congestion that comes into Plymouth, from both ways, north and south. So, that's an example.

But I think we need to have that plan in place to say "how would we be able to do that?", before we go to the Town of Plymouth and say "Here's a thought. Well, you know, tell us how we can make it better."

Q. And I would just stress, I think we have -- you have enough now to really start making that contact. And, as was said earlier, it would be great to be able to do it in writing, and if that would work. But, typically, and unfortunately, it takes that face-to-face walk, from place to place to place, and have those discussions, and, then, as you mentioned, having those more mass discussions. But I certainly would encourage that sort of activity now and very intimately.

A. (Bowes) I understand completely. Yes.
MR. WAY: Thank you very much.

WITNESS JOHNSON: And I did confirm that the letters that were sent did invite people to register to our business directory.

BY MR. WAY:

Q. That's good. And, so, when you visit them face-to-face, that's one of the things you can put in front of them and register them right there.

A. (Johnson) Exactly.

MR. WAY: Excellent.

CHAIRMAN HONIGBERG: Before we leave Mr. Way, he made two specific requests for documents. And I think Ms. Monroe noted what they were. Let's just get everybody on the same page as to what they were.

ADMIN. MONROE: I have the first item as a list of businesses that Northern Pass contacted, and that request was made to Mr. Bowes.

And the second one was you just referenced the materials that you sent outreaching to businesses, I believe Mr. Way asked for a copy of what was sent out to the
businesses.

WITNESS JOHNSON: As well as the business directory itself.

ADMIN. MONROE: Yes.

MR. WAY: Right. And, Pam, I think also, too, what I was talking about on the first one, is I'm very interested in what businesses have been identified, not necessarily -- though, I mean, I'm interested in those that have been responded. But, along your route, you have a -- you have a list, regardless of whether they have interacted with you or not, you probably know who they are now. I'd be interested in that.

WITNESS JOHNSON: Sure. We can provide you the mailing list, if you'd like, because that basically details the entire outreach.

MS. DORE: Just to clarify, could you please provide the list of businesses you contacted, identify the business by the business name, location, and identify the subject matter of communication?

WITNESS JOHNSON: Sure.
MS. DORE: Thank you.

MR. WAY: Thank you.

CHAIRMAN HONIGBERG: All right. Mr. Needleman, how long do you think it will take to get that information together?

MR. NEEDLEMAN: Can I let you know after the lunch break?

CHAIRMAN HONIGBERG: You may. Thank you.

All right. Ms. Whitaker, are you ready to go?

MS. WHITAKER: Yes. Sure. I have just a couple of -- I feel like they're a little random, but they're clarification questions, I guess.

BY MS. WHITAKER:

Q. And the first is, when the Wagner Forest rep. was asking questions, there was reference to a "culvert study", and that it was submitted to DES. And I was curious where this is and if we can have access to it?

A. (Johnson) Absolutely, you can have access to it. I don't know whether it's an official exhibit or a submittal to the DES. But,
certainly, if it's not on ShareFile today, we can make it available.

Q. Can somebody check to see if it's on the ShareFile?

A. (Johnson) I think they're looking right now.

Q. Okay. Perfect. Then, I'll move on to my other questions, we can follow up on that afterwards.

There has been talk about a claims process for lost business revenues for -- or, lost revenue for businesses.

A. (Johnson) Yes.

Q. And I'm curious how the general public knows about this claims process? Has that been part of outreach letters that you guys have sent? Have you guys referenced that claims process?

A. (Johnson) We have, as part of both this business communication, as well as some other communications that we put out. I will tell you that we have successfully used it already --

Q. Excellent.

A. (Johnson) -- in a couple of instances, mostly with agricultural folks.

Q. Okay.
A. (Johnson) But the process has worked on past programs that we've -- that Ken and I have been involved in, and John. And it has already been successful on this one.

Q. Is that something that could continue to be emphasized as you make contact with people, either individuals or farms or businesses? And the reason I'm asking or talking about that is, I would think that, in order to get refunded from you guys or compensated from you guys, people would need to provide data, and they would need to know what type of data they might need to be noting or collecting for upcoming construction seasons, in order to provide that data for compensation later.

A. (Johnson) Exactly. So, that is part of our communication outreach already.

Q. Okay.

A. (Johnson) And continuing going forward.

A. (Bowes) We'll make sure we add that with Louis Karno as well, so there will be a process that -- a description of what we basically need to justify a claim.
Q. That was my question, I guess, is -- sorry to jump in here, --

MS. WHITAKER: Go for it.

Q. -- but just while we're on the same topic. What is it that you ask them to prove? Do you need two years of business records? Or what do you ask them, what kind of data is expected in order to approve their claim?

A. (Bowes) So, I will answer it in general terms. And we have a set of claims people that deal with this every day. But we have to have a sense that it's a valid claim. So, you provided an example of "business records". Many businesses are reluctant to share that information with us. So, that's why we want to communicate up front. It could be a tax return, that is, you know, something that is not just a, you know, a ledger, let's say, but something that actually gets filed with a state or federal agency. Certainly, that gives us much more comfort that the numbers have been
certified. A certified audit report, for
larger businesses, things like that, are
certainly more useful. We realize that some
small businesses may not have that type of
record keeping. But it has to be somewhat
reasonable, I guess, before we can pay a claim.

Does that answer it or --

Q. It sounds like it varies on a case-by-case
basis, depending on the type of business?

A. (Bowes) Yes. The more detailed records that
they actually provide to a state or federal
agency, the easier it is to pay a claim. If
they don't have that level of detail, then
we're going to have to get some comfort with
their losses.

Q. And, in the notice that you are sending to
these -- to businesses in general, is the
claims process -- I think I heard the claims
process is part of that, is that correct, that
there is a claims process in place?

A. (Bowes) Yes.

Q. And do you say in that notice that they should
be keeping records or what do you tell them
about the claims process in that notice?
A. (Bowes) So, that's what we're going to add with this Louis Karno description, maybe even come up with a sample of what we'd like to have to see, so, for instances. But, even in that case, we can't just take a one-page document and say "Here are our losses." We have to have the supporting material to justify a payment.

But we can certainly make it clear of the types of information we need to collect from a business.

MS. WHITAKER: Excellent.

WITNESS JOHNSON: So, just to -- sorry, just to add.

MS. WHITAKER: Go for it.

WITNESS JOHNSON: The agricultural side of this is completely different. So, we took photographs in the field of a growing season, and how there was an impact to that. And we calculated the crop value, and then paid the farmer that difference, if you will, or the impacted amount.

So, again, from a business to business perspective, it completely is different across the board.
BY MS. WHITAKER:

Q. So, that example that you just gave, is that specifically for agricultural fields or whether it's hayfields or vegetable gardens that are on the right-of-way?

A. (Johnson) That's correct, yes.

Q. Okay. Switching gears a little bit. Ms. Lee questioned -- asked some questions about access via Fiddlers Choice Road, in Northfield. And I don't have a reference to an exhibit. But somebody had mentioned that Fiddlers Choice Road would not be used for access to get to the right-of-way. And, so, I was looking through some of the maps, of which we all know there are so many, and I was looking at those areas that were outlined as access roads within the right-of-way that are all sort of outlined in red.

And I was curious where, and, again, I was looking at these, and I might have missed the ones that have this information on those maps, but where do we know how the construction vehicles are going to get from main roads, say, interstates or highways, onto the right-of-way,
if they're not using smaller town roads, like Fiddlers Choice Road? Like where's the connection?

A. (Johnson) So, clearly, that level of detail has not yet been identified.

Q. Okay.

A. (Johnson) So, what we've stated in our Application is that the right-of-way will be accessed through public roads. There are certain levels of roads, such as Fiddlers Choice Road, --

Q. Uh-huh.

A. (Johnson) -- that happened to be in somewhat of disrepair, unfortunately, through whatever, whether it's weather or just not maintained. The contractor ultimately, prior to construction, will assess the best way to get somewhere. Clearly, interstates to start, from a material delivery perspective. But, wherever their laydown yards are as well, or the marshalling yards, they will also have to map out routes to get to and from the right-of-way.

For the most part, we have not -- we have not sought, in this Project, to have
off-right-of-way access roads or individual agreements with landowners. Again, I think we've testified that it's not to say that we won't in the future, --

Q. You'd say "yet". You haven't done that yet, maybe?


Q. Okay.

A. (Johnson) However, it has to meet all the requirements of and implications of environmental and archeological and visual impacts as well. So, the idea is that we'll be accessing from roads that have the width to get equipment down, or the strength, if you will, or the strength to hold those types of loads.

Q. Okay. And, in terms of --

A. (Farrington) Can I add to that? Sorry.

Q. Please do.

A. (Farrington) So, for the transportation management plan, and we've done this in heavier populated areas, where there are more options, but I think the contractor has found it useful. So, we would lay out kind of a map of all the roads that are possible. And the New Hampshire
DOT actually puts out an over weight and over height permit map. So, there are certain roads that over weight and over height vehicles can not go on. So, we'll identify those. And, then, we also identify heavy computer roads, so the contractor knows "avoid it, you know, from 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m." Or, really, it helps them to, also heavy residential areas, so that traveling at night they can kind of avoid that. So, we kind of give them a nice color-coded picture of the whole study area, and then they can kind of work out their more detailed routes from that.

Q. And, in terms of time frame, would those or would that level of specification come in around the same time frame as the IFCs, I mean coming in maybe like six weeks before construction starts?

A. (Farrington) Probably a little sooner, the transportation management plan. So, we've actually started it, the traffic control plans are included. So, that's getting close. It would probably be before, just because there has to be some approvals from the Traffic
Control Committee, and we want to have a lot of
time to discuss and communicate with the towns
and get everyone on the same page. However, if
you do it too soon, everyone kind of forgets
about it. So, we try to --

Q. Okay.

A. (Farrington) -- try to find a balance.

Q. And, if somebody had a question about a
specific road that they use to access their
home or farm fields or what have you, could
they contact you guys and ask at this point if
that road is going to be used? Would you have
that information?

A. (Johnson) So, the individual roads next to a
residence, probably not.

Q. Okay.

A. (Johnson) But, again, as Ms. Farrington alluded
to, in the relatively near future, we will be
beginning that process. Again, as part of the
MOU process with towns, that they will help us
identify roads that they would like us to stay
off of. But, I think, in the next, I would
say, several months, those plans will be
completed. And, then, yes, the general public
is absolutely welcome to call us and find out. And we can certainly have individual landowner meetings with them, as we have and continue to do.

Q. Yesterday, when Ms. Lee was asking questions, somebody said pretty emphatically that Fiddlers Choice Road would not be used. I was just curious that --

A. (Johnson) So, that was me. And it was more based on the quality of that particular road.

Q. That road.

A. (Johnson) As Ms. Lee alluded to, it has its challenges.

MS. WHITAKER: Okay. Let me just do a quick check here.

(Short pause.)

MS. WHITAKER: I think I'm all set. Thank you.

CHAIRMAN HONIGBERG: All right. Ms. Monroe, Ms. Whitaker also made a request. Can you remind us what it was?

ADMIN. MONROE: I believe it was a copy of the culvert study that was submitted to DES.
WITNESS JOHNSON: That is correct.

CHAIRMAN HONIGBERG: Right. And there was a reference to the "ShareFile". You said "it's on the ShareFile", or someone said that. I think folks should understand that we don't really have access to that.

ADMIN. MONROE: You don't. I do.

CHAIRMAN HONIGBERG: You do, we don't.

ADMIN. MONROE: And Mr. Iacopino does.

CHAIRMAN HONIGBERG: So, is that how it's going to be provided to us, Ms. Monroe?

ADMIN. MONROE: That isn't what I'm anticipating.

WITNESS JOHNSON: I believe it's an exhibit. So, they're going to tell you what it is.

CHAIRMAN HONIGBERG: Ah. That would be good. Mr. Needleman.

MR. NEEDLEMAN: Yes. The culvert study I think is part of Applicant Exhibit 72.

CHAIRMAN HONIGBERG: All right.

MS. WHITAKER: Thank you.
BY MS. WEATHERSBY:

Q. While we're on the topic of traffic and notifying people about road closures or when they're not able to access their homes or putting down the temporary access ways, we discussed allowing people to access their homes. But what is the process for when there's a cross street, and the -- in the underground portion, when the access to that street is blocked, do you go then down the street and notify everyone on that street that they can't get out? Or, like how long -- how far do you that this? And maybe it's easier if the road is a dead-end road. What is the process with cross streets?

A. (Farrington) We will make sure that they will be able to get out. If it's across the street, if the cross street is across the street from the work zone, as flagger will be positioned there to get people in and out with the correct directional flow of traffic. If we're going through the work zone, that situation applies
that I was talking about, where we would dig halfway across, and cross streets are generally wider than driveways, so that's a much more manageable approach, so that they'll always have access. And, if the road isn't wide enough, then the steel plate would be put in place to kind of make up the difference. So, it's going to slow down a little at cross streets, but access will always be provided.

A. (Johnson) So, if I may add, that the trench halfway across, do all the work necessary, close that work zone, go across the street, open up a new work zone, and then the original side would be open. So, at all times there would be one of the two lanes available to go through the work zone.

A. (Farrington) Right. And then shoring at the point where they stop and switch over, so that, you know, the dirt doesn't slide and it's safe to travel across.

Q. Okay. Thank you. Now, I'm going to kind of jump around a whole bunch of different topics. As part of Mr. Fortier testimony, we were provided with the org. chart that we went
through yesterday. And I think you've each
been provided a copy again today.

A. (Johnson) Yes.

Q. I was just hoping we could go through that and
actually put names into the different boxes. I
understand what's blue, it's kind of grayish
color, is Burns & McDonnell folks. Could
someone help go through this, maybe Mr. Bowes
and Mr. Johnson, --

A. (Johnson) Sure.

Q. -- and actually put names to this, so we --

A. (Johnson) We will try and do it together, yes.

Q. Thank you.

A. (Bowes) So, I would say, in the top box that
says "Eversource Energy", that will be Jerry
Fortier. He's the Project Director.

A. (Johnson) So, under the "Design
Engineering", --

A. (Bowes) So, we'll go from left to right.

A. (Johnson) Derrick Bradstreet and Nathan Scott.

To the right of that is "Owner's Engineer
Senior Project Manager", that's myself. So, to
the left again, under the blue, the "Project
Controls Manager", is a woman by the name of
Stephanie Jaeger. She works in Manchester, is part of my staff.

Q. "Stephanie Daeger"?
A. (Johnson) "Jaeger".

Q. "Jaeger".
A. (Johnson) J-a-e-g-e-r. Our "Environmental Project Manager", below that, is a gentleman by the name of "Jake Tinus", and he's part of the Environmental Committee that's coming up, T-i-n-u-s.

Our "Customer Relations Manager", and we actually have two folks that are doing a dual role here: Chris Marshall is one and Sarah Hoodlett is the other.

If we go back up to the top of the next line, so "Sourcing Administrator" has not been identified yet, and that's a future -- a future person.

A. (Bowes) I would add that there is an Eversource person assigned for sourcing as well, and that's Fran O'Keefe. There is a dual role here between both Burns & McDonnell and the Eversource side of this.

A. (Johnson) So, the "Project Manager -
Construction" is Mr. Kayser, sitting right here. The "Overhead T-line Project Manager" is Mr. Roshon [sic], who happens to be in the audience. The "Underground Converter EPC Project Manager" is a gentlemen by the name of Tim Teel [sic], he's also located in Manchester. And the remainder of the boxes there are future folks.

From the right side, now this is sort of the -- our quantum fields, the pink. The "Overhead T-Line Project Manager", and I guess I would categorize that as the overall manager of the program right now, is Lance Clute.

Q. I'm sorry, his last name is?
A. (Johnson) Clute, C-l-u-t-e. He is the Vice President of PAR, or a Vice President of PAR.

As far as anything else underneath that, I don't believe that any of them have been identified yet. Those are all more related to construction activities and will come in the next sort of phase, post-permitting.

If you look to the right, under the "HVDC Underground Project Manager", I'm trying to think of the gentleman's name. It's the guy
from California, who I haven't -- I'm completely blank.

CHAIRMAN HONIGBERG: It will come to you.

WITNESS JOHNSON: Yes.

MS. WEATHERSBY: We'll come back to it.

WITNESS JOHNSON: We'll move on.

MS. WEATHERSBY: No problem.

WITNESS JOHNSON: Yes.

CONTINUED BY THE WITNESS:

A. (Johnson) If we go down to the -- and, again, --

A. (Farrington) Oscar.

A. (Johnson) Oscar. Thank you. Yes, and I'll get his last name. Bakar [correct name: Bashaw], I think is his last name, B-a-k-a-r. But I'll verify that.

The "Contractor Substation Project Manager" is Stephanie Labbe, L-a-b-b-e. And, again, the folks below them have not been -- they're more the construction-related folks.

The "Contractor HVDC Converter and Cable Project Manager", this would be the ABB folks.
I believe it's Ulf Samuelsson, is the Vice President of ABB. And they have a whole litany of folks that are in Sweden that sort of fall underneath that. They probably have 40 or 50 engineers and project managers working on this. I can't really, off the top of my head, tell you who that all is, but suffice to say there's a giant team here.

A couple other folks of interest. Brian Bosse is an Eversource engineer, who is effectively sort of hand-in-hand with Ulf, managing the converter station and some of the underground cable. There is a Project Controls Manager from Eversource, Anthony Zawadski [sic]. Good luck with that one. It's actually phonetic. And he is on-site in Manchester, as well as Brian is.

And, then, Eversource also has, on a part-time basis, a bunch of other directors and employees that are assisting with the permitting process, whether it's in environmental compliance, whether it's liaisons with the Forest Service or the DHR, for example. So, there are other folks that are
involved, and that they're not really on this chart here.

BY MS. WEATHERSBY:

Q. Okay. Great. Thank you. That's helpful. The contracts with PAR or, for that matter, with ABB, are they incentivized at all for finishing early?

A. (Johnson) So, not to finish early, but they are decentivized to be finishing late. So, part of our commitments are to the ISO-New England grid that our Project will be available for their use at a certain date. And, if we are not part of that date, there are -- potentially, the ISO-New England could have issues, because they are relying on our Project to be there.

So, they aren't incentivized to be early.

But they are definitely incentivized to be late -- or, decentivized to be late.

Q. Penalized.

A. (Johnson) Penal, thank you. Yes.

Q. Ms. Farrington, when a shoulder of a road is used so that there can be travel along a roadway that's passing a work zone, what is the speed limit that the vehicles can safely travel
down that shoulder area?

A. (Farrington) So, there's no speed limit requirement because of the shoulder, necessarily. That's more of a structural capacity of the road and if the loading causes cracking. The speed limit is more defined by the speed limit of the original roadway and the width that we are giving them. So, in these conditions, it's usually 10 miles an hour less than the posted speed limit.

Q. And has that been taken into account into your projections or is it just the stoppages?

A. (Farrington) It's just the -- well, we don't have detailed projections by the second, per se. So, that slowdown, conceptually, it's included, but it's not anything that isn't -- has been included in the calculations.

Q. So, in the analysis, say, that you went through with Mr. Oldenburg, or that you referred to, I think, the following day, those concern stoppages. And those weren't -- so, in addition to those delays, there would be some delay in someone's trip because of a slower travel speed in certain sections?
A. (Farrington) Yes. Correct. And, if you have to stop, the time it takes you to get up to speed.

Q. Again, a total change of subject. I told you I'd be jumping around. On the maps that have been provided, there's been some testimony that some structures that exist today are not depicted on those structures, particularly, I think we saw a house down by Turtle Pond. So -- and the maps, I think, are -- are the maps based on aerials from 2010, '11, '12? What is the date that the -- the date of the conditions the maps are based on and what are the plans, if any, for updating those maps?

A. (Johnson) Right. So, I believe that the original maps, and it depends where you are, unfortunately, across such a broad stretch of the state, were in the vintage of 2013-2014. Those maps are being -- the base mapping, if you will, is being updated, and will be available in the next week or so with 2017 information.

Q. And, then, will there also be a corresponding update in, say, the abutter cards that -- or
tax cards for perhaps new properties that
have -- properties that have changed or, you
know, there's a vacant lot, and now there's a
house on it, or there's now a business
somewhere that wasn't or it's doubled in size.
What is the process for providing us with the
information as to the changed conditions on the
ground, other than maps, if any?
A. (Johnson) I actually don't know. That's a
unique situation that's part of the actual SEC
process. I'll have to defer to lawyers and get
you an answer on that.
Q. All right. Thank you. And you indicated at
some point that we may have new maps as early
as next week?
A. (Johnson) Yes. They're in my in-box to do
QA/QC review. So, I'll be doing that over the
next week or so, and then we'll get those out
to folks, for sure, by the absolutely worst
case, the end of June they will be available.
There have been some updates noted even today
that would need to be inputted in.
Q. Ever changing. Just a general question
concerning the lattice towers, in particular.
Are those towers reflective at all?
A. (Johnson) So, they have a galvanizing finish upon them. Which, I suppose, in certain unique light conditions could be mildly reflective. That dulls over time very, very quickly. So, you end up with a -- sort of a mottled gray, if you will, which has no reflective properties.
Q. But they're not polished, --
A. (Johnson) No.
Q. -- they're all sort of galvanized?
A. (Johnson) Yes.
Q. Okay.
A. (Johnson) Yes.
Q. And the same with the metal structures, those are -- are they all self-weathering steel?
A. (Johnson) Yes. Those will come sort of in a brownish color already.
Q. In a couple instances, we've seen tower pads that are -- actually, in a lot of instances, we've seen tower pads that are in highway or road right-of-ways. What happens if that road needs to be widened? A state highway, and, you know, New Hampshire is booming, and we need to now go to four lanes, instead of a two-lane
highway?

A. (Johnson) Are you talking about the underground portion or the overhead?

Q. Let's talk about overhead first.

A. (Johnson) So, overhead, the crane pads themselves are temporary and will be removed at the end of the Project. So, the impacts there are relatively finite, and, hopefully, it's no surprise that the DOT is not coming through with a two-lane expansion of a road to us.

Further to that, if there's a structure that ends up encroaching, I believe that it's the obligation --

A. (Bowes) So, we've just -- I would say it's fairly common across the Eversource system where the state DOT has a project that expands their existing roadway, and we have to relocate a structure. So, it's a coordination process with the DOT to make those changes. And, again, depending on which state it is, there's a cost-sharing or a cost-causing component to that. I believe, in New Hampshire, is Eversource or Northern Pass would be responsible for that relocation cost.
Q. Is that something that Eversource is willing to commit to at this time?

A. (Bowes) If that's the established process in this state, yes. We will follow the same process that Eversource has today, which I believe is we have to pay for the cost to relocate our facilities.

Q. And, if it's not the established procedure, if there isn't one, or perhaps it differs, is that something that Eversource is prepared to commit to now, or would you rather defer that?

A. (Bowes) I'm not aware of any plans on the overhead section from New Hampshire DOT at this point that would cause that. I don't think there's any reason why we would not commit to that at this point, for the overhead portion, yes.

Q. Okay. Thank you.

A. (Johnson) As far as the underground portion, because the facilities will be underground, unless there's a reason for the highway improvement to go into our facilities, they wouldn't need to be affected. However, if there was an opportunity, I think the same
rules would apply.

Q. Okay. Thank you. Ashland Sewer & Water, we've heard testimony and seen your mapping concerning the septic lagoons and the potential to possibly damage the septage lagoons or the monitoring wells there, particularly when excavating for the foundations. You acknowledge that's a possibility?

A. (Johnson) So, we met with the Water & Sewer group in Ashland. They provided detailed mapping that shows where their wellheads are. And we certainly will be communicating and working with them to make sure that those are clearly identified, either with the snow fences or some more robust, whether it's a jersey barrier or something that we can put in front of those, to make sure that the contractors do not accidentally damage them in any way.

If they do, obviously, the Project is liable for that, and we'll have to make them whole in kind.

Q. So, in addition to the jersey barriers, fencing, etcetera, are there any other protections that will be in place? And the
second part of that, I guess, is, if something unforeseen happens and there is a release, say, of a lagoon or damage to a well, let's look at the lagoon situation first, what would be the response?

A. (Johnson) So, if a lagoon released, I think that would be a catastrophic type of failure. And we certainly don't want to be in that realm of the world in any way. You know, certainly, we'd have to have discussions with the DES, as far as a pre-plan, if you will, what kind of expectations of damage are there? Is there even a possibility of that happening? Do we believe our construction can be done without impacting them? Which we do believe that.

But, you know, if there are special requirements that are mandated that basically say "you have to have such and such pieces of equipment available", whether it's boom trucks or something that would be immediately available to soak up an inadvertent spillage of some sort. On a lagoon-size failure, then we'd certainly be amenable to that.

If you're asking more about a fuel spill
or a hydraulic leak, every -- there are
established procedures for those types of
things, and, depending on the severity of it,
would include the excavation of the affected
material. There are immediate steps that
happen. So that containment-type of material
has to be on-site at all times. So, there are
different sort of levels, if you will, of
preparedness for such activities.

Q. Okay. But you anticipate working with DES, in
addition to the Ashland Water & Sewer?
A. (Johnson) So, there are a certain number of
conditions that DES automatically imposes on
you, as far as having to have Speedy Dry, for
example, for a fuel spill on a piece of
concrete. So, there are those basic things
that have to happen.

From a lagoon perspective, a failure of a
lagoon, certainly that puts us clearly in a
different class. We'd have to have discussions
with all three parties, to make sure that we're
all on the same page as far as any kind of
corrective action or preventative action.

Q. And you're planning on having those
discussions?

Q. Okay. There was some cross-examination and
testimony concerning the right-of-way widths,
particularly in the Town of Easton, and the
surveys that were -- are relied upon by
Eversource or Northern Pass have been called
into question. In particular, it appeared as
though the surveyors may not have had access or
may not have used complete information. A list
of some other materials, I think by Ms.
Pastoriza, were provided that seemed to
conflict a little bit. So, I think it would
just be important to -- could you provide the
SEC with a list of the surveys that were used
in making the Project maps in the Towns of
Easton and Franconia?

A. (Johnson) Yes.

Q. Thank you. Did I hear correctly that there's a
parcel in Northumberland, in the Cape Horn
State Forest, for which Northern Pass
Transmission does not have an easement to cross
that is part of the planned route?

A. (Bowes) So, I think there is a parcel in that
State Forest that we believe has an error in the easement, in the original easement with Public Service New Hampshire, and then that would be shared by Northern Pass. We think, and we have gone through the process to have that corrected, at the same time, Northern Pass has applied for, in its crossing of statistic State lands and roadways, the right to go across that piece of property.

So, I would classify it as the belt is trying to go through the normal process of having that transcription error corrected, and the suspenders are we've also asked for the State's permission to cross that piece of property in the other proceeding before the New Hampshire PUC. So, we think we're going through and doing it in two different methods to get the proper rights for this piece of property.

Q. So, you have a legal action to clarify the terms of the acquired title or something to determine the rights under the easement?

A. (Bowes) Correct.

Q. And, then, there's a second --
A. (Bowes) A regulatory action with the PUC to get permission to cross that land.

Q. With the PUC. Okay. And what is the status of each of those actions?

A. (Bowes) The regulatory action I know is pending. That's part of the docket that is upcoming. I don't know the status of the legal action. We can find out at the break.

Q. Okay. Thank you. Are there any other parcels along the right-of-way for which you don't have -- for which the easement is -- you have an action to determine your rights of that other -- I'm not phrasing that well. Do you -- are there any other parcels for which you don't have easement -- you question your easement rights for the route?

A. (Bowes) No.

Q. For the easements which you have yourself or PSNH is allowing you to share those rights, are any of those easements -- are all those easements continuing in perpetuity or do some of them have deadlines, termination dates?

A. (Bowes) So, I know the lease for the Wagner
Forest, for example, I think is a 99-year lease. So, that does have a termination provision in it. That's the only one that I'm aware of. None of the easements, to my knowledge, have any termination in them.

Q. So, the Wagner Forest is a lease, right, not an easement?

A. (Bowes) That is correct.

Q. And I have read, just in the news, there's the whole controversy of Bayroot and Yale, that that lease can perhaps be terminated as sort of within a year. Do you have any reason to dispute that?

A. (Bowes) I think there is a provision in it, if Northern Pass fails to make a payment in a certain period of time, then the lease can be terminated.

Q. Is that lease provided to the Committee as part of the -- part of the Application?

A. (Bowes) I'm not sure if it has or not. I can check.

Q. If it hasn't, could it be provided please?

A. (Bowes) Yes.

Q. Thank you.
CHAIRMAN HONIGBERG: Off the record.

[Brief off-the-record discussion ensued.]

CHAIRMAN HONIGBERG: We're going to take our lunch break now, and resume as close to 1:30 as we can.

(Lunch recess taken at 12:32 p.m. and concludes the **Day 12 Morning Session**. The hearing continues under separate cover in the transcript noted as **Day 12 Afternoon Session ONLY**.)
CERTIFICATE

I, Steven E. Patnaude, a Licensed Shorthand Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of these proceedings taken at the place and on the date hereinbefore set forth, to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

____________________________________________
Steven E. Patnaude, LCR
Licensed Court Reporter
N.H. LCR No. 52
(RSA 310-A:173)