

1 **STATE OF NEW HAMPSHIRE**2 **SITE EVALUATION COMMITTEE**3 **July 19, 2017 - 9:02 a.m.** **DAY 22**4 49 Donovan Street
5 Concord, New Hampshire **Morning Session ONLY**

6 {Electronically filed with SEC on 07-26-17}

7
8 **IN RE: SEC DOCKET NO. 2015-06**
9 **Joint Application of Northern**
10 **Pass Transmission, LLC, and**
11 **Public Service Company of**
 New Hampshire d/b/a Eversource
 Energy for a Certificate
 of Site and Facility.
 (Hearing on the merits)12 **PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:**13 **Chrmn. Martin P. Honigberg** Public Utilities Comm.
14 *(Presiding as Presiding Officer)*15 **Cmsr. Kathryn M. Bailey** Public Utilities Comm.
16 **Dir. Craig Wright, Designee** Dept. of Environ. Serv.
17 **Christopher Way, Designee** Dept. of Business &
 Economic Affairs
18 **William Oldenburg, Designee** Dept. of Transportation
19 **Patricia Weathersby** Public Member
20 **Rachel Dandeneau** Alternate Public Member21 **ALSO PRESENT FOR THE SEC:**22 Michael J. Iacopino, Esq., Counsel for SEC
23 *(Brennan, Caron, Lenahan & Iacopino)*

24 Pamela G. Monroe, SEC Administrator

(No Appearances Taken) **COURT REPORTER: Steven E. Patnaude, LCR No. 052**

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I N D E X

PAGE NO.

WITNESS: **MITCH NICHOLS**
(resumed)

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NOTIFICATION OF NON-SUBSTANTIVE CORRECTIONS:

Page 2/Line 9:
Addition of "*Cross-examination by Ms. Bradbury* 44"

Page 55/Line 23:
"Michigan" was corrected to "*Plymouth*"

[WITNESS: Nichols]

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JT Muni 222	Letter from Franconia Police Chief to Atty. Fillmore (07-15-17)	18
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P R O C E E D I N G

CHAIRMAN HONIGBERG: Good morning, everyone. We're ready to get started. I believe we are resuming the questioning with Ms. Fillmore.

(Continuation of the cross-examination of **Mitch Nichols**.)

MS. FILLMORE: Thank you, Mr. Chairman. Good morning.

Good morning, Mr. Nichols. My name is Christine Fillmore. I'm right here.

WITNESS NICHOLS: Good morning.

MS. FILLMORE: I represent several municipalities, different from the ones Mr. Whitley represents. And I'd like to ask you a few questions.

MITCH NICHOLS, Previously Sworn.

CROSS-EXAMINATION (resumed)

BY MS. FILLMORE:

Q. First, I'd like to follow up on a point that was raised yesterday by Attorney Pappas. And I believe he asked you "where in the report" -- or, "if your report had analyzed the effects of

[WITNESS: Nichols]

1 the Project on a regional basis?" Do you
2 recall that?

3 A. I do.

4 Q. And do you recall what your answer was?

5 A. I don't.

6 Q. Okay. My recollection, and you can correct me
7 if you think I'm wrong, is that your response
8 was that you had analyzed the effects of the
9 Project on a regional basis, --

10 A. That's correct.

11 Q. -- according to the Department of Resources and
12 Economic Development regions?

13 A. That's correct.

14 Q. Okay. And do you know where in your report
15 that is?

16 A. That was my fundamental conclusion. And as I
17 mentioned yesterday, it included reviewing
18 products and visitor-related elements in each
19 of those various regions, driving those
20 regions, reviewing information from the
21 Plymouth State University, as far as volumes,
22 information on the different regions, the
23 character of the visitors in these regions, and
24 all that was incorporated in my fundamental

[WITNESS: Nichols]

1 conclusion.

2 Q. Okay. I would like to take a look at -- this
3 is part of Applicant's Exhibit 1. It is a page
4 from Appendix 45, which is Mr. Nichols' report.
5 Mr. Nichols, do you recognize this page?

6 A. I do.

7 Q. Okay. Having gone through your report, there
8 are -- there's a sentence -- three sentences in
9 this section that seem to address effects of
10 the Project on a regional basis, and it starts
11 here *[indicating]*. Could you read that
12 sentence.

13 A. "New Hampshire's Division of Travel and Tourism
14 Development breaks the state into seven
15 geographic travel regions as depicted in Figure
16 3-4."

17 Q. And then continue here, please. Whoops.
18 Sorry. Technical difficulties. And these
19 three sentences -- two sentences right here.

20 A. "Table 3-1 reflects the level of visitor
21 spending in these seven regions in Fiscal Year
22 2014. As noted in Figure 3-5, the Merrimack
23 Valley Region attracted the largest share of
24 visitor spending at just below 30 percent and

[WITNESS: Nichols]

1 the Great North Woods Region accounted for the
2 smallest at 1.7 percent."

3 Q. Thank you. Can you tell me, as you sit here
4 today, where in the report, other than those
5 three sentences, there's an analysis of the
6 effect of the Project on regions in New
7 Hampshire?

8 A. In the report, this was the area where I was
9 speaking about the various regions. Again,
10 there might not be other areas where we
11 specifically presented the analysis on a
12 region-by-region basis.

13 However, as I mentioned, everything from
14 the input sessions to, in the third section,
15 the input process that we undertook in the
16 second section, and my broad analysis, as I
17 mentioned, everything from understanding the
18 composition of visitation in those various
19 regions, the mix of attractions and elements in
20 each of those regions, the visitor composition
21 in those regions, that was all taken into
22 account in my conclusion. But this is the area
23 in the report that I spoke about those specific
24 regions.

[WITNESS: Nichols]

1 Q. So, to look at these three sentences again,
2 would it be correct to characterize this first
3 sentence as reiterating the fact that the
4 Division of Travel and Tourism breaks the state
5 into seven regions?

6 A. That's correct.

7 Q. And this sentence says that there's a table
8 reflecting the level of visitor spending in
9 those regions?

10 A. That's correct.

11 Q. And the third sentence talks about which region
12 attracts the largest share and which attracts
13 the smallest share?

14 A. That's correct.

15 Q. So, that's the sum total of your analysis of
16 the effect of the Project on New Hampshire
17 region by region?

18 A. That's incorrect.

19 Q. Where is the rest of it?

20 A. I just reviewed the steps and the initiatives
21 that we undertook to analyze and consider
22 impacts on a regional basis. And I'll just
23 repeat that.

24 There was extensive review of historic

[WITNESS: Nichols]

1 data from Plymouth State University that
2 reviewed visitor composition, spending, the
3 various trends within the various regions.
4 When we reviewed the products and the
5 transmission lines, whether it was through
6 Google Earth and reviewing the positioning of
7 key products within these regions, when I was
8 out driving and reviewing key products in each
9 of these regions, the input process in which we
10 went from the north to the south and had
11 different perspectives in these regions, all of
12 that collectively was taken into my analysis
13 and helping form my fundamental conclusion.

14 Q. Thank you. I'd like to move onto a different
15 topic. Also something that was covered a bit
16 yesterday. And I apologize if some of these
17 require me to lay a little foundation from what
18 was covered yesterday, because, obviously, now
19 it's a day ago.

20 I believe I heard you say yesterday that
21 you did not consider the impacts that the
22 construction or operation phases would have on
23 particular events in host communities or
24 specific events that bring tourists to these

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[WITNESS: Nichols]

1 areas. Is that correct?

2 A. I did not specifically analyze the impacts of
3 construction. I spoke in general of what my
4 general conclusions or beliefs were in terms of
5 the impacts or effects that short-term
6 construction delays would have.

7 Q. Let's consider a couple of examples of
8 specifics. Are you aware that -- you are
9 aware, I assume, that the underground portion
10 of the route would go through the Towns of
11 Sugar Hill and Franconia?

12 A. I am.

13 Q. And that construction on the underground
14 portion would occur between April and
15 November?

16 A. Correct.

17 Q. Are you familiar with the annual Lupine
18 Festival held over several years each June in
19 Sugar Hill and Franconia?

20 A. I'm not aware of that specific -- specific one.

21 Q. I would represent to you that it involves not
22 only looking at fields of lupines, but also
23 horse-drawn carriage rides, an open-air market,
24 an art show, and concerts. Would you believe

[WITNESS: Nichols]

1 that?

2 A. That's understandable, and sounds like an
3 attractive event.

4 Q. And do you recall yesterday one of the
5 attorneys was asking you about the roads that
6 go through Franconia and Sugar Hill, and do you
7 recall general discussion about how there are
8 one or two roads that go through those towns?

9 A. I recall that general discussion.

10 Q. Did you, in your analysis, consider the impacts
11 that traffic delays and detours in this area
12 caused during the construction phase might have
13 on the Lupine Festival?

14 A. We did not consider impacts on any specific
15 business or any specific festival, no.

16 Q. Did you consider the effect of the construction
17 or the operation phase on activities and events
18 that don't just rely on the roads to get people
19 to their destination, but for which the travel
20 is the entire point, such as foliage season,
21 bike races, and marathons?

22 A. Again, in a general context, as I mentioned
23 yesterday, I believe visitors experience
24 traffic congestion. In today's world, traffic

[WITNESS: Nichols]

1 can be congested for an event or an experience.
2 And they have come to understand that's part of
3 the travel experience.

4 I believe the Project is actively working
5 to try and minimize the impacts, to work with
6 communities, to recognize when those events are
7 occurring, and to try and develop options that
8 would limit that disruption. And I believe the
9 construction activity would be short term in
10 duration, and, as noted in the Draft EIS, would
11 not be long in occurring, and, in many
12 instances, those traffic delays would not
13 impact one particular area for any extended
14 period of time.

15 Q. You just mentioned the "Draft EIS". I'd like
16 to bring up an exhibit. This is "JT Muni 221".
17 This, as you can see, is the Traffic &
18 Transportation Technical Report for the Draft
19 EIS.

20 A. I see that.

21 Q. And what I'm turning to now is Table 18, which,
22 as you can see, shows "average daily volume" --
23 "traffic volume increases for roadways near
24 intersections with the Project". And this is

[WITNESS: Nichols]

1 "Alternative 5b. Do you see that at the top?

2 A. I do. I do.

3 Q. Did you review this chart?

4 A. I did not.

5 Q. I'd like to bring your attention to this line
6 here. Well, if I could. There we go. Do you
7 see the little highlighted section?

8 A. I do.

9 Q. And that this is a segment of the proposed
10 route on New Hampshire 116, north of Route 112?

11 A. Correct.

12 Q. And the column that's highlighted shows the
13 "Volume Percentage Increase" of traffic?

14 A. I see that.

15 Q. And what number is that?

16 A. "116 percent".

17 Q. Are you aware that Easton is in the same
18 general area as Franconia and Sugar Hill and
19 shares the same lack of alternative roadways?

20 A. Generally, yes.

21 Q. Okay. And, then, the next page is Table 19,
22 this is a similar alternative, "5c", in the
23 Draft EIS, showing the same numbers for that
24 intersection. Do you see that?

[WITNESS: Nichols]

1 A. I see that. I also see -- yes, it's certainly
2 a large percentage, but it's on a base, one of
3 the very smallest volumes base of 290, as far
4 as the volume. So, it certainly is a large
5 percentage, but it's in a lightly used area,
6 certainly.

7 Q. Do you know what kinds of construction vehicles
8 might be involved in this Project?

9 A. In general, not specifically though.

10 Q. Do you think it might be accurate to assume it
11 would include cement mixers, cranes, dump
12 trucks, flatbed trucks with excavators?

13 A. I'm sure that type of equipment would be part
14 of the construction process.

15 Q. And, as we discussed yesterday, or you
16 discussed yesterday, the construction process
17 will last approximately two years?

18 A. In total duration.

19 Q. And does your report say that the summer months
20 are the most important overall for the state's
21 tourism industry?

22 A. It does.

23 Q. Did you consider the impacts that a 116 percent
24 increase in traffic volume might have during

[WITNESS: Nichols]

1 the summer months on the Town of Easton?

2 A. I did not look at this particular area and the
3 increase there, from volumes of 290 to 626. I
4 did not analyze that, no.

5 Q. Because it wasn't important?

6 A. Because I didn't focus on construction impacts,
7 and I didn't look at a business by business or
8 a specific event kind of basis.

9 Q. If you were to assume, solely for purposes of
10 my question right now, that several towns in
11 this area, Easton, Franconia, Sugar Hill,
12 market themselves as cycling routes during the
13 summer and fall, with inns and Bed & Breakfasts
14 catering to those tourists. If that were true,
15 do you think those kinds of delays would have
16 any effect on that kind of tourism?

17 A. It could. I think much of that is a function
18 of what steps and initiatives are taken to
19 direct those visitors to areas where
20 construction might not be occurring, and
21 helping them understand how they can still have
22 a great time and stay clear of the construction
23 activity.

24 Q. Do you know whether it ever happens that a bike

[WITNESS: Nichols]

1 race is held during construction?

2 A. I can't give you a specific example, but I'm
3 sure there are occasions where some type of
4 sporting event, whether it's biking or running,
5 that there could be construction activity going
6 on in some area of a community at the same time
7 that that kind of an event would be occurring.
8 But I don't have a specific example.

9 Q. But you didn't study that?

10 A. I did not.

11 Q. Have you heard of the "New Hampshire Marathon"?

12 A. Yes.

13 Q. Do you know when that's held?

14 A. I don't know the specific dates, no.

15 Q. What I'm bringing up now is JT Muni 224, which
16 I'll represent to you is a screen capture of
17 the website for the New Hampshire Marathon. Do
18 you see that?

19 A. I do.

20 Q. Are you aware that it's promoted as "The most
21 beautiful marathon in New England"? Do you see
22 that?

23 A. I do.

24 Q. Are you familiar with the route of this

[WITNESS: Nichols]

1 marathon?

2 A. No. I am not.

3 Q. What I'm bringing up now is JT Muni 223, which
4 I will blow up. Do you see that on your
5 screen?

6 A. I do.

7 Q. And can you see that this route goes from
8 Bristol, down at the bottom, up and around
9 Newfound Lake, through Bridgewater and Hebron?

10 A. I see that.

11 Q. Do you think that construction delays and
12 traffic might affect the experience that people
13 might have trying to get there, and park and
14 watch or participate in that race?

15 A. I don't think I can answer that question
16 without knowing exactly what construction
17 activity was occurring for what duration, and
18 what the extent of the delay was.

19 Q. This portion would be in the overhead area of
20 the route. If the Project were built, do you
21 think that towers and transmission lines might
22 have some impact on the experience that a
23 marathon runner would have, if they go there
24 expecting to run "the most beautiful marathon

[WITNESS: Nichols]

1 in New England"?

2 A. I can't speak to that exact example. But, as
3 I've testified, I believe that today's visitors
4 understands transmission lines are a part of
5 the fabric of travel. And, in general, they
6 would still come to experience the great beauty
7 of New Hampshire, and whether it's a marathon
8 runner or some other visitor, and because of
9 these other factors that I've noted numerous
10 times, even with a transmission line.

11 Q. Thank you. Let's talk about Franconia for just
12 a moment. This next exhibit is marked as "JT
13 Muni 222", and I believe it was also a Counsel
14 for the Public exhibit yesterday. Do you see
15 that?

16 A. I do.

17 Q. Okay. And, as you can see, this is a letter
18 from the Franconia Police Chief, to me, dated
19 last week. And I'm not going to go through
20 everything in this letter, because Attorney
21 Pappas went through much of it.

22 What I'd like to look at is the White
23 Mountain Triathlon, which Attorney Pappas did
24 bring up yesterday. But what I'd like to focus

[WITNESS: Nichols]

1 on here is this portion *[indicating]*. Can you
2 read that to yourself just for a moment?

3 A. Okay. *[Short pause]* Yes. I've read that.

4 Q. Okay. And would it be fair to characterize
5 this section of the letter as describing what
6 the Race Director believes is the economic
7 impact of people coming to run in a race?

8 A. Yes. I believe that's a fair characterization.

9 Q. And that the economic boon to the community
10 would be more than simply the race entry fee?

11 A. I see that.

12 Q. And, then, on Page 3 of this letter, these
13 three areas here *[indicating]*, would it be fair
14 to characterize that as links to reports
15 regarding the economic impact of people coming
16 to participate in some kind of a race?

17 A. That seems to be what it's in reference to.

18 Q. Have you studied any of these reports or
19 anything like them?

20 A. I don't believe I've studied these three
21 reports, no.

22 Q. So, is it fair to say that you did not consider
23 this kind of impact, the kind of impact that
24 this sort of event has on a community, and what

[WITNESS: Nichols]

1 negative impact, if any, the construction phase
2 of this Project would have on that?

3 A. No. That's an incorrect statement.

4 Q. So, you did consider this?

5 A. Yes.

6 Q. And where is that?

7 A. As I mentioned, I considered the short-term
8 construction disruption, in general, being
9 short and brief, that today's visitors
10 understand that. I've been involved in
11 numerous communities that have similar, whether
12 biking or running, events, and they have
13 adjusted courses in certain times because of
14 certain situations that were occurring in the
15 community. And I believe that, in many
16 instances, there's ways to mitigate any
17 potential impact. And I believe the Applicant
18 is attempting to work with communities to
19 minimize those effects. And I don't believe
20 that that construction activity would impact
21 regional demand in the state.

22 Q. Do you know how far in advance race organizers
23 have to obtain permits from the towns and from
24 states and make arrangements for these events?

[WITNESS: Nichols]

1 A. I don't know for these specific events. But
2 I'm generally aware that there's a large lead
3 time that's required in the planning process.

4 Q. And do you think that that might present a
5 problem, if the route suddenly had to be
6 shifted?

7 A. It certainly is a challenge, if it's put to the
8 very last minute. One of the examples I was
9 given was Sedona and their marathon. And they
10 had to make last-minute changes, the last week
11 prior to the event. So, that does occur. But,
12 certainly, as far out in advance, to try and
13 develop those strategies and thoughts to
14 minimize those impacts would certainly be the
15 more beneficial way to approach it.

16 Q. Thank you. Are you aware that yesterday
17 Northern Pass posted a blog entry during the
18 day, while we were here in this hearing,
19 regarding transmission lines and tourism?

20 A. I am not aware of that, no.

21 Q. This exhibit that I'm bringing up now is marked
22 as "JT Muni 230". And do you see here it was
23 posted -- sorry -- "July 18th, 2017" by
24 Northern Pass?

[WITNESS: Nichols]

1 A. I see that.

2 Q. Did you write this post?

3 A. I did not.

4 Q. Did you consult on it?

5 A. I have not read this. So, I'm not sure.

6 Q. Would you like to take a minute to read it?

7 A. Okay.

8 Q. Tell me when you'd like me to scroll down.

9 A. *[Short pause]*. Okay. Scroll down. *[Short*
10 *pause]*. Yes. I had not seen this blog in a
11 blog post, but I have seen this summary.

12 Q. Let's go to this section here, entitled
13 "Tourism Industry and Tourists Agree".

14 A. Okay.

15 Q. And could you read the highlighted portion
16 please.

17 A. "While the survey points to possible barriers,
18 the research showed that when a place has much
19 to offer, the collective power of the
20 destination far outweighs concerns regarding
21 power lines."

22 Q. And did I hear correctly yesterday, Attorney
23 Pappas asked you a question regarding the fifth
24 element in your report, which was the

[WITNESS: Nichols]

1 Prospective Visitor Survey, I believe he asked
2 whether the only question in the survey
3 regarding electric lines was one asking
4 participants to rank various destination
5 attributes, and one of those was "visible power
6 lines"? Do you recall that?

7 A. I do.

8 Q. And your answer was "yes"?

9 A. Correct.

10 Q. And the survey, am I correct in saying, did not
11 ask prospective visitors specifically what
12 importance they would place on new steel
13 lattice towers and high-voltage transmission
14 lines in various scenic tourist areas of New
15 Hampshire?

16 A. We did not ask that question.

17 Q. Do you think that the fact that the only
18 question that was asked was "whether visible
19 power lines" -- "how they would rank visible
20 power lines?", do you think that might be
21 slightly misleading?

22 A. No. I think, quite to the opposite. The whole
23 point was to understand, without introducing
24 any bias into a potential response, we wanted

[WITNESS: Nichols]

1 to understand how transmission lines were
2 perceived by prospective visitors coming to the
3 state, and how the presence of those lines
4 plays into their fundamental travel decision.
5 And that's why we asked the broad range of
6 other factors, to be able to better represent
7 what the true driving elements, the driving
8 factors influencing that visitor's fundamental
9 decision to choose New Hampshire was, and where
10 the presence of transmission lines fell in
11 regards to all of these other attributes.

12 And, as I mentioned yesterday, the survey
13 reinforced the findings that the Draft EIS
14 noted, that it was those macro economic and
15 market factors that were driving visitor
16 decisions. It was the same factors that we
17 heard when we did the -- had our discussions
18 with the industry. And it's the same mix of
19 elements that, in my 20 years of experience,
20 that I've come to experience and understand are
21 the things that drive that visitor's decision.

22 Q. Mr. Nichols, did the survey say "transmission
23 lines"? Did it use that phrase?

24 A. "Power lines" is the phrase that we used.

[WITNESS: Nichols]

1 Q. And "power lines" might encompass distribution
2 lines and transmission lines?

3 A. It could.

4 Q. Would you agree that there's a noticeable
5 difference between a distribution line and a
6 high-voltage transmission line?

7 A. They are different, yes.

8 Q. But the survey made no distinction?

9 A. It did not.

10 Q. How can you possibly assume that the people
11 taking this survey understood what you were
12 asking?

13 A. I think the visitor and the respondent
14 understands what "power lines" and, in some
15 instances, that visitor would be more
16 influenced by smaller power lines that are
17 directly adjacent, mile after mile, on a
18 highway, versus a short view of a more
19 significant transmission line. We focused on
20 this as broad "power lines", because I think
21 that provided us the understanding of how that
22 element fit within that broad range of factors
23 that drives that visitor's decision.

24 Q. Are you aware that this Subcommittee is tasked

[WITNESS: Nichols]

1 with the job of evaluating the impact that this
2 particular Project, as proposed, with
3 high-voltage transmission lines, would have on
4 New Hampshire?

5 A. I do. I am.

6 Q. If your survey didn't actually ask anyone
7 whether this Project, as proposed, would make
8 New Hampshire less attractive to them, doesn't
9 that significantly limit the utility of your
10 report to this Committee?

11 A. No. I don't believe that's the case at all.

12 MS. FILLMORE: Thank you. I have no
13 further questions.

14 CHAIRMAN HONIGBERG: What I have next
15 is Mr. Thompson.

16 MR. THOMPSON: Good morning. I just
17 have a couple of questions.

18 WITNESS NICHOLS: Good morning.

19 MR. THOMPSON: My name is --
20 Mr. Nichols, my name is Brad Thompson. I'm the
21 spokesperson for abutters and non-abutters --
22 I'm right here, hiding?

23 WITNESS NICHOLS: Very good. I see
24 you. Thank you.

[WITNESS: Nichols]

1 MR. THOMPSON: Okay. Spokesperson
2 for abutters and non-abutters of the Towns of
3 Pittsburg, Clarksville, and Stewartstown. Just
4 a couple of questions.

5 BY MR. THOMPSON:

6 Q. Do you remember the presidential election that
7 we experienced last fall?

8 A. I do.

9 Q. Do you remember what seemed like daily surveys
10 and polls on what was leading, on who were the
11 leading candidates in the many races, including
12 for president?

13 A. I recall numerous ones. Yes.

14 Q. You recall that. Yes. Do you remember the
15 surveys usually were announced and
16 representative of somewhere around a thousand
17 people, 1,100 people, and the announcers -- the
18 TV announcer would always tell us what the
19 margin of error might be, I forget what it
20 might be, but there was a margin of error?

21 A. Yes.

22 Q. And what would you say the one critical thing
23 is that we learned from those surveys last
24 fall?

[WITNESS: Nichols]

1 A. They can shift and ebb and flow, depending on
2 when the survey is taken.

3 Q. Correct. Would you say that that probably,
4 because folks today just don't accept status
5 quo, that they don't accept something just
6 because an expert or a person with a great
7 resumé or wonderful background says it's true,
8 that we think for ourselves?

9 A. Oh, I'm sure there's lots of independent
10 thought.

11 Q. Thank you. Last thought, if you're -- you live
12 in the State of Washington?

13 A. I do.

14 Q. Tourism a fairly important part of the State of
15 Washington?

16 A. It is important, certainly.

17 Q. If you were -- let's say that the Energy
18 Facility Site Evaluation Council of the State
19 of Washington was reviewing an overhead power
20 line that was going to come in from British
21 Columbia, a couple hundred miles, down near
22 Mount Rainier. Let's say for a moment that
23 that was occurring. If you were a resident of
24 Washington, a -- what appeared to be an expert

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[WITNESS: Nichols]

1 guy by the name of "Thompson" came trouncing
2 into the hearings in Spokane, with a good
3 background, and told you that "this was going
4 to be a wonderful thing", and we were going to
5 put overhead lines through wetlands, bring in
6 equipment, disrupt things for two or three
7 years, and then get to enjoy a wonderful power
8 line for the rest of our lives and pass on to
9 our next generations, how would you feel about
10 that?

11 A. Well, I think I'd need to know much more about
12 the specifics of what was being proposed, and
13 the information that whoever the expert was was
14 presenting.

15 Your example for Washington, that was one
16 additional example that I presented in my
17 supplemental testimony, an example of one of
18 the scenic byways in the northern part of
19 Washington State, where there are very
20 significant transmission lines that run from
21 the northern part, down to Seattle. And this
22 particular area where many of these
23 transmission lines are present, as I say, is
24 designated as one of Washington's key scenic

[WITNESS: Nichols]

1 byways. And there are large, large numbers of
2 visitors annually that travel that scenic
3 byway. And I believe they recognize that
4 Washington and this scenic byway is beautiful,
5 and they use that facility.

6 And that is, again, an example where there
7 are very significant transmission lines in your
8 Washington example, and visitors are recreating
9 and experiencing that visit experience even
10 with the transmission lines.

11 Q. So, to surmise that, you certainly are willing
12 to stand on your pretense that power lines out
13 there would not deter tourism?

14 A. As the five varying elements of my analysis, I
15 have not been able to find any evidence that
16 demonstrates a negative impact of the power
17 lines to regional travel demand.

18 MR. THOMPSON: Okay. Thank you very
19 much. That's all I have.

20 CHAIRMAN HONIGBERG: Mr. Cunningham.

21 MR. CUNNINGHAM: Mr. Nichols, my name
22 is Art Cunningham. I'm an attorney.

23 CHAIRMAN HONIGBERG: Microphone.

24 ADMIN. MONROE: Right on top.

[WITNESS: Nichols]

1 MR. CUNNINGHAM: Closer? Got it. Is
2 that better?

3 I represent a couple property owners
4 in Stark, New Hampshire. One of them is named
5 Kevin Spencer and the other one is named Mark
6 Lagasse.

7 BY MR. CUNNINGHAM:

8 Q. I don't know if you know where Stark, New
9 Hampshire is?

10 A. In general, yes. Uh-huh.

11 Q. But I'm a little bit interested in your area of
12 expertise.

13 A. Okay.

14 Q. Do you consult with or advise people that are
15 actually in the tourist business?

16 A. I do.

17 Q. And, in connection with this case, I think you
18 told the Committee and the intervenors here
19 that what you did here was take a look at the
20 macro level of the Project. In other words,
21 would there be impacts on the tourist industry
22 in New Hampshire on the macro level?

23 A. I believe it's on a regional level.

24 Q. And is "macro" a correct word?

[WITNESS: Nichols]

1 A. No. On a regional level was how I analyzed.

2 Q. And what that means, I guess to me, as a
3 layman, that, just in general, in the
4 aggregate, you took a look at the tourist
5 economy in the region?

6 A. What it means is I did not attempt to analyze
7 impacts to any individual business or any
8 individual geographic area. It was on a
9 regional basis.

10 Q. All right. So, if I understand that, you
11 didn't take a look at businesses or tourist
12 destinations one-by-one or make an inventory?

13 A. Well, I did have an inventory of many of the
14 key products in the state. I traveled to many
15 of them. I reviewed background materials on
16 many of those individual projects. But I did
17 not estimate impacts specifically for any
18 individual business.

19 Q. Would it have been in your area of competence
20 to do that?

21 A. It would have been.

22 Q. And were you instructed not to do that or you
23 made that decision on your own?

24 A. No. The assignment was to consider impacts of

[WITNESS: Nichols]

1 the Project to the tourism industry on a
2 regional basis. And that's what I undertook.

3 Q. And would you be good enough to tell us who
4 gave you those instructions?

5 A. It would have been the Applicant.

6 Q. And can you identify a person?

7 A. It would have been the gentlemen, Dana Bisbee
8 and Barry Needleman.

9 Q. And did you discuss with Mr. Needleman at all
10 taking a look at individual tourist
11 destinations?

12 A. No, I understood the need in this initiative
13 was to investigate the impacts of the tourism
14 industry on a regional basis. We talked about
15 some of the approaches that I proposed using.
16 We talked many times about looking at
17 individual businesses and understanding the
18 composition of the businesses within the New
19 Hampshire travel market. But we understood the
20 purpose of the analysis would be to evaluate
21 regional impacts.

22 Q. So, it's within your area of competence, and
23 you could have done it had you been asked to
24 take a look at a specific destination that,

[WITNESS: Nichols]

1 say, was within the visual impact of the
2 Northern Pass Project?

3 A. Certainly, I could have. But they could have
4 said, I don't know how many that might entail,
5 but that certainly could have been an approach.

6 Q. And, so, you don't know how many individual
7 tourist destinations that are going to be
8 impacted visually by the Northern Pass Project?

9 A. I've inventoried and considered the primary
10 tourism attractions in the state. And I'm well
11 aware of the positioning of the proposed
12 Project in relation to those key products,
13 and --

14 Q. Well, what -- what locations did you inventory?

15 A. The entire site.

16 Q. Can you name any of those individual items that
17 you may have inventoried within the visual
18 impact of the Northern Pass?

19 A. Major projects, everything from Balsams, the
20 Mountain View Grand, the Rocks Estate, --

21 *[Court reporter interruption.]*

22 WITNESS NICHOLS: I'm sorry.

23 **CONTINUED BY THE WITNESS:**

24 A. Balsams, Mountain View Grand, Weeks State Park,

[WITNESS: Nichols]

1 Bear Brook State Park, campgrounds up through
2 the White Mountains, everything from Whales
3 Tales to the Hobo Railroad, a pretty extensive
4 list.

5 Q. So, your testimony is that you looked at these
6 items?

7 A. Certainly, I --

8 Q. Looked at these destinations?

9 A. Yes. I spent time driving many of them. I
10 reviewed background materials on many of these
11 attractions, and used Google Earth technology
12 to understand the specific positioning of the
13 Project in relation to these key projects.

14 Q. And did you assess the individual impacts on
15 each of these projects?

16 A. I did not.

17 Q. So, you made no assessment of whether it would
18 impact, say, the gross income of a specific
19 tourist destination?

20 A. Not of a specific tourism destination.

21 Q. And I think you mentioned the "The Balsams".
22 Are you familiar with the relationship with The
23 Balsams to this docket?

24 A. I'm generally aware. Uh-huh.

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[WITNESS: Nichols]

1 Q. And do you understand that The Balsams is in
2 favor of this Project?

3 A. I am.

4 Q. And do you understand that The Balsams has
5 taken money from the Northern Pass to be in
6 favor of this Project?

7 A. I am aware --

8 MR. NEEDLEMAN: Objection.

9 CHAIRMAN HONIGBERG: Sustained.

10 BY MR. CUNNINGHAM:

11 Q. But, in summary, you could have done an
12 assessment of each and every tourist
13 destination that would be impacted visually by
14 the construction of the Northern Pass. You
15 could have done that, but you were asked not to
16 do that. Is that your testimony?

17 A. My testimony is, I was asked to evaluate the
18 impacts of the proposed Project to regional
19 tourism demand in the state, and that's what I
20 did.

21 Q. In general, not in specific?

22 A. Again, I analyzed that on a regional basis. I
23 did not analyze business-by-business impacts.

24 Q. So, this Committee, we cannot know what

[WITNESS: Nichols]

1 impacts, financial impacts that this Project
2 will have on individual tourist destinations in
3 the beautiful State of New Hampshire?

4 A. I don't believe that is correct. My testimony
5 is I don't believe that there will be any
6 impacts on a regional basis as result of the
7 Project.

8 Q. Okay. I'm asking about a specific basis,
9 Mr. Nichols, not a regional basis. Let me tell
10 you who Kevin Spencer and Mark Lagasse are, my
11 clients. Kevin Spencer is a carpenter. Mark
12 Lagasse is a small business owner. He has a
13 small excavation business. They bought a
14 property in Stark, New Hampshire. They're
15 constructing a lodge and campground there. Are
16 you familiar with that property? It's called
17 "Percy Lodge and Campground"?

18 A. I'm not familiar with that specific property.

19 Q. And, so, you didn't look at that property or
20 assess the impacts of the Northern Pass on that
21 property?

22 A. I did not.

23 Q. And, if I told you that Spencer and Lagasse
24 have over \$700,000 in their hard-earned money

[WITNESS: Nichols]

1 and endless hours of work constructing the
2 lodge and the campground, would you disagree
3 with me?

4 A. I have no basis to make a statement on that. I
5 have no understanding.

6 MR. CUNNINGHAM: Is this up or
7 upside-down?

8 ADMIN. MONROE: Upside-down.

9 MR. OLDENBURG: Upside-down.

10 MR. CUNNINGHAM: I just want to show
11 the location. It's at the bottom of the page.

12 BY MR. CUNNINGHAM:

13 Q. Mr. Nichols, what I brought with me as an
14 exhibit, and it will be
15 "Stark/Dummer/Northumberland Exhibit 63", is an
16 ordinary atlas, an atlas that tourists might
17 have. And, if you look at the bottom of the
18 page, you'll see Christine Lake?

19 CHAIRMAN HONIGBERG: Off the record.

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

22 BY MR. CUNNINGHAM:

23 Q. I'm not going to spend a lot of time with this,
24 Mr. Nichols, but just to put my clients'

[WITNESS: Nichols]

1 situation in perspective here. Do you -- at
2 the bottom of the atlas page there, do you see
3 Christine Lake? Right in the middle, at the
4 bottom?

5 A. Okay.

6 Q. Under the word "Stark"?

7 A. Yes. Uh-huh.

8 Q. And my clients' lodge and campground lies just
9 below Christine Lake. Are you familiar with
10 Christine Lake?

11 A. No.

12 Q. It's a beautiful lake. It's available for
13 fishing and swimming. The lodge lies just
14 below Christine Lake. And just across the
15 little street there, they're developing their
16 campground. And their campground fronts on the
17 Upper Ammonoosuc River, which is a beautiful,
18 stark stream, a tributary of the Connecticut
19 River. It's a great river for paddling,
20 fishing, and swimming. If you look just to the
21 south of the Christine Lake area, you'll see
22 that it's the north part of the White Mountain
23 National Forest. It's a beautiful place.

24 Now, is it your testimony -- and the

[WITNESS: Nichols]

1 Northern Pass is going to be constructed right
2 behind the lodge. And it's going to have --
3 they have a little over a half a mile of
4 property there, about 3,000 feet, is going to
5 have a number of huge, tall monopoles, that are
6 going to rise above the treeline.

7 If you look to the north, from the lodge
8 and from the campground, you see they have a
9 view there of Percy Peak? You see Percy Peak?

10 A. I do.

11 Q. And, if you look a little farther north, you
12 can see Long Mountain?

13 A. I see that.

14 Q. The property has a view of Long Mountain. When
15 you look in that direction, when you look north
16 towards those peaks, what you see first is huge
17 130-foot plus monopoles. Is that going to help
18 their business?

19 MR. NEEDLEMAN: I'm going to object.

20 CHAIRMAN HONIGBERG: Grounds?

21 MR. NEEDLEMAN: First of all, Mr.

22 Cunningham is testifying. Second of all, he
23 hasn't put anything in front of the witness, in
24 terms of foundation, establishing what he's

[WITNESS: Nichols]

1 saying. I'm not sure it's accurate.

2 CHAIRMAN HONIGBERG: Mr. Cunningham?

3 MR. CUNNINGHAM: It is accurate, Mr.
4 Chairman. And I have the map.

5 CHAIRMAN HONIGBERG: Where?

6 MR. CUNNINGHAM: It's in front of the
7 witness.

8 CHAIRMAN HONIGBERG: Does it show
9 monopoles and other structures on it?

10 MR. CUNNINGHAM: Well, that's part of
11 the record in this case.

12 CHAIRMAN HONIGBERG: What is it you
13 want to ask the witness with this setup that
14 you're providing?

15 MR. CUNNINGHAM: Mr. Chalmers --

16 CHAIRMAN HONIGBERG: No, no, no.
17 Tell me what you want to ask him.

18 MR. CUNNINGHAM: I want to ask him
19 whether, as a tourist expert, what the impact
20 of these monopoles and construction of this
21 Project will -- what impact that will have on
22 Percy Lodge and Campground?

23 CHAIRMAN HONIGBERG: You can ask him
24 the question you just articulated. What impact

[WITNESS: Nichols]

1 will the construction of this Project have on
2 the Percy Lake Campground?

3 BY MR. CUNNINGHAM:

4 Q. And must I repeat the question, Mr. Nichols?

5 A. No. My answer is, I have not analyzed the
6 impacts on that particular property.

7 Q. So, you're not in a position to tell us today
8 whether or not this Project will impact the
9 value of and the business receipts of this
10 tourist destination business?

11 A. No. I'm testifying on the impacts to regional
12 travel demand, and I did not analyze this
13 specific project.

14 Q. And you're not saying it will help this
15 project, are you?

16 A. I'm not making any statement about this
17 project.

18 Q. In other words, you decline to make a
19 statement?

20 A. I haven't analyzed this project.

21 MR. CUNNINGHAM: Thank you,
22 Mr. Chairman.

23 CHAIRMAN HONIGBERG: Next up are the
24 Deerfield abutters, Ms. Bradbury or Ms. Menard,

[WITNESS: Nichols]

1 or some combination there of.

2 Off the record.

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

5 CHAIRMAN HONIGBERG: Mr. Whitley, why
6 don't you put -- we're on the record now.

7 MR. WHITLEY: Okay. Mr. Chair,
8 yesterday the Committee made a request for the
9 survey that Mr. Nichols used. And there was --
10 I couldn't -- I wasn't certain that the one I
11 had presented as an exhibit was, in fact, the
12 complete survey. I've consulted with the
13 Applicant, and they have confirmed that Joint
14 Muni 227 is, in fact, the complete survey that
15 was provided to the respondents. And it has
16 been provided at this time to Ms. Monroe
17 already.

18 MR. NEEDLEMAN: If I could add one
19 thing?

20 CHAIRMAN HONIGBERG: Mr. Needleman.

21 MR. NEEDLEMAN: I think Mr. Way also
22 asked for the results. I don't think those are
23 included in Mr. Whitley's exhibit, and we'll
24 provide those.

[WITNESS: Nichols]

1 CHAIRMAN HONIGBERG: And I understand
2 that they're going to have a separate exhibit
3 number, but a cross-reference to 227 when they
4 get filed?

5 MR. NEEDLEMAN: We can do that.

6 CHAIRMAN HONIGBERG: All right.
7 Thank you. Thank you, Mr. Whitley.

8 Ms. Bradbury, you ready to go?

9 MS. BRADBURY: Yes.

10 CHAIRMAN HONIGBERG: You may proceed.

11 MS. BRADBURY: Thank you, Mr.
12 Chairman. My name is Jo Anne Bradbury.

13 WITNESS NICHOLS: Good morning.

14 MS. BRADBURY: Morning.

15 BY MS. BRADBURY:

16 Q. I would like to ask you a few questions about a
17 couple of tourist destinations in New
18 Hampshire. Are you aware that New Hampshire
19 operates its Park System on a self-funding
20 system?

21 A. Generally. I have not looked in detail, but
22 I'm generally aware of that.

23 Q. So, you're aware that New Hampshire uses an
24 "all-funds" approach?

[WITNESS: Nichols]

1 A. I'm not familiar then with that terminology.

2 Q. Well, would you agree that with that model, the
3 way New Hampshire operates its Park System and
4 the funding, that would you agree that the
5 model that the state relies on, the income of
6 the best performing parks supports the entire
7 Park System?

8 A. I have not studied their funding system. But,
9 from your characterization, that sounds
10 reasonable.

11 Q. Okay. Well, would you agree that if income
12 falls in a high-usage park, the loss of funding
13 is felt across the entire Park System?

14 A. From the explanation that you provided, that
15 seems to follow that logic.

16 Q. Okay. So, the smaller parks in western New
17 Hampshire would be impacted by the loss of
18 revenue in the high-use parks, correct?

19 A. Under the funding characterization that I
20 believe I'm understanding that you've lined up,
21 that would be logical.

22 Q. Okay. Are you aware that Pawtuckaway State
23 Park is a high-use park, one of the primary
24 moneymakers for the State Park System?

[WITNESS: Nichols]

1 A. I'm generally aware of the park. I don't know
2 specific revenues from each of the individual
3 parks.

4 Q. Well, so, have you taken a look at the New
5 Hampshire DRED, "DRED" is Department of
6 Resources and Economic Development, their 2015
7 Fiscal Year Report of Division of Parks and
8 Recreation?

9 A. I have not seen that report.

10 MS. BRADBURY: Okay. Jeanne, let's
11 just put that page up.

12 BY MS. BRADBURY:

13 Q. So, you can see that that, down at the bottom,
14 just to make it easy, we don't have to look at
15 every number on that page, but you can see
16 there that "Pawtuckaway" is the first column
17 after the list of things they're considering,
18 that all the way down at the bottom, where it
19 shows profit and loss totals, that Pawtuckaway,
20 compared to the other parks that are shown on
21 that particular page, that Pawtuckaway is
22 happily a moneymaker for the Park System?

23 A. I see that.

24 Q. Okay.

[WITNESS: Nichols]

1 MS. BRADBURY: All right, Jeanne.

2 I'm through with that.

3 BY MS. BRADBURY:

4 Q. Are you aware that Pawtuckaway State Park is
5 located a very short distance from the proposed
6 expanded substation?

7 A. In general.

8 MS. BRADBURY: Jeanne, can you put up
9 the atlas, so we can just get an idea of where
10 we're talking about? Is that right side up?
11 Okay. And you see that, okay, the dark green,
12 it's not in there yet. The dark green of
13 Pawtuckaway, yes, that's not there yet.

14 Oh, there you go. You got it. Now,
15 is there a way to --

16 CHAIRMAN HONIGBERG: Hang on. Hang
17 on.

18 MS. BRADBURY: Can't see it? Can
19 that be expanded, like on a --

20 BY MS. BRADBURY:

21 Q. So, you see that dark green, can you all see
22 that yet?

23 A. I do see that, yes.

24 MS. BRADBURY: Can you blow it up?

[WITNESS: Nichols]

1 BY MS. BRADBURY:

2 Q. That better? Okay. So that dark green, you
3 can see that?

4 A. I can.

5 Q. That circle down there, that's Pawtuckaway
6 State Park. And can you see Nottingham Road?
7 It runs along the top part of that.

8 A. Okay.

9 Q. Okay. All right. So, that's Pawtuckaway. One
10 of the biggest moneymakers in the State Park
11 System.

12 MS. BRADBURY: So, Jeanne, can I have
13 the other -- the photograph of the volcano?

14 MS. MENARD: Can I correct? This is
15 Nottingham Road up here *[indicating]*.

16 MS. BRADBURY: Yes.

17 MS. MENARD: I was pointing down
18 there *[indicating]*.

19 BY MS. BRADBURY:

20 Q. Okay. So, you can just see, it's barely
21 visible, but there is a white ring around there
22 on the -- that would be the lower right part of
23 the page, Jeanne is circling it there, that is
24 the circular volcano, that is Pawtuckaway. You

[WITNESS: Nichols]

1 see that?

2 A. I do.

3 Q. Okay. They don't expect any eruptions. It's
4 extinct. Are you aware -- so, you're aware
5 now, that having looked at the map, that
6 Nottingham Road, in Deerfield, is an access
7 road to Pawtuckaway State Park?

8 A. Yes. I see that, from the earlier pap.

9 Q. Okay. And Nottingham Road, you're aware also
10 that it is the access road to the proposed
11 substation, correct?

12 A. I'm not specifically familiar with the access
13 to that substation. But I understand that, I
14 see, okay.

15 Q. So, you didn't go out to the substation.

16 MS. MENARD: Jeanne, would you point
17 to the substation once more?

18 WITNESS NICHOLS: Yes. I see that.

19 BY MS. BRADBURY:

20 Q. You didn't go out to the substation.

21 A. Not that particular one. I don't believe so.

22 Q. Did you go to Pawtuckaway?

23 A. Yes, I did.

24 Q. Okay. All right. So, are you aware that

[WITNESS: Nichols]

1 Mr. Bowes has testified that the substation
2 construction will likely take two years, with
3 7:00 a.m. to 7:00 p.m. work done six days a
4 week?

5 A. I'm not aware of that testimony.

6 Q. Okay. It's in the record, and I can represent
7 to you that's what he told us.

8 A. Okay.

9 Q. Okay. So, given traffic delays, would you
10 agree that prolonged construction will have a
11 negative impact on Pawtuckaway State Park,
12 correct?

13 A. I believe -- I can't answer that question. I
14 haven't studied the steps that they used to
15 attempt to limit disruptions and the steps that
16 would be taken, and the extent of those
17 disruptions over that two-year period. So, I
18 can't speak specifically to that question.

19 Q. Did you examine the impact of -- so, you didn't
20 examine the impact of substation construction
21 on the Pawtuckaway State Park?

22 A. No, I did not.

23 Q. Okay. But a loss of revenue at Pawtuckaway
24 would impact smaller parks throughout the State

[WITNESS: Nichols]

1 Park System, correct?

2 A. Based on our earlier discussion, that seemed to
3 follow the logic.

4 Q. Okay. Because of the unusual rock formations
5 in Pawtuckaway, are you aware that this is a
6 popular rock climber's destination?

7 A. I was not familiar of the character visitation
8 there of the rock climbers.

9 Q. Have you reviewed the trail system for
10 Pawtuckaway?

11 A. Not specifically. You know, I drove through
12 the park, but haven't studied the trail system
13 specifically.

14 Q. So, you drove through it. Are you aware that
15 the trails up to the highest peak in the park,
16 the north peak, that are -- it's within that
17 volcanic ring that you see there, those trails
18 overlook the substation and the towers. So,
19 were you aware of that?

20 A. I have not studied the visual points from any
21 specific trail in the park.

22 Q. Okay. Would you agree that construction noise
23 and dust will be audible and visible from the
24 trails overlooking the expanded substation?

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[WITNESS: Nichols]

1 A. I can't speak to that, because, again, I have
2 not studied the specific construction plans for
3 that substation or the visual orientation from
4 the point that you're speaking of.

5 Q. Okay. Have you reviewed the impact of two
6 years of construction on Deerfield's tourist
7 draws?

8 A. I've considered construction impacts of the
9 Project in a general nature.

10 Q. But not Deerfield?

11 A. Not specifically on any specific attraction or
12 business.

13 Q. Okay. Okay. So, are you aware that the
14 Deerfield Fair draws roughly 100,000 people in
15 the fall?

16 A. I am generally aware of the fairs and festivals
17 in the state, but have not studied that
18 specific event.

19 Q. Okay. Well, so, you've studied some of it.
20 Are you also aware that the fairgrounds are in
21 use every week or weekend from May through
22 October? It's not just one event.

23 A. That would make sense.

24 Q. All right. So, have you seen any information

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[WITNESS: Nichols]

1 about the dog agility, the sheep and wool, the
2 4-H, and the horse shows, just to name a few
3 that are events that take place at the
4 Deerfield Fair?

5 A. I have not studied the specific events at the
6 fair, no.

7 Q. Have you been to the Deerfield Fair?

8 A. I have not.

9 Q. Okay. Have you examined the impact of
10 construction traffic delays on access to the
11 fairgrounds in Deerfield?

12 A. I have not studied the specific impacts, again,
13 on any specific business.

14 Q. Okay. So, you also have not examined the
15 impact of construction traffic delays on scenic
16 roads or on the Deerfield Arts Tour?

17 A. Again, as I've testified, I have interacted
18 with the Applicant. My understanding is much
19 of the construction activity is short in
20 duration. There are specific steps that they
21 are taking to dry and limit and mitigate those
22 impacts with a wide variety of communities.
23 And that today's traveler understands that, in
24 some instances, traffic or construction delays

[WITNESS: Nichols]

1 are part of the traveling experience. I
2 mentioned, as I traveled the state over the
3 last couple of years, there were numerous
4 instances where I experienced construction
5 delays, and again understood that that's just
6 part of the process. I still believe visitors
7 will come to New Hampshire, will enjoy New
8 Hampshire, and there will not be any impacts on
9 a regional basis.

10 Q. So, let me ask you this. When you were
11 traveling the State of New Hampshire, you were
12 under contract to Eversource to do that
13 traveling, correct? Or did you come here as a
14 tourist?

15 A. I have come to New Hampshire in the past as a
16 tourist. The example I was -- just mentioned
17 was when I was here on business.

18 Q. Okay. So, you were being paid to travel the
19 state in that situation?

20 A. That's correct.

21 Q. Okay. Okay. Well, would you agree that
22 construction six days a week will impact both
23 weekend and weekday traffic patterns coming to
24 these tourist events? Six days?

[WITNESS: Nichols]

1 A. I can't say if it would impact, because I would
2 need to know much more about the specific
3 example. But the characterization of working
4 six days, it would certainly seem to operate
5 both on weekday and weekend periods.

6 Q. Okay. All right. Moving farther north, would
7 you agree that an annual summer music festival
8 held over 30 days would be a valued community
9 benefit?

10 A. I'm sure it's a very important community
11 benefit.

12 Q. And, so, then you would also agree that a
13 30-day music festival that benefits almost
14 20,000 individuals annually would be of
15 significant economic benefit to the community?

16 A. I would certainly assume so.

17 Q. Okay. Would you agree that a 30-day music
18 festival involving over 3,000 students would be
19 a significant benefit to the welfare of the
20 population?

21 A. I'm sure that's another important segment.

22 Q. Are you familiar with the 30-day New Hampshire
23 Music Festival held every summer at Plymouth
24 State University?

[WITNESS: Nichols]

1 A. Not specifically.

2 Q. Have you been to Plymouth State?

3 A. Yes.

4 Q. Okay. So, you know that it is right there in
5 downtown Plymouth?

6 A. Right.

7 Q. Okay. Well, would you agree that the Northern
8 Pass construction will have a negative impact
9 on the businesses and individuals that benefit
10 from the highly valued New Hampshire Music
11 Festival that takes place in Plymouth every
12 year?

13 A. No. I cannot speak to that statement.

14 Q. You can not?

15 A. No.

16 Q. Do you know what they're going to do in
17 Plymouth?

18 A. In general, but I do not -- I have not the
19 studied the specific construction process, the
20 mitigation steps that the Applicant is
21 planning, and the positioning of the event in
22 relation to the construction activities. So, I
23 can't speak to --

24 Q. Okay. Well, are you aware generally whether

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1 the Project will be above ground or below
2 ground in Plymouth?

3 A. I'd have to look specifically. I can't answer
4 that question without looking at the map.

5 MS. BRADBURY: Okay. I have nothing
6 further. Thank you, Mr. Chairman.

7 CHAIRMAN HONIGBERG: Ms. Crane or Ms.
8 Quinn.

9 MS. CRANE: Am I on? Thank you.
10 Mr. Nichols, I am Charlotte Crane.

11 WITNESS NICHOLS: Good morning.

12 MS. CRANE: Good morning. I am a
13 representative of the Ashland to Deerfield
14 abutters -- or, sorry, Ashland to Deerfield
15 non-abutters, sometimes called the "southern
16 abutters".

17 BY MS. CRANE:

18 Q. You have mentioned several times that your
19 business in general, the Nichols Group or
20 whatever other configuration it has been in the
21 past, your business generally involves helping
22 destinations enhance their products. Is that a
23 fair statement?

24 A. Or maximize the power of the visitor industry.

[WITNESS: Nichols]

1 Q. And that you were charged, in relation to the
2 Northern Pass Project, to analyze the effect of
3 the Project on New Hampshire on a regional
4 basis, is that correct?

5 A. Yes. That's correct.

6 Q. And, so, looking at what your positions would
7 be if you were charged in your more normal
8 capacity with enhancing the products of the
9 region, what would you identify as the tourism
10 products of the identified -- the region
11 identified as the "White Mountain Region"?

12 A. That would be everything from the amusement
13 parks, the railroads, the skiing, the outdoor
14 recreation, a whole host of experiences.

15 Q. And what is included in outdoor recreation,
16 other than those business establishments that
17 you listed?

18 A. It would be hiking and biking, rock climbing.
19 I'm sure there are others, but those would be
20 some of the key ones.

21 Q. Okay. And what are the products of the region
22 that is identified as the "Great North Woods"?

23 A. You have, you know, some of the resorts, you
24 know, the evolving Balsams. You have much in

[WITNESS: Nichols]

1 the winter months with the snow machines, other
2 hiking and outdoor recreation.

3 Q. And what are the features of the Great North
4 Woods that would lead to people going all the
5 way up there, in order to be in a lodge, for
6 instance?

7 A. Sure. It's more undeveloped character, the
8 range of natural resources that the area
9 provides, and the --

10 Q. So, the more undeveloped character is important
11 in the Great North Woods?

12 A. That's certainly part of the offering that the
13 region provides.

14 Q. And, if you were advising representatives from
15 the region about how to enhance their product,
16 what would you recommend?

17 A. There could be a variety of new product
18 opportunities that could be introduced, new
19 marketing efforts or activities to reinforce,
20 coordinating various businesses on partnering
21 concepts, where linking and integrating some of
22 the products to make them more powerful. There
23 could be a range of steps and initiatives that
24 might be considered.

[WITNESS: Nichols]

1 Q. And what would you recommend they focus their
2 marketing on?

3 A. The segments, the geographic segments that
4 would most be attracted --

5 Q. And the geographic segments includes the views?

6 A. I'm sorry. I was talking about the visitor
7 segments. You know, the marketing would be
8 focused to those areas that generate the bulk
9 of the visitation for that area. You know,
10 promoting the history and the heritage of the
11 area, the outdoor recreation, the snow machine
12 experiences, a range of those kinds of
13 activities that those marketing materials and
14 promotional activities would provide.

15 Q. And would it be correct that you would urge
16 them to emphasize the views of the undeveloped
17 resources, particularly the wide panoramas of
18 undeveloped resources?

19 A. Sure. The views would be an important element
20 that the region provides.

21 Q. Okay. And, when you are advising your clients,
22 what is the time period that you would
23 recommend that they wait before they can
24 appreciate the benefits of their implementation

[WITNESS: Nichols]

1 of your recommendations?

2 A. Oh, that runs the gamut. Sometimes there's
3 individual events or activities that can have
4 very near-term results and impacts. In much of
5 the broad, strategic planning, we typically
6 look at a three- to five-year time horizon,
7 with a variety of goals and tactical steps that
8 are undertaken through that five-year period of
9 time.

10 Q. And why does it take three to five years for
11 your recommendations to have an effect, if they
12 have been -- from the time they have been
13 implemented?

14 A. I'm sorry. Maybe I didn't answer clearly. The
15 time horizon of our planning process typically
16 is a longer range strategic planning that can
17 go over a three- to five-year period of time.
18 There are many tactical recommendations that
19 are included near-term, in that very first
20 year, and are very rapidly implemented. And,
21 as I mentioned, in some instances, there can be
22 almost immediate, where we're working on some
23 activity, event or experience that is launched
24 in the very near term.

[WITNESS: Nichols]

1 Q. Okay. So, I'm sorry. My question is not about
2 how long it takes to implement your
3 recommendations, but how long it takes for your
4 clients to appreciate the benefits that they
5 are enjoying because of the implementation?

6 A. Yes. And, again, sometimes those can be very
7 rapid. An example, I was just communicating
8 with one of our clients, is one of the counties
9 right outside of Chicago, in Illinois, we've
10 been working with them. One of our
11 recommendations was we saw very deep
12 opportunities to deepen their connection with
13 the forest preserve in their counties. They,
14 in a very short period of time, 60, 90 days
15 now, there's a whole new memorandum of
16 understanding between the visitor industry and
17 the organization and the forest preserve, and
18 they have got three potential projects that
19 they are well underway in attempting to
20 implement. So, in many instances, those
21 recommendations can be acted on in the very
22 near term. And, as I mentioned, in some of the
23 instances, their longer term strategic goals
24 that sometimes the tactical implementation

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1 steps aren't until, you know, three or four
2 years out.

3 Q. So, let me try to ask the same question another
4 way so I can get an answer. When would you
5 expect the increase in visitors, as a result of
6 the steps you have recommended be implemented,
7 be expected to occur?

8 A. In many instances there is impacts experienced
9 within the first 12 months of our
10 recommendations.

11 Q. And those that happen outside of that 12 months
12 happen because of -- because why?

13 A. Because there are limited resources, both in
14 personnel and in dollars. And, so, whether
15 it's a convention and visitor bureau or a state
16 tourism office, they can only undertake so many
17 activities and initiatives in a given period of
18 time. We work with them in prioritizing those
19 opportunities, and work to maximize the
20 impacts, given the limitations and constraints
21 of the resources that they have to work towards
22 implementation.

23 Q. So, if you help a client create a new event,
24 okay, let's assume, is that a fair -- is that

[WITNESS: Nichols]

1 one of the things that you are -- that you
2 might end up doing, help them organize a new
3 event?

4 A. That's an example, uh-huh.

5 Q. And, so, the event is fully conceived and the
6 steps to implement it are in place in January
7 of year one. The event is going to occur in
8 January of year two and, with any luck, in the
9 succeeding Januaries. When would you expect
10 the full impact of having created that event be
11 felt by the region benefited by the event?

12 A. Well, I'm sure there would be benefits in the
13 first year of the operation. And, if
14 successful, that that event or activity would
15 continue to build and attract more, and would
16 continue to expand in future years.

17 Q. And why does it continue to expand?

18 A. Sometimes it does, sometimes it doesn't,
19 depending on the success, the theme of that
20 particular event or activity. And, so, it
21 doesn't always continue to grow, but oftentimes
22 there is greater awareness, there's more
23 marketing dollars that can be presented, there
24 sometimes can be additional elements that are

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1 incorporated within a particular event that
2 draws a wider range of interest.

3 Q. And does that delay have anything to do with
4 how far in advance the visitors are going to
5 need to plan in order to partake of the event?

6 A. I think much of that is dependent on the
7 specific event and the character, and who
8 they're -- who they're drawing. In some
9 instances, that decision to attend an event or
10 festival can occur just on the same weekend. A
11 family might decide that this sounds like a
12 fun, interesting things to do, and they might
13 make that decision very, very short term. In
14 other instances, there might be others that
15 plan that in advance.

16 Q. But would you agree that, if what we're trying
17 to do is attract people for a substantial
18 portion of what is going to be their vacation
19 time, they're not going to be able to commit
20 immediately, that there's a year or maybe even
21 two years in the tourist's planning before they
22 are going to be able, as much as they might
23 want to go, to be able to go to your newly
24 created event?

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1 A. I think most visitors, at least in our
2 research, that planning horizon is much shorter
3 than what you've outlined there.

4 Q. So, uncertainty about what conditions are going
5 to be for a year or two shouldn't have any
6 effect? Is that your conclusion?

7 A. I'm sorry. Can you -- can you restate your
8 question?

9 Q. Well, in my experience, and I know that's not
10 relevant here, but let me assume that there are
11 others with my experience, it takes a year, and
12 sometimes two, to be able to organize your
13 family's life well enough to commit to a
14 particular week, a particular time, in order to
15 go to a particular event. And, if there's
16 uncertainty about what the conditions are going
17 to be surrounding that event, it might be even
18 longer before I can get my family to commit to
19 doing that event, and I assume others could get
20 their families to commit to that event. Is
21 that -- am I unusual, do you think?

22 A. Yes. That is not our experience, in terms of
23 the planning horizon of the typical visitor and
24 how far out they make their visitation plans.

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1 That's not been our experience.

2 Q. Okay. So, I'm going to move to another topic
3 now. I think I heard you say yesterday, in
4 response to many questions, and then perhaps
5 again this morning, that you have not analyzed
6 any specific destinations, and your response
7 was that you had not studied any specific
8 businesses or communities in your analysis. Is
9 that a fair summary of what your testimony has
10 been?

11 A. I don't believe so.

12 Q. I'm sorry. Then, could you correct me?

13 A. Sure. I've studied all over the state. I
14 visited many individual attractions. I looked
15 at background materials on many individual
16 attractions and experiences in the state. My
17 focus and my conclusions relates to the orderly
18 regional development. And my conclusion was
19 focused on the impacts to regional travel
20 demand.

21 Q. On several occasions you have answered the
22 question about whether you have studied
23 particular destinations with a response that
24 you had not studied any specific business or

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1 community. And my reaction to your response
2 was you seem to be assuming that a tourist
3 destination has to be a business. Am I
4 misinterpreting you?

5 A. No. There's a whole host of entities that
6 would be considered in the visitor industry in
7 New Hampshire.

8 Q. But you're still referring to the "visitor
9 industry". So, let me ask my question more
10 directly.

11 A. Okay.

12 Q. Isn't much of New Hampshire's outdoor
13 recreation essentially self-guided? People
14 aren't going to a business. They're going to a
15 trailhead. They're going to a place to put
16 their kayaks in. They're going to a place to
17 offload their snowmobiles. They're not
18 interacting with a particular business as they
19 engage in the activity that they come to New
20 Hampshire to do. Is that -- is that fair?

21 A. Sure. And, in the examples that you outlined,
22 those individuals would certainly be
23 self-directed in much of their activity. And
24 I'm not sure if they would, after that

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1 experience has been completed, if they would go
2 to a restaurant and have a lunch or stay
3 overnight at a hotel. But, in that specific
4 example, that certainly would be more of a
5 self-directed aspect of their visit.

6 Q. And isn't it, in fact, possible that there's a
7 portion of New Hampshire's tourist population
8 that actually values an experience that is
9 inconsistent with the destination itself being
10 a business?

11 A. I'm not sure I understand your question there,
12 in what you're asking.

13 Q. If someone is coming to New Hampshire to put a
14 kayak in on a river where they hope to
15 experience a primitive or wilderness-like
16 experience, they really don't want to have a
17 lunch stand at the place they put their kayak
18 in?

19 A. Sure. There are some visitors who want
20 completely a remote experience, and backpack
21 and bring all of their eating materials and
22 sleep in a tent and are completely
23 self-sufficient. There are certainly a segment
24 of the visitor market that would look to

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1 experience the state in that fashion.

2 Q. And isn't it probably true that the preferences
3 of these individuals are relevant to the
4 general condition of tourism in New Hampshire?

5 A. They would be a segment of the visitor base
6 that is attracted to the state, yes.

7 Q. And where in your study were their preferences
8 likely to have been captured?

9 A. There was a variety of materials in the
10 Plymouth State University analysis that talked
11 about the activities and the experiences that
12 visitors undertook. As I investigated the
13 various projects and properties all around the
14 state, certainly many of them were more
15 oriented, some of the state parks, some of the
16 rivers, that would be more oriented to that
17 kind of activity.

18 In the survey activity that we undertook,
19 we asked them about the kinds of interests and
20 activities that they would have when they went
21 on vacations. So, a variety of areas where we
22 would have understood the types of interests
23 and the types of visitors that were coming to
24 the state and coming to the individual regions

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1 of the state.

2 Q. Okay. So, some of your inputs included their
3 preferences. Were their preferences included
4 in any of what you actually articulated in your
5 report?

6 A. Oh, certainly. You know, we considered the
7 full range of the types of visitation, the
8 types of products that exist in the various
9 regions. And that was, you know, a fundamental
10 element of understanding the mix, the character
11 of the visitation, the mix and character of the
12 product, and all of that was taken into
13 consideration in our analysis.

14 Q. Your listening sessions were conducted only
15 with representatives of businesses, is that
16 correct?

17 A. Yes, I believe that would -- that would be a
18 fair -- there was representatives from a snow
19 machine association, that was more of a user
20 group, rather than a representation of a
21 business. But I think the majority of the
22 respondents would have been businesses
23 operating tourist-related activities.

24 Q. So, did you attempt to interact with any other

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1 groups, like outing clubs, cross-country skiing
2 clubs, biking clubs, about the types of
3 tourists that join the activities that they
4 sponsor here in the state?

5 A. We had representatives from the White Mountains
6 Association, representatives from the
7 Snowmobile Association. Many of the lodging
8 operators would have represented a broad range
9 of visitors who are attracted to their
10 accommodations. And, as well, there were
11 representatives from historical societies and
12 theater groups. And, so, I'm sure there was a
13 very broad cross-section of visitors that those
14 entities would interact with.

15 Q. That they would interact with. But you didn't
16 make any attempt to reach out to any groups
17 that actually involve people that engage in
18 these activities, and understand what they need
19 to do in order to attract outsiders to engage
20 in these activities?

21 A. Well, we focused more on the individual users.
22 And, as I mentioned, in both the Plymouth State
23 University research and background and our own
24 survey efforts, we worked to understand the

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1 character of the orientation of those
2 individual users, what attracts them to the
3 state. And, then, as I say, in combination
4 with understanding the products and the
5 experiences, and some of those products are a
6 built environment, and others are more natural
7 resource based, it's that collective mix of
8 efforts that allowed us to, I think, understand
9 the character and the interests and the needs
10 of the diverse range of visitors coming to the
11 state.

12 Q. But you took those into account only as you
13 read them yourself, and added them to your own
14 personal experience. You didn't report
15 specifically on them. They weren't part of the
16 mix. Is that --

17 A. I would -- I reported on them on our survey
18 effects. And, you know, it's also I work in
19 many sensitive natural resource environments.
20 I was the Grand Canyon National Parks advisor
21 for a five-year period of time on a large new
22 gateway project. I understand the character of
23 visitors coming to natural resources, the
24 example I used yesterday, with Estes Park and

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1 Rocky Mountain National Park. So, many of the
2 destinations that we work with have a very
3 important segment that is the outdoor
4 recreation enthusiast. And I believe I
5 understand that segment well, and took that
6 into consideration in this process.

7 Q. Okay. Moving to your survey.

8 MS. CRANE: And I apologize to the
9 Committee, I don't have a copy of the survey.
10 I hope my questions are, that I can show you,
11 as we discuss it, I think my questions will be
12 general enough that you -- that I will be able
13 to proceed. The survey is now available as
14 Joint Muni Exhibit 227 on the ShareFile.

15 BY MS. CRANE:

16 Q. But I gather, from briefly looking at this
17 survey, that you did ask the respondents of the
18 survey what kind of activities they had engaged
19 in or might plan to engage in, if they were to
20 visit New Hampshire. Is that correct?

21 A. That's correct.

22 Q. So, included were kayaking, snowmobiling,
23 cross-country skiing, as well as shopping and
24 other more commercialized activities. Is that

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1 fair?

2 A. That's a fair characterization.

3 Q. And you also separately asked what features of
4 New Hampshire might attract them or not,
5 correct?

6 A. That's correct.

7 Q. Did you report separately what features
8 attracted the people who were going to
9 participate in which activities, so that you
10 can tell whether the shoppers value X and Y,
11 whereas the kayakers value Z?

12 A. We did not undertake -- I believe you're
13 asking, you know, essentially cross-tabbing
14 what relationships were associated with the
15 various feelings. We did not undertake those
16 types of cross-tabs, no.

17 Q. Could you have done that?

18 A. That's possible, yes.

19 Q. Why didn't you do that?

20 A. I believe we have a very good understanding of
21 the character and the composition of New
22 Hampshire's visitor base. Plymouth State
23 University has reported on that for numerous
24 years. We looked at multiple years of their

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1 research and studies. I believe we got a very
2 strong understanding of that composition of
3 visitor base, the activities, the experiences
4 that they undertake. And I believe the survey
5 work that we did provided additional
6 clarification and understanding. And that
7 collective understanding was used in forming
8 our ultimate conclusions.

9 Q. So, you're "trust me, I know what I'm doing"
10 didn't need to be supported by any more careful
11 presentation of the information that you could
12 have provided to us had you done this with your
13 survey?

14 A. I believe we presented survey results. And I
15 believe the elements of our report are
16 presented and supported. And, so, I guess I
17 would disagree with the characterization that
18 you're presenting, that all I'm asking is
19 "trust me."

20 Q. But, if you had done it, we would know better
21 whether the kayakers and the snowmobilers value
22 the views than we do, given what you did
23 present?

24 A. Well, there's any number of cross-tabulations

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1 that could be done, if you were looking to a
2 specific issue. I believe we analyzed and
3 considered the results of that survey
4 effectively. And it was confirming much of our
5 understandings, in terms of what was driving
6 the visitor to choose New Hampshire, that was
7 the focus of our analysis with that survey.
8 And, so, I think the survey results that we
9 presented and how we're using it were in line
10 with our assignment, and were used effectively
11 in developing our ultimate conclusion.

12 Q. Thank you. One more question about the survey.
13 It was generally a flat survey, as I look at
14 it. I hope I looked at it correctly. That is,
15 that there were two clusters of questions that
16 every respondent was expected to answer before
17 their survey would be considered completed, but
18 there was one question that only those who
19 answered in a particular way in an earlier
20 question were offered. Am I correct in
21 summarizing the survey that way?

22 A. I believe we asked an additional question as it
23 related to snow machine interests. And that we
24 asked that question only if they had noted that

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1 that was an interest area of theirs.

2 Q. And why was that the only sort of follow-up
3 question?

4 A. That was a question, as we interacted with some
5 of the individuals in the north, Great North
6 Woods Region, they had asked about what
7 elements prospective visitors might find
8 attractive that could help potentially build.
9 And, so, as we were going out on the survey
10 effort, we included that to provide them some
11 feedback and input from the survey group that
12 we were going out to.

13 Q. Okay. So, what got asked in the survey was a
14 function of who was at the listening sessions,
15 and who was at the listening sessions were only
16 specific business representatives or primarily
17 specific business representatives?

18 A. No. It was only that one question, as you
19 noted. The other questions were asked of
20 everyone. That survey instrument was developed
21 and designed by myself and Dr. Daniel
22 Fesenmaier, from the University of Florida.
23 And that, as I mentioned, that one question
24 came about because we had heard interest in

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1 trying to probe and understand some of those
2 areas that might enhance, and that was the one
3 additional question that we incorporated in the
4 survey.

5 Q. And has anything been done with the information
6 that was gathered as a result of that question?

7 A. Well, it's the fifth component, and served an
8 important additional element in our report and
9 in the development of our conclusions.

10 Q. Okay. I have a question about your grouping of
11 visitors, which is Table 3-2 in your report, at
12 Page 14. That table describes "Purposes of
13 visits". And it indicates that 40 percent
14 visit friends and relatives; 20 percent are
15 seeking other pleasure experiences, I don't
16 want to go there; 15 percent are seeking
17 outdoor recreation. Am I reading that table
18 accurately?

19 A. Yes. That's correct.

20 Q. Is it your understanding that "outdoor
21 recreation" is a totally separate topic from
22 "visiting friends and relatives"?

23 A. This data comes from Plymouth State
24 University -- or, I'm sorry, this is another,

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1 this is a national group that the state uses,
2 TNS. This is the breakout that they use. The
3 way this question, I would imagine, would have
4 been posed was "what was the primary purpose of
5 the visit?" But, certainly, your example of
6 someone coming to visit friends and relatives,
7 and also undertaking an outdoor recreation,
8 could be a potential example of how a visitor
9 came and experienced New Hampshire.

10 Q. And, so, it would be inappropriate to read this
11 chart and say "Well, people have to visit their
12 friends and relatives where they are, so they
13 have to come to New Hampshire, because their
14 relatives are in New Hampshire." That wouldn't
15 necessarily be the right way to read this
16 chart?

17 A. The "visit friends and relatives" is an
18 important segment for just about any state in
19 the country. And that's a primary sort of
20 stimulus for many visitors, in the case of New
21 Hampshire here, 40 percent, it's a very
22 important segment. And, again, this is asking
23 about "what's the primary purpose of the
24 visit?" And, for many, it's connecting with

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1 those friends and relatives.

2 Q. But would it not be likely that many people
3 have friends and relatives in Maine, New
4 Hampshire, and Vermont. And, as they choose
5 their -- where to meet their friends and
6 relatives, where to have the family reunion,
7 where to locate the event where they're getting
8 together, is, in fact, very similar to a
9 regular tourist decision, about what the
10 attractions and the experience, the overall
11 experience is going to be?

12 A. I'm not sure if I'm understanding. But,
13 certainly, the primary purpose could be to
14 connect with friends or relatives. And that,
15 during that trip, they would undertake a wide
16 variety of activities as part of that. But the
17 primary purpose would have been to visit
18 friends and relatives.

19 Q. Okay. Thanks. You have, on many occasions
20 now, noted that "today's travelers understand
21 that traffic is part of the experience". Is it
22 your position that there is no limit on a
23 traveler's willingness to take into account
24 traffic?

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1 A. No.

2 Q. So, there is a limit on people's willingness to
3 take into account traffic?

4 A. Well, certainly, there's, you know, a visitor,
5 if it's going to have a three hour, four hour
6 traffic delay, they might choose another route,
7 or might choose another option. So, there
8 certainly could be points in which behavior
9 could change.

10 Q. Have you ever tried to quantify what that
11 difference in experience might be?

12 A. Not specific. I have not analyzed specific
13 traffic parameters and timing, and at what
14 point would the visitor take a different. We
15 did analyze and consider traffic delays as part
16 of our survey, and understood that that, you
17 know, how that fit in as a barrier, in relation
18 to all of the other facets that would attract a
19 visitor to the state. And, as we've testified
20 in relation to power lines, that while that is
21 a factor, it's a consideration, that has to be
22 understood in the context of all of these other
23 more powerful, more impactful reasons of why
24 they're choosing to come and experience New

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1 Hampshire.

2 Q. So, you have also testified that changes from
3 the natural condition are expected by today's
4 travelers and tolerated by tourists, even those
5 that are seeking a natural or a wilderness
6 experience, like those who would visit Estes
7 Park or who would visit northern New Hampshire,
8 correct?

9 A. I'm sorry. What -- can you repeat what you're
10 saying I testified to?

11 Q. That changes from the natural conditions,
12 things like the building of transmission lines,
13 are expected and tolerated by tourists?

14 A. I think I -- yes. I mentioned that
15 transmission lines, traffic delays, are a part
16 of today's travelers' reality. They understand
17 that. And while it's not a feature that
18 they're looking to, they recognize that's part
19 of the travel experience.

20 Q. So, is it your position that there's no limit
21 on the degradation from the natural conditions
22 that such visitors would be willing to
23 tolerate?

24 A. No.

[WITNESS: Nichols]

1 Q. So, there is such a limit?

2 A. Sure.

3 Q. And have you ever attempted to determine where
4 the tipping point is for such factors?

5 A. I'm not sure as far as an answer on that. I
6 guess, in just about every destination, we're
7 looking at both the attractive elements that
8 they can build upon, and any of the areas that
9 might pose risks, how they can mitigate that.
10 So, I guess, in general, that's taken into
11 account and is something that we do in most of
12 our assignments.

13 Q. But you have never attempted to quantify or
14 come up with a formula or build a model or ask
15 anyone else to build a model that captures this
16 tipping point?

17 A. That -- I'm sorry, the "tipping point" for what
18 exactly?

19 Q. For deciding that the mix of factors includes
20 negative factors to such a great extent that
21 the tourist's decision is made differently?

22 A. No. I have not done that model.

23 Q. And you can't quantify what that change in the
24 mix that would lead to a different conclusion

[WITNESS: Nichols]

1 on the part of the tourist about their
2 destination?

3 A. No. I believe our approach is to understand
4 what are those factors, how powerful, how
5 important are those factors, what are some
6 potential barriers that might exist in a
7 visitor's mind, and how do those interrelate.
8 And we've taken all of that into consideration
9 in forming our conclusion.

10 Q. But you've agreed that there is a limit, but
11 that you can't really figure out how to
12 quantify that limit or come up with a formula
13 that would predict that limit, how can you
14 conclude that the Northern Pass and its effect
15 on New Hampshire and on traffic in New
16 Hampshire during the construction period, will
17 end up below that tipping point?

18 A. That's the essence of our study. It's from my
19 actual experience, and the complete lack of
20 research that has demonstrated that -- a
21 correlation with transmission lines anywhere.
22 It's in looking at other recent projects, like
23 over in Maine, in the Maine Power Reliability
24 Project. It's in looking at the results of the

[WITNESS: Nichols]

1 survey and better understanding the factors
2 that drive that visitor's decision. So, it's
3 all of these elements in combination that work
4 to allow us to make that conclusion.

5 MS. CRANE: Thank you.

6 CHAIRMAN HONIGBERG: All right.
7 We'll take our break for ten minutes or so.
8 And, when we return, we'll pick up with the
9 Bethlehem to Plymouth non-abutters, Ms.
10 Schibanoff.

11 *(Recess taken at 10:52 a.m. and*
12 *the hearing resumed at 11:05*
13 *a.m.)*

14 CHAIRMAN HONIGBERG: All right.
15 Ms. Schibanoff, you may provide.

16 MS. SCHIBANOFF: Thank you, Mr.
17 Chair. Mr. Nichols, hi. I'm Susan Schibanoff.

18 WITNESS NICHOLS: Good morning.

19 MS. SCHIBANOFF: Good morning. I'm
20 in the non-abutting property owners Bethlehem
21 to Plymouth group, NAPO-BP. In plain English,
22 I live a stone's throw off of 116, which is the
23 proposed burial route, or one of them.

24 I just have a few questions on two

[WITNESS: Nichols]

1 subjects.

2 BY MS. SCHIBANOFF:

3 Q. The first is the listening sessions that you've
4 talked about yesterday and again today. And
5 we're going to be looking at Exhibit NAPO-BP 1,
6 which Jeanne has up now on the ELMO. It's a
7 report on "The Methodology of Listening
8 Sessions". This is a research report out of
9 Cal State University - Los Angeles.

10 And this is sort of a new methodology to
11 me, Mr. Nichols. I'm not familiar with
12 listening sessions. I'm from a different kind
13 of discipline, where we talked a lot, we didn't
14 listen a whole lot. So, I wanted to talk to
15 you a little bit about how you proceeded with
16 this somewhat new methodology. Which I gather
17 comes out of anthropology and is used by
18 ethnographers.

19 So, in this methodology of listening
20 sessions, Jeanne, if you would turn to Page 12
21 and put that on the ELMO, you'll see a yellow
22 highlighted section, which I will read. This
23 is describing "methods of listening sessions".
24 "The start of a listening session begins long

[WITNESS: Nichols]

1 before the event is held. For each listening
2 session, there are roles to be delegated.
3 There is one facilitator per group and two
4 note-takers per group. We require two
5 note-takers to ensure thorough recording of
6 information. Note-takers manually capture as
7 much information as possible, i.e. the
8 facilitator's guiding questions and the
9 participants' responses, including any
10 environmental elements vital to conveying the
11 perspective and attitude of participants."

12 And I'll skip now. And, Jeanne, if you
13 would flip to the next page please, I'll skip
14 to the highlighted section starting on the
15 bottom of that left-hand column.

16 "Following the listening sessions, the
17 notes taken are collected, transcribed, and
18 analyzed using NVivo, a qualitative software
19 program. After transcribing the notes, we read
20 over the notes carefully to code each line of
21 content, and we then input that data into
22 NVivo. With NVivo, we determined that the most
23 frequently occurring themes in the students'
24 encounters", etcetera, and then it goes on to

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[WITNESS: Nichols]

1 characterize those. So, this is a description
2 of the methodology of a "listening session" as
3 used in an academic department of anthropology.

4 Could you tell us, Mr. Nichols, what your
5 methodology of a "listening session" was?

6 A. Yes. And we use "listening session" as a
7 general characterization. Our goal was to hear
8 directly from senior level representatives in a
9 variety of geographic areas and product team
10 areas to ensure that we understood
11 perspectives.

12 There was myself and another individual at
13 each of the sessions, that took the notes from
14 the sessions. We posed four or five broad
15 questions. And, in essence, spent our time
16 listening and hearing the responses. In some
17 instances, we would probe a little deeper to
18 make sure that we were understanding their
19 comments or their thoughts.

20 And, so, while we would have led the
21 discussion through a limited number of broad
22 topic areas, it was primarily us listening to
23 the different feedback and input that each of
24 the respondents would have provided.

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[WITNESS: Nichols]

1 Q. So, you had no independent note-takers. You
2 were both listening, recording, and asking
3 questions all at the same session?

4 A. I was the one asking the question, the other
5 note-taker would have just been taking the
6 notes. But I took notes as I heard and was
7 listening. So, I served that role of asking
8 the limited number of broad questions and,
9 again, taking my own set of notes.

10 Q. So, you did both ask questions, take notes,
11 along with someone else, but they were not, as
12 in this case, two independent note-takers, sort
13 of cross-checking each other. Then what
14 happened to the --

15 A. I think, if I could just --

16 Q. Sorry.

17 A. I don't believe that's an accurate statement.

18 Q. Okay.

19 A. There were two, myself and a separate person,
20 and we combined, and, you know, I've never seen
21 this document that you're showing, but that
22 process of comparing notes and bringing that
23 into a consistent recap of the feedback is
24 exactly what we did.

[WITNESS: Nichols]

1 Q. Okay. What I'm saying, though, is that there
2 were not two non-participating note-takers, who
3 were simply, as a court recorder, sitting there
4 transcribing?

5 A. No. I did ask, again, a limited number, you
6 know, four or five questions. So, I did ask
7 those questions, and I was also taking notes.

8 Q. Okay. Thank you. What happened then with the
9 notes?

10 A. I reviewed both my notes and the notes taken
11 from the other individual, and summarized those
12 notes and made broad summaries of the key
13 points that we heard through that process.

14 Q. And then?

15 A. Used that as one element of our understanding,
16 in terms of the different perspectives of
17 industry participants, in terms of what's
18 influenced the historic visitation trends in
19 the state. The role that large infrastructure
20 projects have played historically in their
21 experience. Their understanding of the
22 Northern Pass Project. Their beliefs or
23 attitudes as related to those projects, whether
24 positive or negative. And we concluded the

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[WITNESS: Nichols]

1 discussions asking them if there were steps
2 that could be taken that would enhance the
3 Project. And that combination of input that we
4 heard from them was used as we developed our
5 conclusions in the other portions of our study.

6 Q. Where are the notes today?

7 A. I believe it's -- they're, you know, in one of
8 the documents that has been submitted.

9 Q. So, we do have your notes?

10 A. Yes.

11 Q. That were taken in these listening sessions?

12 A. Yes.

13 Q. Okay. Thank you. Then, I would like to travel
14 -- "travel" -- turn to the Journal of Travel
15 Research. This is NAPO-BP Exhibit 3. And it
16 is an author -- excuse me -- it's an article
17 co-authored by your colleague, Daniel
18 Fesenmaier, and two others, Dan Wang, Sangwon
19 Park, which was originally published in 2011,
20 and then republished in 2012.

21 And I don't want to discuss the article,
22 *per se*, since Professor Fesenmaier is not a
23 witness here. Although, I will point out that
24 his article on "The Role of Smartphones in

[WITNESS: Nichols]

1 Mediating the Touristic Experience" challenges
2 what you have to say about tourists more or
3 less getting used to traffic jams. That's
4 another subject, though.

5 MS. SCHIBANOFF: And, Jeanne, if you
6 would turn to Page 385.

7 BY MS. SCHIBANOFF:

8 Q. There's another highlighted section. And,
9 before I read that aloud, I will just preface
10 it with saying that I've read a fair amount of
11 Professor Fesenmaier's work, starting --
12 there's a lot online that you can read, and I
13 looked at his articles from the '80s and '90s,
14 on up into the teens. And there was an
15 interesting change as I looked through his
16 work.

17 In his earlier articles you do not find
18 this disclaimer/disclosure that I'm about to
19 read to you from Page 385 of his smartphone
20 co-authored piece. "Declaration of Conflicting
21 Interests", or lack of them in this case. "The
22 authors declared no potential conflicts of
23 interest with respect to the research,
24 authorship, and publication of this article."

[WITNESS: Nichols]

1 It goes on then to state about funding: "The
2 authors received no financial support for the
3 research, authorship, and/or publication of
4 this article."

5 This is, to me, an unusual
6 disclosure/disclaimer for an academic article.
7 Normally, that's assumed. But do you have any
8 insight to offer us, Mr. Nichols, on why the
9 academic field of travel and tourism studies
10 has now moved to having this declaration at the
11 end of published articles? And it's not only
12 in this one, I've seen it in others.

13 A. No. I have no firsthand knowledge of when this
14 language was introduced or how commonplace it
15 is. I can't answer that.

16 Q. So, you have no acquaintance with the academic
17 field of travel or tourism studies?

18 A. That's incorrect.

19 Q. Well, you don't know why, apparently, whatever
20 the professional association is, has instituted
21 this disclosure/disclaimer at the end of
22 articles. And one assumes that, if it isn't
23 there, then perhaps there was funding.

24 In fact, if we could now turn to NAPO-BP

[WITNESS: Nichols]

1 2, which is Professor Fesenmaier's Curriculum
2 Vitae, online again. It runs about 60 pages.
3 I only printed out Page 6, which is attached
4 here. And it includes a summary of scholar --
5 of his scholarly activity. He mentions
6 publications: "Six edited books; three
7 monographs; 241 articles (114 [of them] in
8 refereed journals); 50 research abstracts."
9 And, then, funded projects: "Over 100 funded
10 projects totaling approximately 6.3 million."
11 I don't know exactly what that means. Whether
12 he was paid that much money or whether the
13 university was paid that, or the department,
14 and that isn't explained. And I'm not asking
15 you to try to explain that. It's just there.
16 "256 presentations", *etcetera, etcetera*.

17 I was somewhat struck by the number, the
18 proportion of unrefereed articles that he's
19 written.

20 So, let me return to a question that you
21 can answer. Have you ever published in the
22 field of tourism an article?

23 A. No.

24 Q. Neither refereed nor apparently funded?

[WITNESS: Nichols]

1 A. No.

2 MS. SCHIBANOFF: Thank you very much.
3 That concludes my questions.

4 CHAIRMAN HONIGBERG: Ms. Draper.

5 MS. DRAPER: I'm going to come up and
6 speak.

7 CHAIRMAN HONIGBERG: Come on down.

8 MS. DRAPER: Good morning. I'm
9 Gretchen Draper. And I represent -- I'm one of
10 the representatives of the Pemigewasset River
11 Local Advisory Committee.

12 WITNESS NICHOLS: Good morning.

13 MS. DRAPER: Good morning. And I'm
14 always interested, because the Pemigewasset
15 River is often left out of the discussion. So,
16 I'm hoping that you and your group considered
17 the river and its tourist implications as part
18 of your study.

19 BY MS. DRAPER:

20 Q. So, I'm going to start, I'm interested in
21 mainly the scope of how you've studied the
22 river. And what region, when you're talking
23 about dividing, doing your study in regions?

24 A. Uh-huh.

[WITNESS: Nichols]

1 Q. What region did the Pemigewasset River fall
2 into?

3 A. You know, I would have to look at a map to
4 answer that.

5 Q. Oh. Okay.

6 MS. DRAPER: Jeanne, you want to show
7 this.

8 BY MS. DRAPER:

9 Q. I just happen -- this is a map. It shows, you
10 can see on the side there there's that little
11 shaded spot.

12 A. Uh-huh.

13 Q. That sort of shows you the river starts in
14 Franconia, and it travels down to Franklin.
15 And pretty much the Northern Pass Transmission
16 Line Project parallels the river, you know, not
17 exactly, but in many places. There's
18 crossovers, there's crossovers with streams and
19 things like that.

20 So, I'm wondering if the Pemigewasset was
21 part of like the White Mountains and the Lakes
22 Region or --

23 A. It looks from this that it would incorporate
24 primarily White Mountains, but would likely be

[WITNESS: Nichols]

1 a portion of the top areas of the Lake Regions.

2 Q. Right. And you did -- you did look at the
3 Lakes Region as a separate region?

4 A. Yes. Uh-huh.

5 Q. Okay. So, are you aware that the Pemigewasset
6 is a designated river?

7 A. Yes.

8 Q. Yes, okay. It's under the River Managements
9 and Protection Plan. And are you aware of the
10 variety -- well, what kind of variety of
11 activities people use the river for? So, in
12 your study, what activities did you look at
13 with the river?

14 A. Well, I would imagine there would be just
15 general hiking and outdoor recreation, I would
16 imagine some kayaking --

17 Q. Uh-huh.

18 A. -- activity, some fishing activity. I'm sure
19 there's others, but those would be some of the
20 primary areas.

21 Q. Uh-huh. Like swimming, camping?

22 A. Sure.

23 Q. Bird watching. Did you specifically -- did you
24 take into consideration the river as a whole

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[WITNESS: Nichols]

1 when you were looking at the implications or
2 was the river just part of a bigger --

3 A. We would have thought of the river as part of
4 the natural assets that the state offers up,
5 along with the great forest experiences in the
6 White Mountains, and whether it's the wooded
7 areas, whether it's the rivers and streams.
8 And, so, just part of that overall natural
9 resource environment that many come to the
10 state to experience.

11 Q. All right. And, so, this then also falls under
12 the general conclusion that you had that the
13 power -- this Project will have no negative
14 impacts on tourism and the river, is that true?

15 A. On a regional basis.

16 Q. On a regional basis?

17 A. Right.

18 Q. Okay. And this is actually sort of -- almost
19 spreading two regions?

20 A. It is.

21 Q. Yes. Now, were there any industry leaders in
22 your listening groups that you were just
23 speaking of that were particularly related to
24 the Pemigewasset River?

[WITNESS: Nichols]

1 A. One of our participants was the head of the
2 White Mountain Association, representing sort
3 of the full range of products and experiences
4 in the region. I don't believe we spoke
5 specifically about the river. But she was
6 speaking on behalf of sort of the broad range
7 of attractions and experiences in that region.

8 Q. Uh-huh. And how about in the Lakes Region?

9 A. In there, it was more lodging, and we had a
10 woman who was the head of the snow machine
11 association. I don't believe there was anyone
12 there that spoke on the river or sort of the
13 broad natural resource orientation at that
14 session.

15 Q. All right. And what about as a broad tourist
16 attraction or a recreational attraction? Does
17 anyone speak -- it's not just a natural beauty,
18 for example. I'm thinking of those things we
19 talked about, kayaking, boating.

20 A. Sure. Sure. You know, we certainly considered
21 all of that. Much of the Plymouth State
22 University data that covers quite a number of
23 years goes into quite a bit of detail in terms
24 of the kinds of activities and the experiences.

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[WITNESS: Nichols]

1 And many of those are outdoor recreation based,
2 that would have been -- the river would have
3 been one of the areas that many of them could
4 potentially have experienced. In our survey
5 work, we again asked the kinds of activities
6 that they would anticipate, and many of those
7 related to outdoor recreation kinds of
8 experiences.

9 And, then, again, in just my traveling of
10 the state, and looking at many of the state
11 parks, the historic areas, you know, the rivers
12 and that waterway part of that experience would
13 have also been incorporated as we -- as I went
14 around the state and tried to understand the
15 mix of assets more deeply.

16 Q. Okay. Thank you. But there was no one
17 specifically speaking for the river, though?

18 A. I don't believe there was --

19 Q. Okay.

20 A. -- anyone specifically on the river.

21 Q. I'm wondering if you had any contact at all
22 with -- well, there are several organizations,
23 tourist organizations, that have sent letters
24 to the Site Evaluation Committee citing their

[WITNESS: Nichols]

1 concerns about this Project, and its impact on
2 the river, according to their -- their group.
3 One of the groups was Trout Unlimited. Are you
4 familiar with Trout Unlimited?

5 A. I know the group. I'm not aware of the
6 specific reference that you're talking about.
7 But I know the organization in a general
8 context.

9 Q. Right. And their concerns were mainly, and
10 this was sent to Pam Monroe March 22nd, 2016.
11 And their concerns are things like the warming
12 of water, long-term impacts for the above
13 ground corridor. They're very concerned about
14 an impact that could be permanent because of
15 the trees being cut, things like that. So,
16 Trout Unlimited was -- those are the sorts of
17 people you did not have any contact with, is
18 that true?

19 A. Well, not that particular group.

20 Q. Okay.

21 A. But, certainly, we've heard and read a wide
22 range of comments, both for and against --

23 Q. Right.

24 A. -- the Project. So, in general, aware of the

[WITNESS: Nichols]

1 range of issues.

2 Q. All right. The next group that's interesting
3 is the "Friends of the Pemi - Livermore Falls".
4 And that is one of our exhibits that we have in
5 Pemi 19. This is a park right outside of
6 Plymouth that's been -- that's taken an area
7 that the Plymouth State students and local
8 people had turned into pretty much a -- oh, an
9 area that the river was full of broken glass,
10 it was a party place. And, in 2012, with the
11 help of Executive Councilor Ray Burton, they
12 have taken over, they have turned this now --
13 also working with I think it's DRED, right?
14 They have turned this into the newest state
15 park, and they have like 5,000 visitors per
16 summer now. And they're still working on this.
17 And their concerns, of course, is that the
18 construction is going to make a huge impact at
19 the point where they're just beginning to take
20 off as a tourist attraction, and they're also
21 concerned about the aesthetics.

22 But there's no place in your report that
23 would sort of take in, that's too individual a
24 concern, is that right?

[WITNESS: Nichols]

1 A. Yes. We didn't look at impacts to any specific
2 business.

3 Q. Uh-huh.

4 A. But I think, again, I, at least in my
5 experience, there have been many destinations
6 I've worked with that are absolutely considered
7 beautiful, and whether it's Colorado or Utah or
8 Arizona or Washington, where there are
9 transmission lines present, and the destination
10 works. And, so, I think there are likely ways
11 and opportunities, whether it's during the
12 construction process, that some of the
13 disruption could be minimized. And that I'm
14 not familiar specifically with the park there,
15 but, in my experience, in many instances,
16 there's many elements and many reasons why that
17 visitor is coming to the park. And, even in
18 the instance where they might see a
19 transmission line, that they're still coming,
20 they're still recreating, they're still
21 enjoying the parks, parks have access.

22 And, largely, as I have mentioned numerous
23 times here, I think that most of today's
24 visitors understand that, in some instances,

[WITNESS: Nichols]

1 there will be infrastructure and transmission
2 lines, cell towers, those kinds of elements,
3 but they're still going to a great destination,
4 they're still enjoying a great recreating
5 opportunity.

6 Q. Right. And, of course, what's happening here
7 is that they're very concerned because the
8 construction is -- it's an underground portion
9 of the construction in this, you know, small
10 Route 3 roadway is going to have, you know, a
11 huge -- a huge impact.

12 I guess the other one, there's a canoe
13 club, the "Northern Forest Canoe Trails", they
14 sent in concerns. And, so, when I mention
15 this, there's, you know, places I would have
16 expected maybe that you would include, and
17 maybe you did. Have you spoken with people
18 from the Lakes Region Planning Commission?
19 They're out of Meredith. They would be from
20 the Lakes Region. Our group, the Pemi group,
21 works closely with them.

22 A. I see. We didn't speak directly. I'm not sure
23 in this exact instance, but there were quite a
24 number of the associations that provided input,

[WITNESS: Nichols]

1 and we reviewed much of those community-wide
2 responses and comments. But I can't speak
3 specifically on the one that you were asking me
4 about.

5 Q. Okay. And there's also the Quabbin-to-Cardigan
6 Project, that's -- you talk about "regional",
7 and that's cross-state. That's coming from
8 Quabbin Reservoir, in Massachusetts, and
9 they're developing trails that will go from
10 Quabbin to Mount Cardigan. Part of this would
11 go through Bristol, in that area along the
12 Pemigewasset. There's also campgrounds all
13 along the Pemigewasset. There's canoe clubs,
14 kayak clubs. And then local schools use it,
15 Proctor Academy, New Hampton School, they do a
16 great deal of kayaking on the river.

17 Were any of these kinds of people included
18 in the survey, when you -- so, you've done your
19 industry people. How about just plain old
20 others?

21 A. You know, in terms of the local residents, I
22 believe Plymouth State University, I'm not sure
23 if their survey would have incorporated some
24 portion of New Hampshire residents as well. In

[WITNESS: Nichols]

1 our survey, there was a portion of the
2 respondents that did come from internal New
3 Hampshire residents.

4 Q. Okay. And, just for interest sake, the
5 Pemigewasset group works closely with the
6 Plymouth State people. In fact, we're going --
7 things are changing. There's an environmental
8 study now with Jim -- with Joe Boyer that's
9 going to be working with the Pemi. And we're
10 going to be looking and using students to look
11 at water quality, look at recreational
12 interests. And, so, it's going to be sort of a
13 combination study.

14 Now, the -- in 2010, the Lakes Region
15 Planning Commission did a survey. And I
16 think -- this is just one of the -- it's an
17 extensive survey. It's part of the
18 Pemigewasset exhibits. It's within our -- it's
19 Exhibit 9, Pemi 9. But what I'm interesting
20 in, in this part, is the longest lines there
21 are things that people are most interested in.

22 And what have we got? One of the longest
23 lines I know is the best is "beauty", "scenic
24 beauty". These are things that people are

[WITNESS: Nichols]

1 concerned about with the -- in the river
2 corridor. "Protecting the water quality" is
3 one of the main concerns, and also "Protection
4 of aquifers".

5 So, and then, when we went on and analyzed
6 some of the things that people were concerned
7 about, it had to do with water pollution and
8 septic systems getting into the water,
9 pesticides, and overall development.

10 So, that's one of those, you know, parts
11 of information that's out there about the
12 river.

13 CHAIRMAN HONIGBERG: And is there a
14 question associated with what you've just said?

15 BY MS. DRAPER:

16 Q. Well, my question is, and I think,
17 unfortunately, I know the answer, is did you
18 look into other surveys, such as this survey
19 done by the Lakes Region Planning Commission?

20 A. I haven't seen this particular.

21 Q. Uh-huh.

22 A. But the general premise of working to protect
23 natural resources is paramount in many of the
24 destinations. You know, there's a general

[WITNESS: Nichols]

1 characterization that we don't want to
2 denigrate what makes it special in the first
3 place. And there are examples. So, I think
4 I'm well aware of the kinds of findings that
5 you're showing. I'm not familiar with this
6 particular --

7 Q. The particular one.

8 A. -- study. So, I did not analyze or consider
9 this particular report.

10 Q. Okay. Did you look at any tourist-related
11 websites?

12 A. Yes.

13 Q. Okay. One of the ones, and, Jeanne, you've got
14 the -- there's the American Whitewater group.
15 Did you happen to check on them?

16 A. No. I did not see this one.

17 Q. Okay. Well, I'm wondering -- now this is an
18 interesting one, because, on the second page,
19 they actually talk about what is -- you know,
20 what's important to them about the
21 Pemigewasset. And this is an area that's very
22 close to where I live. It's in New Hampton.
23 It goes from the Ayers Dam, in Bristol. It
24 goes down through land that's managed by the

[WITNESS: Nichols]

1 Army Corps of Engineers, goes along Coolidge
2 Woods Road. And pretty much what they say
3 there is that -- well, maybe some -- could you
4 read it for me, Jeanne? Or, maybe, could you
5 read it for me please?

6 A. Sure. What you have highlighted?

7 Q. The highlighted, yes, please.

8 A. Yes. Uh-huh. It says "Scenery...good forest
9 scenery. Not many signs", and then something
10 is cut off here, --

11 Q. Uh-huh.

12 A. -- but "except for dam and bridge".

13 Q. Right. Now, in this area, and this is my
14 question, this is one of those areas that
15 here's the website, here's how they qualify
16 this area. What will happen -- what do you
17 expect might happen if the Northern Pass
18 Project is built and this area sees the line of
19 towers? Would you expect they would put that
20 on their website?

21 A. Yes.

22 Q. Yes. Yes.

23 MS. DRAPER: And, Jeanne, there's
24 a -- the next photo.

[WITNESS: Nichols]

1 BY MS. DRAPER:

2 Q. This is -- but this photo is taken from the
3 take-out on the Pemigewasset at that area. And
4 you can see in the top part of the mountain
5 there that there's a cut, and that is the
6 existing right-of-way.

7 A. I see that.

8 Q. Can you see that?

9 A. Uh-huh.

10 Q. And, at the top, you can barely see there's a
11 wooden structure. Now, this has been the
12 power -- the transmission line/power line that
13 we've lived with for 40 years. Now, this is
14 part of the overhead area. And, so, we're
15 talking about steel structures that will be
16 well above the treeline. And I guess this is
17 not an isolated place. It just happens to be a
18 place I know about.

19 And I'm wondering where in your report do
20 you take into consideration there will be
21 places that are affected?

22 A. Well, in numerous areas, I think that's what we
23 heard many, many times, in terms of the visual
24 shifts or change that the Project could have in

[WITNESS: Nichols]

1 certain areas. We looked at visual
2 simulations. We traveled to many parts of the
3 route and looked individually.

4 But, as I mentioned, it's not just looking
5 here. It's in our experience that there are
6 other very beautiful areas, the couple of
7 examples we've talked about so far, with Estes
8 Park and the Rocky Mountain National Park, the
9 scenic byway I discussed in northern Washington
10 State, people still come because it's an
11 absolutely beautiful setting that they're
12 enjoying.

13 And that, as I have mentioned, while there
14 could be that visual change there, I still
15 believe the power of the river, the power of
16 the beauty of the forest would still attract
17 visitors, and it would still be a very popular
18 attraction and natural asset for this state.

19 Q. Fine. I guess, when I came in this morning, I
20 was really interested when you started talking
21 about "bias in surveys", and, of course, bias
22 can go many different ways. And, so, I'm
23 interested in what you do as a professional to
24 be, you know, where is the line between bias

[WITNESS: Nichols]

1 and information that would be -- might be
2 necessary in a survey, what kind of guidelines
3 do you use?

4 A. Uh-huh. Bias, you know, sometimes can come in
5 in the sampling process. I mentioned yesterday
6 we worked with Survey Sampling International,
7 they're one of the world's largest sampling.
8 We worked with their panel. We worked to
9 ensure we were sampling from key feeder markets
10 that generate the majority of New Hampshire's
11 travel.

12 And, then, on the instrument itself, that
13 was designed largely by Dr. Daniel Fesenmaier,
14 and is one of the earlier commenters. He is
15 one of the most published academics in the
16 world. He's been on the Editorial Board of the
17 Journal of Travel Research, and he's done
18 thousands of surveys, and works carefully to
19 ensure that there isn't bias in the instrument
20 itself, in terms of how the questions are asked
21 or the terminology.

22 So, I think, both in the instrument itself
23 and in our sampling process, we strive to
24 ensure that bias was not an element of the

[WITNESS: Nichols]

1 survey.

2 Q. Okay. And, now, did you refrain from showing
3 pictures to people, showing -- you sharing
4 photographs of a transmission line? Did you
5 not use them because you wanted to avoid bias?

6 A. We wanted to understand how the visitor
7 perceived New Hampshire, how it stacked up
8 against other competitive New England
9 destinations. And, most importantly, what were
10 the key factors that influence their decision
11 to consider coming to New Hampshire, and that
12 was the primary purpose. And understanding how
13 power lines and the presence of power lines, or
14 other disruptions, whether it's some of the
15 traffic congestion we've spoke of, or cellphone
16 towers, those kinds of things, how do those
17 elements fit within the broader travel
18 decision? And that was the purpose. We did
19 not use visual simulations --

20 Q. All right.

21 A. -- of the Project in that survey effort.

22 Q. All right. And, so -- and, actually, these we
23 would consider transmission lines, you know,
24 high-voltage, industrial. With this photograph

[WITNESS: Nichols]

1 here, would that have been -- well, this one --
2 this is my bias, just for -- this is off of
3 Route 93. It will be seen in Ashland. And,
4 actually, Jeanne, if you push it up a little
5 bit, you can see the person at the bottom. You
6 see where Max is standing?

7 A. I see.

8 Q. And it's really hard to find. So, I would see,
9 you know, when I look at this, this would be my
10 kind of bias to show. How about the photograph
11 before, that just shows the river and the power
12 line? Would you consider that an example of
13 bias, if you had shown that to, say, a group of
14 kayakers and asked your survey questions, you
15 know, "what's important to you in this area?"
16 Would you consider that a photograph of bias?

17 A. Well, we didn't use any photographs --

18 Q. Right.

19 A. -- of any of the elements that play into the
20 decision, and whether it was a forest or a
21 resort or others. We asked them the question
22 and asked them to rank the importance of this
23 wide range of elements. So, we didn't use
24 graphics. If we used graphics on a single, I

[WITNESS: Nichols]

1 guess that could introduce bias, if there was
2 one of the elements that we had a series of
3 photos around.

4 Q. All right. Do you ever use photos or diagrams
5 or --

6 A. In some instances there are some graphic
7 elements that could be incorporated in a
8 survey.

9 Q. Okay. And you didn't use any in this
10 particular one?

11 A. Not in this instance, no.

12 Q. All right. Did you ever consider telling
13 people when you were, either in the listening
14 sessions or the survey, that the Northern Pass
15 Transmission is not considered a "reliability
16 project", that, in fact, it's a private, you
17 know, was that ever, you know, was that kind of
18 information shared or not?

19 A. No. In the listening sessions, it was more
20 asking broad questions. We asked them about
21 their understanding of the Project, but we did
22 not have any presentation of what the Project
23 was all about.

24 Q. Uh-huh.

[WITNESS: Nichols]

1 A. And, then, in our survey effort, there was no
2 explanation of Northern Pass at all. We were
3 asking general attitudes as it related to New
4 Hampshire as a destination and the factors that
5 influenced their decision to come here.

6 Q. So, was that a deliberate decision not to talk
7 about Northern Pass? I'm thinking of sort of
8 like pre-setting up the survey, or maybe with
9 people?

10 A. In the listening session, it was very
11 intentional, that it was not meant as a
12 presentation from Northern Pass. It was meant
13 to gain insights and input. So, there was no,
14 again, sort of presentation of what the
15 Project's all about. We did ask them about
16 their general knowledge and how aware and how
17 they got information about the Project. But we
18 did not attempt to present our interpretation
19 of the Project. We wanted this in a more open,
20 essentially unbiased, just to get their actual
21 perspectives, whether accurate or not.

22 Q. Okay. Were there any Northern Pass employees
23 or people involved in those, there as
24 participants or consultants, or just people

[WITNESS: Nichols]

1 listening on the outside at these sessions?

2 A. The note-takers that we spoke of were
3 representatives. I believe one might have been
4 from one of the law firms and one might have
5 been from the utility. But that's the -- the
6 staff that assisted me in taking notes would
7 have come from them.

8 MS. DRAPER: Okay. Thank you very
9 much. I think that's it. Thank you.

10 WITNESS NICHOLS: Thank you.

11 CHAIRMAN HONIGBERG: All right. I
12 have no one else from the intervenor groups
13 listed as lined up to ask questions. If that's
14 correct, we'll move on to questions from the
15 Subcommittee?

16 *[No verbal response.]*

17 CHAIRMAN HONIGBERG: All right.
18 Anyone -- we haven't discussed this at all.
19 So, is anyone interested in stepping up?

20 MR. WAY: I'd be happy to.

21 CHAIRMAN HONIGBERG: Mr. Way.

22 MR. WAY: Good morning.

23 WITNESS NICHOLS: Good morning.

24 MR. WAY: My name is Christopher Way.

[WITNESS: Nichols]

1 I'm with the Department of Business & Economic
2 Affairs. And, for your purpose, that used to
3 be DRED.

4 WITNESS NICHOLS: That's what I
5 understand.

6 MR. WAY: And, so, we're split now,
7 and I'm with tourism in the new Department, and
8 parks and trails, which may come up as a new
9 department as well.

10 I think what I'd like to focus
11 upon, obviously, what we've heard over the last
12 day, trying to bring it altogether. I'll try
13 not to go over things that have already been
14 discussed in a lot of great detail, but
15 maybe trying to just kind of bring it
16 together.

17 BY MR. WAY:

18 Q. I'm interested to start with a little bit about
19 maybe your past activity with the state. We
20 had talked a bit about it yesterday. Just so I
21 understand, you had a contract with New
22 Hampshire back in the early 2000s?

23 A. Yes. Correct.

24 Q. Correct. Strategic planning only or did you do

[WITNESS: Nichols]

1 marketing for the State or what was the
2 overall?

3 A. It was actually more branding and image
4 related, that was the primary focus of that
5 work, that would ultimately be used in future
6 marketing efforts.

7 Q. A one-shot deal? Did it turn into any other
8 activities later on? Or was this the only
9 time?

10 A. No, I believe this -- we did survey work,
11 Dr. Fesenmaier assisted us on that effort as
12 well. And there were a variety of
13 recommendations as it related to how the State
14 could work towards enhancing its identity and
15 enhancing its brand. I believe the outcome of
16 the work was incorporated in future marketing
17 efforts and initiatives of the agency.

18 Q. And did you do -- well, you mentioned
19 Dr. Fesenmaier, but did you do the work
20 primarily yourself? Did you sub it out to
21 other parties?

22 A. You know, all of the -- we were the ones that
23 spent time in the state. We were the ones who
24 wrote the report. We were the ones that

[WITNESS: Nichols]

1 interacted with the agency. And we used
2 Dr. Fesenmaier and his group in a very similar
3 kind of situation as in this instance, of
4 gathering perspectives from others, prospective
5 visitors to the state, how they saw the state,
6 how the state compared to other New England
7 opportunities.

8 Q. All right. And I would imagine, too, if you
9 did strategic planning, did you do listening
10 sessions as well? Did you travel throughout
11 the state? Was it you personally?

12 A. Yes. And, to be honest, you know, that far
13 back, I'm forgetting exactly the range of
14 steps. But we certainly went around the state
15 and heard different perspectives from a range
16 of participants.

17 Q. All right. Very good. And just trying to
18 remember, I'm trying to recollect as well who
19 was in charge at that point. Was that --

20 A. It was Lori Cleaf *[sic]*, or, no, --

21 Q. Harnois?

22 A. (Scott) No. I'm sorry, can you --

23 Q. Alice DeSouza or --

24 A. No, it was before.

[WITNESS: Nichols]

1 Q. Before her. Allison McClean -- but, yes, a
2 long time ago?

3 A. Yes. Yes.

4 Q. All right. Suffice it to say. So, I guess
5 let's come to the current state of things. You
6 had a good relationship with the Division at
7 that point. I would have to imagine, at this
8 point, as you're doing this Project, is there a
9 good rapport with the Division? Have you had a
10 lot of contact?

11 A. You know, we sat down, and it was in the
12 transition phase that you were in. There was a
13 assistant director, we sat and talked. And, in
14 general, the general position was that the
15 agency was not taking any position on the
16 Project. We received one of the more recent
17 marketing and strategic priority plans that the
18 office had undertaken. We reviewed that
19 document. And they assisted us in
20 understanding the range of background research
21 that was available through Plymouth State
22 University.

23 Q. All right. And you said "during the
24 transition". The transition for us happened

[WITNESS: Nichols]

1 very quickly, within the last month or so. So,
2 probably not that transition, I'm assuming?

3 A. Yes. Transition in director and leadership.

4 Q. All right. Very good. Parks and trails, I
5 would imagine, same question, have you had a
6 relationship with them? Have you had
7 discussions?

8 A. We did not have direct discussions with that
9 department.

10 Q. Why not?

11 A. I think we understood the broad range of
12 natural assets that the state possesses, the
13 range of visitation that's attracted for that.
14 I think we understood the concerns from the
15 outdoor recreation segments, as it related to
16 the transmission plans, and had a good
17 understanding of the concerns, the issues, the
18 projects as they're positioned throughout the
19 state. And, again, traveled to many, whether
20 it was a state park or rivers or other natural
21 assets.

22 Q. All right. So, you feel like you had a pretty
23 good handle on the makeup of the parks'
24 visitors and their motivations and what their

[WITNESS: Nichols]

1 habits were and --

2 A. Yes, in general. And that, teamed with the
3 work from Plymouth State University and, you
4 know, the outdoor recreation component of the
5 visitor market to New Hampshire. And, as I've
6 mentioned, we've worked in lots of states, lots
7 of destinations with those kinds of assets. I
8 believe I've got a very strong understanding of
9 their orientation, their interests, and the
10 kinds of things that they do, and that was
11 taken into account.

12 Q. All right.

13 MR. WAY: And, as I -- this is to my
14 other members, too. As I hit upon things, if
15 you have any input while we're on the topic,
16 feel free to chime in as well.

17 BY MR. WAY:

18 Q. In terms of the marketing approach of the
19 state, are you familiar with our current
20 marketing approach?

21 A. In general.

22 Q. Do you think that will have to change as a
23 result of the Northern Pass Project? Is there
24 anything that you see might need to be tweaked

[WITNESS: Nichols]

1 or nudged as we go forward?

2 A. I wouldn't believe so. I think it's -- much of
3 that focus is on the natural beauty and the
4 unique assets that the state offers up. And I
5 would imagine that that would continue to be
6 the prominent messaging that you would strive
7 to communicate with prospective visitors.

8 Q. How about the generational messaging?

9 A. Generational messaging, as it relates to your
10 marketing efforts?

11 Q. Correct.

12 A. And not so much as it relates particularly to
13 this Project, but I do think that's a critical
14 issue that many of the states we -- and
15 destinations we're working with, that issue of
16 changes/shifts in generational demand, and how
17 is a state or a destination positioning
18 themselves to be relevant to evolving segments
19 is critically important.

20 And I'll just, you know, two examples,
21 both Scottsdale and Sedona, very powerful, very
22 successful destinations. But, when we were
23 working with their strategies, that was a
24 critically important component, because they do

[WITNESS: Nichols]

1 very well with the Boomer segments, with the
2 resorts, with the spas, with the golf. But
3 much of their planning, their strategic
4 planning had to do with how they were
5 recrafting some of their marketing, their
6 messaging, their products, in ways that would
7 resonate with Gen X'ers, with Millennials, and
8 that was a critically important element of
9 their marketing plans and their marketing mix.

10 Q. And that brings up another point that I wanted
11 to raise, and I'm sorry if I'm going around
12 like a moth.

13 A. That's okay.

14 Q. I have the best-laid plans here, but one topic
15 brings up another.

16 So, when we look at the marketing approach
17 of the State, and we're looking at attracting
18 different generations, as you've said, I'm
19 interested, when you've done your
20 investigation, and I was looking at the Joint
21 Muni 227, the questionnaire, how were you
22 differentiating the different generations,
23 because I know that's what we're doing? In
24 other words, we're taking the boomers, we're

[WITNESS: Nichols]

1 taking Millennials, or Gen X'ers, and we're
2 carving them out. Because -- and then we are
3 tying them to their income-earning potential.

4 So, when you're saying "no impact on
5 tourism", are you looking at is that "no impact
6 in general"? Are we looking at individual
7 groups? And I think the answer is "no",
8 because I didn't see it in the survey.

9 A. No. We looked at it in a more aggregate basis,
10 did not segment it by generational segment.
11 Our conclusions are more in an aggregate basis,
12 that's correct.

13 Q. Okay. So, when you're looking at like, for
14 example, ages, you just have to be over 18?

15 A. In our survey, right. It was adults over 18.
16 I might also, though, just add that, again,
17 it's not just the direct work on the Project,
18 it's our understanding, our experiences in
19 other destinations. And I think your point, we
20 finished the State of Colorado's strategic plan
21 last year, spent a good part of last year. And
22 much of that, it was how to expand the active
23 component of their outdoor recreation. And
24 where Wyoming, Utah, and Oregon were getting

[WITNESS: Nichols]

1 stronger identities for sort of extreme or very
2 active utilization of those natural resources,
3 Colorado wasn't as far along. And much of
4 those more active, extreme experiences related
5 to those younger segments. And part of the
6 plan there was to try and use those natural
7 assets, but ensure that they were being
8 embraced with a broader range of participants,
9 and recognizing that those different age
10 categories would look to recreate and
11 experience those natural resources in different
12 ways.

13 Q. I agree with that. I guess what I'm trying to
14 say, and say this in a respectful way, if the
15 State -- if the bent of the State is really to
16 look at the various segments, demographic
17 segments, that we can now carve up and attract
18 in very different ways, and we have an idea
19 which segment will respond to which one of our
20 marketing efforts, the conclusions that you
21 look at that don't take that into
22 consideration, is that out of step with our
23 efforts?

24 A. I guess I would see that as somewhat of a

[WITNESS: Nichols]

1 different role or purpose. Certainly, with
2 that kind of survey effort, as it relates to
3 branding and marketing and those kinds of
4 initiatives, trying to understand some of those
5 differences, you know, going in in deeper ways
6 of how a millennial was using the White
7 Mountains Region versus a boomer, that could be
8 appropriate.

9 In this instance, our primary purpose was
10 to understand the potential impacts of the
11 transmission lines. And we wanted to
12 understand how those prospective visitors
13 positioned the presence of power lines or some
14 of these other infrastructure elements, in
15 relation to those broad range of other factors
16 driving their decision to choose New Hampshire.

17 So, I would see that as somewhat of a
18 different sort of purpose and role of the
19 survey. But certainly understand, from a
20 marketing kind of context, understanding some
21 of those differences in a generational
22 standpoint would be important.

23 Q. Well, one place where it might be important,
24 and I go back to something that Mr. Pappas

[WITNESS: Nichols]

1 brought up yesterday, and I think
2 Ms. Schibanoff even referred to, in terms of
3 things like social media interactions. And,
4 so, when we look at the generational response
5 to social media interactions, we know there's a
6 population out there that is much more likely
7 than another population to check their
8 cellphones, check their -- check the traffic
9 delays, and make their decisions accordingly.
10 I'm one of them. I will do that. And it won't
11 be three or four hours for me, you know, one
12 bit of a delay one way or another.

13 And, so, I'm wondering, but you'd still
14 maintain that long term, though, that wouldn't
15 affect -- or, that situation would not affect
16 the impacts or would not have a long-term
17 impact, correct?

18 A. And just so I'm -- make sure I'm understanding.
19 You're referring to construction delays and
20 social media?

21 Q. Let's say construction delays, correct.

22 A. Yes. And, again, to some, I -- I completely
23 agree. And whether it's a construction delay
24 or there's a great birding experience or we're

[WITNESS: Nichols]

1 having a great time on the river, that social
2 media is used in many, many ways, and has
3 become an important piece.

4 But I do believe that, in terms of that
5 construction process, my understanding, in
6 terms of the extent of the likely delays, the
7 steps that the Applicant is implementing to
8 minimize those disruptions, that today's
9 visitor, even today, without the Project in New
10 Hampshire, and I mentioned just my own
11 traveling around the state, I came upon
12 multiple traffic delays with construction that
13 was going on. And that's, at least in my
14 experience, no matter where I'm at in the
15 country, just part of the reality.

16 And I think, with the appropriate steps
17 that, while there might be some traffic
18 congestion, traffic disruptions, I don't
19 believe that would cause a visitor not to come
20 and experience New Hampshire. I believe they
21 would still come.

22 In some instances, with some of the
23 construction, they might choose a restaurant or
24 a retail location three blocks or three miles

[WITNESS: Nichols]

1 down the road, but I don't believe there would
2 be any impact on a regional tourism basis.

3 Q. I think a good point was brought up a little
4 bit earlier. When they said "Okay, understood.
5 But, at some point, that that changes." And,
6 at some point, it does become a deterrent. So
7 that, if I have a 20-minute delay, all right,
8 well, that might not do it for me, and that may
9 be fine and I'll go to my destination.

10 But, at some point 20 minutes becomes
11 as -- and you said "three to four hours", and
12 maybe we should check -- think about that.
13 But, you know, but, at some point, it is going
14 to become a deterrent, particularly when we're
15 looking at long-term visitors versus
16 day-trippers.

17 A. That's a good point. And I do think that steps
18 to ensure that that disruption is minimized as
19 much as possible is very important. You know,
20 I think there are a range of examples and
21 seasonal realities where that traffic
22 congestion is very present in New Hampshire
23 already, but those visitors still come. They
24 still go to events and festivals and different

[WITNESS: Nichols]

1 parts of the state, even though the traffic can
2 be challenging. And they come because, as the
3 report points out, it's all of these other
4 really powerful assets that New Hampshire has
5 to serve up to them, that they still come, even
6 though there are some of those potential
7 barriers.

8 Q. But, and it's one thing, too, that I've learned
9 from osmosis, being in my department, when I'm
10 talking to -- whether it be tourism or one of
11 the things I've learned when talking to parks,
12 is never take those visitors for granted, in
13 terms of -- and sometimes it can be the
14 smallest of things, it can be the largest of
15 things, and you sit and you strategize about
16 how to minimize those various things. And
17 traffic delays are always a concern, always --
18 always an issue when we're -- or, when
19 everybody is looking at planning. And so --
20 and that's something, and I'm just making a
21 statement for this Committee, that's a hard --
22 I think that's going be a hard piece for us,
23 because we really don't have information
24 regarding traffic delays.

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[WITNESS: Nichols]

1 A. You know, I completely agree with your premise
2 that all steps need to be undertaken to serve
3 up a great experience to visitors, and that
4 we're in a competitive environment.

5 Again, I think one of the very attractive
6 elements that New Hampshire has is the products
7 and the elements that you have to present and
8 serve up to those visitors is so compelling and
9 so powerful.

10 But, at the same time, your point of
11 trying to take steps to minimize those
12 disruptions, take steps to, as we were talking
13 earlier, if there's a festival or event or
14 those kinds of things, to try and ensure that
15 construction is taking those activities into
16 consideration, trying to work as much as
17 possible, are all very important steps to try
18 and limit that disruption, that impact to the
19 individual guest.

20 Q. If you look at NASCAR Weekend, how much that
21 embraces, and even I'm looking down at
22 Mr. Oldenburg at DOT, how much work and effort
23 goes in, not just to manage the traffic going
24 to NASCAR, because there's a recognition that,

[WITNESS: Nichols]

1 if people can't get there, and I think we've
2 had those issues in the past, that people won't
3 come back. If campers can't get up 93 because
4 of people going to the raceway, they won't come
5 back. And that's a reality.

6 A. And, if I might, just following on with your
7 point, I think that's a really good example,
8 because I know the raceway and I know some of
9 the challenges. But Department of
10 Transportation takes very proactive steps to
11 try and talk about rerouting alternatives and
12 different directions and get that out to the
13 public. And, even with that congestion, you
14 still have an amazingly powerful attraction of
15 the raceway that people come and they
16 experience some of those congestion realities.

17 But I think that's a good example of
18 recognizing and trying to come up with creative
19 answers and solutions on minimizing those
20 impacts, understanding there are going to be
21 congestion impacts, but trying to come up with
22 creative ways to moderate some of those
23 impacts.

24 Q. What about secondary home and vacation rentals?

[WITNESS: Nichols]

1 A. You know, we did not specifically analyze the
2 second home market. Understand it's an
3 important component here in the state. But, in
4 my experience, those second home buyers or some
5 of the individuals, the visitors who are using
6 second homes as their accommodations, they're
7 coming for much the same reason as the general
8 visitor that we've talked so much about. I
9 think the same mix of factors that are
10 influencing their decision to come, and, in
11 this instance, come multiple times and purchase
12 a second home, or, as I say, in more and more
13 cases, some of those second homes being used as
14 short-term rentals and other visitors. So, I
15 think those second home buyers would operate
16 much the way that that visitor, in terms of the
17 priorities, what influences their decision to
18 come to experience New Hampshire, and that much
19 of that experience would be experienced on the
20 same kind of level that we've talked on the
21 tourism, that I wouldn't anticipate there would
22 be impacts to the second home market on a
23 regional kind of basis.

24 Q. Would you take that same approach or that same

[WITNESS: Nichols]

1 answer for renters as well, not buyers?

2 A. Yes. And, as we all know, there are B&Bs and
3 those kinds of services, more and more of those
4 second homes or other residence are being used
5 as short-term renters. And I believe we would
6 have incorporated that within our survey and
7 our analysis, that those are just, frankly,
8 visitors coming, and they're just choosing that
9 as an accommodation option or alternative, but
10 they're using many of the same factors and
11 criteria that we have brought out in driving
12 their decision to choose and come to New
13 Hampshire.

14 Q. All right. And, so, you know, and I brought up
15 the bed & breakfast before. And I'm trying to
16 get a handle on -- like, for example, I think
17 on 116 there's a notable bed & breakfast.
18 Construction goes on for two years in that
19 area, significant construction. I would
20 imagine they're probably going to be losing
21 some visitors, because I think, you know, one,
22 looking on TripAdvisor, wouldn't take very long
23 to figure out that there's construction going
24 on. What is the likelihood of that market to

[WITNESS: Nichols]

1 lose long-term market share? And you say that
2 you would do certain things to mitigate that.
3 How would you address that?

4 A. Well, it's my understanding that, while the
5 overall Project could have that kind of
6 duration, construction in any particular area
7 or in relation to any particular B&B or
8 business, would be much shorter term, in time
9 frame, days, sometimes weeks, and that steps
10 could be taken. And, in many instances, the
11 extent of those delays or that congestion would
12 be quite minimal. And, so, I believe that,
13 again, it's much more the collective attraction
14 power of the region, the products, the
15 experiences, the general ease of access, even
16 if it could take a few additional minutes to
17 get through a lane closure or something along
18 that kinds of lines, and that the vast majority
19 of visitors would continue. And, again, you
20 know, they might choose a slightly different
21 area within the region, but they would still
22 come and they would still experience New
23 Hampshire.

24 Q. So, now, I think we're getting down into the

[WITNESS: Nichols]

1 challenge I'm wrestling with.

2 A. Okay.

3 Q. Because I appreciate what you said, that your
4 charge was not to look at specific businesses
5 or events. Part of our charge is to look at
6 the impact to those businesses, whether it be
7 large or whether it be small. I'm trying to
8 get a handle on that.

9 A. Okay.

10 Q. Talked to the construction folks about it, and
11 sort of they'll refer it to tourism. If I talk
12 to economic development, they will either refer
13 it to construction or tourism. And, so, now
14 we're at tourism, and it's -- we're not --
15 we're kind of on the fringes of it. We're not
16 saying -- so, I need to be able to have a
17 feeling of, and we've used Plymouth, because
18 Plymouth gave quite a few testimonies, in terms
19 of impact to businesses, what can they expect
20 to happen to their business? How will it
21 impact them long term? Even if it's
22 construction for two years, and then we have
23 the long-term -- the long-term impacts as well?

24 And, so, how do we -- you know, I mean, if

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1 you were to walk downtown Plymouth with me, and
2 we were to go into an establishment, the
3 theater down there, for example, what would you
4 say to them? What would you say to that
5 business?

6 A. I would look at the construction process, what
7 periods that that construction activity would
8 specifically impact, in particular, that
9 individual business. And I think, in many
10 instances, with the staging of that
11 construction, it might be days, it might be
12 weeks. I'd provide some of the examples of the
13 anticipated delays that could be expected from
14 some of the work that's been done.

15 I know, in many instances, it's estimated
16 just a few additional minutes that the
17 congestion and the traffic delays might be
18 experienced. Explain that to the individual
19 business. Talk about some of the supplemental
20 business that might come from the construction
21 crews and workers, that they might experience
22 incremental demand. I think yesterday, in our
23 discussions with Maine, that was brought up
24 numerous times, that it was the construction of

[WITNESS: Nichols]

1 the Project that helped stimulate much of the
2 tourism expansion that the state had been
3 experiencing. And I'd try and line that out as
4 much as possible and demonstrate.

5 And, if there were suggestions or
6 recommendations from the business, to try and
7 bring that to the Applicant, to see if some of
8 the steps. And, as we mentioned, whether it
9 was an event or a festival or other activity,
10 ways that might be able to limit or mitigate
11 some of those impacts. That you were actively
12 listening and attempting to be responsive to
13 those concerns.

14 I guess with all of that said, I still
15 understand that difficult reality for an
16 individual business that faces construction
17 activity, and the impacts that that can have.
18 And there's no easy solution.

19 But, I think, you know, attempting to lay
20 out the facts as clearly as possible, and talk
21 about potentially some of the positive side
22 that might come about, and additionally try and
23 implement any steps that might moderate those
24 impacts, would all be important elements to try

[WITNESS: Nichols]

1 and communicate.

2 Q. Common sense, I think, would suggest though, as
3 we're talking to those businesses, there's
4 going to be some losers in this process. There
5 are going to be those that are going to
6 definitely be affected.

7 A. Yes. And, you know, in the Draft EIS, they
8 talked about the substitution effect, when they
9 were looking at the impacts after the Old Man
10 of the Mountain. And their fundamental
11 conclusion was, even with a significant change
12 in a key product, they didn't see changes in
13 regional demand. That a visitor might choose a
14 different location, a substitution effect, and
15 that's what they envisioned or saw occurring.

16 I do believe that's exactly what's going
17 to occur. A visitor might choose another
18 restaurant or another retail shop three blocks
19 or three miles down the road for that week- or
20 two-week period where construction might be
21 occurring.

22 Q. Likely wouldn't occur for a like a theater,
23 though, I would imagine. Retail lodging, I
24 could understand that. But there's going to

[WITNESS: Nichols]

1 be --

2 A. You have a good point. If it's something where
3 it's a destination in and of itself, that would
4 be a harder one to say "okay, you know, I'd
5 maybe choose some other recreation experience,
6 instead of the theater." But I do think, on a
7 net basis, it's the substitution effect that
8 would be experienced.

9 I still fully appreciate and recognize
10 your point for the person who is directly
11 impacted, even if someone else is the
12 beneficiary of that shift in demand, that
13 person who is in the midst of the construction
14 doesn't really care about the substitution, and
15 that, on a net basis, there's no change. So, I
16 fully understand and appreciate that concern.
17 And that's why I think it's so important to try
18 and minimize that disruption as much as
19 possible, work with the communities to try and
20 find creative solutions, just as we were
21 talking about at the raceway. But still fully
22 understand that perspective that you're faced
23 with in responding to that individual business.

24 Q. And we say -- we talk about delays, and then

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1 the idea that there's a little bit of dodging
2 and weaving that goes on. So, if I hit a delay
3 here, I might go an alternate route over here.
4 And the idea then that I would frequent
5 establishments along that alternate route for
6 the same activities that I'd like to undertake.

7 But is there an assumption that that
8 alternate route, depending upon what it will
9 be, will actually have the same attractance
10 that that primary route would have?

11 A. I think, in general, that, on a regional kind
12 of basis, that visitor is coming for the White
13 Mountains experience or for a Great North Woods
14 experience. And, if there's construction in
15 this one area, and they decide that they're not
16 going to stop in this particular area, because
17 of the congestion or the parking issues or
18 whatever that might be, I think there's still a
19 very strong likelihood that they'd come to that
20 region, because of the beauty, the experiences,
21 the elements. And they might go to a different
22 trailhead or a slightly different restaurant or
23 community, but they're still going to come,
24 because of the collective attributes that that

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1 region has to offer. They might slightly
2 change some of their itinerary, some of their
3 experiences, the substitution effect. But
4 there wouldn't be any change on a net regional
5 kind of basis.

6 Q. All right. And not to belabor that point, but
7 I go full circle back to my first point, in
8 terms of carving out the motivations and
9 demographics of all those that come to New
10 Hampshire. And I guess I would maintain that
11 some might come, some won't come, others might
12 come that might not otherwise have come, I
13 don't know. But it's not going to be
14 one-size-fits-all in terms of their response.

15 A. I understand and appreciate, and I think you're
16 right. And I guess I would also sort of point
17 to some of these other examples that I've
18 worked in, where there's transmission lines,
19 there's construction, there's those kinds of
20 activities, and the visitors are still
21 embracing the destination, many of them that
22 are amazingly beautiful destinations, and they
23 come because of the great collective experience
24 that's offered up. But there can certainly be,

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1 you know, shifts, in terms of who's coming,
2 who's staying.

3 But I believe, and I just couldn't find
4 any examples that demonstrated that that impact
5 with power lines, we looked very hard, and we
6 just couldn't find, when we look at what's
7 happened over in Maine, when I look at, you
8 know, Colorado, Washington, a variety of other
9 areas, I'm just not seeing that play out, where
10 the transmission lines results in a reduction
11 of visitation.

12 Q. I was sort of interested when I read your
13 supplemental testimony, and then I think you
14 referred back to a "Kavet and Rockler", I think
15 I'm pronouncing it correctly, study that they
16 did, and, in that Kavet & Rockler study, they
17 quoted two people that suggested that there
18 would be an impact to tourism. And Alice
19 DeSouza, who used to be Director of Travel &
20 Tourism, and Mark Okrant. And I think Mark
21 heads up the Plymouth State --

22 A. That's correct.

23 Q. -- as well. And I got the sense that you were
24 kind of dismissing what they were suggesting

[WITNESS: Nichols]

1 for impacts. And I'm wondering why?

2 A. You know, and I don't think "dismissing", but
3 that we weren't provided any background on what
4 the foundation was that they made those
5 estimates behind. We -- a strong, competent
6 ex-director and a university professor, but I'm
7 not sure how much they have studied the effects
8 of power lines. And, if they have found these
9 demonstrated effects that support that
10 position, we have not seen that support. And,
11 so, it's not that we were dismissing, it's that
12 we just didn't see any foundation. None was
13 provided.

14 So, even though they are well recognized
15 in the visitor industry, we haven't seen any
16 foundation, and, as in other instances, sort of
17 their general positions or beliefs.

18 Q. Fair enough. But, under that premise, couldn't
19 you discount just about any input that you had?
20 Because, if we haven't had a transmission line
21 corridor of this extent coming into the state,
22 then any opinion that I might offer, because I
23 don't know about it, could be dismissed. And I
24 look at Mark Okrant, who actually is heading up

[WITNESS: Nichols]

1 the institute for the very data that you're
2 using in support of your activities.

3 A. Sure. But, again, the transmission lines, not
4 just in New Hampshire, but all across the
5 country, all across the world, we weren't able
6 to find any example of anyone that demonstrated
7 that kind of an impact. I've worked in
8 destination after destination where
9 they're beautiful destinations, very
10 significant visitation levels, and there are a
11 strong presence of transmission lines, as I
12 mentioned, as we would do our strategic
13 planning process, and talked to participants in
14 terms of the critical issues facing. Even
15 though transmission lines were a part of their
16 destination, those did not come up as, you
17 know, key factors that were inhibiting.

18 So, I could not just, you know, find any
19 of those examples. And, as I mentioned, I just
20 haven't been supplied anything that, from a
21 foundational standpoint that either of those
22 two professionals provided, that provided that
23 foundation to make those estimates.

24 Q. So, when -- and I appreciate when you said "in

[WITNESS: Nichols]

1 your experience", and you haven't seen the
2 impact of transmission lines. And, in their
3 experience, they haven't seen the impact of
4 transmission lines, or at least acknowledge it.
5 But they're saying a "3 to 5 percent impact",
6 right, as I recall, something like that. Which
7 side are we to take? Which group are we to
8 consider?

9 A. Well, I would think you would look at what the
10 foundation was of those opinions. And, if
11 there are clear examples and demonstrated
12 impacts where those results were experienced,
13 and you could demonstrate that you've got a
14 similar set of experiences here with the
15 proposed Project, I think that's what I would
16 look to. What is the foundation? Is it just,
17 frankly, I heard a wide range of attitudes
18 along that kind of lines from people that I
19 spoke to, that it could have impacts and
20 varying levels in intensity of impact.

21 But I could not find anyone that provided
22 a foundation to that, other than their general
23 belief. And, as I tried to study that on a
24 countrywide, a worldwide basis, I just haven't

[WITNESS: Nichols]

1 found any other example where those impacts are
2 actually demonstrated.

3 MR. WAY: Mr. Iacopino, did you have
4 a question?

5 MR. IACOPINO: Yes, I did. And it
6 just stems off of what Mr. Way was asking you.

7 BY MR. IACOPINO:

8 Q. You seem to require empirical correlation from
9 the folks who have criticized your analysis,
10 yet your analysis is, in large part, based upon
11 your own experience, which would not be
12 empirical correlation. Why is it -- why should
13 the Committee accept your view in light of
14 that?

15 A. You know, I think part of it is based on my
16 experience, but that's the reason we approached
17 our analysis with the five different
18 components. Well, certainly, one piece was
19 what my actual experience has been. We spent a
20 lot of time attempting to find other examples
21 all around the world. And, as I had mentioned
22 earlier, the academic world and the tourism
23 environment attempts to study just about every
24 potential impact.

[WITNESS: Nichols]

1 And our conclusion, which is the same
2 conclusion that the Draft Environmental Impact
3 Statement reached, and many others that I've
4 reviewed, is there just is no one that's been
5 able to find and demonstrate that impact.

6 We also, when we used the employment and
7 the SIC code process to try and give some
8 indication in what was happening within
9 tourism-related establishments during the
10 period that a project was developed, we took
11 that into consideration. That wasn't just our
12 experience.

13 I think the Maine Reliability Program
14 project is another very important project in
15 consideration. That project was five years in
16 duration. There's many similarities, in terms
17 of the beauty and the identity and the
18 visitation sources that are attracted to Maine.
19 And, as we mentioned yesterday, even after five
20 years of construction and completion of that
21 project, Maine has its most successful and
22 powerful year ever. Many of the regions that
23 the power lines progress through were having
24 growth over 15 percent, and the outdoor

[WITNESS: Nichols]

1 recreation segment was the fastest growing
2 segment of any of the segments.

3 BY MR. WAY:

4 Q. But isn't that true for surrounding states as
5 well, in terms of their tourism development? I
6 mean, since 2008, hasn't there been a pretty
7 substantial growth in the industry?

8 A. No, it's certainly been healthy. But I guess
9 my point is that this was a period where there
10 was very active construction going on, the same
11 kind of construction disruptions that we would
12 have been talking about, the same kind of
13 activities, you know, a large transmission line
14 project as well. And, with all of that, it's
15 not just from 2008, it's these last number of
16 years, as that construction activity was in
17 full force.

18 Q. But, as you like to say, too, and I'm sorry if
19 I'm interrupting.

20 A. Sure.

21 Q. You're making good points. As you like to say,
22 there's a whole mess of different factors in
23 there. And one point is going to be the
24 construction. And, so, it's one thing to take

[WITNESS: Nichols]

1 SIC Codes and look at it and say "well, okay,
2 now we're seeing growth." But you really can't
3 say that in terms of the response to the --
4 because, if it wasn't there, it might have gone
5 higher, if the construction hadn't occurred.
6 And, then, when you look at some of the
7 progress that we were talking about, and I
8 think even in the blog today, there's almost
9 the implication that one has a direct
10 correlation with the other. Would you agree
11 that's not true or it's not reality?

12 A. No. I don't believe transmission lines
13 enhances and attracts visitation. I wouldn't
14 agree with that. And I do understand and agree
15 with your position where we can't, using an
16 example like Maine, we can't say that "it might
17 not have grown, but for". But what we can say
18 is, with a very significant transmission line
19 project going on for multiple years, the
20 state's maintained and significantly expanded
21 its health and vibrancy in its tourism
22 industry.

23 And, as we discussed yesterday, I believe
24 some of the positions were being taken that it

[WITNESS: Nichols]

1 was the construction related to that
2 transmission line project that helped stimulate
3 some, a portion of that growth and expansion.
4 And I do believe that that is the case, the
5 construction process would add to some of the
6 demand in those -- in those sections.

7 MR. WAY: Who's the Chair right now?
8 Are you? Do you want to -- I have about maybe
9 ten minutes left. Do you want to break now or
10 just --

11 CMSR. BAILEY: Well, if you really
12 think you only have ten minutes, why don't you
13 finish up. But, if you think you have more or
14 you want to take a break, we can do that, too.

15 MR. WAY: If I get to ten minutes,
16 and I find I have more, I'll stop.

17 CMSR. BAILEY: Okay.

18 BY MR. WAY:

19 Q. Let's talk about the listening tours.

20 A. Okay.

21 Q. So, at some point, as you're developing these
22 listening tours, you say "Okay, I want to do a
23 listening tour. Here's the people I want in
24 that listening tour. Here are the key people."

[WITNESS: Nichols]

1 We heard I think Mr. Plouff was talking about
2 AMC not being at the table, I could understand
3 that. That seemed to make sense. Some people
4 need to be there, some don't. As you say,
5 Mount Washington Valley, they represent a wide
6 swath, but maybe not as wide as others would
7 like. You start throwing people on a
8 dartboard -- on a whiteboard. How are you
9 deciding who that's going to be?

10 A. We worked with the New Hampshire Travel
11 Council. Celia, I forget Celia's last name,
12 but she was head of the Lodging & Restaurant
13 Association at the time, but the Travel
14 Council, and there were a couple of
15 representatives there, that were the ones who
16 made the recommendations of who they thought
17 were appropriate persons that could help us
18 understand the variation and perspectives, both
19 from a geographic area and from a thematic
20 area.

21 We sent out invitations to a broader
22 number, and not all that we sent the
23 invitations to attended and spent the time with
24 us. But that selection, and I think I've

[WITNESS: Nichols]

1 testified earlier about what we were after, was
2 a good representation of senior level people
3 who could speak on behalf of a broader array,
4 and really try and hear and understand the
5 thoughts and concerns, considerations.

6 Q. Okay. And I guess one request I would like to
7 make is if we could get a copy of that
8 invitation, if that would be possible?

9 A. Okay. Sure.

10 MS. DANDENEAU: Can I also add, and
11 the people who it was sent to?

12 WITNESS NICHOLS: Sure.

13 MS. DANDENEAU: So, we can have a
14 better understanding of the representation that
15 you were looking for.

16 WITNESS NICHOLS: Sure.

17 MS. DANDENEAU: That would be great.

18 BY MR. WAY:

19 Q. So, the Travel Council, they gave you a list of
20 names? They actually gave you the invite list?

21 A. You know, that was done in conjunction with Pat
22 McDermott. So, the back-and-forth of exactly
23 how that played out, I'm not sure. But I was
24 in meetings with them discussing it. I know

[WITNESS: Nichols]

1 they were very helpful in identifying their
2 thoughts, in terms of persons to include.

3 Q. Because that's an important point, being for us
4 to have an appreciation that these listening
5 sessions had invited the right people to the
6 table, I think is one piece.

7 And, then, we look at the numbers that
8 showed up. And that wasn't impressive to me.
9 Three people here. Was it impressive to you?

10 A. No, it was smaller than what we had hoped. We
11 had sent the invitation out to a broader
12 number. And we were asking them to spend an
13 hour and a half with us, and understand, for
14 some, that's a relatively large amount of time.
15 So, it would have I think been better if there
16 was a somewhat larger attendance or
17 participation.

18 But I'd like to reinforce, we heard
19 perspectives from a wide range. You know, we
20 reviewed I don't know how many newspaper
21 articles and position statements and letters to
22 the editor to try and understand that broad
23 range. We participated in some of the public
24 hearing sessions.

[WITNESS: Nichols]

1 So, the input process was more an
2 opportunity to build on that, but also give us
3 an opportunity to try and probe a little bit in
4 some of these areas and make sure that we fully
5 understood.

6 But the fundamental point of a smaller
7 number than we might have hoped for, I think
8 that's a fair characterization.

9 MR. WAY: Ms. Weathersby.

10 BY MS. WEATHERSBY:

11 Q. If I could ask a quick question back to the
12 point you just made a moment ago, concerning
13 the initial invitation list. You said that
14 was -- you had help in determining who that
15 went to by a "Mr. Pat McDermott", is that
16 correct?

17 A. He was the one that was working most closely
18 with the Travel Council. So, I'm just not
19 exactly sure of the exact back-and-forth that
20 went on through that process.

21 Q. And is he a representative or was he at the
22 time a representative of Eversource or Northern
23 Pass Transmission?

24 A. He was.

[WITNESS: Nichols]

1 MS. WEATHERSBY: Thank you.

2 DIR. WRIGHT: Mr. Way, could I just
3 follow up quick?

4 MR. WAY: Certainly.

5 DIR. WRIGHT: Not to get the ire of
6 the Chairman here, Madam Chair.

7 BY DIR. WRIGHT:

8 Q. So, there was three to four of these listening
9 sessions, correct?

10 A. That's correct.

11 Q. And at each one you had somewhere between two
12 and four attendees?

13 A. Correct.

14 Q. I agree with Mr. Way, that seems very
15 underwhelming, in terms of a 192-mile route, in
16 terms of getting a broad range of perspectives.
17 So, could you follow up on that thought?

18 A. Yes. Sure. If I may. Understand that
19 position, if that was all that we did. But, as
20 I say, there was a wide range of approaches
21 that we used to hear and understand, and much
22 of that was the various print materials, the
23 submissions of responses from various
24 communities and individuals, we reviewed many

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1 of those, again, the public hearing sessions.

2 And, really importantly, these were meant
3 to be small groups. That it's not, in our
4 minds, the number of people, but it's to speak
5 to the person who heads up the White Mountain
6 Association or who is a prominent lodging or
7 hotelier, that could help us understand some of
8 the broad perspectives, not just from them
9 themselves, but "I represent the Snowmobile
10 Association" or "I represent the White
11 Mountains Association". And the benefit of
12 having the perspectives of a limited number of
13 senior people who could give us some of those
14 broader perspectives.

15 DIR. WRIGHT: Okay. Thank you.

16 BY MR. WAY:

17 Q. I think also, too, that would have been a good
18 point -- a good time to have someone from State
19 Parks, as we were talking about earlier. I
20 know you think you have a good handle on it, I
21 know you believe you have a good handle on the
22 state parks' visitors, and I think that's
23 great. We'd like to hire you. Because I don't
24 think we ever have a complete handle on it.

[WITNESS: Nichols]

1 You know, it's always evolving.

2 A. Sure.

3 Q. And, so, that would have been a good
4 opportunity.

5 The last question on that point is that,
6 do you think that people were discouraged from
7 participating because it was clearly an
8 Applicant-lead effort? Did they think that
9 their voices wouldn't be heard? Did they have
10 other concerns? I mean, do they want to come
11 to a Concord law office downtown, you know,
12 from the affected areas? What do you think?

13 A. That certainly might have played into it. We
14 certainly heard from the people who did attend
15 that there were concerns about taking a
16 position one way or another, and some of the
17 backlash that could come from that. So, that
18 might have played into it.

19 But, as I think I've mentioned in our
20 report, there was no shortage of concerned
21 attitudes as related to the Project, and they
22 were not shy in making sure I understood their
23 perspective and their attitude. So, I think
24 there were some that had more positive and

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1 thought that the Project could bring positive
2 benefits. But the people who attended, there
3 were certainly a number that had concerns about
4 the Project, and went into a fair amount of
5 detail, in terms of the what and how they saw
6 the impacts of the Project.

7 Q. All right. I also noticed that there weren't
8 any -- I don't think there were any
9 municipalities that were included in those
10 listening sessions?

11 A. No. We would have reviewed all of that from
12 the materials that the municipalities submitted
13 to the Applicant, and reviewed their concerns
14 and reviewed their positions on the -- on the
15 Project.

16 Q. "Would have reviewed" or "did review"?

17 A. We did review.

18 Q. Did review. Thank you. And I think I -- I
19 heard a discrepancy. Did we talk about the
20 notes? I heard earlier I thought yesterday
21 that "notes were destroyed", and now they're
22 not. What's --

23 A. The notes were transcribed into a typed format.
24 We didn't keep the written versions. But the

[WITNESS: Nichols]

1 notes from the session were maintained, were
2 typed up, and were submitted to the panel.

3 Q. All right. Very good. Last point, I think,
4 just I'm looking at the survey, I'm trying to
5 get a sense of some of the responses. Looking
6 at the questions that we were provided today,
7 and we're going to get a copy of the results
8 from --

9 A. Yes. That's correct.

10 Q. You know, I've got to admit, when I see things
11 like "cell towers", "transmission lines", or
12 "traffic delays" are an attractant, even though
13 traffic delays may appeal to Mr. Oldenburg down
14 there, that doesn't ring true with me. And
15 part of me wonders if that's just an artifact
16 of the survey? How does something like that
17 get on there?

18 Because, and here's my point, is that,
19 when we're looking at, you know, the desire for
20 urban -- for an urban lifestyle, we're looking
21 at things like nightlife, we're looking at
22 things, proximity to attractions, proximity to
23 airports.

24 At no point, I don't think, has it ever

[WITNESS: Nichols]

1 come up that transmission lines or traffic
2 delays are a good indicator of an urban life
3 style.

4 A. Yes. And that's -- I hear that question, that
5 concern. In all the survey work I've done,
6 what I've come to learn is that sometimes there
7 can be outlier responses, and sometimes it's
8 difficult to understand fully what a respondent
9 might have been considering or thinking when he
10 answered in the way that they answered. Again,
11 this, you know, 90 percent of the folks didn't
12 answer that way, but, for that small
13 percentage, and as I answered yesterday, I
14 think, in their mind, they were, you know, and
15 not to say that it's not the nightlife and the
16 great range of food and beverage experiences
17 and those kinds of elements that they're really
18 looking for in that urban experience. But that
19 they were equating these kinds of factors, that
20 that would be part of that dense urban
21 experience. And that's, in my mind, what this
22 small number of people, why they would have
23 answered that way, that they were equating that
24 to the -- you know, a more urban/dense

[WITNESS: Nichols]

1 environment, and that's the kind of vacation,
2 that's the kind of experience they were looking
3 to.

4 One additional point that I'd like to
5 reinforce, is I do think that the fundamental
6 element of this survey is very, very -- and the
7 findings are very consistent with what our
8 understanding is of what drives that
9 fundamental travel decision. All the factors
10 that rose to the top. These are the factors
11 that Plymouth State cites, when they talk about
12 the ebbs and flows in New Hampshire. These are
13 the factors that the Draft EIS cited, in terms
14 of their belief of what really drove the
15 visitor market to New Hampshire.

16 And, yesterday, when we were looking at
17 the Maine example, and the things that they
18 were citing of what was driving Maine's
19 success, health, and vibrancy, it was these top
20 variables.

21 And, in my mind, the survey findings
22 really reinforced those points that we were
23 seeing and hearing from so many different
24 areas, and were, again, part of my actual

[WITNESS: Nichols]

1 experience. So, I think that the survey
2 findings are very consistent in that regards.

3 Q. And I'm looking at Question 2.6. It was kind
4 of interesting to me, and I haven't had time to
5 digest this, because we just got it. "How
6 often have you made your decision to visit a
7 destination based primarily on each of the
8 following factors?" The word "primarily" kind
9 of confused me there. Because it really wasn't
10 needed, and I thought it confused the
11 questioning.

12 I guess there's not a question there, as
13 much as just my --

14 A. Okay.

15 Q. -- input from looking at that. If I wanted to,
16 and if I took the survey, could I just enter a
17 different email address and take that survey
18 under a different name and --

19 A. No. No. This was through Survey Sampling
20 International. And these groups have a panel
21 of respondents that participate in their panel.
22 There are very rigorous steps and standards,
23 that those panel members can only answer a
24 single time, and they're controlled for, in

[WITNESS: Nichols]

1 terms of randomness and demographic factors.

2 Q. All right. And my last question, and I promise
3 this. Looping back around, and I just
4 remembered it, looping back around, I
5 appreciate that you said that you spent a lot
6 of time in the state. You went the whole
7 route. You looked at individual businesses and
8 websites. Why?

9 Because, if you didn't look at specific
10 businesses, why would you spend your time, and
11 take this in the frame that I'm asking it, --

12 A. Sure. No.

13 Q. -- why would you spend your time going to those
14 individual businesses? Is there anything that
15 you saw, in that inventory or on those trips,
16 that may have changed your outlook?

17 A. I thought it was critical that I understand
18 what are the key products in the state, where
19 are they positioned within the regions. What's
20 the depth and the range of those products?
21 What's the positioning of those products in
22 relation to the transmission lines? I thought
23 all of that was critically important that I
24 understand, before I made any fundamental

[WITNESS: Nichols]

1 conclusion, and the conclusion that there
2 wouldn't be any regional impacts.

3 I needed to understand that composition of
4 product, the geographic positioning within the
5 regions, the diversity of product. Those were
6 important elements for me to understand.

7 Q. Well, you didn't -- you weren't able to really
8 see market conditions. You weren't able to see
9 some of their past market interactions with bad
10 winters and good winters and droughts and
11 recessions and things like that. So, even
12 though you have a physical placement of a
13 business that might be on the route that you're
14 looking at, that's just one snapshot?

15 A. It was a snapshot here. We certainly looked at
16 some of the ebbs and flows in tourism demand
17 from the Plymouth State University statistics.
18 And, in many instances, they talked about
19 changes in weather and short snow seasons and
20 exchange rates and a whole host of other
21 factors that would have influenced. But,
22 certainly, our investigation of the individual
23 tourism products would have been at a point in
24 time.

[WITNESS: Nichols]

1 MR. WAY: Thank you.

2 WITNESS NICHOLS: Certainly.

3 CMSR. BAILEY: All right. Let's take
4 a lunch break and resume at two o'clock.

5 (Lunch recess taken at 12:51

6 p.m. and concludes the **Day 22**

7 **Morning Session.** The hearing

8 continues under separate cover

9 in the transcript noted as

10 **Day 22 Afternoon Session ONLY.**)

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{SEC 2015-06} [Day 22/Morning Session ONLY] {07-19-17}

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C E R T I F I C A T E

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

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

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