STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

August 1, 2017 - 2:05 p.m.  DAY 25
49 Donovan Street  Afternoon Session ONLY
Concord, NH

{Electronically filed with SEC on 08-14-17}

IN RE:  SEC DOCKET NO. 2015-06
(Hearing on the merits)

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:
C/hrm. Martin P. Honigberg  Public Utilities Comm.
(Presiding as Presiding Officer)
Dir. Craig Wright, Designee  Dept. of Environ. Serv.
Christopher Way, Designee  Dept. of Resources & Economic Development
William Oldenburg, Designee  Dept. of Transportation
Patricia Weathersby  Public Member
Rachel (Whitaker) Dandeneau  Alternate Public Member

ALSO PRESENT FOR THE SEC:
Michael J. Iacopino, Esq., Counsel to the SEC
(Brennan, Caron, Lenehan & Iacopino)
Pamela G. Monroe, SEC Administrator

(No Appearances Taken)

COURT REPORTER:  Susan J. Robidas, NH LCR No. 44
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WITNESS: JAMES CHALMERS

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AFTERNOON SESSION

(Hearing resumed at 2:05 p.m.)

CHAIRMAN HONIGBERG: Mr. Whitley you may resume.

MR. WHITLEY: Thank you, Mr. Chairman.

CROSS-EXAMINATION (resumed)

BY MR. WHITLEY:

Q. Hello again, Dr. Chalmers.

A. Hello.

Q. You talked earlier this morning and yesterday about your process and your methodology to come to the conclusions that you reached, and I just wanted to step back for a second and ask you a couple questions along those lines. New Hampshire does not have enough homogenous housing stock or sold properties along the right-of-way to do any sort of a statistical analysis. Would you agree with that?

A. For the majority of the area that we're concerned with here, I think if you wanted to do something statistically in the Manchester, Concord, Nashua area, you could, but that's a
small piece of the total issue here.

Q. And obviously the line doesn't run through Manchester or Nashua.

A. Correct.

Q. Right. In the New Hampshire case studies approach, that's what you relied on for your conclusions, your ultimate conclusions.

A. That's right.

Q. And do you agree that property site appraisals, where the appraiser has access to the property, is probably a more reliable approach to determine possible impacts from Northern Pass?

A. As opposed to what?

Q. As opposed to the approach that you employed.

A. Well, appraisals were an integral part of what we did. Now, they didn't involve interior inspections, as we didn't get permission to enter the homes. So we were doing, you know, what can be referred to as "windshield appraisals." These properties had all been, to the best of my recollection -- there may be one or two that didn't go through MLS, but you would
generally have MLS interior photos. And so those appraisals were an important component of the case study approach. But, really, equally important are, you know, the physical orientation of the property to the line and the interviews. Particularly relevant are the interviews of the brokers.

Q. And I think my question was more focused on the properties that are encumbered or adjacent to the right-of-way as opposed to the case study properties from other electric transmission corridors.

A. Well, all of our case study properties were adjacent or encumbered. Half of them were along the Phase II line and half of them were along the NPT line.

Q. And again, I think I'm -- maybe we're talking past each other a little bit. I guess I'm asking you whether you agree that property-specific appraisals along the proposed Northern Pass route where the property had access to the property would be a more reliable approach to determining a possible impact.
A. Okay. So you're saying that if we have a house right now in Concord that's adjacent to the line, that if we want to understand whether or not Northern Pass will impact that property, that the best way to do that would be to hire an appraiser to do an appraisal?

Q. I'm asking you --

A. Yeah. No, I'm just -- is that the question?

Q. That is the thrust of the question. Yes, sir.

A. Yeah. I would say that's particularly -- it's a particularly limited use because the property hasn't sold. I mean, the only way we get an insight into -- the only way we can get any leverage on the question which you're wanting answered is to look at a property that is in some way, we think, influenced by the transmission line that is sold, okay. Once it's sold, then we can go do a case study or an appraisal and come to a conclusion with respect to whether there's impact. But if you lived adjacent to the proposed line and wanted an opinion with respect to your property, an appraiser isn't
going to be able to tell you anything very useful, frankly. Your property won't have sold. There's no data there. He'd just have to go look at other properties that have sold.

Q. So your opinion is that an appraisal absent a sale would not be able to identify the difference in value that could result from the Northern Pass Project.

A. That's right.

Q. Okay. And just clarify for me, Dr. Chalmers. The case study analysis that you did, that really only afforded you some kind of general conclusions from possible impact from utility corridors.

A. Well, they're actually pretty specific. You know, I reported the results, and the results are, I think, quite specific.

Q. Was there any consideration given by yourself, or were you involved in any conversations discussing site-specific appraisals along the proposed Northern Pass route?

A. Outside the context of the case studies?
Q. Correct.
A. No.

Q. Okay.

MR. WHITLEY: Dawn, can I have the Apple TV, please?

BY MR. WHITLEY:

Q. I'm putting something up on the screen, Dr. Chalmers. In a second it should pop up. While it does, it's the revised spreadsheet that you discussed yesterday and that was distributed last night. Do you see that up there?
A. Yes, I've got it.

Q. Okay. And for the record, I believe the Applicant has marked this as Applicant's Exhibit 197.

But you see at the top left of the page, that's the most current one that you were referring to?
A. Yes.

Q. Okay. And your list of these properties, initially I think it was 94, and this one I believe is 89. Your opinion was that potential impacts due to project
visibility -- I'm sorry. Let me restate that.

Your opinion is that the potential impacts due to post-project visibility is a result of the loss of vegetative buffer or taller tower structures, such that the visibility of the conductors or the structures becomes more noticeable or apparent. Is that a fair characterization?

A. Yeah, that the -- this is trying to identify the number of properties, the order of magnitude of properties for which there is a likelihood of some effect due to the Project, and that effect is driven by a change in visibility.

Q. Okay. Thank you.

And you made that judgment on the visibility component standing on a public right-of-way as opposed to on private property.

A. That's right.

Q. Okay. And I think you've testified earlier that, in terms of documentation that you had with you to aid in this process, you had the
revised project maps; is that correct?
A. That's correct.
Q. Okay. And that was the only documentation that you had relating to the Project that you used while doing this process.
A. That's right.
Q. Okay. I want to walk through now, Dr. Chalmers, a couple of the locations you visited and a couple of the towns that I represent. So I'm going to start in New Hampton, and I'm going to scroll down here until we see New Hampton in the center of the page. Do you see that there?
A. Yes, I do.
Q. And there's four properties there.
A. Correct.
Q. Okay. On the right-hand side of this page, in that last column is where you indicated whether or not there could be an impact to value as a result of Northern Pass.
A. Yeah, where the likelihood of a value impact would be changed by the Project.
Q. Okay. And for the New Hampton properties, you've indicated that none of them have that
likelihood; correct?

A. That's right. Have a changed likelihood due to the Project. Three of the four are already there, and the other one is screened now and will be screened in the future. So...

Q. Correct. So I just want to pull up on the revised project map where these are. And just for the record, I'm going to be showing pictures of two documents. One is the revised project maps, and they are Applicant's Exhibit 2, Attachment 2. And the other thing I'm going to be pulling up is some of the AOT or Alteration of Terrain Plans, and those are Applicant's Exhibit 1, Appendix 6c. So when I refer to sheets of either of those, that's where they can be found.

So, Dr. Chalmers, what I have here is an area of New Hampton along Route 132 where several of those New Hampton properties are located. And let me just zoom out so you have a sense of kind of where this is. Does that give you a little sense of scale, sir?
A. A little bit.

Q. There you go. And I want to focus on three of these properties in this area. And I'll zoom back in. And the three that I wanted to look at here, I'm going to refer to them by their property designation given to them by the Project. It's 615 -- 6115, which is over here; 6117, which you can see right there; and then the other one I wanted to chat with you about was 6122 to the east of the line. Do you see those three properties?

A. I do.

Q. Okay. And do you see the three new towers that would be part of the Northern Pass Project in this area?

A. I do.

Q. And I'm looking at DC 1124, 25 and 26; correct?

A. Correct.

Q. And just to get a sense of the change in structure height that's proposed, I'm going to go up to the corresponding table here. And you see that 24, 25 and 26 are listed in that table?
Q. Twenty-four is going to have a structure height of 95 feet, 25 is going to have 90 feet and 26 is going to have 75 feet; is that correct?
A. Yes.
Q. Okay. And you see that they have a corresponding cross-section, which is C2-18; correct?
A. Yes.
Q. For all three of those towers.
A. Correct.
Q. And if we go to 32-18, we get a sense of how tall the existing structures in that portion of the right-of-way are, the typical height. And you see there that the typical height of those structures is 55 feet; is that correct?
A. Yes.
Q. Okay. So now let's go back to these properties. We're going to start with Lot 6115, which is right there in the center of your screen, Dr. Chalmers. Do you see that?
A. Yup.
Q. Okay. So, based on your testimony about how
you did this analysis, you weren't able to
view the towers from the exact perspective of
the resident on this lot, were you?

A. That's right.

Q. Because you were limited to viewing it from
the public right-of-way.

A. Correct.

Q. In your spreadsheet, and I'll flip back there
for this property -- and this is 6115, which
is right there -- you listed for all of your
visibility categories "clearly" for all four
of those. Do you see a that?

A. I do.

Q. So, by that -- by those responses, your
opinion is that before and after the Project
there is going to be roughly the same
visibility of towers and conductors; is that
correct?

A. That's correct. It's going to be
unobstructed views of the structures in both
the before and after condition, yes.

Q. And didn't we just see from looking at the
tower heights from the revised project maps
that Tower 1124, which is the closest tower,
is going to be increasing by some 40 feet?
Would you like me to pull up the --
A. It's not going to be increasing by 40 feet.
It's going to be 90 feet; right?
Q. Well, there will be an additional tower at
that location --
A. Right.
Q. -- that will be some 40 feet taller than the
tower that is currently there.
A. Okay. That's not quite what you said, but --
Q. Is that accurate?
A. Yes.
Q. And this particular home, according to your
table, and I'll flip it back there again, is
3.9 feet from the right-of-way; correct?
A. That's right.
Q. And Tower 1124, and I'll go back to -- for
the record, this is Revised Project
Map 127 -- Tower 1124 is represented by this
red square; correct?
A. That's right.
Q. And it is going to be located closer to that
house than the existing line that's there
right now.
A. That's right.

Q. Wouldn't you agree, in addition to Tower 1124, this property has views of other towers?

A. Yes.

Q. And would those towers -- those towers would include 1123, which is to the west. Would you agree with that?

A. I'm sorry. They have a view of that? I don't know for certain, but they may well have.

Q. Okay. Well, when you examined this property as part of this process, did you make note of you view of Tower 1123 in addition to Tower 1124?

A. No.

Q. And similar question, Dr. Chalmers. For this property, did you make note of a view of Tower 1125 to the east in addition to Tower 1124?

A. No. We would have been looking at the -- I mean, I would be looking at the same map you're looking at. I'd be aware of it, but our formal focus was on the most visible
tower structure and the distance to the most visible and the visibility of the most visible structure.

Q. Okay. And that relates to my next question, Dr. Chalmers. If the most visible structure was the closest one, then you didn't consider any other structures that might have also been visible.

A. That's right.

Q. So, in situations where the most visible structure was the nearest to the house, and there were other structures that were also visible, you didn't consider the cumulative impact of viewing all of those structures.

A. That's right.

Q. Okay. I'm going to show you now, Dr. Chalmers, the Alteration of Terrain Plans for the same segment of the line. And just for the record, this is AOT Plan Sheet 242. And this is not -- just one second.

(Pause)

Q. Are you familiar with what an Alteration of Terrain Plan Sheet is?

A. Generally, yes.
Q. And so generally it depicts some of the disturbance that's going to take place within the utility corridor; correct?

A. That's right.

Q. Okay. And it would include -- it does include any removal of vegetation that is contemplated. Are you aware of that?

A. Yes.

Q. And as you can see here, it also has some topographic features within the corridor; correct?

A. That's right.

Q. And you didn't have any AOT plans with you when you did your analysis, did you?

A. No, I did not.

Q. Okay. So I'm going to go down to the bottom here, Dr. Chalmers, and just let you see the key that kind of explains to us what's being depicted. You see there's a number of different items that can be shown and explanations. And I wanted to point your attention to this one right here. Do you see that?

A. I do.
Q. And you see it says "vegetation clearing areas"?
A. Correct.
Q. And you see it's indicated by, I will call it turquoise, but I submit maybe you have a better descriptor for that color. But it's something like that and has little dots as well. Do you see that?
A. I do.
Q. Okay. Now we're going to go back up to the corridor. And I'll represent to you, Dr. Chalmers, that this property, which is indicated here by R20-16, is the same as Lot 6115. Would you accept that?
A. Yes.
Q. It's not labeled that way on this particular plan, but that's what it is. And you see that there's the rough outline of the house right there, which as we just mentioned is 3.9 feet from the right-of-way; correct?
A. Yeah, that was the measurement we got.
Q. That's correct. And you see that there is some planned vegetative clearing on this property adjacent to this property associated
with this Tower 1124. Do you see that?

A. Yeah. Just point to the one you're looking at.

Q. Sure. So there's a little bit right here, right where this construction pad is. Do you see that?

A. Yes.

Q. And then there's some more, a circle on the property. Do you see that as well?

A. Yeah.

Q. Okay. It's on another map, but I now want to show you AOT Plan Sheet 243. And it's basically a continuation of the Project in a southerly direction where this page leaves off. So you see on the left-hand side there, there's that circular removal we just talked about. Do you see that?

A. Yes, I do.

Q. Okay. And as you go east across this road, you see there's the next tower, which I believe is Tower 1125, I believe. One second. Yes, that's this tower right here. Tower 1125, do you see that?

A. Yes.
Q. And you see here there's some additional clearing of vegetation right before that tower. Do you see that rectangle and turquoise color?
A. I do.

Q. So you would agree, then, looking from 6115 towards Tower 1125, there's a potential for removal of some of the vegetative screening between the property and that tower.
A. That's right.

Q. I'm going to go back now to AOT Sheet 242, which we were just on, which again is just across the road. The maps are just split in an inconvenient way for purposes of looking at this property.

Okay. So, just to give us some orientation, here's the property in question again, 6115. And the tower immediately above it is 1124. The one across the road on the other sheet was 1125. And the one to the west here is -- make sure I get that right. I apologize. The one immediately in front of the property is 1124. The one to the west is 1123. Do you see that?
A. Yes.

Q. And going back to AOT Sheet 242, do you see the topography between that tower to the west and the property in question? Do you see the topo lines?

A. Yeah.

Q. So it appears from the topo lines that the tower, or the base of the tower is going to be below the subject property. Would you agree with that?

A. Appears to be the case.

Q. Okay. And for your analysis, though, you didn't consider any changes in topography, did you?

A. Only as it would have related to the most visible structure and the nearest structure. Now, yeah, we clearly observed the topography in many cases when you look at the property.

Q. Right.

A. But we didn't go beyond the structures that I just mentioned.

Q. Okay. And again, for this property, because the tower structure that I'm directing you to is not the most visible one, it sounds like
you didn't consider the topography with respect to a view from the property to that tower structure; is that correct?

A. That's right.

Q. Okay. So, despite an almost doubling in tower height from the existing line that's there with the addition of the Northern Pass Project, and that goes for two of the three towers that are visible here, the fact that there are three towers likely visible from this property, the extremely close proximity to the right-of-way, which I believe is a little under 4 feet, and the Northern Pass being built closer to the property than the existing line, the lack of vegetative screening toward Tower 1125 to the east, your opinion is that there's not going to be any impact to value from the Project.

A. That is my opinion, yes.

Q. And do I understand correctly that if a property owner already has a view of structures and wires, it could be doubled — the number of structures could be doubled or tripled, the amount of wires could be doubled
or tripled, and that increase in the
intensity of the use wouldn't have any impact
on the property value?

A. Oh, there's probably some, you know, sort of
logical limit to that argument. But the
essence of it, and it's not intuitive at
first -- I mean, this is a good question.

Q. I'll let you answer the question, Dr.
Chalmers, but can you just say "Yes" or "No"
whether I have that understanding correct and
then you can explain?

A. Yeah, that's the position that we're taking
right now. I don't have a basis to quantify
any possible effects at very high levels of
intensity. I would acknowledge that there's
something out there at some point.

But in kind of the relevant ranges of
intensity, you know, one, two, three lines,
50 feet, 60 feet, 90 feet, 110 feet, the
research indicates that the intensification
that occurs here will clearly be quite a big
deal for this particular resident. That's
going to be a dramatic change in their
immediate environment, okay.
Q. But a change that you've opined will not result in a loss of value for them.

A. Okay, that's a totally different question. So just let me go one step further.

So we acknowledge there's a big change for the individual homeowner --

Q. Well, Dr. Chalmers --

A. -- but will there be a change in value? It's our opinion that there won't.

Q. Okay. Now I want to turn your attention to another property in this area, and we're going to look now at 6117. And just to orient us again, 6117 is across the road. It's this property right here. Do you see that?

A. Yes.

Q. And going back to your table, 6117 is right here. And we looked at some of the information for it. We see that it's 7.9 feet from the right-of-way; is that correct?

A. Yes.

Q. And the visual interpretations that you concluded were that the structures and
conductors were all clearly visible before the Project, and after the Project nothing would change; they would still be clearly visible. And so because of the lack of change, there was going to be no likelihood of value impact.

A. Market value impact. Right.

Q. Is that -- okay. Thank you.

So, for this particular property, Dr. Chalmers, you viewed it from the street. And correct me if I'm wrong, but you were most likely right behind the house or just to the side of it?

A. Yeah, we would frequently drive up and down the street to get different angles of observation. But, yeah, I can't say just looking at it here. But, yeah, we observed it from the street.

Q. Okay. And similar to the last property, it appears that DC1125 is the most immediate structure to that house. Would you agree with that?

A. Yes.

Q. And was it also the most visible to the
house?

A. I presume so.

Q. Okay. And so because of that, you didn't give any consideration to seeing other tower structures from this property; correct?

A. That's right.

Q. So, no consideration was given to DC1124 to the west or DC1126 to the east; correct?

A. That's right.

Q. And it may technically be north and south. So I'm sorry if I'm mixing up my directions, but I think you understand the question.

You can see from where the Project is going to be located that the Project structures and wires are going to be closer to that house; correct? Closer than the existing line to the house.

A. Yes.

Q. And we looked at it a second ago, and we can go back and do it again. But I'll represent to you that the tower heights for both 1125 and 1124 are about 40 feet taller than the existing line that's there presently. Would you agree with that?
A. I think that's -- that may well be. I'll take your word for it.

Q. Okay. And for Tower 1126 -- now I have to check because I want to make sure. Yeah, for Tower 1126, it's going to be about 20 feet taller than the line that's presently there; correct?

A. Yes.

Q. Okay. And just for the record, I say that because 1126 is at 75 feet, and I recall the typical height of the towers in this section of the corridor was about 55 feet. Correct?

A. Correct. Right.

Q. I want to turn back now to the Alteration of Terrain Plans, Dr. Chalmers. We're going to look back at AOT Sheet 243. But this time we're going to look a little further along the line, okay. So, right in the middle of the page there, right below that dotted line, that is 6117; correct?

A. Yes.

Q. Okay. And you see that the construction pad for the tower immediately in front of it is right there on your screen, and to the south
you see the pad for Tower 1126?

A. Yes.

Q. And you see in between the house there and
the pad for 1126 there's some areas of
vegetative clearing. Do you see that?

A. Yes, I do.

Q. Wouldn't you agree that, due to this
vegetative clearing there is a potential for
loss of screening of Tower 1126 from this
property?

A. Yes, certainly that potential.

Q. And do you see the topography in the area of
the property versus where 1126 is?

A. I see the topo lines. I'm not sure I'm
reading it easily, but I see the topographic
lines.

Q. Well, do you see that below, just to the left
of the subject property, there is a topo
elevation marking of 540? Do you see that?

A. Yes, I see it.

Q. And if we go up to the right-hand corner, we
get a topo marking of 590?

A. Right.

Q. So would it be fair to say that moving in
that direction from 540 to 590, you're increasing in elevation?

A. Well, 540 to 590 is increasing. It's just what's going on in between. Don't you have a valley? Don't you have two hillsides that are meeting down at the bottom?

Q. I'll move on, Dr. Chalmers. That's okay.

So, similar to the last property, here we have three towers that are visible from this property. Two of those towers are going to be 40 feet taller than the line that's presently there. The third tower is going to be 20-foot higher. The Northern Pass line is going to run closer to this house than the currently existing line. There's going to be loss of screening towards Tower 1126. Yet, your opinion is there's not going to be any back from the line on this property; correct?

A. That's correct.

Q. And I believe you just acknowledged that at some point there's a change in intensity that may trigger a loss in value. But you've not opined on what that is; is that correct?

A. We just don't have any data on that. I mean,
if you got close to a generating station or

got close to a large substation or something,
you'd get an intensification. But in our
research, sort of dealing with the levels of
intensification, say between the Phase II and
the existing PSNH lines, we're not seeing any
differential effects.

Q. All right. I want to turn now to another New
Hampton property. This one is...

CHAIRMAN HONIGBERG: Mr. Whitley,
I'm sorry to interrupt. Could you humor me and
give me a road map here as to what the endpoint
of this line of questioning is?

MR. WHITLEY: I've got one more
property to do.

CHAIRMAN HONIGBERG: No, no. I'm
interested in the point. What's the point?

MR. WHITLEY: I think the point,
Mr. Chair, is that Dr. Chalmers, in the
instances that I'm pointing out, has confined
his consideration to the tower structure that's
right in front of the property.

CHAIRMAN HONIGBERG: And that's
probably true everywhere; right?
MR. WHITLEY: It could be, yes.

CHAIRMAN HONIGBERG: And it's possible that if you asked him if he did it everywhere and he said yes --

MR. WHITLEY: We could move along.

CHAIRMAN HONIGBERG: It's possible; right?

MR. WHITLEY: It is very possible.

CHAIRMAN HONIGBERG: Just a thought.

MR. WHITLEY: It's a good one.

BY MR. WHITLEY:

Q. Dr. Chalmers, the situation that we described where the structure that's most immediate to the house in question is the most visible, if that was the case, then you didn't consider any other structures that may have been visible all along the line?

A. That's correct.

Q. Okay. And I think you've already established that you didn't consider topography or vegetative clearing that was planned for --
A. No --

Q. I'm sorry. I didn't mean to cut you off.

A. -- that's not what I said. No. I mean, obviously when we observed, we didn't take that into consideration as it related to other structures. We did, obviously, with respect to the structures in question.

Q. Understood. And I think we're saying the same thing. So with that, I will move to a different point.

Let me to turn your attention now to the Town of Pembroke. And I'm going to talk about four properties that are in close proximity to each other. This is a different line of questioning, but kind of similar setup. So let me just pull that up for one second. We're going to be going to Revised Project Map 169.

And Dr. Chalmers, this is where the line passes through Pembroke and goes over the river into, I believe it's Allenstown. But it's the next municipality. And I have on the screen here a portion of that project map, and it's showing four properties that
you looked at for your examination. The first one is 8927, and it's right here. Do you see that?

A. I do.

Q. The house for this one is actually at the other end of the property. It's up here. Do you see that there?

A. Right. Yeah.

Q. And then the others here are 829, and there's the house right there in relation to the line. Do you see that?

A. Yes.

Q. Okay. And then down here, 82 -- excuse me. Last one was 8928, and this one is now 8929. And you see there the yellow dot there?

A. Yes.

Q. Okay. And then the last one is 8947, which is across the road to the south to where my cursor is right there. It's a little, small lot. Do you see that? I'll move it again.

A. Okay, I see it.

Q. Do you see that?

A. Yeah.

Q. So I'm going to turn your attention now to
your spreadsheet. And this is broken up into
two pages, so bear with me for a second.

You see 8927 at the very bottom of that
page. You can see that it's just under
14 feet from the right-of-way and no change
in the visibility from the Project. Do you
see that there?

A. I do.

Q. And we go on to the next page, and it
continues with the other three Pembroke
properties in this area. And you can see
that they vary in distance from the
right-of-way, ranging from about 80 feet to
under 40 feet. And you see that one of those
remaining properties, 8929, you did indicate
was going to have a change in value. Do you
see that?

A. Yes.

Q. Okay. And it looks like from this table that
your rationale for concluding there was going
to be a change is that the Northern Pass
Project would result in greater visibility of
structures. Is that a fair characterization?

A. Yes.
Q. Okay. But for all the other properties in this area, they're all listed as "partial," and none of those designations change after the Project is in place; correct?
A. That's right.

Q. Okay. So, looking at this area here, there's two or three towers that are in the area. And by that I mean going from the south, or on the right-hand side, 31, 32, 218, and then 217 and then 216. Do you see those?
A. I do.

Q. And you see they're designated by the yellow lines and the yellow squares?
A. I do.

Q. I'll represent to you, Dr. Chalmers, that -- and we can go through the schematics that are associated with this plan sheet -- that 217 is going to have a height of 120 feet; 218 is going to have a height of 130 feet, and 216 is going to have a height of 127 feet. Would you agree with those, or would you accept those?
A. I'll accept that.

Q. Okay. I'll also represent to you, Dr.
Chalmers, that in this portion of the line -- excuse me -- the right-of-way, the already existing line has a typical tower height of 75 feet. Would you accept that?

A. Okay.

Q. And so for all three of these towers in this area, the Northern Pass tower height is going to be close to double of what's already there.

A. Okay.

Q. I want to ask you now, Dr. Chalmers, about where you were when you did -- where you were viewing -- where you were standing to view each of these properties. And it appears from those four properties that for property 8947, which is this little one down here --

A. Right.

Q. -- other than that property, you weren't able to mimic the view from each house to view the tower structures; is that correct?

A. I wasn't able to?

Q. You weren't able to duplicate the view from each house to the corresponding closest tower structure.
A. I don't understand what you're asking.

Q. Well, I'm trying to do it in a way that saves a little time. So I can do it this way: So, for 8947, you were right on the road right next to that house; is that correct?

A. Right.

Q. And the closest tower and the most visible tower is 218, which is right next to it; correct?

A. Yes.

Q. Okay. So, for that property you had a pretty good representation of what the view of the tower would be; correct?

A. Yes.

Q. Because you could stand on the road right in between the property and the tower; correct?

A. Yes.

Q. Okay. But for the other three properties that I've asked you to think about in this area, you couldn't do that; is that correct?

A. I don't think so, not looking at it here.

Q. You don't think so? You disagree or --

A. No, I don't think what you just said is correct.
Q. Okay.
A. On 8927 I'd be on Route 28; right?
Q. Correct.
A. And I'd be walking up and down Route 28.
Q. So you'd be right around here where my cursor is?
A. Yeah, exactly. Or south of it, because I can't tell exactly what's going on there in the photo.
Q. Okay. Okay. What about 8929 and 8928?
A. So, 8929... is there access off of Suncook?
Q. Well, the road is where the cursor is right here.
A. Right. So, I mean, we would operate off of whatever road was the access road. It looks like the driveway comes in from Suncook there.
Q. I think that's correct.
A. You know, that would be our starting point. And again, we would walk up and down the road. Occasionally, depending on the relationship of the property to the right-of-way, the right-of-way would be handy and we'd walk out in the right-of-way and get
a vantage point in that manner.

Q. And did you do that for 8928 and 8929?
A. I just don't -- I wouldn't have any way of remembering. But it was -- I would think we would have had reasonable visibility on 8929. What's the fourth one?

Q. Well, it's 8929 and 8928. So the one right above it, on the other side of the line.
A. Okay, okay. Yeah, on that, too, we would have started from the highway -- or from the road and might possibly have, given how close those structures are to the road, we might have walked in the 50 feet or 100 feet and seen what kind of a line of sight we had to the house.

Q. Wouldn't you agree that all these properties, the four that we've just mentioned, are immediately abutting each other or adjacent to one another?
A. No. They're close by. I don't know -- I wouldn't say they're -- they're all close by. They're all in the same neighborhood.

Q. Okay. So if you determined that 8929 would see an impact due to increased visibility,
doesn't that mean that those other three properties would be similarly impacted?

A. No, it's pretty site-specific, depending on the vegetation on the site. Some of these houses are right up against -- a lot of it has to do with the angle between the house and the vegetation. And in many cases the houses were right up against heavy vegetation, and so their line of sight would go over the top of even quite tall towers.

Q. And is your conclusion or your opinion that these other three properties are not going to have an impact in value, is that based on your testimony just earlier, that if you increase the intensity of the visibility, there's not going to be an impact in value?

A. No, it's based on the fact that there is no change in the visibility of, in this case, the most visible structure.

Q. And I think we're saying the same thing but differently. But that's what I meant by "intensity." Not an increase of -- not additional visibility that wasn't there previously, but an increase in the visibility
that was there presently, which is a very
muddled way of saying it probably. Did you
want to respond to that?

A. A change. Right. Just a change in
visibility due to the Project.

Q. Okay. So let's just take two of these
properties, and then I think that we'll have
gone down this road far enough.

Let's take 8947, which is that little
property right here. Do you see that again?

A. Okay.

Q. You would agree that that property is closer
to the right-of-way than 8929, which remember
is right here?

A. Yeah, 8929 is essentially 80 feet, and 8947
is --

Q. I believe you said it was 70 feet.

A. -- is 70 feet. So they're about the same
distance.

Q. Well, one's 10-foot closer than the other.

A. Okay.

Q. And 8947 and 8929, your analysis for both
those properties was based on the same tower
structure, 218; is that correct?
A. I believe so, yes.

Q. Okay. And so, again, how is it possible that 8947 has a different end result than 8929?

A. It's my assessment of the change in visibility on the one is different than on the other, which would have to do with screening on the Project as best I could observe. Again, not representing this as, you know, a detailed site-specific visual examination, but an attempt to get my arms around kind of an order-of-magnitude estimate of the number of properties that would experience a change in visibility due to the Project.

Q. I'm going to put up now the AOT Plan Sheet for this area, which is AOT 322. And so here, Dr. Chalmers, is Property 8929. And that's the one that you said would have an impact, or was likely to have an impact due to the change in visibility. Do you agree with that?

A. Yes.

Q. Okay. And the one I'm asking you about is across Batchelder Road and is located right
here. And that's 8947. Do you see that?

A. Yeah.

Q. And you see this AOT Plan Sheet depicts some vegetative clearing all along here. Do you see that?

A. Yes.

Q. Okay. So you just mentioned that the difference between 8947 and 8929 could be some visual screening; correct?

A. Yes.

Q. And this AOT plan indicates that some of that visual screening is likely to go away; does it not?

A. Correct.

Q. Okay. But you didn't consider the visual screening being removed when you considered the impact on 8949, which again is the little one over here.

A. Yeah. Given the change in the height of the towers, the relevant screening is going to be the screening immediately around the house, not the screening in the corridor. If you're at the corridor, if you can see the tops of those trees being cleared in the corridor,
you're going to be able to see the taller structure. But it would be -- some of these houses are in a little cocoon of vegetation, and they may have either no visibility or they may have partial visibility. But despite the fact that the structures are taller, there won't be any material change in the visibility of those structures.

(Pause)

BY MR. WHITLEY:

Q. That's all I have, Dr. Chalmers. Thank you.

A. Thank you.

CHAIRMAN HONIGBERG: Who is going to be next? Mr. Tanguay?

MR. TANGUAY: Yes, it is, Mr. Chairman. And I will thankfully be brief.

CROSS-EXAMINATION

BY MR. TANGUAY:

Q. Mr. Chalmers, my name is Shawn Tanguay. I'm with the law firm Gardner, Fulton & Waugh. I represent a number of municipalities that are intervenors in this case and who are located along the route of the Northern Pass.

I'd like to start off with some
clarification from yesterday. I believe
under cross-examination from Attorney Pappas
you stated that you were not an expert in New
Hampshire property valuation. Was that and
is that your testimony, sir?
A. I'm sorry. I lost the last couple words
there.
Q. Was that and is that your testimony?
A. What's that?
Q. That you are not an expert in property
valuation?
A. I still didn't get the last couple words.
Q. Is it your testimony, sir, that you are not
an expert in New Hampshire property
valuation?
A. Yeah, I wouldn't represent myself as an
expert in New Hampshire property valuation,
no.
Q. And in your June 30th, 2015 report, that's
not what we would consider to be a New
Hampshire -- a real estate appraisal report;
correct, sir?
A. I'm sorry. I'm sorry. If you could just
repeat. It harder for me when you're seated.
Q. Your June 30th, 2015, report, would you consider that to be a real estate appraisal report?

A. No.

Q. So if I were to describe your report, it's essentially a compilation of case studies and your analysis from that data; correct?

A. Well, some are literature, case studies, subdivision studies, market activity analysis, and then the conclusions I drew from that.

Q. And the report is not site-specific in regard to the current proposed project of Northern Pass; correct?

A. That's correct.

Q. And this June 5th, 2015 report serves as the basis of your prefilled testimony and your testimony before the Committee this week; correct?

A. That's right.

Q. So if testimony or evidence were to be submitted to this Committee that established an adverse impact to property values by the Northern Pass Project in a particular area of
the Project, there's nothing in your report
that would repudiate that testimony or
evidence; correct?

A. Well, there is no evidence -- I mean, there
can be no evidence. The Project hasn't been
built yet. So I don't quite understand your
question. Subsequent to the Project being
built, it's possible someone could develop
evidence of one sort of another that would
conflict with the opinions that I've offered
prospectively of the impacts of the Project.
But I don't -- there's no evidence that could
be offered now that would repudiate my
conclusion, my opinions with respect to the
prospective impact to the Project.

Q. But if there was evidence submitted that
there is going to be some sort of impact to a
particular property along the route, there's
nothing in your report that would reject that
theory or evidence; correct?

A. No, I couldn't agree with that.

Q. In your report, you basically have admitted
to the fact that the HVTI does have some
impact on property values, depending upon the
condition of the property; correct?
A. That's right.
Q. Okay. Given your testimony under my
examination, isn't it true that there are
limitations that your report has in terms of
determining if the Project poses adverse
impacts to properties along the route?
A. I'm sorry. One more time.
Q. Given what you've testified, isn't it true
that there are limitations that your report
has in terms of determining if the Project
poses adverse impacts to the properties along
the proposed route?
A. I don't know, really, what you're inferring
by "limitations." We all have limitations, I
suppose. But there are no limitations
that -- I mean, I wouldn't mind having, you
know, better comps, or I wouldn't mind having
more sales. But I'm not aware of any
limitations in my work relative to what could
have been done.
Q. Would an appraisal report of the exact
proposed project route been more effective
than a case study?
A. I'm sorry?

Q. Would an appraisal report have been more effective than a case study?

A. No.

MR. TANGUAY: Nothing further, Mr. Chairman.

CHAIRMAN HONIGBERG: Ms. Pacik.

MS. PACIK: Steve Whitley is going to help me with my exhibits.

                Dawn, can we get the Apple TV, please?

CROSS-EXAMINATION

BY MS. PACIK:

Q. Mr. Chalmers, good afternoon. My name's Danielle Pacik. I am the attorney for the City of Concord, and I am also the spokesperson for Municipal Group 3 South. I just want to start with a follow-up on some questions that you received this morning from Ms. Menard about 41 Haynes Road in Deerfield.

In your supplemental testimony, which we have up above on the screen, if you turn to Page 17, Line 8 --

MS. PACIK: We just have to go
BY MS. PACIK:

Q. On Line 8 you start talking about 41 Haynes Road, and you state that it was actively marketed over the period between 2011 and 2015 and that it sold in April of 2015 for $275,000, or $119 a square foot, which was consistent with market data for similar properties in Deerfield, and then you recite Attachment 7.1.

I believe you went over this with Ms. Menard. But would you agree that when you wrote this statement, "41 Haynes Road was actively marketed over the period between 2011 and 2015," that leaves the reader with the impression that it was actively marketed for four years?

A. I agree that's the impression that's created.

Q. And I believe this was went over. Correct me if I'm wrong. But in actuality, the property was taken off the market in 2011; is that right?

A. The end of 2011. That appears to be the case, yes.
Q. Okay. And I know you had a discussion with Ms. Menard about whether or not this transaction was an arm's length transaction, and you disputed that terminology with her. But I'd like to turn to your prefilled testimony, which was Applicant's Exhibit 30. And if you turn to Page 4 and scroll down a little bit, it might be highlighted. Oh, it is highlighted. Excellent. On Line 24, I'm just going to read to you what you wrote. And this is in your prefilled testimony. "The universe of sales" -- and this is in reference to the case study -- "was then filtered to eliminate sales that did not meet the definition of a 'fair market sale,' defined as an arm's length transaction between knowledgeable and typically motivated parties." And then you gave an example. "The sales most frequently eliminated included foreclosures, short sales, liquidation sales and sales between related parties"; correct?

A. That's right.

Q. So in terms of the use of the word "arm's
length transaction," it's between
knowledgeable and typically motivated
parties; correct?
A. That's right.

Q. In terms of your report and your reference to
41 Haynes Road in your supplemental
testimony, you would agree that it would
leave the impression to the reader that there
was an arm's length transaction.

A. That's right.

Q. And you were shown testimony by Ms. Menard
relative to a transcript when she asked, I
believe it was Mr. Bowes, questions about the
41 Haynes Road. Do you recall that?

A. I do.

Q. And I can put it up if I need to. I do have
it available. But in that transcript, it was
identified that Eversource was actually
involved in that purchase of the property; is
that right?

A. Apparently that's the case. I only became
aware of that. Frankly, first time I've seen
that piece of paper, seen that transcript.

Q. So prior to today, you were not aware that
Eversource was involved in that transaction.

A. That's correct.

Q. Okay. In terms of the transcript, and you may recall this -- and again, I can point to it if need be -- it stated that they purchased the property to deal with a, quote, concerned customer. Do you remember reading that?

A. Yes.

Q. And I'd like to put up Joint Muni 259.

CHAIRMAN HONIGBERG: Ms. Pacik, while that's happening, a couple times you've asked to have documents pulled up and made specific page references where the PDF page and testimony page were different. It was Page 5 of the PDF, Page 4 of the testimony. If you can be more specific, that you want Page 4 of the testimony and Page 5 of the PDF, we'll all get there faster.

MS. PACIK: My apologies. I will definitely try to do that. Thank you.

BY MS. PACIK:

Q. What we have now in front of us is Joint Muni 259, and it is an e-mail from Gina
Neily, who I'll represent to you was the seller of the property in Deerfield at 41 Haynes Road from September 17, 2013. And it deals with intervenor status. And I will read to you what I have highlighted. If you want to read the entire e-mail, just let me know and we can take some time. But what it says is, "We had our home on the market for two years, and though we had lots of showings, the consensus was, quote, nice home, too bad it's on the path of Northern Pass, end quote." Do you see that?

A. I do.

Q. Okay. And you understand this is the concerned customer that sold their property to Eversource; right?

A. Apparently.

Q. Okay.

A. I don't know anything beyond what I saw this morning.

Q. And I understand that. And I want to ask you about that. You had mentioned to Attorney Steve Judge that, prior to submitting your supplemental testimony, you gave a copy to
Northern Pass to review; is that right?

A. Yeah, it was -- I discussed it with my attorney friends here.

Q. Okay. And so they had an opportunity to look at it, and they knew that you were submitting supplemental testimony relative to 41 Haynes Road; is that right?

A. They would have been aware of that, yes.

Sure.

Q. And we discussed already that at no time did they ever notify you that Eversource was actually involved in that transaction.

A. Correct.

Q. That information would have been helpful; wouldn't you agree?

A. I mean, it bears on the issue of fair market sale.

Q. And we talked earlier that when you read your report, it leaves the impression to the Site Evaluation Committee that the sale of 41 Haynes Road was an arm's length transaction; is that right?

A. That's right. The fact that Eversource, or whoever it was, if they were involved,
purchased it, doesn't necessarily mean that
it wasn't representative of the market at
that time. I mean, this isn't kind of a
bright-line issue. But if you did know that,
you'd want to look at it carefully. And you
might decide to include it, or you might
decide to exclude it on that basis. You
know, there are a lot of companies that buy
and sell property for a variety of reasons,
and there's no reason to suspect it's not a
fair market sale, that they're not
essentially buying it for, you know, a market
price. But it would be something that you'd
want to look into in this case.

Q. Okay. And are you aware that the property's
been left vacant since it's been purchased?
A. I don't believe so. I know it's had some
vacancy, but I really don't have any
information on its current status.

Q. Okay. And I anticipate further testimony in
this case on this. But you're not aware of
that information?
A. I'm sorry?
Q. You're not aware of that information, as you
sit here now?

A. As I sit here now, I don't know anything about its occupancy status at the current time.

Q. Okay. I'd like to now go to the case studies that you did in Concord. And actually, I should probably clarify. That was the case studies that Brian Underwood had performed; is that right?

A. Yes.

Q. And I understand that there were 50 case studies; is that correct?

A. Yes.

Q. And they were attached as Applicant's Exhibit 1 in Appendix 46. And I want to focus on the four properties that involved Concord, New Hampshire. The first was Case Study No. 44, and it's 41 Hoit Road. And I will try to get the correct page number. I believe it's Page 1256 of the PDF. And the report number is Page 1122, if that works. Actually, it's Page 1121 of the report and 1256 of the PDF. This is 41 Hoit Road. Are you familiar with this property, Dr.
Chalmers?

A. I visited it. And in looking at the picture of it, I don't have a clear recollection of it. But I'm familiar with the information on it, yes.

Q. Okay. If you scroll down a little bit on this page, it states that the distance from the house to the right-of-way is 7 feet. That's not accurate, is it?

(Witness reviews document.)

A. It's 7.6.

Q. Are you aware that the house is actually in the right-of-way?

A. Well, you know, we didn't get -- we didn't survey the properties. We did it off of aerial imagery and in position of the right-of-way boundaries based on a variety of methods. So, yeah, it could be plus or minus a few feet. Our estimate -- you know, these would all be estimates. There's a graphic in the case study that's been prepared as carefully as is possible, really --

Q. Did you look at --

A. -- and we got 7.6 feet. But, you know, it
could conceivably be in the right-of-way.

Q. Did you look at the plan submitted by
Northern Pass when you made the determination
that it was 7 feet?
A. No, I don't believe so. We would have been
working off of property records, tax maps and
aerial imagery.

Q. Are you aware that 441 Haynes Road -- my
apologies -- for 41 Hoit Road, that there is
a Joint Use Agreement entered into between
the property owners and PSNH?
A. No.

Q. And I'll turn to Joint Muni 252. We'll just
吹 this up so we can all see it. But I'll
represent to you that this is an Agreement
and Consent to Joint Use entered into between
PSNH and the former owners of 41 Hoit Road.
And if you turn to paragraph, I think
Page 7 --

MS. PACIK: Actually, we can go
up a bit.

BY MS. PACIK:

Q. Paragraph 7, excuse me, of Page 3 of this
document. It has an agreement that the
owners agree to cover the full reasonable

costs to PSNH for such interference or damage

as a result of its construction and/or

maintenance activities within the easement.

And if you scroll down, this document applies
to successors of the property. And that's on

Paragraph 17. It states, "This agreement

shall be binding upon and inure to the

benefit of the parties and their heirs,

administrators, successors and assigns." Do

you see that?

A. Yes.

Q. And you understand that this document was

recorded in the Merrimack County Registry of

Deeds?

A. Okay.

Q. Would you agree that a Joint Use Agreement

such as this might have an impact on the

property value?

A. Could well have, yes.

Q. And this was not referenced in the case

study, was it?

A. It was not.

Q. Now, if we go back to the case study, under
Marketing History, it states that the property was originally listed for $219,000 and reduced to $199,900; is that right?

A. Yes.

Q. And the sale price of the property was $180,000.

A. Right.

Q. And above where it says Marketing Period, it says 106 days; is that right?

A. Right.

Q. Which is higher than the average on the market, which was 78 days?

A. That's right.

Q. Now, there's no reference in this case study to the fact that this house had previously been listed before, is there?

A. Not that I'm seeing, no.

Q. And if we turn to Exhibit 254 --

A. Just one second. I was just looking in the appraisal to see. Sometimes in the listing history, a more extensive summary listing history is in the appraisal. But this picks up with the 219 listing in July of 2012.

Q. Okay. What I'm showing you is some MLS
history that we marked as Joint Muni 254.
And this actually shows a year prior to that, on June 18th, 2011, it was actually listed for $249,900. Do you see that?
A. I do.
Q. So that is $79,000 more than what it sold for; is that right?
A. Yes. Forty-nine plus 20 is 69.
Q. Oh, 69. I'm not very good at math. Thank you for the correction.
MS. PACIK: If we can go down to the next page. One more.

BY MS. PACIK:
Q. This is a more detailed view of the history of the listing, which you had just mentioned was not referenced anywhere in the case study. And it shows that on June 18th, 2011, it was listed for $259,900, and then it went down $10,000 and expired on December 19th, 2011. Do you see that?
A. Yes.
Q. And then it was re-listed July 16th, 2012, for $219,000.
A. Correct.
Q. And it was ultimately sold, we established, in about I believe it was November 2012 is when there was a purchase-and-sale agreement, and that was for $180,000.

(Witness reviews document.)

A. I don't know that we have a date on the purchase-and-sale agreement.

Q. Oh, it actually sold on October 30th, 2012, for $180,000. Is that what your records show?

A. No. We've got the sale date of March 15th.

Q. March 15th. Okay.

A. Of 2013.

MS. PACIK: Can you go back to the case study, please?

BY MS. PACIK:

Q. So, under the case study for Conclusions, which is on the next page, the appraiser says that he believed that the property was appraised at $209,000 and that there was a 10 percent impact on the sale price. And he concluded -- and this is under Appraised Value/Sale Price/Marketing Period, the last sentence -- that the marketing period was 106
days, which is 35.9 percent higher than the average days on market for all other properties in the town during the same period. That does not reference the earlier listing that we just looked at; is that right?

A. I'm sorry. I can't agree with that because I don't understand it.

Q. Okay. So we looked and we saw that originally the property was listed for $259,000 in 2011.

A. Correct.

Q. And then it was taken off the market.

A. Right.

Q. And it was put back on the market in 2012, and at that time it was marketed for 106 days before it sold at $180,000; right?

A. Right.

Q. And so what you see here doesn't have any reference to the fact that the marketing period may have been longer than 106 days because there was an expired listing in 2011.

A. That's correct.

Q. Now, he says the appraiser concluded that the
property was valued at $209,000, which he
determined was a 10 percent impact on the
sale price.

A. No, no. You're misinterpreting -- that was
the -- the 10 percent was the broker's
opinion.

Q. Oh, okay. You're right. So the appraiser
thought it was $209,000; is that right?

A. That was his opinion of value.

Q. Yes. I apologize. And that's 13.9 percent
above the sale price of $180,000; is that
right?

A. Correct.

Q. Okay. So I want to look at that $209,000 and
whether or not that's accurate. And I'd like
to look at the sales grid, which is on PDF
Page 1266 or report Page 1131. So the first
column is the subject property, which is
41 Hoit Road. And I believe there's a typo
because it says "5 View Street"; is that
right?

A. Correct.

Q. So that should say 41 Hoit Road under
Item/Subject?
A. Yeah.

Q. Okay. So the next, the first comparable he used was 5 View Street. Are you aware that 5 View Street is in Penacook, New Hampshire?

A. Is in where?

Q. Penacook.

A. No. I mean, I took the address literally, as indicated here, that was in Concord.

Q. And Penacook is part of Concord, New Hampshire, but it's a separate section of Concord. Are you aware of that?

A. No.

Q. Okay. And are you aware that Penacook has a different tax rate from the rest of Concord?

A. No, I'm not.

Q. If you can turn to Joint Muni 255, this shows our tax rates in Concord. And the first one shows Concord, which is $27.67, at least this year. And for Penacook it shows it's higher; it's $33.34. Do you see that?

A. Uh-huh.

Q. And would you agree that a different tax rate might have an impact on the fair market value of a property?
A. Sure.

Q. Okay. And are you aware that Penacook actually sends their children to a different school system than Concord?

A. No, I'm not.

Q. Would you agree that a different school system might also have impact on property value that would need an adjustment?

A. Sure. That would be a consideration for a lot of people.

Q. And are you aware that the price of homes sold in Penacook are generally lower than the price of homes in the rest of Concord?

A. Yeah, I don't have any information on that one way or another.

Q. We can show you. It's marked as Joint Muni 257. Bear with me for one moment.

(Pause)

BY MS. PACIK:

Q. Sorry for the delay. There's a few exhibits we had. Here we go. Dr. Chalmers, I'll represent to you that this is a chart that was put together by the City of Concord's Real Estate Assessing Department, and it
shows -- and this is all public information. But it's a chart which shows the difference in the average single-family home between 2011 and 2016 for Concord and Penacook. You'll see that in 2011 there was a 30 percent difference, and it's been about 26 to 30 percent for all six years. Do you see that?

A. Yes.

Q. And so you would agree that if the property values in Concord are lower -- or are higher in general than Penacook, an adjustment would need to be made on the sales grid for the comparables; is that right?

A. Not necessarily.

Q. For location, you would not make an adjustment?

A. You know, I'd rely -- this is a call that a local residential real estate appraiser has got to make. And Correnti is a competent, experienced local real estate appraiser. The averages, you know, certainly raise the issue. But I'm not in a position to second-guess Correnti at this point without
having looked at it in detail myself.

Q. Other than these appraisals in this case, have you ever seen an appraisal for a residential single-family property in Concord before and whether or not most appraisers make adjustments for location for properties between Concord and Penacook?

A. I don't have any experience with respect to how appraisers make that adjustment or don't make it, no.

MS. PACIK: You can turn back to the case study on the sales grid.

BY MS. PACIK:

Q. You'll see that 5 View Street, if you scroll down, has the lowest adjusted sale price at $202,000 of all the properties. Do you see that?

A. Yes.

Q. Okay. And if you turn to Column 3, which is -- or sorry -- Sales Comparison 3, that's actually $226,450 after adjustments were made. And a number of adjustments were made. You can see that the gross adjustments for that property were 24.9 percent; is that
right?

A. Right.

Q. And if you scroll up, this is on Winterberry Lane. Are you aware that Winterberry Lane also is in Penacook?

A. No.

Q. And on this sales grid there are no adjustments for a location between Penacook and Concord; is that right?

A. That's correct.

Q. Okay. I'd like to turn to Case Study No. 45. And this is 500. And this is 569 mountain road.

A. Is this a case? Can you give me a case study number?

Q. Yes. It's Case Study No. 45, and I'm just trying to find the page number for you right now. I believe it might be 1280, which is the PDF number. So the first page of Case Study No. 45 is PDF 1278, and the page number of that is 1143 of the report. And this is a property at 569 Mountain Road. And you described this -- is this you or Mr. Underwood that determined it was partially
visible, clearly visible or not visible?

A. That would have been Mr. Underwood.

Q. And did he use the same methodology as you?

A. Yes.

Q. So that was if you could see part of the line, it was partially visible?

A. Part of the structure, principally.

Q. Okay. So you need to see part of the structure and part of the line?

A. Not necessarily. The focus here, in summarizing this, would have been on the structure visibility.

Q. Okay. Under Interview Data on this case study, for Transaction Interview, this a discussion Mr. Underwood had with the listing broker. It says, "The HVTL could not be seen from the house or from outside," and then he has in quotes [sic], "this is contrary to the exterior inspection. There is heavy tree growth and buffer between the house and the right-of-way." So the realtor thought that you could not see the transmission line; is that right?

A. Yes, that's how I interpret this.
Q. Okay. Have you ever been to this property?
A. Yes.
Q. And are you aware of whether the line is visible?
A. I would have made an observation with respect to consistency of Mr. Underwood's observations here, so I would have concurred that it was partially visible based on my visit.
Q. And you never actually went to the house, did you? You went to the road?
A. Correct.
Q. So when the broker said that the house -- that the line could not be seen from the house or from the outside, at least from the house you don't know whether that line could be seen from it, do you?
A. You know, sometimes I think you can tell at a pretty high level of certainty and other times you can't.

MS. PACIK: Okay. Can we turn to Joint Muni 251.

BY MS. PACIK:
Q. This is a picture that was just taken about
five days ago, July 25th, 2017, of the property. Do you see any structures in this property behind the property?

(Witness reviews document.)

A. What am I looking for? I'm looking for two wood H-frames, I guess?

Q. I'm not quite sure. I don't see them.

A. Well, it helps if you know what you're looking for. You know, nothing jumps out at me. There's one... I've spent of lot of time looking through the trees trying to find structures, and there's one pretty vertical element over kind of the left-hand garage door. But that seems a little too tall. So there's nothing obvious that jumps out as a structure, no.

Q. And the driveway you can see is, I don't know if you'd call it long, but there is a driveway between the road and the house; right?

A. Correct.

Q. And you never went up to the house to see whether or not any structures were visible from the house.
A. That's right.

MS. PACIK: Now, can we go back
to the case study for a moment? And if we go a
couple pages forward there's another photograph
of the house. And if you go another page
down...

A. Where is that?

BY MS. PACIK:

Q. This actually shows the house and the
proximity to the right-of-way and the closest
structure. And according to this map, it
says that the house is 269 feet from the
right-of-way and 407 feet to the closest
structure; is that right?

A. Yes.

Q. So, at most, when you say that this is
partially visible, we weren't able to see any
structures from the road, but you think that
something might have been able to be seen
through the trees?

A. No, that's not the correct interpretation
here. The broker reported that neither --
that there were no structures visible from
the house or otherwise. But this is contrary
to the exterior inspection. This is contrary
to what we observed. If you go back to that
photo, go back two pages from this, I think I
saw the structure in the trees.

Q. Okay.

A. I may be wrong, but what this implies is that
we concluded -- see right over that shutter
on the bay window, the right-hand shutter on
the bay window? I don't know. This
obviously isn't conclusive and may be my
imagination, but -- yeah, I think I'm just
seeing trees.

But in any event, this comment is
explicit, that we contradicted, or that Brian
contradicted the broker based on his personal
inspection, which means that he was able to
see the structure partially through the
trees.

Q. Okay. Let's turn to the next case study,
which is Case Study No. 46. And this is on
page, well, PDF -- hold on. I want to make
sure I'm giving you the right one. It's on
Page 1168 of your report. I'm not quite sure
what PDF number it is. I believe it might
be -- did you find it? PDF No. 1303. And this is Case Study No. 46, 16 Brookwood Drive. And it starts off by saying it's a one-story, single-family home. And it states that the house was built in 1965 and it's in average condition. And then if we go to the next page, under Improvements and Visibility, it says it's a one-and-a-half-family home.

Do you see that?

(Witness reviews document.)

Q. It's highlighted?
A. Oh.

Q. Do you see where it says --
A. Yeah, yeah, I see it. I'm just trying to understand the... but in any event, yeah, that's inconsistent with what's said on the first page.

Q. And then if you go to the next page, there's a picture of the house, and it shows a two-story home; is that right?
A. That's correct.

Q. Okay. So we can all agree it's a two-story home.
A. Yeah. Sometimes they do a one and
three-quarters. I'm just not sure about the local...

(Witness reviews document.)

A. But anyway, it looks like a full second story.

Q. Okay. And it had said that it was a three-bedroom on the case study; is that right?

A. The Improvements are described as three bedrooms. Right.

Q. Okay. And going back to that first page, it states that it was on the market for 105 days, which was pretty close to the average for the city, which was 96 days, and that the property was originally listed for $239,900 on July 25th, 2011, and it sold for $237,000. So the reader of this case study would be under the impression that it sold for $2,900 less than what it was originally listed for; is that right?

A. Correct.

MS. PACIK: Okay. I'd like to go to Joint Muni 248.

BY MS. PACIK:
Q. And this is the listing history of the property. Are you aware that February 10th, 2010, it was actually put on the market for $285,000?
A. Okay.
Q. That's a lot more than what it was listed for in July of 2011, which was $239,900; right?
A. Right. That's pretty common.
Q. And it was then taken off the market after about eight months, on November 1st, 2010; is that right?
A. Apparently.
Q. So in terms of that marketing time frame, that extra eight months, it's not referenced anywhere in the case study, is it?
A. That's right. This refers to the current listing.

MS. PACIK: Okay. Can we go back to the case study?

BY MS. PACIK:
Q. If you look under Transaction Interview, he wrote, according to Mr. Underwood, under Transaction Interview it says, "According to the listing broker, there was an impact on
the property's marketing period due to the HVTL. The broker indicated that the HVTL was visible from inside and outside the house. There was no comment on impact on value."

And if you go to the next page, under Summary, again it says, "The broker indicated an impact on marketing period, but the days on market for the transaction were very similar to the city average." And this is Mr. Underwood's statement. There's no reference here to that extra eight months that this property was on the market and that listing expired, is there?

A. No, there isn't.

Q. When he concluded that there was only a possible adverse effect of the HVTL on the marketing period, again, that doesn't discuss that extra eight months, does it?

A. No, it doesn't.

MS. PACIK: Can we go to Case Study No. 47.

BY MS. PACIK:

Q. This is Page 1327 of the PDF, or the report is Page 1192. Dr. Chalmers, No. 47 is 86 Oak
Hill Road. And this is a house near Turtle Pond. Are you familiar with that?

A. I think that's one that I have looked at a couple of times. Well, yeah, I mean, I visited. I don't recollect a lot of the details, but I'm generally familiar with the write-up on it.

Q. Okay. And this is a house that is a small house along the water. And it sold, according to the case study, if we scroll down, it sold for $115,000. Do you see that?

A. Yeah.

Q. And $115,000 is low compared to the average sales price in Concord; is that right?

A. Yes.

Q. The average price in Concord, according to the case study, is $196,900; is that right?

You have to say "Yes" or "No."

A. Yes.

Q. Okay.

A. Or I presume it is.

Q. It's on Page 1335 of your report -- or actually Page 1200 of your report, if you have that in front of you, under Market Area.
Do you see that?

(Witness reviews document.)

A. No. What page numbers are you using there?

Q. So if you go -- let's just show you on the screen. Page 1335 of the report, the average price in Concord --

A. Okay. Yeah.

Q. -- in 2011 was $196,900.

A. Okay. Yeah, I didn't know where you were referring to.

Q. So, $115,000 is much lower than the average price in Concord; correct?

A. Correct.

Q. If we go back to the first page of that case study, this is a property where Mr. Underwood determined that there was no impact of the high-voltage transmission line on the property; although, the realtor explained under Transaction Interview that there was minimal impact on the property's marketing period and sale price, but it was due to the price point of the property and the overall size of the house. Do you see that?

A. I see that, yes.
Q. Okay. And basically, there were a few potential buyers that rejected the property, but at the price point there were other buyers unaffected. Do you see that?

A. Yes.

Q. So this house, you'd agree, was priced to sell.

A. Well, it was a very, very small house, too. I mean, it was priced appropriately, yeah. It was apparently priced at its market value.

Q. Well, that's what Mr. Underwood determined; right?

A. Right. And it -- yeah.

Q. Okay. Now, in terms of the analysis that Mr. Underwood did, there's no reference in this case study to a Joint Use Agreement between this property owner and PSNH, is there?

A. Not to my knowledge.

Q. Okay. And we already discussed this with 41 Hoit Road. But you agreed that if there's a Joint Use Agreement, that could very well impact the market value of a property; right?

A. It could.

Q. Okay. And that's something that you would
probably want to have referenced in the case study; correct?

A. Yeah, if you're aware of it.

CHAIRMAN HONIGBERG: Ms. Pacik.

MS. PACIK: Yes.

CHAIRMAN HONIGBERG: We need to break sometime in the next ten minutes or so.

MS. PACIK: Okay. I'll just finish this one up. If we can turn to Joint Muni 253.

BY MS. PACIK:

Q. This is an Agreement and Consent to Joint Use, similar to the one that we saw for 41 Hoit Road, and this is for 86 Oak Hill Road. Do you see that?

A. I do.

MS. PACIK: And again, can we scroll down, I believe it's a couple pages.

There we go.

BY MS. PACIK:

Q. On this particular Joint Use Agreement, it says that Ms. Brubaker agrees that if PSONH needs to conduct additional transmission lines or upgrade current lines within the
easement, she will cover in advance the full reasonable increased costs to PSNH as a result of its use of the easement. And I'll represent to you that the use of the easement amount in this particular agreement deals with a septic system.

A. Okay.

Q. And again, this could impact value; correct?

A. Sure.

Q. Based on the location of the transmission line on the property. Agreed?

A. Yeah, the location of the corridor on the -- yeah, the combined, the easement and whatever is in it, right.

Q. Okay. And again, just so we're clear, this particular agreement was recorded with the Merrimack County Registry of Deeds. And if you look at the top of that page, you can see the book and page number. Do you see that?

A. Yes, I do.

Q. And this agreement is also binding on all of the heirs, administrators, successors and assigns. And that's in Paragraph 19. Do you see that?
A. Yes.

MS. PACIK: I think now would be a good time to take a break.

CHAIRMAN HONIGBERG: We'll break for 10 minutes, maybe 15.

(Recess taken at 3:52 p.m., and the hearing resumed at 4:11 p.m.)

CHAIRMAN HONIGBERG: All right.

Ms. Pacik, you may resume.

MS. PACIK: Thank you.

BY MS. PACIK:

Q. Dr. Chalmers, I'd like to now review the spreadsheet that you prepared and that was provided to the parties yesterday as Applicant's Exhibit 197. And I want to focus on just the properties that you looked at in Concord. And I marked the documents that I'm going to review with you as Joint Muni 256, and I will provide that after your testimony today.

The first properties that I want to look at with you are in the Brookwood Drive area and Fox Run Drive area. Are you familiar with that area in Concord?
A. In the context of these properties, yes.

MS. PACIK: Okay. If we could turn to Page 2 of Joint Muni 256.

BY MS. PACIK:

Q. And as you can see, this is an overhead Google Earth photo which has a red square showing where Brookwood Drive and Fox Run Drive are located in Concord. Do you see that?

A. Yes, I do.

Q. It's off of Hoit Road; correct?

A. Correct.

Q. Now, I understand that, similar to what we looked at in the case studies, when you went out and you looked at the properties and whether you thought there might be any property impact because of the new transmission line, you made a determination of whether the current existing line is clearly visible, partially visible or not visible at all; is that right?

A. That's right.

Q. And the first property I want to look at with you is the property at 14 Brookwood Drive.
And if we go to the next page, I have it highlighted for you. And according to your spreadsheet, it states that the home is 33.7 feet from the right-of-way and that the current line is partially visible; is that right?

A. Yes.

Q. And you state that after the new transmission line that's proposed, if it is built, that there would be continued partial visibility and no impact on value; right?

A. That's right.

Q. If we go to the next page, which is Page 4 of the package, it shows a photograph of 14 Brookwood Drive. Do you see that?

A. Yes.

Q. You can see there's a tree buffer behind the home; right?

A. Correct.

Q. And this is a home that you decided or you determined that the line is partially visible at; right?

A. That's right.

Q. If we go to the next picture, this shows
another photograph of the home. And you

determined that at least somewhere along the

way you would be able to see a structure; is

that right?

A. Yes, I was able to see one. Hmm-hmm.

Q. Okay. You can't see them in these

photographs. Is that -- would you agree with

that?

A. I haven't seen one yet.

Q. Okay. So when you say that it's partially

visible, will you agree that there might just

be a small section of a structure that's

visible somewhere through the trees? Is that

what you're determining as partially visible?

A. Yeah. The partially visible category is a

very broad one, but it falls in between none,
can't see anything anywhere, and clearly

visible, which means that above the tree line

you can see the full portion of the structure
to which the conductors are attached. So,

partial can range from seeing most of the

structure, but not quite all of it, to just

being able to catch a hint of a structure

through winter foliage.
Q. And this property might be one of those where you could just catch a hint; right?

A. Could well be.

Q. If you go to the next page, this shows some of the tree clearing on a plan. And I'll represent to you that during the construction panel we were at least notified that there would be just tree trimming and no trees, no mature trees at 14 Brookwood Drive removed.

And I understand when you went out to these properties and you made an assessment as to whether or not the line would be more visible if it's constructed, you didn't look at this particular map that showed the proposed tree clearing area, did you?

A. I did not have this map, no.

Q. Okay. The next page shows the property where the new poles are going to be located. And if we blow it up a little bit, what I tried to do is draw a red arrow showing the property that we're looking at, which is 14 Brookwood Drive. Do you see that red arrow?

A. Yes.
Q. Okay. And the identifying number that's been used by Northern Pass is 7905 for this property; right?

A. Correct.

Q. Okay. And for this particular property, you see that there's one existing structure. It's a purple square. That's at the other end of the right-of-way corridor from the home; correct?

A. That's right.

Q. And the home is that yellow circle in that square on the parcel?

A. Yes.

Q. Okay. And you can see that -- oops. Bear with me for a second while we get this back up.

(Pause)

Q. So, currently the 115 line is actually on -- is behind the neighbor's house. Do you see that on the white square at Parcel 7904?

A. Right.

Q. And that's getting relocated 45 feet closer to the home on 14 Brookwood Drive, and a new line is actually also being added. Do you
see that?
A. Yes.
Q. And the numbers of these particular poles are 3132-81 and F139.181. And you did have this map when you went out to the property?
A. Yes.
Q. And you made a determination that there would be no impact on the property value because currently there's something partially visible, and after the new transmission line is constructed, if it is approved, it would still be partially visible; right?
A. That's right.
Q. And you didn't give any consideration to the fact that two poles were actually getting constructed in this person's back yard.
A. Right. There's just one correction that I would make. You've been saying that there would be no impact on property value. Again, what we're talking about here is a change in the likelihood or the probability of value. We're not saying if there is a change, there will be a change in value, or if there isn't
a change, there won't be. We're talking about the likelihood or probability. And in particular, if there's a change, the probability of effect goes up from very low to maybe 50/50. But we're not saying that there will be an effect. We're simply saying there are properties considerably more vulnerable to effect should they be sold. It's a minor point that's important.

MS. PACIK: Let's go to the next page.

BY MS. PACIK:

Q. And I just want to quickly review this. But those two poles that we just saw that are going to relocated, the one on the neighbor's property that's currently over there, the 115 line, is 43 feet, and the new ones will be 75 and 83.5 feet. Do you see that?

A. Yes.

MS. PACIK: Let's go to the next page. Can you zoom out?

BY MS. PACIK:

Q. So when you say -- we had just a discussion about change. And on your spreadsheet it
says, "Change, Yes or No." Do you see that?

A. Yes.

Q. And so when I see "Change, Yes or No," I think most of us probably assume that means is there going to be a change or potential impact in the property value; right? And you're saying that now it's just more likely than not that there will not be a change, a 50/50 chance?

A. No. I think the way you've got to interpret this column is it's simply summarizing whether or not there's a change in visibility of structures in the category of visibility of structures due to the Project. I mean, that's -- don't take it any further than that.

Q. Then why --

A. Well, let me just add one more sentence, okay. But my opinion, then, is that if there is a change in the category of visibility, then there is a significant change in the probability of a property value impact should the property be sold, and that increase in probability increases from something that's
very small to something that's on the order
of 50 percent. Okay? So this is certainly
associated with an increased probability of
effect, but it's literally, simply a
calculation or a rendering of the difference
between what's in Column 1 and what's in
Column 3 there, the structure visibility sort
of before and after. And if it says
"clearly/clearly," then there's a "No," and
if it says "partial/clearly," then there's a
"Yes," or "none/partial," there's a "Yes."

Q. The next property I'd like to look at is
12 Brookwood Drive. And this is a property
that's 39.2 feet. And you say it's clearly
visible currently. It's clearly visible if
this transmission line as proposed is
constructed. And the probability of impact
on value when it's sold is "No"; is that
right?

A. Right.

Q. Okay. So let's go to the next page and look
at 12 Brookwood Drive. And this is a
property which you state is clearly visible
in terms of the conductors. And from this
angle, at least, you would agree you don't see any; is that right?

A. I don't see any, no.

Q. And the next photograph that we have, which is on Page 11 of the PDF, actually shows some lines behind the shed. Do you see that?

A. Yes.

Q. Okay. And this is -- is this why you determined that it's clearly visible is because of this angle of the line from the house?

A. I can't... I wouldn't say necessarily it's that angle. A good deal of this work was done when leaves were off. But "clearly visible" has a very specific meaning. So we were able, when this property was being inspected, to see the structure, and it was our impression that the structure could be seen from the house and that there was an unobstructed view of the portion of the structure to which the conductors are attached. Again, the photography doesn't help us much here but... but that was a definitive conclusion and wouldn't have been
offered here unless there was good evidence for it.

Q. Okay. So let's go to the next page. This shows the current plan for the new line. And it shows that right now there's one structure behind this house, the one you can see an arrow pointing to it. And that's the 115 line that's getting removed. You can see two structures are going to get relocated; that 115 line is going to come 45 feet closer to the home, and then the new yellow square is the new transmission line kind of near the edge of the property. Do you see that?

A. I do.

Q. And the picture that we saw, the one above, actually was viewing that angle; is that right? The edge of the property line near the shed of that house, or the garage?

A. Right, off the right-hand side of the property as you're looking at it. Right.

Q. So if the poles are located in that area, would you agree that it's more -- it's likely that they'll be more visible after the line is constructed in that area?
A. That they will be clearly visible both before and after. I don't know that they'd be more visible, but they'll be clearly visible in both cases.

Q. Well, you're going to have two new poles in the area where there's some clearing, and the poles are both going to be taller than the current ones; right?

A. Correct.

Q. All right. So let's go to the next page. Next property I want to look at is on Hoit Road. It's 37 Hoit Road. In this one you state it's 67.3 feet from the road. And for partial visibility, the structure is partially visible and the conductor you state is clearly visible. And the conductor are the wires; right?

A. That's right.

Q. And then after the proposed plan you write that it's partial and clearly; right?

A. That's right.

Q. And that there's no change.

A. Correct.

Q. And this is based on your review of plans
that did not show any tree buffers getting
removed; is that right?

A. That's right.

Q. If you go to the next page, this is just an
overhead of 37 Hoit Road, just to give you a
perspective as to where it is. And it's near
the corner of Hoit Road and Mountain Road.
And that's Page 14 of Joint Muni 456. And if
you go the to next page -- 256. My
apologies. If you go to the next page, that
shows the home from the street. Do you see
that?

A. Yes.

Q. And I understand that different angles might
show different items. But at least from here
you don't really see any wires or poles in
this picture, do you?

A. I don't believe so.

Q. Okay. Let's go to the next page. This is
the proposed plan. And you can see there's
an arrow, a red arrow showing where that home
on 37 Hoit Road is. Do you see that?

A. Yes.

Q. Okay. And you can see that there are going
to be two structures located behind the home, 3132-86 and F1391-77. Do you see that?

A. Right.

Q. And then at the corner Hoit Road, actually on the neighbor's property, which is 41 Hoit Road, you can see two other structures that are proposed; right?

A. Yes.

Q. Do you know how tall those structures are proposed to be?

A. No, I'd have to look at the chart.

Q. All right. If you go to the next page, we have them highlighted. And they're between 92 and 101.5 feet. Do you see that?

A. Yes.

Q. And the current heights of them are 52 and 56.5 feet. Do you see that?

A. Okay.

Q. If we go to the next page, this shows the tree clearing behind the house. And you were not aware that there was clearing proposed behind this home at 37 Hoit Road?

A. Not the specific plan on a site-specific basis, no.
Q. Okay. But that doesn't change your opinion as to how much of the conductor or the wires will be visible because you had stated that the conductors were only partially visible. But if there is clearing, it might actually be clearly visible; right?

A. Yeah, that's possible. But as I indicated earlier, the focus -- although the conductor visibility was recorded subsequently, that it turned out that that was just too difficult and ambiguous I think for some of the reasons you're suggesting, that we really just focused on structure visibility.

Q. Okay. But in terms of structure visibility, when you made that latter determination, you didn't have this plan in front of you, did you?

A. That's correct.

Q. Okay. So in your spreadsheet that you have, that ROW with the before and after conductor visibility, should we just ignore that?

A. That's what I've done subsequently.

Q. If you go to the next page, the next property I want to look at just briefly is 41 Hoit
Road. We've already spent some time talking about that particular property this morning. Do you recall that?

A. Yes.

Q. And on this spreadsheet it doesn't say 7 feet to the right-of-way; it actually says 36.1 feet. Do you see that?

A. Yes.

Q. So that's a different number than what you had provided in the case study?

A. Correct. This is -- right.

Q. Okay. And if we go to the next page, do you see that black line in the red box?

A. Yes.

Q. Okay. That's the edge of the right-of-way, isn't it?

A. Okay.

Q. And do you see the home in the right-of-way there?

A. Yes.

Q. So that 37.5 number that we just saw, that's wrong, wouldn't you agree, from this overhead?

A. Certainly appears to be.
Q. I don't want to spend a lot of time on this, but in terms of the proposal for this particular home and the new line, if we go to the next page -- actually, let's take -- so these are photographs of 41 Hoit Road. Do you see this?

A. Yes.

Q. You can see one of the poles in its back yard there; right?

A. Right.

Q. And we looked -- we established earlier that was about 50 feet high?

A. Correct.

Q. And it's going to be about 100 feet high after it's reconstructed?

A. Right.

Q. And if you go to the next page, you can again see one of the poles in the back yard. And I believe that's actually one of the lines that's not getting removed. It's 75 feet; is that right?

A. I'd have to look at the maps to be sure.

Q. Okay. Go to the next page. That again shows the pole that's about 45 to 50 feet high
that's getting -- will be about 100 feet high; is that right?

A. Yeah, I think so. Again, I --

Q. We'll go back to the plans in a moment. So let's go back to the next page. And this is Page 24. And in this vicinity you see a shed; right?

A. Yes.

Q. And there's a pole in this particular area that we can see on the plan, but you can't see this currently in this photograph, do you?

(Witness reviews document.)

A. Is that in the tree line there? Again, there's some vertical -- it's certainly not clear.

MS. PACIK: Okay. Let's go to the next page. Actually, we're going to have to go back a few pages to the plan. I apologize. Go back one more. Keep going.

BY MS. PACIK:

Q. All right. So we're back on Page 16 of the PDF. And this actually shows where the new poles are going to get located. And you can
see that white one, the white 115 square that the cursor is over is F 1391-76. You see that's getting moved 45 feet closer to the right-of-way. Do you see that?

A. Okay.

Q. And we had looked at that picture of the trees a moment ago, where you weren't sure whether you could see a pole in that, and that's in that vicinity. Are you aware of that?

A. Okay.

Q. Okay. So when this pole is moved and it doubles in size, the home will basically be in the shadow of that pole; is that right?

A. It'll be close to it, yes.

Q. I'd like to go now to look at 516 Mountain Road. So this property is actually the only one in Concord that you concluded might -- or will probably have an impact on value when it sells. And this property is 6.7 feet from the edge of the right-of-way. Currently the conductor is partially visible, and you state that it will be clearly visible after the transmission line is constructed, if it is
approved; is that right?

A. Correct.

Q. If we go to the next page, this is an overhead that shows 516. And you can see the tree buffer behind that home; right?

A. Yes.

Q. And if you go to the next page --

MS. PACIK: Actually, we'll skip this one. Skip that one, too.

BY MS. PACIK:

Q. So, Page 29 of Joint Muni 256 shows the tree clearing. And were you aware that all of the trees behind this home were going to get removed?

A. No.

Q. Okay. But this is a situation where you would agree that there's a probability that there's going to be a property value impact to this house; right?

A. Yeah, that's what we assumed in any event.

Yeah, that's what we assumed, that there would be a change in structure visibility and, therefore, the probability of an impact should the property be sold would increase.
Q. Where would you have -- now, from the home I
don't believe you can see any of the
structures. Where would you have to stand to
see the structures on this particular
property for purposes of making your
spreadsheet?

A. Again, there are a couple of possibilities.
Given the access to the corridor from the
right-of-way, in some cases we walked up the
right-of-way. We certainly would have walked
up and down the frontage in front of the home
and --

Q. So when you say it’s partially visible
currently, it could be because it’s partially
visible at the edge of the people’s property?

A. No. We tried to assess it as it would be
seen from the house.

Q. But you didn’t go up to the house, did you?

A. No.

Q. So you had to make an assumption as to
whether or not you could see it from the
house?

A. Yeah, made a judgment based on the situation.
Frequently you could tell. I mean, you have
a pretty good idea, you feel pretty confident. In some cases it was difficult, and that's why, again, I'd be careful to represent that this is -- the purpose of this is important. It's not to make a definitive statement with respect to this property, but it's to try to come to some kind of order-of-magnitude estimate so we can talk about whether or not there are going to be discernible effects on local and regional real estate markets. So it had a -- and the level of detail we could achieve to meet that objective I think was just fine. I feel very comfortable with that conclusion. But the conclusion on any given property with respect to the particular clearing, the particular structures, a definitive assessment for any given property would obviously require a lot of -- all of these maps and a careful on-site inspection, and very careful definition of the points from which the visibility was being assessed. And we didn't do that, and that wasn't our objective.

Q. Okay. Let's go to the next page. So when
you made a determination as to whether or not there would be regional effects and whether there'd be any sort of impact on property, what you did is looked at all of the pages of the spreadsheet and you added up the "Yeses"; right?

A. That's right.

Q. So, whether or not something was categorized as partial or clearly, it didn't make any difference at the end of the day in terms of what you were adding up, in terms of the "Yeses"; right?

A. Yeah, the issue was change. The "Yes" represent change, and it didn't matter whether it was none to partial or partial to clearly. The yeses designate the number of cases in which there was a change in visibility of structures.

Q. Okay. So, setting that aside for a moment, I had a question because you go from Mountain Road to Oak Hill, and I was confused about why Sanborn Road did not appear on your list. And are you aware whether or not there are homes on Sanborn Road that are within 100
feet of the right-of-way?

A. There are, but they were built too recently. Those are 215 construction, I think. And they simply missed the date at which this list was originally compiled.

Q. But you just updated this list in March, didn't you?

A. Yeah, but we didn't update the -- we didn't go out and do new measurements based on new development.

Q. Didn't you add 41 Haynes Road to this list?

A. Yeah, there were edits to that, but that didn't have to do with new construction.

Q. Well, new construction in 2015 before the Application was submitted isn't really new construction, is it?

A. Well, I think that's the reason -- I'm just explaining to you my understanding of the reason that I didn't -- that those two properties were not included on the list, because they're clearly within 100 feet, they're very close, is that they simply didn't show up at the time these runs were made by the engineers.
Q. When you did your site visit, did you actually see those homes?

A. Which site visit?

Q. Well, you had mentioned that you did visits to all of these properties to make your assessment as to whether there was clear, partial or no visibility.

A. Right.

Q. When you did the drive, did you see the homes on Sanborn Drive?

A. I had no reason to go to Sanborn Drive.

Q. Okay. Let's go to the next page. I don't want to spend a lot of time on this because I think we've already discussed that they're not there, and we know why now. But if we go to the next page, this actually shows the two homes on Sanborn Drive which you agree are both within 100 feet of the right-of-way; correct?

A. Yeah, they're -- yes.

MS. PACIK: Okay. Can you go to the next page.

BY MS. PACIK:

Q. And these are just photographs, I'll
represent to you, of the homes. This is 61 Sanborn Road. Do you see that?

A. Yes.

Q. Okay. If you go to the next page, that is 67 Sanborn Road. Do you see that?

A. Yes.

Q. So you made no evaluation as to whether or not there would be an impact on these particular properties on your spreadsheet; correct?

A. Yeah, I can -- I have looked at the aerial photography because apparently these two properties came up in a prior session of some sort. And they both have total clear visibility of the existing. They're right on top of the corridor, and they have clear visibility of the existing corridor. The driveway to one goes right down the right-of-way under or beside the lines, I guess not directly under the lines. So there won't be any change in visibility for these two properties.

MS. PACIK: Let's go to the next page.
BY MS. PACIK:

Q. This is an area by Interstate 393 that I want to look at for a moment, and it's -- the home that I want to talk to you about is on Portsmouth Street. And if we go to the next page, it's highlighted in yellow. And the house is 253 Portsmouth Street. And according to your chart, the home is 98.2 feet from the right-of-way. And you state that it's clearly visible -- the structures are clearly visible now. They will be clearly visible after the transmission line is built, if it's approved and constructed, and that there's no change in the probability of having a property value impact if it's sold; is that right?

A. Correct.

Q. Okay. So on the next page I just want to take a quick look at the house. Do you see the home? You can see the structure behind that tree buffer; correct?

A. Yes.

Q. And I'll represent to you that that is 253 Portsmouth Street. Are you familiar with
this particular location?

A. I've visited it once.

Q. So I'll represent to you that during the testimony of the construction panel, that pole that you see behind that tree, we were told that it's 74.5 feet high. Does that sound correct to you?

A. It could be. Yeah, I don't have any reason to think it isn't true, it isn't accurate. Which pole are you talking about?

Q. Well, we just lost it. Steven Whitley's going to bring it back. There, he's got it again. Do you see --

A. Well, which one? The one on the far right-hand side or the one in the background?

Q. Yes, the one on the far right. My apologies. Are you aware that Eversource had submitted a proposal to the Department of Transportation? It's a design concept which would increase the height of that pole to 165 feet from its current height of 74.5.

A. No.

Q. This is the first you're hearing of this?

A. Is that not what's represented on the maps?
Q. It's a design concept that was submitted to the Department of Transportation to address concerns about crossing Interstate 393, and that was discussed during the construction panel's testimony.

MR. NEEDLEMAN: I'm going to object to that. With respect to the construction issue, it was not to increase this pole; it was a change in the plans with respect to the proposed structures. I think that needs to be clear to Mr. Chalmers.

CMSR. BAILEY: Ms. Pacik?

MS. PACIK: My apologies. Let me clarify that.

BY MS. PACIK:

Q. This particular pole is 74.5. It's P145-101. And I believe it's proposed to be 120 feet tall. Are you aware of that?

A. No, not as I sit here. No.

Q. And then there's another pole that will be added to it, which is the new proposed Northern Pass Transmission Line, which would be potentially 165 feet tall. Are you aware of that information?
A. Not as I sit here, no.

Q. Okay. And the fact that there might be a 165-foot pole in the vicinity of this home, does that impact your opinion as to whether or not there's any potential impact on value if this house is sold?

A. No. Our conclusion here is that there would be -- that there are structures visible now, and clearly visible, and they would be clearly visible in the after-condition as well.

Q. So it doesn't matter how high it is.

A. That's right.

Q. Okay.

A. Once it's visible.

Q. And the fact that this home might be in the shadow of a pole, that doesn't make a difference to you in terms of your methodology and your opinion; is that right?

A. That's right.

Q. The next property I want to look at is on Old Loudon Road, and I just have a couple more I want to quickly go through.

Just so you're aware, Dr. Chalmers,
Page 40 of Exhibit 256 is the reference to the height of the poles. And I'll just represent to you that during the testimony, where it says 160 feet tall, we were told it's actually 165 feet, which is in the design concept. But you did not have that information; correct?

A. No, I don't know what the -- how recent this information is. I know, you know, there are design changes that have been going on pretty much on a continuous basis. And I don't -- I'm not tracking that or revising these or revisiting the field in light of these changes that are occurring now.

MS. PACIK: Okay. So let's go to the next page. Keep going.

BY MS. PACIK:

Q. So the next one that I want to look at with you is 5-7 Old Loudon Road. And this home is 14.4 feet from the right-of-way. And it states that it's clearly visible in terms of the structures now, and it will be clearly visible if this line is built.

And if you go to the next page, which is
43 of the PDF, this is an overhead of the home that we're discussing. Do you see that?

A. I do.

Q. Are you familiar with the house at 5-7 Old Loudon Road?

A. If I see a photo of it. But I only visited once.

Q. Okay. And if you go to the next page, this shows the tree clearing behind that home. Do you see that? And are you familiar with what lines show tree clearing on these maps, or do I need to explain that to you?

A. Yes.

Q. Yes, you need explanation?

A. No. No, I am familiar with it.

Q. Okay. So the green dotted line is all the area of tree clearing. Do you see that?

A. Right.

Q. And if you go to the next page -- I was just told it's turquoise, but I see green. This actually shows the structures that you're talking about; is that right?

A. Correct.

Q. And you say that they're clearly visible?
A. Correct.

Q. And after those trees are gone, they'll be even more clearly visible; right?

A. Well, the way we define "clearly," there's not less and more clearly, there's just clearly.

Q. Okay. Are you familiar with the fact that in this vicinity 125-foot poles are being proposed?

A. Not as I sit here, no.

Q. If you go to the next page, this is just another photograph that shows the tree line behind the house that is proposed to be removed. Do you see that on the right-hand side by the car?

A. Okay.

Q. And you were not before today familiar with the fact that those trees were proposed to be removed?

A. That's correct.

MS. PACIK: Can you go to the next page?

BY MS. PACIK:

Q. Do you see the yellow highlights?
A. Yes.

Q. That shows the proposed heights in this vicinity. And you'll see that there's two numbers, 106, which is a 106-foot structure, and 125, which is the height of the other structure.

A. Right.

Q. Okay. The last property I want to look at with you is Pembroke Road, and it's 149 Pembroke Road. And this home is 13.8 feet from the right-of-way. Do you see that?

A. Yes.

Q. Okay. It says the property -- the structures are clearly visible now, and they will continue to be clearly visible. If we go to the next page, I believe there's a photograph of this home. This is an overhead of Pembroke Road. Do you see that?

A. Yes.

Q. And are you familiar with the height of the proposed structures in this area?

A. Not as I sit here, no.

Q. Okay. If we go to the next page, the numbers
of the poles that you'll see there are in red. You see there's two white squares, C189-47 and P145-88, that have Xs in them?
A. Eighty-three, right.
Q. Okay. And those are getting relocated. And one of them is going to get relocated closer to the home. And then the new line is 3132-146. Do you see that?
A. Yes.
Q. If we go to the next page, we have those highlighted. And those three structures, the range of them is 110 feet. Do you see that?
A. Correct.
Q. Okay. So next to this home there's going to be three 110-foot poles.
   If we go to the next page, this is a photograph of the home from a street view of Google Earth. Are you familiar with that home?
A. Again, I've seen it.
Q. Have you seen the photo simulations of what this property might look like after the poles are constructed?
A. No, I don't believe so.

Q. If you go to the next page, this is a photo simulation that was submitted with the Department of Energy's Visual Impact Study. This is the current structures. Do you see that?

A. Okay.

Q. And you can see the pole behind the home. That's the one that's going to get relocated, and it is approximately 45 feet currently. Do you see that pole behind that home?

A. I do.

Q. Okay. And if we go to the next page, this shows at least two of the poles after they're constructed, which are going to be 110 feet, and then there's a third one which you don't see in this photo simulation. And according to your opinion, there is no impact on property value here.

A. The impact on -- the probability of an effect, there is no impact on the probability of an effect of property value impact.

Q. And this home also will be in the shadow of the poles; is that right?
A. It's close to them.

Q. I'd like to talk about your supplemental testimony for a moment, which is marked as Applicant's Exhibit 104. In terms of this whole methodology that you've been using, you talk about this in your supplemental testimony, and you talk about a prior case before the Site Evaluation Committee, which was a 1985 case dealing with Hydro-Quebec Phase II; correct?

A. Yes.

Q. Now, Hydro-Quebec Phase II was somewhat similar in terms of the construction, which is, it took an existing corridor with an existing line and added a new line in it; is that right?

A. Added -- well, I know what's in it now. I'm not sure when Hydro-Quebec was added. Again, I'm not sure whether the two 230 kV lines were both in there before the Hydro-Quebec line was added. But in any event, there are three in there now.

Q. But when Hydro-Quebec Phase II was constructed, there was already an existing
line in the corridor; right?

A. At least one. What I'm saying is I'm not sure whether there were one or two existing in the corridor at that time.

Q. Okay. And in your supplemental testimony, if we scroll down a little bit, we can see -- and this is Page 14 of your supplemental testimony. On Line 21 you stated that Mr. Lamprey's conclusion, based on his research, was that, quote, The presence of HVTL does not affect sale price or marketability of nearby properties, although it may have some effect on depth of market, unquote; correct?

A. Correct.

Q. And you reference certain pages of the Site Evaluation Committee's decision, the cover page and Pages 12 to 17.

A. Correct.

Q. You did not submit the entire decision?

A. Correct.

Q. And if we look at the entire decision, which is marked as Joint Muni 247, and if you go to Page 7 of this decision, in terms of the SEC findings in this case, by way of background
on Page 7, it explains who was actually involved in the proceeding. And according to this, there was Counsel for the Public and only one intervenor, the Powerline Awareness Campaign. Were you aware that only one intervenor was involved in that proceeding?

A. I had in fact reviewed the entire summary, and, yes, I remember that.

Q. Okay. And the next paragraph that's highlighted talks about what witnesses were called. So, the Hydro-Quebec, or the Applicant, had witnesses. And then in terms of other witnesses in the case, the only other witnesses who testified were witnesses called by the Site Evaluation Committee. One was Dr. Michael Bissell, who talked about health effects, and another witness was Roy Barbour, who was from PSNH. And other than that, there were no other witnesses, correct, for either the intervenors or Counsel for the Public?

A. I guess that's right. There are 14 witnesses testifying on behalf of the Project, right, in the preceding paragraph, and then this
paragraph you've got highlighted shows just these additional two, I guess; right?

Q. So, in terms of witnesses who might contradict the testimony of Mr. Stewart, there were none.

A. Apparently, who did -- there were no witnesses who addressed his findings at the hearing.

Q. Okay. If you go to Page 15 of the decision, the order actually notes that no contradictory evidence was introduced to rebut Mr. Lamprey's testimony. Do you see that?

A. I do.

Q. Now, yesterday and today you were asked about whether a property line -- a new transmission line could reduce the property value by 50 percent; right?

A. Whether it could reduce it by 5-0 percent?

Q. Fifty percent.

A. In what context was I asked that?

Q. I believe Attorney Pappas asked you a question about a reduction of property value and whether or not you could foresee
property, because of a new transmission line, ever being reduced by 50 percent. And I believe your response was, "It would be very unlikely, and maybe if the structure was in the bay window." Do you recall that discussion?

A. Okay. Yeah, we were having a discussion about a hypothetical; could I imagine a situation that would be so bad that a property would be impacted to that extent. Yes, I remember that discussion.

Q. Okay. And today I know you were talking condominiums, which is a little bit different. But you also had a similar discussion about whether or not a condominium could have a property value reduced by 50 percent, and I believe you said it wasn't even a remote possibility; is that right?

A. That's right.

Q. Now I'd like to turn to what we've marked as Joint Muni 260, and this is a decision by the Board of Tax and Land Appeals dealing with an abatement request for the Hydro-Quebec Phase II line. Are you familiar with this
decision?

A. I think so. What's the property? What's the address or the property description?

Q. It's on Saunders Hill Road in Wentworth, New Hampshire.

A. Yeah, I believe I've seen this.

Q. And you're aware that in this case the property owners asked for an abatement on their 1989 and 1990 assessment, and the property had been assessed at $133,800. Do you see that?

A. Yes.

Q. And the arguments that the taxpayers made were that they purchased it for $135,000, but since that date the new line and towers were in the right-of-way; that they ended up with less than a half-acre of usable land; they believed the property was unmarketable at any price, and they paid too much for the property. They stated that there was issues with wetness in topography in their back yard, and the drinking water was taken from a brook. Do you see all that?

A. Yup.
Q. Okay. And the Town actually argued that the
assessment was proper, and they tried to
defend their assessment. And they stated
that the power line easement was there at the
time of purchase and it was visible. And on
the next page they talk about the fact that
Hydro-Quebec was constructed after 1990 and
that the location of the new towers were
flagged in 1988. And are you aware that the
BTLA actually ordered a 50 percent reduction
on the property value in this case down to
$66,900?

A. Yes.

Q. And the reasons they gave were not because of
the topography of the land or the fact that
the drinking water was from a brook, but they
stated that the taxpayers paid too much and
it shouldn't go unadjusted, even if they were
ignorant when they bought the land about the
expansion. Under No. 2, they stated that the
knowledge of impending construction of
Hydro-Quebec would have a significant
crushing effect on the value dwelling, and in
general the property, because it was in such
proximity due to its visual effect and the uncertainty of health concerns raised by electromagnetic radiation. And then the third item, which I think is a typo because it says "two," they said that because of the close proximity, which is the house was within 50 feet of the right-of-way and that the house would be in the very shadow of the tower, they were going to apply a 50 percent reduction. Do you see that?

A. I do.

Q. And we just looked at other homes that are in the very shadow of the tower, right, or that might be if this project is approved?

A. Yeah, there certainly would be homes that would be very close to it.

Q. And the Town actually tried to defend this abatement appeal, and they lost in this case; right?

A. Apparently.

Q. And I just want to show a photograph of this home we're talking about. It might be -- I just need to find the exhibit number I gave it. Just bear with me one moment.
(Pause)

Q. This is the property that we're referencing. And we've marked it as Joint Muni 258 and it's 81 Saunders Hill Road. And this is information obtained from the Town of Wentworth. And you can see here this is the tax map. And if you blow it up quite a bit, at the top you can see a little square with an arrow at it. And do you see that square next to the right-of-way, Dr. Chalmers?

A. Yes.

Q. Okay. And if we go to the next page, this is a map from, I believe, Bing Maps. And you can see the home in proximity to the right-of-way line. Do you see it there?

A. Okay.

Q. And you can actually see there's a tree buffer; correct?

A. Yes.

Q. And even so, there was a 50 percent reduction given by the BTLA to this home; correct?

A. Yes.

Q. Okay. I have nothing further.

CMSR. BAILEY: All right. Thank
Ms. Manzelli, you're up next.

Do you want to get started?

MS. MANZELLI: I think it would be better if we wait. I don't have anybody to help me with my exhibits right now, but I will tomorrow morning.

CMSR. BAILEY: Okay. How about Mr. Thompson?

MR. THOMPSON: I'm all set. No questions.

CMSR. BAILEY: No questions?

Mr. Baker?

CROSS-EXAMINATION

BY MR. BAKER:

Q. Good afternoon. I'll try that again. Good afternoon.

A. Good afternoon.

Q. In 2012, you did a study that's referenced in your resume that's on file here of Montana real estate in connection with a proposed power line project there. And you were asked about that by Counsel for the Public, who had Exhibit 380 as one of the exhibits that
refers to that. It's a publication by
Headwater Economics, entitled "Transmission
Lines and Property Value Impacts."

A. Correct.

Q. You're familiar with that?

A. I am.

Q. If we go to page 20 of that report, there's a
letter that purports to have been authored by
you responding to criticism from a Mr. Pierce
who was critiquing your Montana study. Do
you have any memory of that?

A. I really don't, tell you the truth.

Q. I'll put that on ELMO to refresh your
recollection.

A. Thank you.

Q. But it is also in evidence, without objection
apparently, as Counsel for the Public
Exhibit 380.

(Pause)

Q. Does that refresh your recollection, Dr.
Chalmers?

A. Yeah. Just scroll up to the top for a
second. Let me just see the...

(Witness reviews document.)
A. And then if we could go to the bottom. And is it signed? I'm just wondering.

Q. There is a second page. And it doesn't have your signature, but it purports to have your name typed at the bottom.

A. Okay. Yeah, I was just wondering. The way it was worded in the beginning, it almost sounded like it might have been something that my client prepared. But okay. Anyway...

Q. In responding to Mr. Pierce's criticism, you stated that he was wrong in understanding your report and that, in fact, you had found two areas of land in Montana that were impacted by, or at least the data indicated that they would be impacted by transmission lines. This would be a high-voltage transmission line. And you were working at the time for the proposed developer of a transmission line; is that correct?

A. That's right.

Q. What were the two types of property that you found an impact on in responding to Mr. Pierce's criticism?
A. Well, I'm trying to get the context back
here. There was a -- if I can establish the
context for a second here and then we'll get
directly to your question.

Northwestern Energy was considering a
project, this MSTI project -- "Misty" they
called it. And I think that project was the
underlying motivation for my study, for the
study they commissioned with us. But the
published study was, similar to our research
report in this study, was a general study.
It didn't make any reference to MSTI
whatsoever. And it was a general study
along, really, a single transmission line
that spans Montana, and that's the 500 kV
line that runs from the Colstrip generating
plant right straight across the middle of
Montana to Thompson Falls, which is getting
close to the Idaho border, okay. So, again,
it was a research report that was intended to
be the foundation that they could use to
apply to the MSTI Project if they so choose.
Turns out they ultimately abandoned the
project, so that never happened.
So this was just a report on research, and it was a report on research as it related to all the various property types along this 500 kV, much of which, you know, ranch country, ag country, rural subdivisions, large tracts, cabin tracts --

Q. I understand that. What were the two types of property where you found an impact, potential property loss as a result of a transmission line being built in Montana?

A. Okay. It was one residential property at Avery Acres, a lot sale. There was the Aspen Valley Ranches, which was a 150-lot rural subdivision. And then there were some other lot subdivisions, recreational lots along the Clark Fork River outside Thompson Falls, where you had 20 or 30 or 40 lots lined up on the side of the river, and the transmission line would run perpendicularly across the river, and so a couple of lots in the middle of that string of lots would be impacted. And we looked at the price and timing of the sale of those impacted lots relative to the others, and we found some in that category as
Q. You did indeed. And the Aspen Valley Ranches, you examined 183 sales, correct, approximately?

A. Yeah, I don't remember exactly, but --

Q. Yeah, and your statistical analysis there indicated that an average discount of 15 percent of the sales price for the lots within a 1,000 feet of the center line of that transmission line would be warranted; correct?

A. That's correct.

Q. Now, also in response to Dr. Pierce, in the paragraph that I have hastily underlined -- and I apologize. I hope you can read that -- you talked about the need to do more than just take your report, but rather, to go and look and do a site-specific appraisal of each property in order to have any assurance that there would or would not be a problem from the construction of a transmission line. Do you see that?

A. Yeah, site-specific investigation, not necessarily an appraisal. But again, you
couldn't apply these results wholesale to other properties without taking into account their particular characteristics.

Q. And you would stand by that today with respect to the work that you brought before the SEC?

A. Yes.

Q. Okay. Now, just a couple more questions. On your working for Northern Pass or its attorneys, what is your hourly rate currently?

A. Five hundred dollars an hour.

Q. And how much does the State of New Hampshire charge to renew a general appraisal license for a year?

A. I don't know, off the top of my head. I suspect it's in the $400 range.

Q. That's exactly what it is, $400, according to the web site I looked at last night. So, for an hour's worth of your work, you certainly could have afforded to renew your license; correct?

A. I explained that wasn't the issue I had. It wasn't a monetary issue. It was a continuing
education issue. To keep it valid, you have to have 28 hours of continuing education credit. And although they would accept the reciprocal agreement with Arizona to issue the license, they wouldn't accept the continuing education credits from Arizona. So the implication was I had to come to New Hampshire and sit in a classroom for 28 hours. And that simply didn't seem necessary, given the fact that it turns out that I wasn't doing any appraisals in this matter. So it just wasn't worth renewing it.

Q. Did anyone suggest to you during the course of your engagement, or prior to your agreement to do the engagement, that you should become a licensed general appraiser in New Hampshire?

A. No.

Q. That was your own idea?

A. Yeah. It's something I generally do at the beginning of an engagement, a large engagement, just 'cause I don't know how it's going to develop and what I might be doing. But that was at my initiative.
Q. Didn't you know when you filed your paperwork to become a general licensed appraiser in New Hampshire that there was a continuing legal education requirement?

A. Of course.

Q. And so you changed your mind based on something you knew when you filed; is that correct?

A. No, no. It was the fact that in most states the education requirements are reciprocal with the state of the original license. So my continuing education requirements are all up to date in Arizona. And most states, that's sufficient to then renew a license that was obtained under a reciprocity agreement. New Hampshire said no dice. You've got to meet our -- you've got to take courses that we have identified as qualifying for a continuing education credit. So that was a curve ball. And given my role in this project, it just didn't seem necessary.

Q. When did you start your engagement in this project?

A. Late spring of 2013.
Q. And when did you file paperwork with the State of New Hampshire? Or when did you become a licensed general appraiser in the state of New Hampshire?

A. I'd have to check the records. But my suspicion -- yeah. Yeah, I don't know. Somehow 2014 sort of sticks in my mind. But it would have been early in the project. I would suspect that I may have applied in late 2013 and been licensed in 2014. Could have been '15. It was only for, I believe, for one year.

Q. Yes, it was for the one-year period that bracketed the time period when you filed your prefilled testimony in this case, wasn't it?

A. I don't have any recollection exactly what the dates were, no.

Q. Okay. Would it refresh your recollection if I put in front of you the New Hampshire online licensing for James A. Chalmers?

A. That would.

MR. BAKER: I'm just using this to refresh his recollection. I don't intend to make it an exhibit because he's going to testify
these are the correct dates or not.

BY MR. BAKER:

Q. Can you tell us the dates when you were licensed in New Hampshire?

A. Okay. Apparently it became effective on December 17th, 2014, for a little more than a year; it expired on 1/31/2016.

Q. And so you let -- did you file any paperwork with the State to let them know you weren't renewing, or did you just let it lapse?

A. I just let it lapse.

Q. Okay. And your first prefiled testimony in this case was filed on October 16th, 2015. That's the date on the cover of your prefiled testimony, Applicant's Exhibit 1.

A. That's correct.

Q. Does that sound right?

A. Yes.

Q. And then again on April 17th, 2017, you filed your supplemental prefiled testimony?

A. That's right.

Q. And that would be after the date of the lapse by more than a year; correct?

A. Correct.
Q. All right. Now, in your original prefilled testimony, you filed an attachment to that which was your complete resume?

A. Correct.

Q. And in the first page of that attachment -- or the first page of that prefilled testimony, you stated that you were licensed as a general appraiser in several states. Do you recall that?

A. Yes.

Q. Now, Attachment A to your prefilled testimony listed a certification that you were a New Hampshire-certified general appraiser, and it gave your appraiser number. Do you recall that?

A. Correct.

Q. And that was what you represented to this Committee on October 17th, 2015. And it was accurate at that time.

A. Correct.

Q. When you filed your prefilled supplemental testimony in April of this year, it was not accurate, was it?

A. The resume wasn't submitted with my
supplemental testimony.

Q. No, it wasn't. But you affirmed in your supplemental testimony that everything in your original prefilled testimony was accurate, except for about four or five minor things that you changed on the first page.

A. That's correct.

Q. When was the first time you told your client or any representative of your client that you were no longer licensed in New Hampshire?

A. You know, I don't recall when I decided -- the expiration date -- I would have received materials probably from the State in the fall of 2015 saying that my license was going to expire and with the forms to reapply. And I began that process because, as you indicated, it's not a terribly large fee and I just kind of do it as a matter of practice. No particular reason to do it in this case, but particularly in litigation matters it sometimes makes sense. And then I don't know exactly when I learned that New Hampshire wouldn't accept the continuing education from Arizona, but somewhere along the line then,
in late 2015, I learned that they wouldn't accept the Arizona continuing education credits. And I presume at some point that I spoke to Mr. Bisbee or his colleagues and mentioned that. But it was not a -- it wasn't an issue. It was nothing that I would have called any attention to. It simply really had become kind of a matter of convenience. If it was convenient to do, I would have done it. But it was going to be quite inconvenient and so I didn't do it.

Q. Let me summarize then. You filed your prefilled testimony in this case and represented that you were a licensed general appraiser in New Hampshire to this Committee. At some point you decided that you no longer wanted to be a licensed general appraiser, and you just let it go.

A. That's right.

Q. And you didn't tell anyone other than Mr. Bisbee, or someone at that law firm. And if you had not been asked about it by Counsel for the Public, did you have any plans to wave your arms in the air and say, Wait a
minute, I have to correct something. I'm not a licensed general appraiser in New Hampshire?

A. No. Frankly, that didn't occur to me.

Q. Okay. Last question. I think this will only take about four minutes. I'm hoping.

In your prefiled testimony, you went into, at some length, a concern with the property value analysis contained in the Draft EIS, Environment Impact Statement.

A. I did.

Q. And you stated, among other things, that the Draft Environmental Impact Statement both misrepresents the published literature and addresses the wrong issue. Do you recall that?

A. I do.

Q. I don't want to go into all the detail of that, but on Page 15, Lines 1 through 4, I'd like to ask you about the meaning of the phrase that I'm going to put on ELMO here. And if you need context for that and would like to see the beginning of your answer, we can flip the page back. Do you see that?
A. Yeah. Yes, I do.

Q. Now, I'd like to ask you about the -- are you -- oh, you're going to look at that.

Okay.

(Witness reviews document.)

Q. And then if we could flip back, I just want to ask about that phrase that's been underlined in yellow. What does it mean?

(Witness reviews document.)

A. Well, the basic point that's being made in this sentence is that the DEIS is addressing the issue as if this is a new transmission line, not a -- in a new corridor, not an increment to a transmission line in a -- or an increment to a corridor in which there are already transmission lines. So that's the basic point that's being made. But that's obviously not true for the 32 miles of overhead line in the North Country, in the far North Country. And that's what this underlined section is, is qualifying that statement.

Q. You didn't mean to suggest that in that 32 miles of North Country where there is no
existing corridor, that there would be an
absence of property loss or property damage
by the presence of a new line there, did you?

A. Basically the answer would be in the
affirmative there, that that is the
implication, that there is no proximate -- or
there's very scattered residential
development in relationship to that 32 miles.
And in fact, none, I think, within 500 feet,
and certainly none within a 100 feet.
Therefore, based on the analysis that I've
described in my testimony, there wouldn't be
any adverse impact on residential property
values anticipated with that section of the
line, and that's the one section that's not
in an existing corridor.

Q. So what should I tell my client who has
bought undeveloped property and wishes to
subdivide it and is concerned with the impact
of this project on that property? Should I
tell him that your opinion is that there's no
damage to his property and he should just go
ahead and subdivide it and put money into it?

A. Depends on -- well, first of all, there's a
whole set of market conditions that would relate to whether that would make sense to pursue. But as it relates to other things equal, as it relates to the transmission line, it would be my opinion that it would depend on the location of the subdivision relative to this 32-mile segment.

Q. What should I tell Mr. Thompson, who looks out on a forested view of Bare Rock right now, but who will be looking at, if this project is built, a 100-foot tower on top of a transition station surrounded by a barbed-wire fence? Should I tell him that your opinion is that because he lives in an undeveloped area, that there is no damage to his property possible?

A. No. I think from his point of view it may be a major change, and there may be significant damage to his property. But from a market value perspective, there may be a change or may not. I don't know anything about the circumstances of that property. But this research might imply there could be a market value effect or it may imply there wouldn't
Q. What should we tell all the people that live north of the Vermont border on Hall Stream Road, who currently live in an unmolested valley, with no commercial development whatsoever, who, if this project is built, will have to drive under a brand new, high-voltage, direct-current transmission line every time they want to leave their home and every time they want to come in? Should I tell them that their property going to be unlikely to be damaged by the presence of that new transmission line?

A. I really don't know what the specifics of those circumstances are. I wouldn't have anything to offer, as I sit here.

Q. Have you been to Pittsburg, New Hampshire at all?

A. Yes.

Q. When and how many times?

A. Perhaps only once.

Q. I have no further questions.

CMSR. BAILEY: Okay. Thank you.

I think we'll -- Ms. Pacik.
MS. PACIK: My apologies. I just need to clear the record before we close it today.

CMSR. BAILEY: Okay.

MS. PACIK: In cross-examination, when discussing Case Study No. 44, I represented that View Street and Winterberry Lane were in Penacook. I just received information, and I want to clarify for the record, that only Winterberry Lane is in Penacook, and View Street is in Concord.

CMSR. BAILEY: Okay.

MS. PACIK: Thank you.

CMSR. BAILEY: We're going to take a break for the evening, and we'll resume with Ms. Manzelli at 9:00. Thank you.

(Hearing concluded at 5:31 p.m.)
CERTIFICATE

I, Susan J. Robidas, a Licensed Shorthand Court Reporter and Notary Public of the State of New Hampshire, 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.

Susan J. Robidas, LCR/RPR
Licensed Shorthand Court Reporter
Registered Professional Reporter
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(12) prospective - research