

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

September 25, 2017 - 1:30 p.m. DAY 39
49 Donovan Street **Afternoon Session ONLY**
Concord, New Hampshire

{Electronically filed with SEC 10-10-17}

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

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:

Chmn. Martin Honigberg <i>(Presiding Officer)</i>	Public Utilities Comm.
Cmsr. Kathryn M. Bailey	Public Utilities Comm.
Dir. Craig Wright, Designee	Dept. of Environ. Serv.
Christopher Way, Designee	Dept. of Business & Economic Affairs
William Oldenburg, Designee	Dept. of Transportation
Patricia Weathersby	Public Member

ALSO PRESENT FOR THE SEC:

Michael J. Iacopino, Esq. Counsel for SEC
(Brennan, Caron, Lenehan & Iacopino)

Pamela G. Monroe, SEC Administrator

(No Appearances Taken)

COURT REPORTER: Cynthia Foster, LCR No. 14

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JOE CASEY

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P R O C E E D I N G S**(Hearing resumed at 1:30 p.m.)**

1
2
3 PRESIDING OFFICER HONIGBERG: Mr. Reimers,
4 ready to rock and roll?

5 MR. REIMERS: That's a good question. I'm
6 having a technological problem connecting with
7 my computer at work so Mr. Baker said that he
8 would go first.

9 PRESIDING OFFICER HONIGBERG: Mr. Baker,
10 you want to jump the line here?

11 MR. BAKER: I'm happy to do that.

12 PRESIDING OFFICER HONIGBERG: Come on down.

13 MR. BAKER: Thank you, Mr. Chair.

CROSS-EXAMINATION

14
15 **BY MR. BAKER:**

16 Q Good afternoon. My name is Bob Baker. I
17 represent four landowners in the Great North
18 Woods who are opposed to the Project, and I just
19 wanted to ask you a few questions about the
20 Prefiled Testimony that you filed and the new
21 Project Labor Agreement that was filed this
22 summer and was filed by Eversource as part of
23 the Massachusetts RFP.

24 This is an excerpt on the screen from the

1 Prefiled Testimony of Mr. Eaton, and as I read
2 the question and answer originally, I was under
3 the impression that it covered most of the jobs
4 that would be created by Northern Pass and that
5 we were talking about general labor in New
6 Hampshire being hired as a matter of priority by
7 Eversource. Is that what you intended, sir?

8 A (Eaton) Yes. I mean the New Hampshire workers
9 that were qualified to do this type of work.

10 Q Okay. And you're talking really about union
11 workers only, aren't you?

12 A (Eaton) No. We have, there's several companies
13 in New Hampshire that do have, they're
14 considered nonunion and have qualified line
15 workers, qualified people that do land clearing.
16 I mean, if they have the qualifications they
17 would be entitled to be, you know, first on the
18 list, as we should say.

19 Q Are you aware that the Project Labor Agreement
20 does not cover land clearing?

21 A (Eaton) Yes.

22 Q Are you aware that the Project Labor Agreement
23 does not cover logging?

24 A (Eaton) Yes.

1 Q Are you aware that the Project Labor Agreement
2 does not cover road construction?

3 A (Eaton) Yes.

4 Q It doesn't cover anybody who drives one of the
5 vehicles that are owned by Eversource, does it?

6 A (Eaton) That's correct.

7 Q It doesn't cover any of the people that do the
8 testing, geomagnetic testing, on the Project,
9 correct?

10 A (Eaton) Correct.

11 Q It doesn't cover any of the buildings, pure
12 buildings, does it?

13 A (Eaton) Buildings. You're talking about
14 buildings like if they built something at the
15 converter station?

16 Q No, I'm not talking about the electric work that
17 would go on typically in a converter station,
18 but I'm talking about buildings such as a
19 temporary building to shelter equipment.

20 A (Eaton) I guess so. But I've never seen a
21 temporary building to shelter equipment on any
22 of our projects.

23 Q Okay. We can go and look at the list of
24 exclusions here. We'll do that right now if

1 you'll bear with me.

2 What I have on the screen is a page from
3 what has been marked by Public Counsel as
4 Exhibit, I think it is 488, and this is the
5 Project Labor Agreement, Section 7, and I'll get
6 the page number in a second here. Section 7
7 page 7. Would you agree with me as we start to
8 review Section 7 that this is a section
9 excluding from the scope of the Project Labor
10 Agreement certain types of jobs and work that
11 would be done on the Northern Pass?

12 A (Eaton) Yes.

13 Q Would you agree with me that all of these items
14 on page 7 with exclusions are simply not covered
15 by the Project Labor Agreement?

16 A (Eaton) Yes.

17 Q And you see as we go down the list a whole group
18 of functions that would be performed on this
19 Project that simply can come from any laborer
20 anywhere in the country, correct?

21 A (Eaton) Yes. I mean they're not, again, under
22 the PLA. So I'd say yes.

23 Q And if we go to environmental testing and
24 sampling, under (m), you see that?

1 A (Eaton) Yes.

2 Q That's excluded, isn't it?

3 A (Eaton) Yes.

4 Q Service vendors, any service vendors that supply
5 to the job, they're excluded, correct?

6 A (Eaton) Correct.

7 Q (q), logging and clearing and tree removal
8 operations; excluded, correct?

9 A (Eaton) Correct.

10 Q On and off road access road construction;
11 excluded, correct?

12 A (Eaton) Correct.

13 Q So under the Project Labor Agreement, Eversource
14 would be free to hire a road construction
15 company from New York State, wouldn't it?

16 A (Eaton) It would, but I believe that, again, in
17 discussions with our contractors and with
18 Eversource, in any other typical PLA every
19 single thing that was listed here would come
20 under a PLA, specifically people in the building
21 trades.

22 We had said we wanted to ensure that the
23 people of the North Country were part of this
24 Project, and again, there was no reason for them

1 to join the union or join us where some of this
2 work was, again, stuff that they do every day.
3 Road building, log removal. That's stuff that
4 is near and dear to the North Country, and we
5 wanted them to be part of it. So we weren't
6 going to say to them as a lot of the PLAs around
7 the country would say is you must come to the
8 union.

9 Q I understand what you're telling us you wanted,
10 but it's not in the Project Labor Agreement that
11 you've signed, is it?

12 A (Eaton) No.

13 Q Going back to your Prefiled Testimony, I'm now
14 on page 8 of 8, lines 3 and 4, in your Prefiled
15 Testimony, am I correct that you stated that the
16 Project to construct the Northern Pass would
17 take approximately 3 years?

18 A (Eaton) Yes. That's what I believed it to be.

19 Q Mr. Casey said earlier this morning two years;
20 do you disagree with him?

21 A (Eaton) Well, again, I would say I don't know
22 how long the inside electrician would be on the
23 Project, and I don't know the exact amount of
24 time the outside line worker would be on the

1 Project.

2 MR. RAFF: Objection. Mr. Casey did not
3 say two years. He was asked about two years.

4 Q And I was going to ask him where I got that
5 wrong. Would you care to amplify on what you
6 said this morning?

7 A (Casey) Yes. Counsel asked me if approximately
8 two years and I agreed.

9 Q Oh, okay. But you agreed with Counsel's
10 suggestion it was approximately two years?

11 A (Casey) Yes.

12 Q Okay. And which is it; two years or three
13 years? I mean, if you want to agree with
14 Mr. Eaton, I'm sure he won't mind.

15 A (Casey) I certainly agree with Mr. Eaton, but,
16 you know, it's construction project, and I've
17 seen them projected for two years and last five.
18 Seabrook Station was projected for five years,
19 and it lasted 20.

20 Q I understand.

21 A (Casey) It doesn't, when he said two years I
22 didn't feel it was necessary to correct him with
23 an extra year of construction. But I agree with
24 Mr. Eaton on the three years.

1 Q From your perspective, then, it could take two
2 years, it could take five years based on your
3 experience?

4 A (Casey) Oh, I believe by the time they start
5 construction to the time they clean up and
6 they're gone is going to be three years.
7 Absolutely.

8 Q Okay. I have no further questions.

9 PRESIDING OFFICER HONIGBERG: Mr. Reimers,
10 your technology issue resolved? It looks like
11 it is.

12 MR. REIMERS: Yes.

13 (Discussion off the record)

14 PRESIDING OFFICER HONIGBERG: Mr. Reimers,
15 are you ready to go?

16 MR. REIMERS: I am.

17 PRESIDING OFFICER HONIGBERG: You may
18 proceed.

19 **CROSS-EXAMINATION**

20 **BY MR. REIMERS:**

21 Q Good afternoon. My name is Jason Reimers. I
22 represent the Forest Society in this matter.

23 Earlier in the summer, IBEW and National
24 Grid signed an MOU for IBEW to construct the

1 Granite State Power Link; is that correct?

2 A (Eaton) That's correct.

3 Q And Mr. Eaton, in the Union Leader article
4 announcing the MOU, you were quoted as saying
5 the memorandum of understanding represents an
6 important first step towards the development of
7 a comprehensive Project Labor Agreement. Is
8 that correct?

9 A (Eaton) Correct.

10 Q And the Granite State Power Link is a proposal
11 to bring up to 100 megawatts of electricity from
12 Quebec, correct?

13 A (Eaton) Supposedly.

14 Q And 1200 megawatts is more than the Northern
15 Pass proposes to carry, isn't it?

16 A (Eaton) Correct.

17 Q Mr. Eaton, in your testimony, you discuss an
18 apprenticeship program; is that correct?

19 A (Eaton) Yes.

20 Q In your testimony regarding your own
21 professional experience, you stated that from
22 time to time you joined -- from the time you
23 joined IBEW Local 104 in 1987, you worked all
24 across the country; is that right?

1 A (Eaton) That's correct.

2 Q And if the Northern Pass is approved and built,
3 students in that apprenticeship program would
4 work on the Northern Pass?

5 A Yes.

6 Q At this point, applicants to the apprenticeship
7 program are not promised jobs on the Northern
8 Pass, are they?

9 A (Eaton) They are not.

10 Q And then after the Northern Pass is constructed,
11 the workers would go on to work on other
12 Projects throughout the country, right?

13 A (Eaton) That's correct.

14 Q And that's just the nature of the profession?

15 A (Eaton) Yes.

16 Q So when they enter the apprenticeship program,
17 they're entering knowing that even if the
18 Northern Pass is approved that they're going to
19 spend their career working around the country,
20 isn't that right?

21 A (Eaton) Well, I mean, they could. I mean, they
22 could also be fortunate enough to maybe be on
23 the Co-op property or they could be on National
24 Grid program. So it all depends. I mean,

1 again, there's thousands of workers in the Local
2 so, but if you're fortunate to be with the
3 company that has the maintenance contract for,
4 say, National Grid in New Hampshire, they could
5 be there for a substantial long time.

6 Q For all the workers who work on the Northern
7 Pass and then go on to work on other sites
8 around the country, they would leave the
9 Northern Pass essentially permanently on the New
10 Hampshire landscape; isn't that correct?

11 A (Eaton) You mean once Northern Pass was built?

12 Q Yes.

13 A (Eaton) Oh, they could. Yes. They would move
14 on from Northern Pass, put it that way.

15 Q Leaving Northern Pass in its place.

16 A (Eaton) Yes.

17 Q These are some questions for either witness.

18 How many long-term, meaning
19 postconstruction, jobs for IBEW members would be
20 created by the Northern Pass in your opinion?

21 A (Casey) How many total created? That's, I mean
22 that's a question that, you know, it's almost
23 impossible to answer. All right? So our hopes
24 are that we will get numbers of, you know, new

1 people that we can bring into the apprenticeship
2 program. Of course, it's very difficult without
3 a project, number 1, and, number two, it's very
4 difficult to project how many apprentices you're
5 going to need without specifically having the
6 numbers from the contractor. But we're hoping
7 in the inside branch with the electric and the
8 electric branch to create at least 50 new, bring
9 in 50 new apprentices into our program over that
10 three-year period to become electricians right
11 here from the state of New Hampshire.

12 A (Eaton) And I would say, again, Joe is talking
13 about inside electrical work. I'm talking about
14 the outside. I'm saying we have the potential
15 here to bring 300 to 350 brand-new apprentices
16 into the outside part of the electrical work.

17 Q Okay. Those numbers are number of trained,
18 newly trained electricians, right?

19 A (Casey) These are people, kids, or people who
20 desire to become electricians off the street
21 with no electrical background that we're going
22 to give an apprenticeship training program to,
23 and at the end of the day because of the
24 Northern Pass, there are going to end up as

1 licensed electricians.

2 Q I should have been clearer in my question. My
3 original question was how many long-term or
4 permanent jobs meaning postconstruction would
5 the Northern Pass -- strike that.

6 How many IBEW members do you expect to be
7 employed long-term by the Northern Pass Project
8 working on the Northern Pass Project after
9 construction?

10 A (Casey) All of them.

11 A (Eaton) No. After. After. Listen. Again, I
12 think a lot of people, they don't understand, I
13 mean Joe Casey, a lot of people know him. He's
14 at the State House a lot and stuff like that,
15 but, again, we're talking two completely
16 different industries is the inside electrician
17 that would wire this place and do substation
18 work, and the linemen that will be climbing the
19 poles and bringing power to your house. So
20 that's where I believe a lot of the confusion
21 has happened.

22 We right now from jobs that we have done
23 and like Eversource's transmission system have a
24 transmission maintenance group that has been for

1 35-plus years, and that crew ranges anywhere
2 from 20 and it could be up to 50 people,
3 depending on what's going on, and those are
4 long-term. Some of the people we have there are
5 just retiring. They have been there the entire
6 time of that contract. And we believe Northern
7 Pass could do the same thing. And if they
8 weren't IBEW 104 jobs, they would be jobs that
9 would be covered by IBEW 1837 who covers the
10 utility of Eversource.

11 Q Okay. You would agree that some businesses
12 along the right-of-way would be adversely
13 affected by the construction and presence of the
14 Northern Pass, wouldn't you?

15 MR. RAFF: Objection. They're testifying
16 to the jobs. That's what their Prefiled
17 Testimony is for.

18 MR. REIMERS: And I want to ask them a
19 little more broadly about jobs as their jobs
20 relate to other jobs.

21 PRESIDING OFFICER HONIGBERG: Overruled.
22 You can answer.

23 BY MR. REIMERS:

24 Q You want me to repeat my question?

1 A (Casey) Are you aware of the businesses that
2 would be adversely -- no. I'm not aware of any
3 businesses that will be adversely subject to the
4 Northern Pass.

5 Q So you're not aware of any businesses that
6 would, that might suffer during the construction
7 of Northern Pass?

8 A (Casey) No, I'm not.

9 Q Are you aware of the possibility of that? I'm
10 not talking a specific business.

11 A (Casey) No. I'm not.

12 Q You just haven't looked at that at all, right?

13 A (Casey) No.

14 Q Are you aware that, of any possibility of jobs
15 in the tourism industry being harmed by the
16 Northern Pass?

17 MR. RAFF: Objection.

18 A (Casey) Speculation, you mean?

19 MR. REIMERS: I just asked if he was aware.

20 PRESIDING OFFICER HONIGBERG: He can answer
21 the question, is he aware.

22 A (Casey) No. I'm not.

23 Q Would you agree that many construction workers
24 in New Hampshire make a living building and

1 maintaining second homes?

2 A (Casey) Absolutely.

3 Q And do you know whether it's possible that some
4 new IBEW jobs building the Northern Pass could
5 be offset by some nonIBEW jobs lost in New
6 Hampshire due to the Northern Pass?

7 A (Casey) Once again, no, I don't think so.

8 Q You don't think so or you haven't thought about
9 it?

10 A (Casey) I haven't thought about it, no.

11 Q Mr. Eaton, in 2014, do you recall writing a
12 column that appeared in the *Union Leader* where
13 you were responding to a column by Kathy
14 Sullivan?

15 A (Eaton) Yes. I mean --

16 Q And I don't have it to show you, but tell me if
17 this sounds like what you wrote in part.

18 "Sullivan also ignores the direct benefits to
19 New Hampshire including the \$28,000,000 in
20 local, county, and state taxes Northern Pass
21 will generate each year. For many communities
22 along the route, these funds are desperately
23 needed."

24 Does that sound accurate?

1 A (Eaton) Yes.

2 Q How many of the communities along the route have
3 intervened in favor of the Northern Pass?

4 A (Eaton) I'm really not sure.

5 Q Would it surprise you that only one has?

6 A (Eaton) No.

7 Q Are you aware that many communities along the
8 proposed right-of-way have hired attorneys to
9 help them oppose the Northern Pass?

10 A (Eaton) Yes, I am.

11 Q So you would agree that many communities are
12 spending money to oppose the Northern Pass?

13 A (Eaton) Sure.

14 Q You would agree that the towns opposing the
15 Northern Pass appear to have chosen their
16 existing landscape over the increased tax
17 benefits that you assert they need, wouldn't
18 you?

19 MR. RAFF: Objection.

20 PRESIDING OFFICER HONIGBERG: Wait. Mr.
21 Reimers? It sounds like it calls for
22 speculation.

23 MR. REIMERS: I'm asking him if it appears
24 that way.

1 PRESIDING OFFICER HONIGBERG: Sustained.

2 MR. REIMERS: No further questions. Thank
3 you.

4 PRESIDING OFFICER HONIGBERG: Ms. Menard?

5 **CROSS-EXAMINATION**

6 **BY MS. MENARD:**

7 Q Good afternoon, gentlemen.

8 A (Eaton) Good afternoon.

9 A (Casey) Good afternoon.

10 Q I'm Jeanne Menard from Deerfield Abutter Group.

11 Helicopters will be used to construct this
12 Project, correct?

13 A (Eaton) In some places, maybe. A lot of it will
14 be done by just manpower.

15 Q The Project Labor Agreement excludes the
16 operation, repairs and maintenance of
17 helicopters and other aircraft; is that correct?

18 A (Eaton) Yes.

19 Q Is there a written agreement in place to ensure
20 that New Hampshire-based helicopter crews will
21 be hired first for this Project?

22 A (Eaton) Well, if there was a New Hampshire based
23 qualified, and, again, not someone that just
24 flies a helicopter, has flown these structures,

1 has flown what we call hard line which is the
2 rope that they put in the rollers and to pull
3 the wire, yes. But if not, we could never, you
4 know, request that sort of thing because, again,
5 it would lead to something probably very bad.

6 Q Is there a written agreement that specifies the
7 hiring first priority for New Hampshire
8 qualified crews? Similar to the Project Labor
9 Agreement which excludes helicopter use?

10 A (Eaton) I wouldn't know. I mean, again, things
11 that were excluded were things that we didn't
12 do. I mean, we weren't proficient at. But we
13 do have, again, a company from New Hampshire
14 that owns a couple of helicopters.

15 Q Yes.

16 A (Eaton) That possibly could be the ones that do
17 some of the work.

18 Q Would the construction crew know if there's an
19 agreement in place that outlines the New
20 Hampshire first priority for the hiring of that
21 crew? Do you think?

22 A (Eaton) I'm not sure. The company may have been
23 in talks with Northern Pass, but I can't speak
24 on that, but I know that there is one company

1 who I mentioned earlier, JCR, that is now owned
2 by Quanta Services that does offer helicopter,
3 some sort of helicopter services. I'm not sure
4 exactly what, but they do have the capability of
5 doing some stuff out of a helicopter.

6 A (Casey) Can I add to that a little bit?

7 Q Yes.

8 A (Casey) We have to realize that Tiler and I
9 represent electrical workers and the
10 installation, the work that's installed with
11 the, that has to pertain to the electrical
12 infrastructure. Any helicopter pilots, owners,
13 businesses, loggers, road builders, all of that
14 is out of the scope of the electrical work, and
15 those are different agreements that Eversource,
16 and we really can't speak on anything that
17 doesn't pertain to the actual electrical
18 installation.

19 Q Understood. Thank you.

20 A question for you, Mr. Eaton. In your
21 Prefiled Testimony, on page 8, and this is a
22 topic that has been raised, you state that
23 Northern Pass Transmission will take three years
24 to construct, correct?

1 A (Eaton) Correct.

2 Q Okay. On the IBEW Local 104 website there is a
3 article, and I'll put this article up on the
4 ELMO. This is labeled as Deerfield Abutter
5 Exhibit 150.

6 So this article is entitled, "Northern Pass
7 decision delayed until 2018," and as you can see
8 it was written September 8th, 2017. I'd like to
9 just read the highlighted area.

10 "Despite the further delay, Northern Pass
11 spokeswoman Kaitlyn Woods responded with
12 optimism saying that Project officials remain
13 confident in our ability to achieve a 2020
14 in-service date."

15 My question is did the Northern Pass
16 Project officials consult with the IBEW
17 regarding the feasibility of a two-year
18 construction time frame?

19 A (Eaton) I mean, we've talked about, and, again,
20 we understand that the 2020 in-service date, but
21 what, when I'm saying three years, I'm talking
22 about, again, from other projects that we've
23 done like the MPRP Project in Maine that has
24 been completed and it's in service, but we still

1 have people on the property, whether they're
2 doing cleanup, right-of-way restoration. I
3 mean, so until that last person basically is off
4 the project is what we kind of, that three
5 years, I'm saying three years you shouldn't see
6 a soul, I guess, doing construction on the
7 Northern Pass.

8 Q Thank you. I'd like to put Ms. Woods' optimism
9 aside just for a minute. Do you think that a
10 two-year construction projection is realistic?

11 A (Eaton) I would say, I mean, knowing the company
12 that's been chosen to do the Project, if it
13 happens, yes, they could definitely do it. I
14 mean, we've seen some of the other projects that
15 they've done. And again, I would go back to the
16 Maine Project. That's 400-plus miles that they
17 completed, and it was, yeah, once they get going
18 they really can do a lot of work.

19 Q Okay. So if it is two years, not three, you
20 would agree that the total number of original
21 jobs created as outlined in Ms. Frayer's
22 testimony would be inaccurate? Actually, are
23 you familiar with Ms. Frayer's economic --

24 A (Eaton) I would believe, I mean, if they believe

1 it's going to be done in two years, like Joe had
2 mentioned earlier, this could increase the
3 numbers. It could be, you know, a thousand more
4 people out there working if they want the
5 in-service date of this. I mean, it's hard to
6 tell, again, what we do -- I shouldn't say what
7 me and Joe -- what the local unions do is they
8 reply, respond to the call from the contractor
9 when they say we need 75 electricians, we need
10 500 linemen, and then down the order it goes,
11 apprentices, equipment operators, truck drivers,
12 laborers. So it all depends, I mean, that's a
13 what's the hall does. It refers the people upon
14 what the call for the classifications are.

15 Q Do you think a two-year construction schedule
16 would impact communities that would require work
17 being scheduled for days during the day and
18 night and possible weekend? Does this
19 three-year compressed schedule to two-year have
20 an impact at that level?

21 MR. RAFF: Objection. Speculative.

22 A (Eaton) I don't know. I couldn't answer that.

23 PRESIDING OFFICER HONIGBERG: Hang on.

24 MS. MENARD: Could I understand the nature

1 of his objection?

2 PRESIDING OFFICER HONIGBERG: I think he
3 said it's speculative.

4 MS. MENARD: Okay.

5 BY MS. MENARD:

6 Q You've worked on construction projects, correct?

7 A (Eaton) Yes.

8 Q I guess the essence of my question is in your
9 educated, thoughtful manner of writing your
10 testimony, you had projected three years. And
11 here we have recent information that they're
12 projecting two years so something has to give or
13 be compressed. Can you explain the discrepancy
14 in terms of how it may impact a community such
15 as Deerfield or any community along the line
16 with regards to a construction schedule?

17 A (Eaton) I think what I had said earlier, what
18 I'm thinking, again, was the date of three years
19 is saying the Project may be up and energized
20 and working and all that within the two years,
21 but there's still going to be a process that we
22 have to take care of which is, like I said,
23 cleanup, you know, the roads that they built,
24 those people will still be out there. There's a

1 lot of things that happen after the Project is
2 over to make sure that everything -- and I
3 apologize. I wish I could have brought, and I
4 will bring one of these times, is the video that
5 was made after the MPRP Project was completed.
6 It showed the entire process from start to
7 finish, but, again, we still have a half a dozen
8 people up there finishing up what we started,
9 basically, and that was to make sure that the
10 landscape, everything that was done there or
11 changed was back to the way it was or better.

12 Q Thank you. I have no further questions.

13 PRESIDING OFFICER HONIGBERG: I have no
14 other Intervenors Group signed up to ask
15 questions of this Panel. Is there anyone out
16 there that I've missed?

17 PRESIDING OFFICER HONIGBERG: All right.
18 From the Committee. Mr. Oldenburg.

19 **QUESTIONS BY MR. OLDENBURG:**

20 Q Just a quick question on the apprenticeship
21 program. How long does it take to train a
22 person, an apprentice, from the time they enter
23 to the time that you actually have them working
24 in the field?

1 A (Eaton) For the outside line portion, it's three
2 and a half years and 7,000 hours of training.

3 Q Is that the same for inside?

4 A (Casey) To become a licensed electrician in the
5 State of New Hampshire in Woodland Local 409 is
6 a four-year training period, 8,000 on-the-job
7 hours.

8 Q So if you were getting apprentices in now, and
9 this Project say started next year, they may not
10 actually work on that Project, but they would be
11 trained by the time it's done. Is that --

12 A (Eaton) Yes. We look at, again, from the
13 outside portion is all the new apprentices that
14 we would get if Northern Pass happens would
15 have -- so we break ours down into you have to
16 have so many hours working in transmission, so
17 many hours working in substation, so many hours
18 on underground and so many hours on distribution
19 so they would be so far ahead of the curve where
20 they'd have all their transmission underground
21 all done on that one Project, and then they need
22 their 2500 hours of distribution that would make
23 them a journeyman linemen.

24 A (Casey) In our case, the best case scenario is

1 to have an apprentice work in all the different
2 entities of the electrical trade, right?
3 Residential, commercial, industrial. We try to
4 rotate them within those industries. This being
5 a big industrial project, some of these new
6 entry apprentices will end up their entire,
7 their entire time on that project until it's
8 complete, and then they'll have to go get their
9 commercial and residential for other contractors
10 throughout the state.

11 Q Do you typically have to recruit or do you go
12 into like the high schools or colleges?

13 A (Eaton) Yes. And, again, we do recruit, I mean,
14 we have people doing it all the time. I mean,
15 like we belong, we're with the Helmets to
16 Hardhats group, lot of the Veterans groups, we
17 go to a lot of the trade schools, but the thing
18 is sometimes we go and right now what we have to
19 offer is what you've probably heard testimony on
20 is sometimes someone picks this career because
21 of the career. They don't really care so much
22 they may have to go to Vermont, Maine or
23 somewhere else to work. That's the nature of
24 the beast.

1 But if Northern Pass does happen, and we
2 plan on that's what we want. We want New
3 Hampshire people to be on this Project, and
4 we've had a lot of them, again, that are
5 following what's going on. So they come in and
6 we tell them, you can sign up for our program
7 and we'd love to have you, but it could be in
8 Massachusetts, it could be in New York, I mean.
9 So some have and some are waiting.

10 A (Casey) It's really interesting right now
11 because of the difficulty that a lot of
12 businesses are having attracting new help
13 throughout the state. Neither Local 104 or 490
14 are having any issues finding recruits for our
15 program.

16 Q All right. Thank you. That's all I have.
17 Thank you.

18 PRESIDING OFFICER HONIGBERG: Commissioner
19 Bailey?

20 **QUESTIONS BY COMMISSIONER BAILEY:**

21 Q Good afternoon. I think, Mr. Eaton, you said
22 you had 500 to 600 apprentices waiting to be
23 called.

24 A (Eaton) Yes.

1 Q And are they all in New Hampshire?

2 A (Eaton) No. That's 104's waiting list right
3 now, and when someone comes in for our
4 apprenticeship so they come in, they have to
5 take an aptitude test which is part of the
6 Department of Labor, and then they're placed on
7 a list. On their score that they got on the
8 test, they have to get a minimum of, it's a 3.
9 I think it goes 3 to 10. So three is the cutoff
10 point. And then they come for an interview and
11 upon their interview is when they're placed on
12 this list. So they have to remain on the list
13 because the Department of Labor says they do.

14 But a lot of times someone comes in,
15 they're looking for work right now. So if they
16 don't well in the interview, and they're placed,
17 you know, hundred down on the list, they're gone
18 to a different career, but we have to keep them
19 on the list and we have to call to offer them a
20 spot in what we call our boot camp. The initial
21 to get them in.

22 So some, as soon as we call they say thank
23 you, but I found a different career. But our
24 list, I mean, it could be even more than that.

1 I just know that every, like the inside, they
2 have two classes a year maybe? We interview
3 every 30 days. So every 30 days we have 25 to
4 50 people that are coming in to take our
5 aptitude test and to interview.

6 Q Are these 500 or 600 people who are on the list
7 from all over the country, from New England?

8 A (Eaton) No. From the states that we represent.
9 But I would say that the majority, and I'm
10 talking over half, are from New Hampshire. We
11 have really, when I first came, when 104, when I
12 first got in 104 there was a handful of us from
13 New Hampshire. Maybe 20, 22 or something like
14 that, and, again, the numbers that we have now
15 are astounding, and they keep growing, and I
16 believe it was because when we did purchase the
17 property, and we actually operated out of the
18 state is when people actually saw who we were.
19 I don't know if anybody's ever gone down up and
20 down Route 4 and you see the training center. I
21 mean, that right there itself alone has brought
22 people that just came and saw what we were doing
23 and interest sparked and they came over and
24 we've got quite a few people from New Hampshire

1 in the last ten years.

2 Q So I think earlier you testified that you
3 represent Massachusetts, Rhode Island, Vermont,
4 Maine and New Hampshire?

5 A (Eaton) Yes.

6 Q So are there facilities like the one in
7 Barrington in these other states or do all of
8 the, is it 490 --

9 A (Eaton) No, 104. So 104 has the property in
10 Barrington. We have a property in Lewiston,
11 Maine; and then we have Walpole, Massachusetts.
12 So but the big, the boot camp that we talk of,
13 wherever they come from in our states they come
14 to Barrington for that six weekends, but the
15 apprenticeship puts them in a local hotel if
16 they live so many miles away, and then they're
17 placed. But now the Local is growing so there
18 will be one in Massachusetts as well.

19 Q To?

20 A (Eaton) There will be another training center in
21 Massachusetts for the people in Rhode Island and
22 Mass. And then Maine, New Hampshire and Vermont
23 will still use what we call the Sugar Shack in
24 Barrington. That's the name of the --

1 Q Okay. So they go through the boot camp and then
2 they go off to the --

3 A (Eaton) They're placed into work after they make
4 it through the boot camp. So, again, make a
5 long story short, but we used to just have a
6 list. So Joe Casey was on the list. We'd call
7 him, and he'd come to work, and then upon being
8 on the job maybe an hour says this is isn't what
9 I signed up for. Well, all the time, effort and
10 money that's spent on that, so we had decided to
11 have a boot camp where now an applicant comes
12 in, and he or she is told to keep your regular
13 job because this is only on weekends, and when
14 they come, now, I mean after the first day of
15 climbing and stuff, some walk away but other
16 says they want to do it. And the once they
17 graduate, we have the contractors participate
18 during the training. So they're there actually
19 looking and they'll say I want, you know, A, B,
20 C and D, and then the other contractor takes, so
21 there's 100 percent job placement after they
22 complete that boot camp as of right now.

23 Q And who would the contractors be? Do some of
24 these individuals end up working for the

1 electric companies?

2 A (Eaton) No. I mean, these ones here are just
3 for the contractors that perform the work on the
4 different utilities. And I mean Eversource,
5 National Grid, Unitil, New Hampshire Co-op,
6 Central Maine Power. So we have hundreds of
7 contractors that work in our area.

8 Q So when an electric company needs to build a
9 distribution line, they contract with one of
10 these companies?

11 A (Eaton) If they don't do it with the in-house
12 work, yeah, they'll put it out for bids and our
13 contractors will bid on it. So you have, like
14 Local 1837 that I mentioned earlier, they
15 represent the Eversource employees for the most
16 part.

17 Q Do Unitil and the Co-op and Liberty have union
18 employees?

19 A (Eaton) Yes. They're also 1837. But if they're
20 doing a certain amount of projects or whatever
21 where they may not be able to take some of the
22 crews and puts them on that, they'll put it out
23 for competitive bid. So then our contractors
24 bid on the project, and if they're awarded it,

1 again, we've had people now at National Grid
2 probably I think it's 17 straight years we've
3 had a good amount of the members from all over
4 working there because they cover quite an area.

5 Q What other kind of projects could these
6 employees be working on if they're not working
7 for utilities?

8 A (Eaton) They could be working on like the -- we
9 built the high speed rail from Boston to New
10 York. We do all the work at the MBTA in
11 Massachusetts. All the catenary, you know, the
12 electrified, for the trains. They could be
13 working in, I mean, building, some of our
14 companies have specialized now in building the
15 golf course driving range nets, you know, with
16 the poles and the nets and stuff like that. I
17 mean, there's all kinds of different things that
18 they can do.

19 Q So as a broad generalization, are these people
20 that install poles? And wires?

21 A (Eaton) Poles, wires, transformers, different
22 kind of switches. I mean, there's quite a bit.
23 I mean, we have people that specialize in like
24 you've probably seen some of the stuff on TV or

1 whatever do the live-line maintenance where they
2 actually bond into the wire. They're called
3 bare handers. We have probably 50 of those who
4 live in New Hampshire. Traffic lights. Traffic
5 signals. Streetlights. So there's a lot that
6 we cover.

7 Q And they build the infrastructure, and then the
8 people in the other Union work with the
9 electrical end of it, is that right, Mr. Casey?
10 Like traffic lights.

11 A (Casey) Right. So anything that's pole related,
12 you know, transmission, and distribution, right,
13 so you have your high voltage which, like this
14 Project would be, transmitted throughout the
15 state, and then it's directed from substations
16 to a low voltage and put into the neighborhoods
17 and into the communities. They do the majority
18 of that work other than we do a lot of work with
19 them in the substation area that pertains to an
20 inside electrician working. We do a lot of
21 substation work for the utilities in the state
22 of New Hampshire. But once that hits the
23 building, right? And to do the general wiring,
24 that's what our guys do.

1 Q Okay. All right. So your guys also if I need
2 to replace the circuit breaker in my house, they
3 could do that?

4 A (Eaton) I don't want a linemen doing that.

5 Q No, no, no. I'm not talking about you. Talking
6 about Mr. Casey's guys. I apologize for not
7 getting the numbers of the unions right.

8 A (Casey) Yeah. We'd be the guys that would do
9 that.

10 Q So the inside union members do everything
11 electrical and substations?

12 A (Casey) We do substation work. We do, like I
13 said, buildings, commercial. We pick up
14 basically once on the other side of the
15 transformer from the high voltage.

16 Q Okay. Okay. So, Mr. Eaton, your employees do
17 the high voltage work?

18 A (Eaton) Yes.

19 Q Okay. All right. Thank you. So how many, this
20 question for both of you. How many of your
21 members that live in New Hampshire right now are
22 working in New Hampshire? Do you have any idea?

23 A (Eaton) I would say for 104, right now they, I
24 don't know because a lot of them went down to

1 the hurricane, and they're on their way back.
2 They actually left this morning. That are here
3 today, but before they left, I want to say there
4 was about 150 to 170 working on Eversource
5 projects.

6 Q Out of 500?

7 A (Eaton) Yes. And, again, but those, some of
8 them were jobs that were coming to an end, and
9 they could be actually over, I mean, because
10 some people were in what we call signing the
11 book when that storm call happened so it
12 happened be the contractor they were working for
13 asked can we have them back, you know, because
14 they were called to Florida so they did let them
15 go back. So I'm not, I couldn't give a definite
16 number until they do get back and we see, but
17 there was a lot of work going on right now. And
18 it also had people from Massachusetts working in
19 like the Nashua area as well.

20 Q Okay.

21 A (Casey) So, you know, luckily for our people,
22 and since I put my testimony in, the economy has
23 recovered quite nicely for construction. And I
24 would say that probably at least 80 percent of

1 New Hampshire's Local 490 members are working
2 for local contractors. In the state of New
3 Hampshire right now, as a matter of fact, we
4 have full employment. One of our big problems,
5 one of our big problems right now is the fact
6 that Boston is booming so much and they pay so
7 much more money than you can make in New
8 Hampshire, a lot of the guys like to head on
9 down there and basically make twice the money
10 that they can make in New Hampshire while they
11 can. Other than that, we have probably, you
12 know, couple dozen guys who are working out
13 throughout the country in other places just
14 because they want to, but anybody that wants the
15 opportunity to work in New Hampshire and work
16 for one of our contractors right now is my
17 understanding that they can.

18 Q What happens if that's the case two years from
19 now and the Project gets approved and Northern
20 Pass needs your employees?

21 A (Casey) The Northern Pass Project because of its
22 longevity, because of the fact that there's
23 going to be, there's a possibility that there's
24 going to be considerable overtime, due to the

1 fact that Tiler and I negotiated a very fair and
2 good contract with our contractors and the
3 customer, the Northern Pass Project will be the
4 most desired Project in New England.

5 Q Okay.

6 A (Casey) We don't have any, we don't have any
7 concerns whatsoever that we will be able to man
8 that Project, and the fact that a lot of the
9 work that, when you're in the construction and
10 you're in the union as a construction worker,
11 and you go between contractors and contractors,
12 you really do have a lot of, you know, you can
13 pick and choose where you want to go. I mean,
14 the union doesn't tell you you're going to go
15 here. We offer you a job. A lot of work is,
16 can be very, if you work in an old plant or a
17 mill or something like that, I mean, it's tough,
18 and this is desired new construction that we all
19 look forward to. And this Project here, you
20 know, I think I'm going to come out of
21 retirement and work on it. This is a good one,
22 and we won't have any problems manning this one.

23 Q If the Granite State Power Link gets built, will
24 there be any difference between desirability?

1 A (Casey) Same.

2 A (Eaton) Same. Yes.

3 Q What about the one in Vermont? The Green?

4 A (Eaton) The Green Line? The Vermont Green Line?

5 Q Yes.

6 A (Eaton) Same thing. We do have people in
7 Vermont. That one wouldn't take nearly as many
8 people. We've had discussions with them. We
9 don't know where they're at or, you know, but
10 they have several Projects that they actually
11 have in the queue in different parts of the
12 country as well. So we're in discussions with
13 them, too, telling them we're here to help if
14 they need our assistance.

15 But going back to the thing, again, I've
16 said this every time I've been in front of you
17 guys or at a hearing. I mean, I was born and
18 raised in New Hampshire. I love this state. My
19 parents have a place up in North Strafford so I
20 know the North Country. And throughout my
21 career, I mean, again, I never worked in the
22 state of New Hampshire except for the ice storm
23 way back in '99, 2000 or whatever, and had
24 worked, you know, for a couple weeks up in

1 Pittsburg, Colebrook, Berlin.

2 So when I became part of the local union's,
3 as an officer, I mean, that was one of the
4 things that I had on my mind is always
5 remembering how we just travel. I wanted to
6 make an inroad into New Hampshire because I knew
7 there's a lot of good people up here that were
8 doing different things that started out with me
9 that just didn't like the travel. So that's why
10 we believe Northern Pass is something that
11 everybody is waiting desperately hoping that it
12 will happen, and we believe it is a good
13 Project.

14 But manning that, especially to get going,
15 I think we're going to have to tell, they're
16 only taking 50 this week, so some people will
17 probably be upset about that, but we do believe,
18 especially, I mean I hear, you know, Deerfield,
19 again, a lot of our members are from Deerfield,
20 Raymond, Epping, in this area, and then we have
21 people from Lancaster, Littleton. So we're
22 growing in all the right areas, and we have the
23 people that definitely want to work there, and
24 again, two years, five years, whatever,

1 hopefully there's more work that will come out
2 of this, but we believe, too, the National Grid
3 Project, again, we hear the inside stuff of how
4 many of these different plants are on the verge
5 of shutting down. So that's where we kind of
6 look at as saying, and, again, we're not the
7 most popular people when we say we believe in
8 building power lines. We're going to need them.
9 I mean, I do this, again, I cover half of the
10 country, and I can say this about 22, 27
11 Projects, between 22 and 27 that are very
12 similar to Northern Pass, some much larger than
13 the same thing is going on right now. Some of
14 them are going to be built, you know, starting
15 this January.

16 So it's a thing of need, I think, and,
17 again, that's my perspective of it but it's
18 something that's, I don't say this because I
19 want to make a deal with the devil saying we
20 want this work no matter what. We've turned
21 down Projects before that we didn't think made
22 any sense. This makes sense to us, and we
23 believe this will be good for New Hampshire.

24 Q Mr. Casey, you said a minute ago that since you

1 wrote your testimony the economy has turned
2 around and the construction industry is in much
3 better shape now. Has your apprenticeship grown
4 since then?

5 A (Casey) Yes. So we were typically taking in, we
6 were taking about 15 apprentices a year, all
7 right? And so we have to account for retirees,
8 right? And one thing that hasn't been mentioned
9 that you probably, that's very important, all of
10 our training funds and everything is, these are
11 all joint ventures with our employer. You know,
12 this isn't just something that the union and the
13 IBEW comes up with. Our apprenticeship is in
14 conjunction with our employees. We actually
15 have a Training Committee that's based from
16 three of our employers based out of New
17 Hampshire and three union guys, and they sit
18 down and discuss how many apprentices the
19 industry is going to need, we get the
20 perspective from the employer, and we get the
21 perspective from labor, and they come up with a
22 number that they're going to need so we know
23 what industry is hearing. They represent all of
24 their employers and these three union guys

1 represent all of the union guys.

2 So they, this past, we start a class every
3 September, from September through May, actually
4 it's right here in Concord up on 48 Airport
5 Road. If you haven't been there --

6 Q I have been there.

7 A (Casey) Yeah, it's a great place and great
8 training facility. And we start in September,
9 and they go every Saturday for, I believe, 6
10 hours excluding holidays and, you know,
11 Christmas break or whatever, through May to
12 complete one year of schooling right there at
13 that facility, and then, of course, they get
14 their on-the-job training at work.

15 Q How many people are in the program now?

16 A (Casey) Oh, so I just asked this number. I
17 believe we have over 60 apprentices, right?
18 This year's first class they took 25. We
19 usually take 15. So we started 25 this year
20 which is ten more. But we don't, you know, at
21 the end of the apprenticeship the five-year
22 schooling period that we offer, out of that 25,
23 we can figure on losing at least five so we'll
24 have five, 20 graduates probably.

1 Q Okay. Did I ask you how many of your members
2 are working outside of New Hampshire right now?
3 Mr. Casey?

4 A (Casey) You didn't.

5 Q Do you know? Oh, yes. You did. You said 12.

6 A (Casey) Well, I know there's 12 in Boston, but
7 we have a few throughout the country as well.

8 Q Okay. All right. Do either of you know if
9 there's a PLA in Vermont that's similar to the
10 one that you have here?

11 A (Eaton) For the Green Line?

12 Q Yes.

13 A (Eaton) No. There's no PLA in place.

14 Q And you said that it would take fewer people to
15 build that. Why is that?

16 A (Eaton) Well, some of it is going to be the
17 stuff that's in the water that they propose. I
18 forget what the mileage is.

19 Q And your members don't do that?

20 A (Eaton) There will probably be some people on
21 there, but it doesn't take as many as if it was
22 underground or overhead. I mean, there will be
23 work, there's a converter station I want to say
24 in maybe Plattsburgh, New York, and also

1 something in New Haven, Vermont, but we have
2 been in discussions with Barrett Transmission
3 and their people so it's just that we don't know
4 where they're at. I mean --

5 Q What do your members do for the underground
6 route?

7 A (Eaton) For the underground, and, again, I've
8 talked about this before, hearing this stuff,
9 again, we're fortunate at 104 because we have
10 two of the major underground transmission
11 companies in the United States. So we have
12 multiple contractors that do underground like
13 that would be coming to your house, but the
14 transmission, again, of voltages of 69,000 or
15 higher, we're fortunate because one of them is
16 UTEC out of Boston and the other is W.A.
17 Chester. But they do a lot of the old type
18 oil-filled cable. So Boston, major cities and
19 stuff, they still have a lot of that. Where we
20 do the pipe work, you know, we --

21 Q Tell me what you would do on Northern Pass.

22 A (Eaton) On Northern Pass, we believe that we
23 would do, we have an understanding with our
24 contractor, again, we would pull the cable,

1 install the cable and everything up to that.
2 But when it comes to the splicing of the
3 different cables, and this is anywhere now, is
4 there's warranty issues. So, again, it could be
5 one of our contractors that is trained by the
6 manufacturer that would go the work for them.
7 We don't know that as of yet.

8 Q When you're building a transmission line for an
9 electric company, do you usually do the splice
10 work?

11 A (Eaton) Well, we will do splicing that, like I
12 said, pre-existing stuff that's there now. But
13 at some of the newer things like there was a job
14 in Boston maybe ten years ago that it was done
15 by a Korean company of all the splicing and
16 stuff like that because it was under a warranty.
17 And, again, with the warranty, you know, they
18 own it, if something happens, but they had
19 trained people after a certain amount of time
20 where it made sense to them to train them
21 because they were coming back and forth from
22 wherever they're from. So we believe that
23 Northern Pass could be the same thing, but we're
24 not positive because we actually don't know what

1 their plan is on the splicing or maintenance of
2 that underground line.

3 Q Would your members install the conduit in the
4 trenches and the splice boxes themselves?

5 A (Eaton) Yes.

6 Q Do union representatives sometimes do the work
7 that is excluded from the PLA that Mr. Baker
8 pointed out?

9 A (Eaton) Yes. I mean --

10 Q Logging and tree clearing?

11 A (Eaton) Yes.

12 Q So why aren't your guys doing that?

13 A (Eaton) Again, I can't speak for the inside
14 because they're part of the building trades,
15 too, but this where 104 and all the line locals,
16 I'll refer to them as, so we have everything
17 from the line worker all the way down to the
18 laborer. We have our own operators, we have our
19 own drivers, we have our own equipment
20 operators. So we're unique that we do from A to
21 Z. So when this came about, you know, again, we
22 didn't think it was right to say, and, again,
23 the size of the Project was to say you need to
24 come down to Barrington and join the union if

1 you're going to drive a truck to do logging in
2 Pittsburg, let's say.

3 Q Okay.

4 A (Eaton) So that was the reason. And again,
5 we've been to a lot of the hearings and we've
6 talked to a lot of groups. And we had one
7 company that's very interested in doing work
8 there, and we said you didn't have to join the
9 union, and he said, well, I think my people
10 might want to. I mean, it's up to them. We
11 don't force anybody to join the union. But then
12 again, if you, some of these companies, if they
13 get in on a Project like this, and these, I'll
14 say PAR, but it's actually Quanta Services,
15 there's been opportunities for those people to
16 work across the country with them on different
17 projects just like this. So like people that do
18 matting, people that go out there and just run
19 like the silk fence and haying and stuff like
20 that, there's become very good businesses for
21 people, and some of the people from New
22 Hampshire that are working upstate New York,
23 they're working in Vermont. I mean, so it kind
24 of, I wouldn't want to call it carnival, but

1 when the thing moves out of town, they have the
2 ability to go and do that as well.

3 Q So based on the meetings that you've been to and
4 the information that you know, how do we know
5 that the loggers and the road builders and the
6 tree clearers are going to be hired from New
7 Hampshire first when the PLA only covers the
8 union members in New Hampshire?

9 A (Eaton) I can, again, 99.9 percent sure that all
10 the work in those areas that we said we would
11 release will be done by New Hampshire. If
12 they're not, we would definitely have an issue
13 with that. But we believe they will. I mean,
14 that's the reason why we said we'll back off
15 from those and let you do, you know, what's
16 right for the people in the communities.

17 A (Casey) That was one of the -- so in other parts
18 of the country, right? If you go in with a
19 Union Project Labor Agreement, you're going to,
20 that's what you're going to get. And you're
21 going to have to deal with, you know, all of
22 these things regardless if the unions have these
23 people or not, right?

24 So New Hampshire being unique, and we're in

1 a damned if you do, damned if you don't, right?
2 So we want to make sure, Tiler and I both are
3 New Hampshire residents, we want to make sure
4 that, you know, we don't work for Hydro-Quebec
5 or Eversource or whatever, we're making, we want
6 to make sure that the employees that work on
7 this Project are treated fairly and treated and
8 paid fairly for this Project, and that's what
9 our objective is.

10 When we sit down and we started going to
11 these hearings in the North Country and we start
12 hearing from these contractors that are in the
13 business, and there's a lot of them, for road
14 building and logging and what have you, and they
15 have no affiliations with unions. They have no
16 affiliations with any of us. And, you know,
17 that's where the owners', you know, priority is
18 to make sure that these people get that work.
19 And we're not going to go in and say, hey, we've
20 got to get a Project Labor Agreement for these
21 guys. They've got to come in. That would just
22 cause all kinds of problems. Certainly the
23 intent is here to make sure as many people can
24 get the work from New Hampshire as not. We're

1 still going to have leverage on this Project
2 regardless, because we're going to have the
3 majority of the people. And if we don't feel
4 like they're playing by what the agreements that
5 they've talked to us about, we're going to have
6 issues to talk to them about. They certainly
7 don't want that from us.

8 Q All right.

9 MR. WAY: Could I interject?

10 COMMISSIONER BAILEY: Sure. Go ahead.

11 BY MR. WAY:

12 Q Mr. Eaton, when you say you're 99.5 percent, I
13 believe?

14 A (Eaton) 99.9.

15 Q Sure that they will honor the exclusion and give
16 that to New Hampshire companies, it's not the
17 Project Labor Agreement, would that be faith and
18 hand shakes and just agreements across the table
19 or is there anything --

20 A (Eaton) Not so much -- there's some trust but
21 also we, we never, we're the ones that brought
22 this to the table. We had said, again, and
23 again, I've seen building trade jobs that Joe
24 has been part of that that's part of the PLA.

1 Like the Berlin Biomass, all that. Anybody that
2 was in there was in the union. Well, I don't
3 need for a truck driver that drives for a
4 logging company to have to be, because the truck
5 driver that I know and the truck driver that
6 drives the logging truck are completely
7 different. Our truck drivers have electrical
8 hazardous awareness and stuff like this so they
9 know where they're driving, what could happen
10 and all that where this stuff here doesn't call
11 for that in a lot of it. So it wasn't, I guess,
12 it wasn't right for them to say you know what?
13 You want to be on Northern Pass, you've got to
14 do this. It's not right. They live there.
15 They do this every day. They might not be
16 logging for Eversource or whatever, but they log
17 for whatever companies they do. That's what
18 they do far for a living. So do it as they do.

19 Q And fair enough. And it sounds like what you
20 said to them, well, it doesn't have to come to
21 Electrical Workers, but we would prefer that it
22 go to New Hampshire companies.

23 A (Eaton) Yes. Absolutely.

24 Q At that point. If you see that it isn't going

1 to New Hampshire companies, are we then using,
2 Mr. Casey, the leverage that you're talking
3 about or is there, what recourse do you have?

4 A (Casey) Certainly we're going to have issues
5 with it. Right? And we'll have the leverage to
6 be able to take them back to the table. You
7 know, I fully believe that that's, first of all,
8 you know, 99.9.999 percent of every RFQ that
9 ever comes out of the state of New Hampshire I
10 guarantee doesn't have a PLA on it and it
11 doesn't guarantee New Hampshire employers or
12 contractors or anything else ever. I know that
13 because I try to do it, and it doesn't work.

14 So these contractors that are from New
15 Hampshire and the North Country, they're good.
16 These nonunion contractors, they're good
17 contractors, and they are highly competitive and
18 certainly in the driver's seat as far as winning
19 this work and being able to do it than any
20 out-of-state contractors that could come in and
21 do it within their scope of work. That's for
22 certain.

23 The owner would be crazy not to use them,
24 number one. Number two, financially it's going

1 to make more sense for them. They don't have to
2 mobilize a team, bring them up from some other
3 place, put them up somewhere, when they have
4 local workers and a local workforce and local
5 contractors that could bring these entities.

6 A (Eaton) I would add to it, too, that there has
7 been some open houses for people that may be
8 interested in this type of work, you know, and
9 we've been to them and answered questions both
10 on people that would say yes, you would be
11 required to hire the guys out of the union or
12 no, that's, nonbargaining work. You're more
13 than welcome to go ahead and bid on it if you
14 get a chance to, and if we could help in any way
15 we will.

16 Q Thank you.

17 QUESTIONING CONTINUED COMMISSIONER BAILEY:

18 Q Mr. Tiler, in response to I think it was one of
19 the Counsel for the Public's questions, and I
20 can't remember exactly the question, but I wrote
21 a note down because I wanted to follow up
22 because I didn't understand what you were
23 talking about. You said something about
24 purchase of the largest nonunion company.

1 A (Eaton) Yes.

2 Q What were you talking about there?

3 A (Eaton) So when we were doing the numbers,
4 again, when we first had the, from Priority 1 to
5 Priority 2. So Priority 2 is we wanted to allow
6 the New Hampshire nonunion line worker to be on
7 the Project. Well, since that all evolved, and
8 it had nothing to do with Northern Pass, the
9 Quanta Services had purchased JCR Line
10 Construction which is the biggest nonunion
11 company in New Hampshire. So now they're part
12 of Quanta Services so we throw them directly
13 into Group 1 because they're, what we have on
14 our, what we call Book 1 status, clearly
15 describes what a Book 1 person would be, and
16 that's living in the jurisdiction of where
17 you're working for the last three years,
18 qualified, you know, blah, blah, blah. So they
19 meet the qualifications and so we've taken them
20 out of the thing and saying they would be the
21 first group. I mean, as we're putting people
22 out the door, we know that Quanta because they,
23 that company is theirs now, too, will say we're
24 going to use JCR and let's just say in Deerfield

1 and we have no issue with that.

2 Q So the PLA would allow Quanta to use the company
3 that it purchased, the workers who --

4 A (Eaton) Yes.

5 Q Of the company that it purchased before it used
6 the Massachusetts Union employees?

7 A (Eaton) Yes.

8 Q Could it do it before they used a New Hampshire
9 Union employees?

10 A (Eaton) They could, yes, because they are New
11 Hampshire employees themselves, and they're part
12 of the group that we have so they could be the
13 first one on the Project if the company so
14 chooses. But we have a big presence also with
15 one of the parent companies, PAR Electric, in
16 New Hampshire. They might be the largest
17 electrical contractor in the country, and they
18 have a very good workforce here in New Hampshire
19 that they built up over the last ten years or
20 so.

21 Q That are not union?

22 A (Eaton) They're union, yes.

23 Q They are union.

24 A (Eaton) And JCR, their members to work on the

1 Project, the company knows that they'll have to
2 be union to work on the line work portion of the
3 job, and they have no issue with that. So I
4 would say if Northern Pass happens, before
5 Northern Pass actually puts a shovel in the
6 Ground, Quanta Services, JCR, there will be a
7 meeting at the union where they'll sign a
8 document stating that they're working union on
9 Northern Pass. So they will be, that's why we
10 put them right up top to Priority 1.

11 Q So effectively, the New Hampshire nonunion
12 members who used to be the second in line, will
13 now be union, New Hampshire union members?

14 A (Eaton) Yes, and, again, if there's any other
15 linemen in New Hampshire that want to work on
16 the Project or any other Project we have, they
17 have the ability to come to the union hall, and,
18 again, they meet the criteria of our Book 1
19 status which is, again, living three years in
20 the area, working in the trade one year out of
21 the last three years, if they can provide proof
22 they go right to work now.

23 Q As an apprentice?

24 A (Eaton) As a lineman. I mean, if they're a

1 journeyman with documentation that they've had
2 the training.

3 Q Okay. Yes. Sorry I called you Mr. Tiler.

4 A (Eaton) That's okay. I've been called worse.

5 A (Casey) Yeah, and I think that, very important,
6 so when we refer people out as electricians,
7 right, to this Priority 1, you know, Local Union
8 Priority 1, it's also important to realize that
9 if, once we need electricians and we're looking
10 to put people out, right? The local union
11 advertises as they are right now for licensed
12 electricians. The electricians don't have to
13 come to our apprenticeship program. They're
14 licensed electricians that are graduated
15 elsewhere and they might be nonunion and might
16 be employed by a nonunion contractor and might
17 not be, might be working on their own, whatever.
18 When we start advertising for these guys, they
19 come to the halls and they go through the
20 process, sometimes they join the union,
21 sometimes they don't. But the union can refer
22 them out to a contractor, and that would be
23 Priority 1 status, and that's the steps that
24 this Local, that Local 490 would take to put

1 people on the job.

2 Like right now we have a solar project in
3 Moultonborough. Needs like 40 or 50
4 electricians on the job. And we're short half a
5 dozen or so because I know, I just talked to
6 them, and they're looking for electricians.
7 They have ads in the paper. They have ads, if
8 you drive up to the union hall right now you'll
9 see signs out front saying looking for qualified
10 licensed electricians. These guys will come in
11 and be referred out through Priority 1 status,
12 right? And then once we've totally exhausted,
13 trying to get everybody we possibly can, then we
14 go to Priority 2 which is the Massachusetts
15 agreement, and then we go back to Priority 3
16 which would be actually tapping into nonunion
17 contractors and getting their guys to go out on
18 the job through subs for them.

19 Q Speaking of solar, I think this is the last area
20 I wanted to cover with you, do members from both
21 unions work on PV installation?

22 A (Eaton) I mean, the outside will do the, say,
23 the lines that are built off like there's a
24 single-phase distribution line maybe off a solar

1 project that one of Joe's contractors will do to
2 wherever it may go to, but as far as doing the
3 solar panels themselves and stuff like that, the
4 outside doesn't do that.

5 A (Casey) Right, and so same with wind, right? So
6 solar, the actual wiring of the array, setting
7 of the panels, all the interconnects and all
8 that, that's done by the electrician, my guys.
9 And then from once it's totally energized,
10 right, there'll be a substation or some kind of
11 transition period, and it will go back to a
12 distribution line and Tiler's guys will pick it
13 up from there.

14 Same with wind, right? So the wind tower,
15 all the innards of the wind tower, the
16 electrician does, but once it becomes
17 transmittable, his guys take it over.

18 Q So are these kind of projects likely to sustain
19 your members in New Hampshire as that industry
20 grows?

21 A (Casey) Wind projects in New Hampshire?

22 Q No. Solar.

23 A (Casey) Well --

24 Q I mean, there's a wind project coming in. Site

1 Evaluation Committee approved that one.

2 A (Casey) Yes/no.

3 Q Yes/no?

4 A (Casey) So we're certainly hoping, we're
5 certainly hoping for, you know, the type of
6 solar installations, the incentives that they
7 have like down in Massachusetts, right? But
8 right now it's not sustainable for our people.
9 I mean, I have, I have a number of contractors
10 that specifically work on solar projects and
11 they're doing really well at this time. But we
12 would have to, you know, increase quite a bit to
13 put our people to work. All of our people to
14 work. And wind, you know, it's difficult to get
15 wind in New Hampshire. And so a job like was
16 approved, the Antrim project that was approved,
17 that will probably put like 18, 20 guys to work
18 for a couple, three months.

19 Q Okay.

20 A (Casey) That's not a very big hit.

21 Q Okay. All right. Thank you very much.

22 PRESIDING OFFICER HONIGBERG: Ms.

23 Weathersby?

24 **QUESTIONS BY MS. WEATHERSBY:**

1 Q Good afternoon. Patricia Weathersby. I'm a
2 public member. First I want to thank you and
3 your members for keeping our lights on,
4 particularly after power outages. It's always
5 good to see the trucks coming down the street.

6 A (Eaton) Thank you.

7 Q I think a lot of my questions were asked and
8 answered, but there's a couple followups.

9 Can you tell me what percentage of your
10 members, each of you, Mr. Eaton and Mr. Casey,
11 are presently employed?

12 A (Eaton) Right today, I mean, I believe that,
13 again, because of the hurricane in Florida,
14 probably 100 percent. But as they get, the
15 trucks get back here, we'll tell. Because I
16 mean some just specifically the contractors went
17 for the storm so they'll be laying them off when
18 they get back. But that have been working
19 steadily, I want to say 80 percent have been
20 working, you know, quite steadily with some
21 that, of that 20 percent that just aren't ready,
22 as Joe talked, some people like this type of
23 work, some time like that type of work so
24 they're kind of just hanging out and maybe

1 collecting unemployment, I don't know. But it's
2 been good for the outside linemen here recently.

3 So I mean, but again, if I'm employed in
4 Rhode Island, I'm employed, but I'm going to be
5 happily employed if I'm working in New
6 Hampshire. So again, they may be working, but
7 it's only because they need to work to provide,
8 but if something opens up here, they come home
9 for it.

10 Q Sort of understood. How about your members,
11 Mr. Casey?

12 A (Casey) I believe that a hundred percent, we
13 have a hundred percent employment right now. I
14 say that, but I know my brother's not working
15 for some reason. And so that's minus him. But
16 like I said, work is pretty good.

17 Q And the, we're all, I think, very aware of the
18 natural disasters that have occurred lately and
19 the impact to the power infrastructure, those
20 seem like really, particularly in the Caribbean,
21 US territories there, very long-term projects.
22 Would some of the folks from New Hampshire,
23 should they choose, be working on those sorts of
24 projects as well?

1 A (Eaton) Well, they could, I mean, but the thing
2 where we have actually before I got here this
3 morning one of our contractors was in St. Thomas
4 this morning talking about, you know,
5 restoration. But the thing that makes our
6 member, either he or she, not want to go there
7 is when they realize that the five-star resorts
8 and all that, they're down, too. So it's more
9 like a camp project, as they call it so that
10 defers. But there is some people that, you
11 know, they just want to help, they may like that
12 type of weather or whatever, so there may be.
13 There's opportunities, that's for sure, but
14 they'll have that out, you know, nationwide who
15 wants to do it.

16 A (Casey) So Tiler and I are entitled to
17 projections and whatnot through the nature of
18 our business. You know, transmission hub
19 reports and not Dodge reports but a little more
20 intense. And I would have to say that the
21 outlook for the electrical worker and the
22 infrastructure in this country is over the next
23 10 or 15 years has got to be one of the most
24 desired professions out there, and the demand is

1 going to be incredible because of the lack of
2 upkeep on our infrastructure all throughout the
3 country.

4 Q Which is kind of the point I was or the concern
5 I was getting to is whether there's going to be
6 enough electrical workers to build all these
7 projects. We've got infrastructure repairs, we
8 have new transmission line projects, you know, I
9 think there was, I think you said 22 or 27 are
10 projected to go. I would hate to have this
11 Project approved, and then find out, oh, we
12 don't have enough folks to build it, and it's
13 going to take six years instead of three. So
14 can you give me some assurances that there'll be
15 enough workers?

16 A (Eaton) Yes. Again, this Project has, you know,
17 we've been talking about it for a long time or
18 whatever. And, again, you know, I may talk with
19 somebody that lives in New Hampshire and they're
20 upset at me because it hasn't started yet. You
21 know, it is, it's still in the process. We hope
22 for it to happen and we really do. But we
23 believe, again, these people that are working in
24 these different areas, and a lot of people have

1 taken employment opportunities with PAR Electric
2 or M.J. and they may be working anywhere in the
3 northeast, but their endgame is that they're
4 working for those companies and when this
5 happens, they're going to bring them home. So
6 that's what we believe.

7 And the apprenticeship opportunities, we
8 have seen an influx just in people calling or
9 responding to some of our websites in that from
10 the storm. When they say, talking about which,
11 I'd be very happy is talking about making a
12 lineman as a first responder because you see,
13 you know, the coverage of the news of what's
14 happened in an unfortunate time but just catches
15 people's eye, that may be something that I want
16 to do.

17 So we on the outside portion, there's, the
18 electricians outnumber us ten to one probably
19 because some people just, again, fear of
20 heights, climbing, but there's that group that
21 we target, too, that not, don't say daredevil
22 but maybe the ones that ride four-wheelers and
23 snowmobiles and like to ski or, you know, those
24 are the people that we kind of trend to go

1 after, and we have, like I said, thousands of
2 people constantly ask us at least information,
3 and we tell them this is what you have to get
4 into our program that's called NEAT, Northeast
5 Apprenticeship and Training. So we tell them
6 where to go and we give them the website. They
7 go on there and fill it out, but, again, it's
8 that, someone's looking for something right now
9 and when it doesn't happen immediately for them,
10 some of them, but, again, we at least try to
11 call back and say we have openings now if you
12 want to give it a shot.

13 A (Casey) You know, it's also, you know, we dance
14 around a lot of things, right? But you know our
15 guys are just like everybody else. Where the
16 rubber meets the road is how much money they're
17 going to make on a Project, and this is, this is
18 a highly competitive Project up here in the
19 northeast that will compete with any Project in
20 the country. And, you know, we have to have it
21 that way. Any new trainees, any people we're
22 bringing in, we're a little bit different.
23 People have a harder time making the decision
24 not to come with us because of the fact that our

1 wages and benefit package, you can actually be
2 working somewhere in a career and decide that,
3 you know, you'd like to give our industry a try
4 and you'd be able to do it. You know, our
5 starting wages are \$26 an hour in a paycheck,
6 and, you know, full medical, full retirement
7 benefits. So somebody can make those decisions
8 if they want to come up and come into our
9 industry versus an 8, 9, \$10 an hour entry level
10 job, and this is why we can man projects. It
11 makes it very difficult for people to not want
12 to give us a try, and then they come in and they
13 find out this is where they want to be.

14 Q You mentioned earlier that the wages in the
15 Boston market were roughly double what folks can
16 make locally. Will Northern Pass be a Project,
17 will they be making comparable wages to the
18 Boston market?

19 A (Casey) Yes.

20 Q Okay. I have nothing further. Thank you very
21 much.

22 PRESIDING OFFICER HONIGBERG: Mr. Way?

23 **QUESTIONS BY MR. WAY:**

24 Q Good afternoon, gentlemen.

1 A (Eaton) Good afternoon.

2 Q Like Ms. Weathersby, a lot of my questions have
3 been answered, but I do have a few sort of
4 around-the-edges questions.

5 In terms of the PLA, I was looking at
6 Article 3, Section 9. I saw that there's
7 purchasing, there's contract preferences in
8 there for Small Disadvantaged Businesses,
9 HUBZones.

10 A (Eaton) Yes.

11 Q And for the stenographer, those are Historically
12 Underutilized Business Owned, HUBZones. Will
13 you folks be selecting those? Are those your
14 subcontractors?

15 A (Eaton) Yes. I believe that the contractors
16 that are awarded the work on the Project will
17 then reach out and find contractors. Minority
18 owned, veteran owned, whatever it may be.

19 Q So if I have a veteran-owned business in terms
20 of the priorities set by the PLA, they rise to
21 the top of that priority list?

22 A (Eaton) Yes.

23 Q Thank you. I know this is far down the road,
24 but in terms of decommissioning, are you

1 anticipating to be involved with
2 decommissioning? I didn't see that in the PLA.
3 Is that something that you would expect?

4 A (Casey) Decommissioning?

5 Q In other words, when at the end of the life you
6 have to take things down, if you're a lineman
7 that have put it up, would you be the one to
8 take it down?

9 A (Eaton) Yes. It could be. I mean it's, we've
10 taken other lines that have been in service for
11 a long time, and where they had built a new one
12 to replace it, might not have been the same
13 area, we also did take the old lines down.

14 Q That hasn't been a conversation to date though?

15 A (Eaton) No.

16 Q With your groups?

17 A (Eaton) No.

18 Q Mr. Casey, not with your group at all?

19 A (Casey) No.

20 Q Just interested a little bit in the interaction
21 with the construction, the regular construction
22 crews. Throughout this process we've talked
23 about different components of that, and one of
24 those components was like a Compliance Officer,

1 and that Compliance Officer wore many hats. And
2 I'm wondering how your operations dovetail with
3 that Compliance Officer. So, for example, if
4 you have a union camp and a nonunion camp, does
5 that Compliance Officer bridge the gap? Do your
6 employees answer to that Compliance Officer?

7 A (Eaton) Yes. Like right now, even today, if
8 we're out there working for Eversource on, say
9 we're working in Portsmouth, and there's a union
10 contractor and a nonunion contractor, they're
11 both working out of Portsmouth, they get the
12 orders from the same person, and as far as like
13 the safety proponent, I mean, the same safety
14 applies to both sides. So it's just like
15 basically, I mean, what we are is we're another,
16 I don't want to call it, because I've heard us
17 called temporary workers so much throughout this
18 whole thing, but temporary workforce for
19 Eversource where they need or National Grid
20 where they need stuff to get done, and they
21 don't have enough people in-house so we work
22 more on Eversource property, we could have
23 union, nonunion, in the same facility, staging
24 there and everything, and in some cases working

1 together. So it's not --

2 Q So there's only one managerial hierarchy onsite
3 at any one time?

4 A (Eaton) Yes.

5 Q If anyone has complaints they go to the
6 Compliance Officer and everybody listens?

7 A (Eaton) That's it. Yes.

8 A (Casey) We have multiple projects with multiple
9 contractors on it. Some may be union, some may
10 be nonunion, but they all answer to the
11 Management Compliance Officer.

12 Q Mr. Eaton, I think I heard you say right-of-way
13 restoration?

14 A (Eaton) Yes.

15 Q Is that within your wheelhouse?

16 A (Eaton) Yes. I mean, and again when I'm
17 speaking of right-of-way restoration it's so if
18 you're like out on a right-of-way following the
19 power lines or whatever, I mean, in all the
20 cases where we're building, maintaining, doing
21 work on these properties, the customer could be
22 a landowner, we expect that the place looks
23 exactly as it was or better than when we went
24 out there. So if we had to drive vehicles up

1 through the right-of-way, we have crews, that's
2 what they're doing. Some of them are out there
3 now. They've got the fancy, they're haying but
4 they're throwing it through like a wood chipper
5 that's spraying it all over the place, and
6 they'll let that sit for a while, and other
7 people will come out, you know. I know a few
8 friends of mine that actually have been doing
9 that with a contractor that have been busy for
10 the last 20 years. That's all that they do is
11 go to these different Projects, and, again,
12 restore everything as it was, if it's not
13 better.

14 Q All right. Thank you. And one last question I
15 had, and I don't have the testimony in front of
16 me from the construction project, but, for
17 example, when they come up with the job
18 estimates, when the economist comes up with the
19 job estimates, have they worked that out with
20 you? Is there a good line of communication?

21 A (Eaton) Well, I'd say the communication that we
22 specifically get and makes sense to us is from
23 the electrical, on my case anyways, is PAR
24 Electric, M.J. Electric and some of the other

1 drilling companies and stuff like that. So
2 they're the ones that are going to have the
3 numbers saying how many linemen we'll need, how
4 many apprentices. I said it earlier.

5 But the other ones, and again, there are
6 some jobs that we said, again, they're not on
7 the actual project that we're doing, like
8 there's been some building trade projects where
9 now the guy or the company from Jersey that's
10 delivering just about anything to the site has
11 to be union. We don't, that has nothing to do
12 with us. That's the customer's choice because,
13 again, I mean, I look at it, we're talking now
14 they'll be Porta-Johns along the right-of-way,
15 there'll be Porta-Johns in Franklin and
16 Deerfield and all these different things. Got
17 to supply water and ice to the people. And all
18 that stuff is local community people, we
19 believe, and that's what it is on most of the
20 jobs we do.

21 And then, again, though, there's some
22 equipment that's not made in New Hampshire or
23 even stored in New Hampshire so it will have to
24 come from different places. You know, like

1 maybe some of the poles, maybe some of the
2 insulators. I don't know where they come from,
3 so all that kind of stuff could be, there's
4 where those numbers start. Because I believe
5 when they do the numbers they're looking at
6 everything that's going to happen from A to Z.
7 They're going to need deliveries of this,
8 deliveries of that, you know. So there's a lot
9 of numbers that are in there that will be New
10 Hampshire workers, but they won't be part of 104
11 or 490.

12 A (Casey) Certainly labor, you know, labor is a
13 major part of the overall cost of the Project,
14 but I mean, to answer your question, no, they
15 don't come to us for projection of the total
16 cost of the Project. I just assume, you know,
17 they figure out the man hours and multiply it by
18 a labor hour.

19 Q And so when you, and I don't know if you've had
20 a chance to maybe to look at some of their
21 estimates because the direct jobs that they're
22 going to create, which I think is mostly from
23 construction, and then there's indirect jobs
24 which is another bucket that we're not talking

1 about, but in terms of the direct jobs, from
2 what you've been seeing or what you've been
3 reviewing of the Project, does that seem to be
4 in line with what you would project for a
5 project of this size?

6 A (Eaton) Not so much project, but what I've seen
7 on other projects like the one that we just
8 recently did in Maine, I mean, that was, you
9 know, the numbers were almost spot-on. And
10 again, if anything, they went up. They never
11 really went down.

12 A (Casey) And you can, you know, so when you
13 compact the schedule, right? When the schedule
14 is compacted, now you're going from three years
15 to two years like we discussed earlier, all
16 right? So you have a line project, and you're
17 going to have 15 crews or that's what your
18 projection was over the three-year period,
19 right? So now you've just taken a year out of
20 the project so now you're going to have 20 crews
21 on that same line. Right? Versus ten crews
22 that were going to do, you know, 100 miles
23 apiece or 10 miles apiece, now you have 15 that
24 are going to do 8 apiece. Right? So that's

1 all, you know, that's all extra employees and
2 whatnot.

3 Q Right. Thank you.

4 PRESIDING OFFICER HONIGBERG: I do not have
5 any questions for this Panel. Does the
6 Committee have any followup they want to do?

7 Mr. Raff, do you have any redirect for the
8 Panel?

9 MR. RAFF: Just a couple.

10 **REDIRECT EXAMINATION**

11 **BY MR. RAFF:**

12 Q For clarification on Commissioner Bailey's
13 question, when you guys were talking about New
14 Hampshire nonunion electricians coming in,
15 wanting to work on the Project, so can you just
16 explain that process real quickly again because
17 I think it got kind of lost with all the other
18 questions there. So if you're nonunion but
19 you're New Hampshire-based, how you come to work
20 on the job?

21 A (Casey) Right. I think I just touched a little
22 bit on that. So if you're a nonunion
23 electrician, and you want to work as an
24 electrician on the Northern Pass Project, you

1 can either go to the contractor, the employer,
2 one of the subcontractors, and he'll get with
3 the union or you can go directly to the union,
4 and they will refer you out to the Project as a
5 Group 1 referred by a local 490 Priority.

6 Q And just, again, for clarification when we were
7 talking about the PLA negotiation, who was it
8 that you negotiated with that you had said?

9 A (Eaton) The negotiating on the part of the,
10 again, outside, for us would be PAR Electric
11 which is either Lance Clute or we have had
12 meetings also with the CEO of Quanta Services,
13 Duke Austin.

14 Q Thank you.

15 PRESIDING OFFICER HONIGBERG: All right. I
16 think we are done with this Panel. I think we
17 have one more witness who is here that's
18 Mr. Bouthillier, but probably makes sense to
19 take a short break and get set up for that. Off
20 the record for a minute.

21 (Discussion off the record)

22 (Recess taken 3:09 - 3:24 p.m.)

23 **ALLEN BOUTHILLIER, DULY SWORN**

24 PRESIDING OFFICER HONIGBERG: Mr. Dennis,

1 Q So do you affirm and adopt that testimony for
2 our purposes here today?

3 A Yes, I do.

4 Q Thank you. Nothing further at this time.

5 PRESIDING OFFICER HONIGBERG: Dennis,
6 before you release him, why don't you have him
7 introduce himself to us?

8 MR. DENNIS: Sure.

9 BY MR. DENNIS:

10 Q Do you want to introduce a little bit more, give
11 us your name, where you work?

12 PRESIDING OFFICER HONIGBERG: Name and
13 employer will do.

14 A I'm Allen Bouthillier from A.B. Excavating in
15 Lancaster, New Hampshire.

16 PRESIDING OFFICER HONIGBERG: Mr. Pappas,
17 you ready to go?

18 MR. PAPPAS: I am.

19 PRESIDING OFFICER HONIGBERG: You may
20 proceed.

21 MR. PAPPAS: Thank you, Mr. Chairman.

22 **CROSS-EXAMINATION**

23 **BY MR. PAPPAS:**

24 Q I'm going to apologize up front if I

1 mispronounce your name. Could you pronounce it
2 for me?

3 A Bouthillier.

4 Q Thank you. Mr. Bouthillier, I understand you're
5 testifying on behalf of the Coos County Business
6 and Employers Group; is that right?

7 A Yes.

8 Q So let me ask you some questions about that
9 group. And if you could, do you have something
10 on the screen in front of you?

11 A Yes. I do.

12 Q So what's on the screen now is Counsel for the
13 Public Exhibit 38 which is the first page of the
14 Articles of Agreement of the Coos County
15 Business and Employers Group; do you see that?

16 A Yes, I do.

17 Q And the group was formed on February 5, 2016, or
18 at least that was the date it was filed with the
19 Secretary of State if you look at the top
20 right-hand corner, correct?

21 A Yes.

22 Q And was that the date the group was formed?

23 A I'm unsure. I know it's the date it says on
24 this filing here.

1 Q And the initial address for the group is your
2 business address; is that correct?

3 A Yes.

4 Q And you're on the Board of Directors; is that
5 correct?

6 A Yes.

7 Q Do you remain on the Board of Directors as of
8 today?

9 A Yes, I do.

10 Q Okay. And was this group formed with the
11 assistance of Eversource?

12 A No.

13 Q They didn't provide any assistance whatsoever?

14 A No.

15 Q Was this group formed to support the Northern
16 Pass Project?

17 A No. Not exclusively, no.

18 Q Was that one of its purposes?

19 A Yes.

20 Q What's on the screen in front of you is the
21 first page of Coos County Business and Employers
22 Group's Petition to Intervene which is Counsel
23 for the Public's Exhibit 39, do you see that?

24 A Yes, I do.

1 Q Are you familiar with this document?

2 A Yes.

3 Q Did you review it before it was filed?

4 A Not every single word of it, no.

5 Q What did you review before it was filed?

6 A I looked at a summary of it.

7 Q Did the Board of Directors authorize the filing
8 of this Petition to Intervene?

9 A Yes.

10 Q Was that authorization pursuant to a vote?

11 A Yes.

12 Q Was the vote taken at a meeting?

13 A Yes.

14 Q Where was the meeting?

15 A I think it was taken over by the phone.

16 Q And do you know if the Petition was made
17 available to the Directors before they voted?

18 A I believe so.

19 Q The Petition itself or a summary of it?

20 A I can't remember.

21 PRESIDING OFFICER HONIGBERG: Just a
22 minute, Mr. Pappas. Mr. Bouthillier, can you
23 pull the microphone closer to you, please? Just
24 make sure you're speaking right into the

1 business end of it.

2 BY MR. PAPPAS:

3 Q So if you look at the page 4 of Counsel for the
4 Public's Exhibit 39 which is the Coos County
5 Business and Employers Group Petition to
6 Intervene, do you see where it was signed on
7 February 5, 2016?

8 A Yes.

9 Q And that's the same date that the group filed
10 its Articles of Incorporation with the Secretary
11 of State?

12 A Yes.

13 Q Is it your memory that the board vote was taken
14 on February 5, 2016?

15 A I don't remember.

16 Q Do you recall if the board vote was taken more
17 than a week before the Petition to Intervene was
18 filed?

19 A I don't remember.

20 Q Do you recall whether the board vote was taken
21 some time before February 5, 2015?

22 A Yes.

23 Q Or 2016, I should say?

24 A Yes.

1 Q You just don't remember how much in advance?

2 A I don't remember the exact dates.

3 Q Okay. Now, prior to filing the Articles of
4 Agreement that we saw earlier dated February 5,
5 2016, what did the group do to organize itself?

6 A We, the purpose of the group, main purpose, I
7 mean, I have two sons that work for me. Okay?
8 I want the young people in Coos County to have
9 the same opportunities that I have, and that's
10 part of the main reason to have jobs, to sustain
11 jobs and to keep the young people there.

12 Q Okay. But tell me what did the group do to
13 organize itself before it filed its Articles of
14 Incorporation and filed a Petition to Intervene
15 in this matter?

16 A A group of us got together, employers like me,
17 and we decided it was time to do something. You
18 know, this is, we need to keep young people and
19 keep employees and stuff together, and we got
20 together and talked about this and decided it
21 was time to do something.

22 Q Now, since filing the Articles of Incorporation
23 in February of 2016, how often has the Board of
24 Directors met?

1 A We talk on the phone, we get together and we
2 have an annual, we had our Annual Meeting.

3 Q Okay. Do you remember when that Annual Meeting
4 occurred?

5 A I don't remember the exact date.

6 Q Where did it occur?

7 A It occurred in Lancaster.

8 Q At your place of business?

9 A No. We actually had it at the bank. They have
10 a room at the bank, and we used that room.

11 Q Okay. Is that the only meeting the board has
12 had in person with all the board members present
13 since the group was formed in February 2016?

14 A I don't, I don't remember if all the board
15 members were present at all the meetings. I
16 mean, sometimes somebody would be missing, but
17 not everybody was present at every meeting.

18 Q My question is, has the board met as a board?

19 A Yes.

20 Q Okay. I know I paused but let me finish the
21 question first.

22 Has the board met as a board to take any
23 action after February 2016 and before that
24 Annual Meeting?

1 A Yes.

2 Q So tell me how often the board met.

3 A We got together a couple of times to talk about
4 having a meeting to meet to recruit employees,
5 what we could do to help employees, younger
6 people, stay in the area. Talked about what we
7 can do, maybe have a job fair, talk to the kids
8 at the school, things like that.

9 Q And were there any minutes taken at any of these
10 board meetings?

11 A I'm not sure. I don't do that.

12 Q Do you recall ever seeing any minutes?

13 A There was some at the Annual Meeting, yes.

14 Q Okay. And after the Annual Meeting, did the
15 board meet additional times as a board?

16 A Not since the annual one, no.

17 Q Okay. Now, you indicated you got together to
18 talk about things you could do. Has the group
19 actually done anything as a group since it was
20 formed in February 2016 other than participate
21 in this proceeding?

22 A Not as a group as a whole. A few of us have
23 individually, a couple of us have together, I
24 spoke at the school, at the high school, talked

1 to kids at the high school at the CTE program,
2 kids have toured my facility, high school kids
3 have toured my facility for future jobs.

4 Q Okay. But as a group, the board hasn't
5 undertaken any activities or initiatives since
6 it was formed, is that correct?

7 A We haven't done any yet. We're talking about
8 now putting on like a job fair type of thing.

9 Q That's still in the discussion stage?

10 A Yes.

11 Q Would I be correct in saying that the Coos
12 County Business and Employers Group probably
13 would not have been formed if the Northern Pass
14 Project weren't announced?

15 A I don't know as you'd be correct. It might not
16 have been done quite so fast.

17 Q Let me ask you some questions about your
18 businesses that you testified in your Prefiled
19 Testimony. I understand you have a logging
20 business, is that correct?

21 A Yes.

22 Q And you have a sand and gravel business also?

23 A Yes.

24 Q And you have a business that does site work,

1 correct?

2 A Yes.

3 Q Okay. Now, all of these services would be
4 needed to help build the Northern Pass Project,
5 correct?

6 A I would hope.

7 Q And well, in fact, if the Northern Pass Project
8 is built, you would expect that your businesses
9 would be hired to do some of that work, wouldn't
10 you?

11 A Well, I don't know as I would expect it. I
12 would hope that I would be able to be
13 competitive at bidding on some of this work.
14 I'm local, I have good employees, we have a good
15 safety record, we've been there a long time. I
16 been in business for 33 years, and I think we
17 have a good reputation.

18 Q And if you were hired, that would be a benefit
19 to your workers, would it not?

20 A Absolutely. I have 30 families that I employ,
21 and if this Project was to be there, it would be
22 a very good thing for my employees and a lot of
23 other people in the North Country.

24 Q And it would also be a very good thing for you

1 and your company as well, correct?

2 A Yes.

3 Q So let me ask you a few questions about
4 increased jobs because that's one of the things
5 you focused on in your Prefiled Testimony.

6 Now, if the Northern Pass Project were
7 built, would you expect that the type of local
8 businesses, the following local businesses would
9 be the type that would be hired by the Project;
10 for instance, logging businesses?

11 A Yes.

12 Q Would you expect excavation site work to try to
13 be sourced locally?

14 A I would hope so.

15 Q Sand and gravel pits?

16 A Yes.

17 Q Trucking supplies?

18 A Yes.

19 Q Okay. Now, you sat in on some of the testimony
20 this afternoon, and you've heard discussion in
21 that testimony about whether the line will be
22 built over two years or over three years, but
23 using your two or three-year period for
24 construction, and naturally that would be,

1 different construction is done in different
2 seasons up in the North Country, correct?

3 A Yes.

4 Q So whether it's a two-year or three-year period,
5 the local workers would work seasonally over
6 those, during those periods, correct?

7 A Yes.

8 Q Now, would you agree with me that that work
9 would provide additional work for local
10 companies and local workers to provide them with
11 more work, the existing workers?

12 A Yes, it would provide more work. And the other
13 thing it would do is, and this is one thing I
14 want to point out. You take a local restaurant,
15 okay? Talking about these off-season and these
16 time, you know, the slow times, if and when this
17 Project is built you take a local restaurant
18 owner, for instance, okay? He has that time of
19 year when there's no tourism on the slow times,
20 he can barely get by.

21 But I'm going to tell you something. When
22 this Project goes through, if it goes through,
23 he's going to be maxed out for two or three
24 years. Full bore, a hundred percent capacity.

1 That money that he's going to make by feeding
2 all the people that are going to be making there
3 may make the different of whether or not he
4 survives because he can take that extra money
5 and pay down his mortgage. It's all of that,
6 things like that that are going to make a huge
7 impact on the local people in the North Country.
8 Major.

9 Q Now, you wouldn't expect your workers, that
10 they're going to spend that much more money on
11 restaurant or local businesses, correct? They
12 already live in the area, they already shop or
13 do business in the area that they typically do?

14 A I would not say that. If they're working more
15 hours and they're not -- if I'm working at
16 maximum capacity, and they are, and I can offer
17 them more overtime and stuff, and they're making
18 more money, they're going to contribute more to
19 the local economy, absolutely.

20 Q Now, you wouldn't expect the Project to result
21 in new logging companies being formed, would
22 you?

23 A No. Not in the logging business. I'm going to
24 tell you why. Because the logging business is a

1 suffering industry in the North Country. It
2 wouldn't, no.

3 Q And you probably wouldn't expect for a single
4 project new sand and gravel pits to go into
5 business, would you?

6 A No.

7 Q And you wouldn't expect for a single project new
8 excavation companies to be formed, would you?

9 A Maybe. Because one thing that when this Project
10 is going, a lot of the people that are working
11 on that Project, it's going to make the
12 opportunity for other people to maybe get
13 started, the opportunity for them to do other
14 private work, to maybe do some of, if I was a
15 lucky contractor or other contractors like me to
16 work on this Project would open the door for
17 some of these other people to maybe go out on
18 their own and do some private work, put in
19 septic seasons, dig cellar holes, do other
20 private work.

21 Q That would require some capital to buy some
22 equipment, wouldn't it?

23 A Not necessarily. I mean, you could lease it.
24 If there's a will, there's a way.

1 Q And those new companies then would turn around
2 and compete with you after this Project is done,
3 correct?

4 A Perhaps. That's the way I got started.

5 Q And do you think after this Project comes and
6 goes that there would still be enough work for
7 you and these new companies to all survive?

8 A Absolutely.

9 Q Even though there's no Northern Pass Project
10 anymore?

11 A No, there's no Northern Pass Project, but the
12 thing is there's going to be other things, and I
13 think the extra money it puts into the economy,
14 the other businesses, the trickle-down effect,
15 there's going to cleanup, there's going to be
16 maintenance work, there's going to be, you know,
17 a lot of other things.

18 Q And there will be a fair amount of people
19 competing for that, both local businesses as
20 well as union work, correct?

21 A That's correct.

22 Q Okay. And they're already established in place,
23 ready to go?

24 A Yes. Some of us are.

1 Q Okay. Now, you had mentioned a moment ago
2 potential impact or benefit to things like local
3 restaurants during construction. You haven't
4 looked at the impact construction may have,
5 negative impact construction may have on
6 businesses, have you?

7 A I considered it. It's no different than when I,
8 when a road is being built or when somebody
9 comes in and does a development like at the
10 Mount Wash or maybe the Balsams or a local town
11 or anywhere like at Loon Mountain or whatever.
12 I mean, there is a short-term impact, but when
13 the construction, I mean, you're in the
14 construction business, you never see a
15 construction project start and never end. It
16 always ends. And you're in the construction
17 business, you go on to the next one.

18 Q You haven't looked at, for instance, how many
19 places that once construction take place how
20 long in each place it will take place, whether
21 there will be road closures or lane closures or
22 that type of thing, have you?

23 A Myself personally, no.

24 Q Okay. Let me ask you a couple of questions

1 about wind turbines that you mentioned in your
2 testimony.

3 In your Prefiled Testimony, you state that
4 you leased some land for existing wind turbines,
5 do you recall that?

6 A Yes.

7 Q Where are those located?

8 A Berlin, New Hampshire.

9 Q What's the name of the Project or the wind farm?

10 A It's Jericho Mountain Wind.

11 Q Now, if the Northern Pass Project is built, is
12 it your understanding that certain upgrades will
13 be done to the Coos Loop?

14 A Yes. I would hope so.

15 Q And do you anticipate leasing additional land
16 for more wind turbines? I think you mentioned
17 that in your testimony.

18 A I would hope not only a lot of landowners would
19 be able to, that's another benefit of this
20 Project. That private landowners, individual
21 people, other landowners, with the timber
22 industry on the way out, it would be another way
23 for people to be able to keep land privately, be
24 able to pay for it and hold it, and to let

1 people recreate on it, hunt on it, hike on it,
2 snow machine, ATVs, and that would be another
3 source of renewable plus it's a renewable
4 energy.

5 Q Sticking with the wind farms, have you had any
6 groups or potential developers about leasing any
7 of your property for potential wind farms?

8 A Absolutely not.

9 Q And you indicated that you had hoped to lease
10 some additional land. Where is that land
11 located that you had hoped to lease additional
12 land?

13 A Lease additional land for?

14 Q For wind turbines.

15 A Oh, I have 4000 acres of all over the Northeast
16 Kingdom.

17 Q Okay. Another thing you testified about in your
18 Prefiled Testimony was you felt that one of the
19 long-term benefits if the Northern Pass Project
20 is built would be upgraded roads. Do you recall
21 that?

22 A Yes.

23 Q Do you have any specific road locations that you
24 have in mind that you think would be upgraded

1 from the Northern Pass Project?

2 A Well, just by what's put out in the public and
3 showing some of the route and some of the roads
4 that they would utilize, for instance, up in the
5 North Country, some of those roads, they would
6 put some burial on, that would be, when they go
7 through there and do that and rebuild it, it's
8 going to be far better when they're done than
9 when they started.

10 Q Do you have any specific roads in mind that
11 you're aware?

12 A I would say there's a County Road up there.
13 Maybe Bear Rock Road. There's a lot of roads up
14 there that are basically in disrepair that the
15 state doesn't have the funds to have the kind of
16 quality roads they have down here. Up there we
17 have to suffer with what we've got. So if this
18 came through, I'm sure that this Project would
19 fix them up.

20 Q Do you know what would be planned for restoring
21 County Road? Old County Road?

22 A No, not specifically, but --

23 Q Are you familiar with what the construction
24 would be on Old County Road?

1 A Well, I would think, knowing the construction
2 industry, what little bit I do know about it, in
3 order to go through there with what needs to be
4 done, it would definitely be better than what it
5 is now.

6 Q But my question is do you know what the
7 construction activity is planned for Old County
8 Road?

9 A With what's shown on the website and so forth,
10 it shows that it's going to be buried through
11 there.

12 Q Do you know the construction method and where
13 they plan to do it?

14 A No.

15 Q Okay. How about Bear Rock Road? You mentioned
16 that. That's part state-maintained and part
17 town-maintained, correct?

18 A I don't know about that.

19 Q You don't know about that. Okay.

20 And same question. Have you looked at any
21 of the specific construction activity for Bear
22 Rock Road?

23 A No. Just what's showed on the plans.

24 Q Have you had any discussions with any municipal

1 officials about what they expect the road
2 restoration to be in, for instance, Old County
3 Road or North Hill Road or Bear Rock Road?

4 A No.

5 Q Have you had any discussions with anybody from
6 Northern Pass Transmission or Eversource about
7 what their plans are to reconstruct roads they
8 work in?

9 A No.

10 Q So it would be fair to say that your view about
11 whether or not upgrading the roads is based on
12 your looking at the website and assuming that
13 after the Project were built it would repair the
14 roads, either the same or better condition?

15 A Yes.

16 Q Let me ask you some questions about recreational
17 benefits that you testify about in your Prefiled
18 Testimony.

19 You indicated that snowmobiling and ATV
20 riding is a popular recreational activity,
21 correct?

22 A Yes.

23 Q Did you participate in last weekend's Jericho
24 Ride?

1 A Camp Razor, no, but my kids did.

2 Q Now, you state that the Project's right-of-way
3 could create new riding areas; do you recall
4 that?

5 A Yes.

6 Q Now, much of the Overhead Portion of the
7 Northern Pass Project is in an existing
8 right-of-way, correct?

9 A Yes.

10 Q So would you agree with me to the extent that
11 these right-of-ways can be currently used for
12 snowmobiles or ATVs, that already exists?

13 A In some places, I assume it does. I don't know,
14 the way it is now I don't know if they do or
15 not.

16 Q Do you yourself use any of the right-of-ways to
17 either snowmobile or ride an ATV?

18 A I don't, no.

19 Q Do you know whether or not any of the new
20 right-of-ways would allow snowmobiling or ATV
21 riding in them?

22 A I personally don't know that.

23 Q So would it be fair to say that your testimony
24 that Northern Pass Project could open up new

1 snowmobile routes or ATV routes is based on your
2 assumption that a new line could create some new
3 right-of-ways, and there could be, therefore,
4 the possibility of new trails, but you don't
5 have any personal knowledge as to whether or not
6 there could or could not be new trails?

7 A My only knowledge of this is from living there
8 all my life and knowing the DC line that's on
9 the Vermont side is the main snowmachine
10 thoroughfare north to south from the Canadian
11 border all the way to Monroe that's used as a
12 snowmachine trail. It's also used as an
13 equestrian riding trail, and the state of
14 Vermont has put out contracts to us that we bid
15 on to build parking areas for them to park the
16 horse trailers, to put in waterers and all sorts
17 of things, and I would just assume that if
18 you're looking at multiple use that that would
19 be another thing that could possibly be done on
20 the New Hampshire side on that same project.

21 Q And that's on the Vermont side you're familiar
22 with?

23 A Correct.

24 Q Okay. Let me ask you some questions about the

1 Job Creation Association that you're a member
2 of. What's on the screen in front of you now is
3 Counsel for the Public's Exhibit 37 which is the
4 Articles of Agreement of the Coos County Job
5 Creation Association; do you see that?

6 A Yes.

7 Q And if you look up in the right-hand corner, it
8 was filed in January of 2014; do you see that as
9 well?

10 A Yes.

11 Q Now, the initial address for this association
12 was also your business address, correct?

13 A Yes.

14 Q And you're on this Board of Directors as well?

15 A Yes.

16 Q And David Atkinson, Mr. Atkinson works for you,
17 does he?

18 A No, he does not.

19 Q Did he used to work for you?

20 A He used to, yes.

21 Q At the time this group was formed in January of
22 2014, did Mr. Atkinson work for you?

23 A Yes.

24 Q And he was on the board as well, correct?

1 A Yes.

2 Q And am I correct in saying that Eversource
3 helped create this Coos County Job Creation
4 Association?

5 A Yes.

6 Q And I understand that Eversource also provided
7 the association with \$200,000 of seed money,
8 correct?

9 A Yes.

10 Q Now, in 2015, the Job Creation Association made
11 some grants; do you recall that?

12 A Yes.

13 Q Was there a specific selection process for that?

14 A Well, I don't know about a specific selection
15 process. People sent in applications, requests
16 or whatever, and we kind of wanted to make sure
17 that the money went to people that were either
18 going to create jobs in the North Country or
19 educate people or create the ability for people
20 to sustain jobs in the North Country.

21 Q So would it be fair to say that after the
22 association was created, you received some
23 applications for grant money, the board reviewed
24 them, selected some, didn't select others and

1 then awarded the grants to those that it
2 selected?

3 A Can you repeat that, please?

4 Q Sure. Let me break it down for you.

5 After the Job Association was created, you
6 indicated that you received some applications
7 seeking money?

8 A Yes.

9 Q And did the association go out and solicit
10 applications or did it receive them from people?

11 A We received them from people.

12 Q And after the association received the
13 applications, did the Board of Directors review
14 all of them?

15 A Yes, we did.

16 Q And did the Board of Directors decide to grant
17 some applications and not grant some other
18 applications?

19 A Yes. We did.

20 Q Now, did anybody assist the board in deciding
21 which applications to accept and award money to?

22 A No.

23 Q It was the Board of Directors itself that sat
24 down and decided that?

1 A Yes.

2 Q Did you do it at one meeting face to face?

3 A I think there was more than one meeting.

4 Q Do you recall how many meetings?

5 A No, it's been a while.

6 Q Okay. Did you meet at your business?

7 A No.

8 Q Did you meet at the bank?

9 A I think we might have. I'm not sure if we met
10 at the bank or the Town Office or where we met.
11 I'm not sure.

12 Q Okay. Now, has the Job Creation Association met
13 after it awarded the \$200,000? In other words,
14 have you met again since you awarded the grant
15 money?

16 A Yeah, I think we met a couple of times.

17 Q Do you recall when that was?

18 A It was shortly thereafter, within the year
19 after.

20 Q Do you recall what you did when you met?

21 A We talked about the process and the success of
22 it and things we could do different if the
23 Project goes forward and --

24 Q Did the board seek any assistance of any

1 professional Economic Development Directors or
2 people in the industry to decide how best to use
3 this money?

4 A There was a lot of different diverse people on
5 the board. Dave Atkinson, for one, was the
6 manager of a mill with over 300 people. We had,
7 there were, I think there was realtors on the
8 board.

9 Q I'll tell you what. I won't stretch your
10 memory. Why don't we go to -- on the screen in
11 front of you now is the page from the Articles
12 of Association where it lists the initial
13 Directors of the corporation. Do you see that?

14 A Yes.

15 Q And it lists Mr. Atkinson, yourself, Mr. Burns,
16 Mr. Diego and Mr. Gallus; do you see that?

17 A Yes.

18 Q Was that the board that met to decide how to
19 allocate funds?

20 A Yes.

21 Q And re already know that Mr. Atkinson at the
22 time worked for you; is that right?

23 A Yes.

24 Q And what did Mr. Burns, it's listed as Grand Old

1 Lodge in Burns' Truck Stop. Do you see that?

2 A Yes.

3 Q Is that his business?

4 A Yes. And he's also the, I think he's President
5 of the North Stratford ATV and Snowmachine Club.

6 Q And we know Mr. Diego runs the hotel?

7 A Yes.

8 Q And do you know what Mr. Gallus does for
9 business?

10 A He's an ex-Senator and he's also a realtor.

11 Q Okay. So the five of you, yourselves, got
12 together and reviewed the applications and
13 decided how to allocate the funds?

14 A Yes.

15 Q Okay. Did the five of you or any one of you, to
16 your knowledge, go to any of the places that
17 received money either a year after or more than
18 a year after to find out how the funds had
19 worked in creating jobs?

20 A Yes.

21 Q So tell me where you went.

22 A The Black Bear Bistro, we --

23 Q Is that a local restaurant?

24 A In Colebrook. Yes. We had granted to give them

1 grant money for siding for their business and to
2 help finish of it off, and he had told all of us
3 that it was, the amount percentages, and I can't
4 remember because of this building instead of
5 having Typar wrapping all over it being finished
6 and a sign put up that tourists going by see it,
7 and that it increased his business
8 significantly. He had to hire an extra cook and
9 more help.

10 And the other one there was a day care
11 center that employed, that was a startup that
12 employed three or four people. I'm trying to
13 think.

14 Tillotson Center, Rick Tillotson, he got a
15 couple of them, and I think he does some medical
16 devices and stuff, and he was a startup or
17 expanded his business in Colebrook. All of
18 these. Every one of them.

19 Q So have you gone back since then to check again
20 to see how they're doing?

21 A Yes.

22 Q And in the last year, have any of them hired
23 more employees, do you know?

24 A I do know that the Black Bear Bistro has.

1 Q Anybody else that you know of?

2 A Not to my knowledge.

3 Q Okay. So let me ask you finally some questions
4 about the Forward NH Fund that you also
5 testified about in your Prefiled Testimony, and
6 you had, in your testimony you state that the
7 Forward NH Fund will provide long-term economic
8 opportunities for North Country businesses so I
9 want to ask you some questions about that.

10 Do you know what type of business would
11 qualify for funding under the Forward NH Fund?

12 A Not all of them, no. Not specifically.

13 Q Are you aware of any specific process to apply
14 for money under the fund?

15 A Just what's in the public, everybody else knows.

16 Q Do you know who's going to decide what money
17 gets allocated?

18 A No.

19 Q Do you know of any specific activities that the
20 fund is going to target?

21 A Job creation, I do know that.

22 Q Let me ask it this way. Other than what you've
23 read in the public domain, if you will, either
24 on the website or press releases, is that all

1 you really know about the Forward NH Fund?

2 A Yes.

3 Q Thank you very much, Mr. Bouthillier. I
4 appreciate your time.

5 PRESIDING OFFICER HONIGBERG: Who has
6 questions? Mr. Whitley, are you coming down?

7 MR. WHITLEY: Yes. I am.

8 **CROSS-EXAMINATION**

9 **BY MR. WHITLEY:**

10 Q Afternoon.

11 A Good afternoon.

12 Q My name is Steven Whitley, and I'm counsel to
13 several host communities along the route:
14 Deerfield, Pembroke, New Hampton, Littleton, and
15 the Water and Sewer Department of the town of
16 Ashland, and I want to ask you a couple of
17 questions. And I'm going to turn you to your
18 Prefiled Testimony. So is that coming up on
19 your screen, sir?

20 A Yes.

21 Q Okay. And you see the highlighted portion
22 there?

23 A Yes.

24 Q Okay. I'm not going to go over it or have you

1 read it because it's right there, but I'll just
2 paraphrase it. You identify construction jobs
3 and the positive impact from those jobs as the
4 primary short-term benefit of the Project. Is
5 that a fair statement?

6 A Yes.

7 Q Okay. And you reference an estimate of 2600 new
8 jobs in New Hampshire, correct?

9 A Yes.

10 Q And how many of those 2600 are going to be in
11 Coos County?

12 A I'm not sure. I would, I'm not sure.

13 Q Okay. Do you even have a range or a percentage?

14 A No.

15 Q Okay. And where did you get that number from?
16 Was that provided to you from by Northern Pass?

17 A Not by Northern Pass. No.

18 Q Okay. Where did you get that number from?

19 A The 2600 new jobs?

20 Q Correct.

21 A Was a number that was published.

22 Q Okay. So you read it some place?

23 A Yes.

24 Q Or just in the public domain?

1 A Yes.

2 Q But you didn't do anything yourself or your
3 group didn't do anything to verify that number
4 in any way?

5 A No.

6 Q Okay. And I understand, sir, that your
7 expectation is that the Project is going to hire
8 New Hampshire workers for the jobs that are
9 required in Coos County, correct?

10 A Well, as everything that's stated and everything
11 that's out there is that New Hampshire workers
12 first. I mean, everybody's heard that. That's
13 been published. It's out there everywhere.

14 Q Can you speak into the microphone? It's just a
15 little hard to hear a little bit.

16 A I said I'm saying that's what we've heard
17 everywhere, and that's what published is New
18 Hampshire workers first.

19 Q Okay. Thank you. And I know that you were here
20 earlier today and you heard some of the
21 testimony and some of the questions that were
22 directed at the IBEW Panel, correct? You were
23 here for some of that?

24 A Yes.

1 Q And you heard some testimony perhaps about the
2 Project Labor Agreement and a commitment to hire
3 New Hampshire union workers? Do you hear any of
4 that?

5 A Yes. I heard some of it.

6 Q Okay. But your group doesn't have any
7 comparable written contract or agreement with
8 Northern Pass that they're obligating themselves
9 to hire Coos County locals for the work
10 necessary, correct?

11 A We have no agreements.

12 Q Okay. So as you sit here today, you really
13 don't know for certain how many local jobs are
14 going to be created as a result of the
15 construction of the Project; is that a fair
16 statement?

17 A Nothing is guaranteed. I just, it's a matter of
18 trust and it's a matter, to me a common sense
19 thing. If we're a local contractor that meets
20 all the criteria and you're reputable and you're
21 safe, I can't see how we can't have a
22 competitive advantage over somebody coming from
23 out of state. I just don't understand how that
24 would be possible.

1 Q Okay. When I read your group's testimony, it
2 struck me that your support for the Project was
3 partly contingent upon the use of Coos County
4 locals for some of these jobs. Is that a fair
5 statement of your group's position?

6 A Could you repeat that?

7 Q Yeah, sure. So is it true that your group's
8 support for the Project is contingent on
9 Northern Pass hiring Coos County locals to do
10 the work that's going to be needed?

11 A I wouldn't say it's contingent on it. It's an
12 assumption.

13 Q But if that assumption doesn't end up to be
14 true, does your group still support the Project?

15 A You mean if we don't get the work?

16 Q Correct.

17 A Yeah, because -- yes, we do. And because when
18 there's people working there, it's going to
19 create other work opportunities for us, but I
20 still believe that there's work there for us.

21 Q Okay. I think you testified earlier that your
22 companies have done a lot of the work that's
23 probably going to be necessary when the Project
24 is constructed in Coos County. Think you had

1 that exchange with Attorney Pappas, do you
2 remember that?

3 A That we've done a lot of the work?

4 Q The same type of work?

5 A Oh, yes. Yes. We do that type of work.

6 Q Okay. So just to clarify, I mean excavation,
7 trucking, site work, that sort of thing?

8 A Yes.

9 Q Okay. Okay. Has your company ever, any of your
10 companies ever worked with Eversource or PSNH in
11 the past?

12 A No.

13 Q That's all I have. Thank you, sir.

14 A Yes.

15 PRESIDING OFFICER HONIGBERG: Anyone else
16 from that group? It looks like Ms. Fillmore is
17 grabbing a microphone.

18 MS. FILLMORE: Yes. Thank you,
19 Mr. Chairman. Over here.

20 **CROSS-EXAMINATION**

21 **BY MS. FILLMORE:**

22 Q Hi, Mr. Bouthillier.

23 A Hi.

24 Q My name is Christine Fillmore. I am an attorney

1 representing several municipalities in this
2 matter.

3 I just have one question, and it is about
4 the Coos County Job Creation Association. When
5 you were getting ready to look at the
6 applications for the round of grants that the
7 association gave out, did you consult at all
8 with the Coos Economic Development Corporation?

9 A I'm not sure if John Gallus is on that or not.

10 Q Are you familiar with that organization?

11 A Coos Economic Development Commission? I'm
12 unsure.

13 Q If I represented to you that it's an Economic
14 Development Corporation that does loans and
15 grants to various businesses in Coos County,
16 would that sound familiar?

17 A Yes.

18 Q Okay. And so my question is do you know if you
19 or anyone on the board consulted with the staff
20 or board members of that organization?

21 A Someone could have. They may have.

22 Q Thank you, sir. That's all I have.

23 PRESIDING OFFICER HONIGBERG: Who else has
24 questions? Mr. Reimers? Do you have questions?

1 Mr. Baker?

2 **CROSS-EXAMINATION**

3 **BY MR. BAKER:**

4 Q Good afternoon, Mr. Bouthillier. We do know
5 each other so --

6 A Yes.

7 Q -- we do have that advantage.

8 You said in your testimony when Public
9 Counsel was asking questions and I think again
10 when a later questioner asked you that there
11 been no job promises that you're aware of that
12 Northern Pass has made for jobs in Coos County?

13 A To our group. There is no contracts.

14 Q Let me ask a broader question if I might.

15 Are you aware of any contracts that have
16 been given by Northern Pass to local employers
17 in Coos County?

18 A No, I'm not.

19 Q Okay. Now, I think you mentioned that there
20 were some private job fairs that were held by
21 Northern Pass?

22 A No. I didn't mention that.

23 Q Were you aware that Northern Pass had met with
24 local contractors at, I think it was over in

1 Millsfield or the Log Haven; does that ring any
2 bells?

3 A Early on, there was some, I don't know if they
4 were job fairs. There was contractor/supplier
5 meetings early on. More than a year ago.

6 Q And they were hosted by Northern Pass, correct?

7 A Yes.

8 Q Did you attend any of those?

9 A Not the one in Millsfield, no.

10 Q Did you attend any others? I think there was
11 also one in Lancaster?

12 A Maybe, and there might have been one at the
13 Mountain View.

14 Q Did you attend that?

15 A Yes.

16 Q I'm going to ask you just a couple of questions
17 about that meeting. Did Northern Pass tell the
18 participants, well, first of all, who were the
19 participants? Who were the people that were
20 invited to that meeting?

21 A There was a lot of people there. There was
22 loggers, contractors, restaurant owners. There
23 was a lot of different people there.

24 Q And these were people that were looking for some

1 work benefit from the Project, and they were
2 attending to hear what the plans were, correct?

3 A Yes. They were, I think there were more
4 informational meetings. I mean, they had
5 drawings put up and pictures, drawings. I think
6 they were more informal meetings, I think.

7 Q Right, and they were told that the Project would
8 start at a certain point in time which is now
9 passed, behind us, correct?

10 A Well, yeah. There was, we were all hoping it
11 was going to start sooner than this.

12 Q Did they explain to the participants in those
13 meetings what kind of requirements they would
14 have for doing contracts with them if they were
15 chosen to work on the job?

16 A Yes. I mean, it's no different for them than if
17 you work for VELCO, I mean, I contract to do
18 work at Vermont Electric Co-op, safety and the
19 environment, you know, if you do federal work
20 like I do, it's the same type of thing.

21 Q Right. Did they explain the insurance
22 requirements that they would have for workers'
23 compensation, for general liability on the job,
24 those sorts of things?

1 A I don't recall if we got into those specifics or
2 not.

3 Q Okay. I'm going to change the subject just a
4 bit. Concrete. Concrete is going to be needed
5 on the job?

6 A I assume so.

7 Q If it's built. Are there -- now, you don't make
8 concrete, right?

9 A No. We do not.

10 Q Where is the closest concrete plant to
11 Pittsburg?

12 A There's one in Couillard in Coaticook. There's
13 one in Columbia. There's one in Gorham.
14 There's quite a few around.

15 Q Right. And the one in Coaticook is a Canadian
16 company, isn't it?

17 A I would assume.

18 Q And are the Canadian loggers close to Pittsburg
19 and Stewartstown?

20 A Excuse me?

21 Q Canadian logging companies close to
22 Stewartstown, Pittsburg area?

23 A There may be.

24 Q How about road builders?

1 A No. Not that I'm aware of.

2 Q How do they build their roads in the eastern
3 townships?

4 A Well, they may be up there, but there's none
5 that work down here.

6 Q Well, I understand they don't work here now, but
7 they are close enough to come to do a big job,
8 aren't they?

9 A Maybe.

10 Q And same questions with respect to concrete,
11 logging, road building, that sort of thing,
12 those companies all exist in Maine, don't they?

13 A Yes.

14 Q And they've all been working on, we've heard a
15 little bit about a Maine Power Project that just
16 finished.

17 A Yes.

18 Q All right. Very quick shift in subjects.

19 Your Coos County Job Creation Fund, you
20 were asked a few questions about that. When the
21 awards were made for the initial grants back in
22 2015, did that exhaust all the money that you
23 had to give out?

24 A I don't remember. I'm not sure.

1 Q Was the money that you were given by Northern
2 Pass at the Coos County Jobs Creation Fund all
3 used for grants?

4 A As far as I know.

5 Q Were there any local expenses that were paid
6 with that money?

7 A I don't know.

8 Q When the grants were given, were any conditions
9 posed or given to the recipients?

10 A None that I'm aware of.

11 Q They weren't required to write letters of
12 support for Northern Pass?

13 A Not that I'm aware of.

14 Q Finally, your meetings, they're not open to the
15 public, are they? The meetings of the Board of
16 the Coos County Job Creation Fund?

17 A I don't know if they were or not.

18 Q Were minutes taken of these board meetings?

19 A I'm unsure.

20 Q I have no further questions.

21 PRESIDING OFFICER HONIGBERG: Any other
22 Intervenor Groups have questions for
23 Mr. Bouthillier? All right. Members of the
24 Committee have questions? Mr. Oldenburg?

1 **QUESTIONS BY MR. OLDENBURG:**

2 Q Thank you. Good afternoon.

3 A Good afternoon.

4 Q Just for point of reference, my name is Bill
5 Oldenberg. I work for the Department of
6 Transportation. Some of the questions I have
7 are sort of clarifying questions that from a
8 business standpoint from what you do as being
9 involved in trucking and an aggregate and gravel
10 and everything else, and the whole idea of
11 actually you and companies like yours wanting to
12 work on the Project.

13 One of the things that the Construction
14 Panel testified on was that they would need
15 hundreds of trucks to do the work. Obviously to
16 haul material in and out. And if that were the
17 case, is there the capacity in the companies up
18 north to be able to do the work? So if they
19 needed, say, a hundred trucks a day to work on
20 the job for two years, are there enough trucks
21 to do that, enough drivers, and things like that
22 for local companies to supply?

23 A Just in one area at a specific time?

24 Q Yes. Because I'll get to the area issue that I

1 have in a little bit.

2 A Well, I mean, I don't know about a hundred
3 trucks, but I know like with me and as you're
4 probably aware I'm a DOT contractor. I work for
5 DOT. If we need trucks, I mean I don't own a
6 hundred trucks. I mean, I have five of my own,
7 but we always hire subs. I hire other local
8 contractors in the area. I mean, we may have 20
9 trucks in one day and work a week or two on a
10 certain project, and then they'll move on to the
11 next one. I mean, they come from all around and
12 they come from Errol, Colebrook, Milan, Berlin,
13 I mean, they're out there. They don't just come
14 from one little area.

15 Q Right. Right. So I guess, I guess some of the
16 issues or some of the concerns or some of the
17 questions and comments that we've heard is
18 there's going to be two types of -- goes to the
19 2600 jobs. There's going to be two types of
20 workers. Going to be specialty workers like the
21 linesmen, the HDD drilling, the crews putting
22 the lattice structures together, the crane
23 operators, and things like that that may not be
24 local. So they're going to be the folks that

1 come in that aren't local.

2 A Specialized.

3 Q Specialized contractors. Then there's going to
4 be the local guys. I don't see people bringing
5 in dump truck drivers from Texas to work on this
6 job, right?

7 A Correct.

8 Q And they're not going to haul in gravel and
9 aggregate from Montana to work on this job.
10 They're going to go to you?

11 A All sourced local.

12 Q So is there a capacity to, from what you've
13 heard about what the construction is, to be able
14 to do this work in the North Country?

15 A Yes. I think there is. And that gets back to
16 my point is what I said before is that what a
17 lot of people are missing here is that there's
18 going to people working on this Project plus
19 there's also going to be a demand for the
20 regular work that's going on. So it's going to
21 create opportunities for other people. There
22 may be, you know, I hope not, but there might be
23 couple of employees of mine that have said you
24 know what? I think it's time I go out on my

1 own. It might give that opportunity for them to
2 jump out and buy a piece of equipment and have
3 at it, and that's the American way. I mean,
4 that's, I don't want to see that happen for my
5 own greedy self, but I mean, that's what the
6 American dream is for somebody, and that's a
7 great thing.

8 Q So one of the other comments that was made by
9 the Construction Panel is they looked at the
10 need for concrete. So they want to put this
11 fluidized thermal backfill in the trench in the
12 underground section, and that's a concrete so
13 it's made at a batch plant. Plus they also,
14 they want to put this concrete cap over it to
15 protect the work. And their concern was there
16 might not be enough concrete production
17 available so they wanted to prefabricate the
18 caps and everything else. So if they do
19 something like, a batch plant, would you
20 typically think that would be supplied locally,
21 a batch plant, and run locally?

22 A Oh, absolutely. I mean, I've already heard, the
23 rumor is that a local, local to New Hampshire,
24 concrete contractor has already, the rumor is,

1 talked about putting a portable batch plant up
2 in Coos County, and then that would be, the
3 sands and the aggregates would be sourced
4 locally. So that would be less transportation
5 of concrete trucks. They'd be able to set up in
6 a strategic place and truck the aggregate there
7 and the powdered cement and batch it right there
8 and then get it to the sources quicker. I mean,
9 that's a typical thing you see in a lot of
10 places. I mean, like when you see highways done
11 in a lot of rural areas. They do that.

12 Q And that would be specifically set up for the
13 Northern Pass Project. It wouldn't be, if you
14 wanted a foundation you wouldn't go to this
15 batch plant and get concrete for a foundation
16 for your house or some like that. It would just
17 be strictly for Northern Pass.

18 A Yeah. I mean, I would think maybe if somebody,
19 while they're there operating in that two or
20 three years if somebody possibly could, but
21 you're right, yes.

22 Q Because one of the thoughts, one of the thoughts
23 that I had was that they, if you run a concrete
24 plant and you're making concrete, regular

1 concrete that could be used for a bridge or for
2 a foundation or anything else, and then you had
3 to switch over and make this fluidized thermal
4 backfill which is a special mix, you basically
5 shut the plant down at the end of the day to
6 make an hour's worth of this special material
7 and you're not selling concrete to anybody else
8 so you have to sort of figure all that
9 arrangement out, correct?

10 A Yes. I would think that when they got ready to
11 do, if they do that thermal fluidized backfill,
12 that plant would be set up and they would have
13 already strategically stockpiled all the
14 aggregate or whatever they would use to do that
15 thermal backfill, and they would have that set
16 up and they would run that like crazy when they
17 were doing that Project, that part of the
18 Project.

19 Q So everybody, well, one of the things that the
20 folks in the IBEW just mentioned was paying,
21 that to get the workforce up here they'd
22 probably be paying hire rates of premium to get
23 all the work. So I would tend to believe that
24 they would, to get trucking companies like yours

1 or your competitors or whoever to band together
2 that they would probably pay a premium to get
3 all this work guaranteed for two years, all this
4 equipment, all these workers. But they'd
5 probably be paying a, probably more than the
6 going rate, I should just say, so they could
7 guarantee the workforce. Is that a good
8 assumption?

9 A Yes. One thing that, you know, you hear a lot
10 about of the Project Labor Agreement and the
11 union wages, and I, one thing I think people
12 need to understand is that it's going to be,
13 it's going to bring the wage rates for
14 everybody, whether you're Union or not up and
15 whether you're working on that Project or not.
16 Everybody's wages are going to increase.

17 And I've told a lot of my help, if this
18 happens, it's a chance for people to sock some
19 money away for the future, and some people, it's
20 like I've got friends that go out to Ohio and
21 work on pipeline jobs and stuff, and they come
22 back with a pocket full of money and they buy
23 all kinds of toys.

24 And I tell the guys, I said, if this

1 happens, there's a chance for you to sock money
2 away for your retirement, pay your house off, do
3 whatever. Plan for the future. That's the way
4 I look at it. I mean, I'm sure not everybody
5 does, but an opportunity like this doesn't come
6 along every day. So I'm hoping that the people
7 that have a chance to make some money here
8 really do.

9 Q So what about if you're trying to do a Project
10 that isn't part of Northern Pass. So you, a
11 town has a bridge they want to rebuild or a
12 Dollar General wants to go in somewhere or
13 something like that. You know, You have a
14 development. Are they going to be able to get
15 the concrete? Are they going to be able to hire
16 that excavating company, that sand and gravel,
17 without paying that premium? So everybody is
18 working on Northern Pass, and to get them to
19 work on your Project, are you going to have, is
20 everybody else going to have to start paying
21 that premium to get that contractor or that
22 materials?

23 A Well, to use Dollar General, for example, when
24 you talk about people --

1 Q I just mentioned that because they're going up
2 everywhere.

3 A Well, they do and you know what? 99 percent of
4 the time none of it is local, unfortunately, and
5 I've bid on a few of them, and you can't compete
6 because those people that do those are
7 specialized, they come in, they're done as you
8 see them. They're in and out and done and they
9 go from one to the other to the other to the
10 other. So, I mean, I don't think that will --
11 but, yes. As far as bridge crews, bridge crews
12 are specialty contractors that do that. I mean,
13 but yeah. I think that, yeah, perhaps for that
14 amount of time that some people, the employees
15 are going to make some money and yeah, it might
16 cost a little bit more to do business for a
17 while.

18 Q One of the other things that had been brought up
19 was sort of the range of some of these folks.
20 So the example I've used in the past is the
21 Porta-Potty guy from Colebrook isn't going to
22 supply Porta-Potties in Deerfield.

23 A Correct.

24 Q So they'll get the business, whatever their

1 range is. So you have a range that you know of,
2 and I won't ask what it is, but you have a range
3 that you're comfortable traveling in that you
4 can get there and not pay a lot of overtime and
5 you can supply. You know, I think we see that
6 in the paving industry. Continental Paving does
7 a lot of work in the south because they're in
8 the south. Pike does a lot of work in the north
9 because they're in the north, and there's a line
10 in there where, generally, Continental doesn't
11 get the work in the north because they can't
12 compete. Travel time and everything else. So
13 you have that same type of range.

14 With creating jobs, you know, the question
15 is how far, you know, if the work is going to be
16 in, say, Colebrook, for two months, three
17 months, is the Porta-Potty guy going to hire
18 more people to create that job for that two or
19 three months or is he just going to work his
20 existing staff a little bit harder and make a
21 little bit of overtime? Granted, he'll get the
22 contract, and he'll make the money, but is it
23 going to create jobs, do you think?

24 A Well --

1 Q The thing that you're looking for is the job
2 creation. At least part of it. Are we going to
3 see that in some of the services that are
4 provided?

5 A I think you will because I don't think, you
6 know, in the time frame that they're saying and
7 looking at, for instance, I know when they did
8 the DC line in Vermont, the logging crew came
9 in, and they started clearing. From the time
10 they started cutting the trees to the time that
11 the final reclamation, seeding and stuff was
12 done, you're looking at three years, and there's
13 always somebody working doing something.
14 There's different phases of it, but there's
15 always somebody working there.

16 So that Porta-Potty guy that's from
17 Colebrook is going to have his Porta-Potties up
18 there because people, no what type of work
19 they're doing, they're still going to be using
20 the Porta-Johns during that whole time frame.
21 And the same, people are going to be eating at
22 the local restaurants, people are going to be
23 buying supplies at the parts stores.

24 The housing, I mean, the motels that have

1 that time and the cabins that have that time of
2 year where they have nobody and they shut down
3 or they're down to an idle, they're not going to
4 have that idle. That lull time is gone for them
5 for three years. They're going to be maxed out,
6 full capacity. I mean, they have a chance to
7 really makes some money.

8 Q That's all I have. Thank you.

9 PRESIDING OFFICER HONIGBERG: Mr. Wright?

10 **QUESTIONS BY MR. WRIGHT:**

11 Q Good afternoon, Mr. Bouthillier.

12 A Good afternoon.

13 Q Craig Wright with the Department of
14 Environmental Services. Mr. Oldenburg has just
15 really covered a couple of the areas I was going
16 to so I'm going to much shorter than I
17 anticipated.

18 But I want to follow up to a question that
19 Counsel for the Public, Mr. Pappas, asked you
20 and that was about the use of the new
21 right-of-way up in the Coos County for ATV use,
22 and I think you were kind of, you said you were
23 kind of speculating that that may be an
24 opportunity that comes out of this. Is that a

1 fair summary of what you said?

2 A Yeah. I mean I, looking at what happened this
3 weekend with Camp Razor, for example, and then
4 when Jericho has their ATV thing. I'm just
5 assuming and hoping, I mean, because as you all
6 know, we have less snowmachine business than we
7 used to because we have a longer dry time of
8 year whether there's less frozen ground. I was
9 hoping and assuming that DRED and whoever groups
10 could get together and maybe make a trail that
11 could connect from Point A to Point B like they
12 do in Vermont, and they could utilize it and
13 promote tourism more, and in Vermont they use
14 that DV line over there which is massive, even
15 bigger than the Northern Pass Project, for horse
16 riding. They use it for snowmachines. So I
17 would think with the ATV business when New
18 Hampshire has an opportunity to capitalize on
19 this, this could be a huge thing for tourism.

20 Q I was just curious. I'll ask this question. I
21 think I know what you're going to say. I was
22 wondering if you were aware that the Applicant
23 made a commitment, and it is contained in the
24 DES recommended conditions, that in the new

1 right-of-way in Coos County that there be no
2 motorized vehicles allowed, including ATVs?

3 A I didn't know that.

4 Q Okay. I figured that was the case so that's all
5 I had.

6 PRESIDING OFFICER HONIGBERG: Commissioner
7 Bailey?

8 COMMISSIONER BAILEY: Thank you.

9 **QUESTIONS BY COMMISSIONER BAILEY:**

10 Q Good afternoon. I'm Kate Bailey from the Public
11 Utilities Commission.

12 A Good afternoon.

13 Q Our job here is to balance, I think, the goods
14 and the bads and consider all of those things.
15 I think your testimony is that this is going to
16 improve job opportunities in the North Country.

17 A Yes.

18 Q And we've heard suggestions, we haven't had
19 Direct Testimony on this point yet, that some
20 businesses are going to suffer a lot of harm
21 during the construction like Polly's Pancake
22 House. Have you ever heard of that? Do you
23 know where it is?

24 A In Franconia, yes.

1 Q And some businesses in Plymouth. So how would
2 you recommend that we balance those concerns
3 with the opportunities that you hope the Project
4 will bring?

5 A As far as Polly's Pancake Parlor, I would hope
6 that they would be willing to serve workers
7 there breakfast and lunch like they do tourists.

8 Q I think the testimony is that people won't be
9 able to get there because the road will be too
10 blocked or closed.

11 A I do not believe, and I would think Mr.
12 Oldenburg could speak to this, but I do not
13 believe, and I know probably for a fact working
14 on DOT Projects I've worked on in the past that
15 you cannot block off that road. It's not
16 lawful. I don't think it would ever be blocked
17 off. I know we can't, in Coos County you cannot
18 block off a State road. You have to keep it at
19 least passable by one lane at all times.

20 Q Well, assume for just purposes of this question
21 that that were true. That Polly's Pancake
22 House, for one example, was going to suffer
23 significant loss because of the Project for
24 whatever reason. Then what would your advice to

1 us be?

2 A I would make sure that that road was not closed
3 permanently. Make sure that they have access.
4 It would be no different than this happening
5 than if DOT was going to completely rebuild that
6 road up there. If they were going to rebuild
7 117, I think it is, or whatever the road is up
8 through there, it's a temporary, it's a
9 construction job. It's temporary. It's no
10 different than when right now you're going down
11 and you've got Audley and you've got Coleman and
12 we've got Weaver Brothers down there on the
13 interstate. And they blast, and they block the
14 road off, but you're only allowed a certain
15 amount of time where you have to open traffic
16 back up. It's a temporary inconvenience.

17 And I would think that the little -- I
18 don't know. I can't predict what their loss of
19 business from tourism would be, but I would
20 think if you've got 2 or 300 workers there at a
21 time, those workers are going to eat.

22 Q Okay.

23 A And I would think they could, I mean --

24 Q And your assumption is that those workers are

1 going to be eating 12 months a year? They're
2 going to be there year-round?

3 A Once this Project starts, it's not going to shut
4 down.

5 Q What do you base that on?

6 A On seeing other projects like it working.

7 Q Okay. Has anybody from, have you had a
8 conversation with anybody from Eversource about
9 your testimony?

10 A No.

11 Q Okay. Thank you.

12 PRESIDING OFFICER HONIGBERG: Mr. Way?

13 **QUESTIONS BY MR. WAY:**

14 Q Good afternoon.

15 A Good afternoon.

16 Q So in terms of the grant program that you did,
17 you got how much money, how much seed money to
18 kick it off?

19 A It was 200,000.

20 Q 200,000. And the next installment is expected
21 to be, is it one million, as I recall?

22 A I don't remember how much, I don't.

23 Q I just, I seem to remember that's what it was,
24 but do you have any idea what the next

1 installment will be?

2 A I can't remember. It's been quite a while. I
3 can't remember. I know it's a significant
4 amount of money. It's a lot of money.

5 Q Significant amount of money?

6 A Lot more than the 200,000 we had.

7 Q So you're thinking maybe more than 500,000?

8 A Oh, yeah. I think it's more than that.

9 Q So let's assume for the moment that it's, maybe
10 it's a million dollars. Something like that.
11 That seems to be quite a leap in terms of from
12 200,000 to a million. I would expect or I would
13 imagine you're probably thinking about how that
14 program might have to change or would it be the
15 same as you did it before or --

16 A We had talked about that after. When they had
17 asked about whether we had meetings after, we
18 had one. I can't remember if it was one or two
19 after, but, yeah, we had thought about it, if we
20 did get, if this happened and we got a lot of
21 money like that, we would have to have a better,
22 more official process, so to speak, and a better
23 way to implement it and do it and maybe have
24 more people on the board. You know. Just

1 better ways.

2 Q And how much was the average grant that you gave
3 out or was it all the same or --

4 A I don't remember. I think it was all over the
5 place, depending on what different people
6 applied for different amounts.

7 Q So 200,000, do you remember how many actually
8 got the grants?

9 A I don't remember how many there was. There was
10 a fair amount of them.

11 Q Okay. And then you mentioned that, I thought I
12 heard you say that there was some that didn't
13 receive the grant.

14 A There was.

15 Q And without saying their names, I don't know if
16 you can give any more information of why they
17 didn't.

18 A Because there wasn't -- nothing to do with
19 creating jobs at all. It was just irrelevant.
20 It was like maybe to -- I don't remember right
21 off my head, but it was nothing to do with job
22 creation at all. It mean it was like a personal
23 thing or some thing. It wasn't business-related
24 whatsoever.

1 Q All right. And so you haven't had discussions
2 yet about how your process might change from
3 this point to the next point when you get a
4 good-sized infusion of cash that you then have
5 to disperse?

6 A No, we haven't.

7 Q And you haven't had any discussions with
8 Eversource about the applicants that came to
9 you? No conversations or --

10 A We haven't had any talk with Eversource about
11 this.

12 Q So they were all confidential when they came
13 into the association?

14 A Yes.

15 Q One thing that struck me, and I think this was,
16 Ms. Fillmore asked about it. Coos Economic
17 Development Corporation? There's not really a
18 relationship?

19 A Not that I'm aware of.

20 Q Because I mean it struck me odd because their
21 address is right in Lancaster. As a matter of
22 fact, I think, aren't they at the Lancaster Bank
23 or something like that?

24 A Yes. They're at the old Lancaster Bank, and

1 when we had our meeting we met at the Passumpsic
2 Bank just because I, there's a nice little room
3 there that they let you use free.

4 Q I know it. Yes. I know it well. So but you
5 had the CEDC, we'll abbreviate it at that, that
6 one of their functions is actually to do grants.
7 And so I'm just wondering why there isn't, can
8 you give me any inside baseball? I mean, why
9 isn't there that relationship there? As a
10 matter of fact, has any of your members been on
11 the CEDC Board that you know of or --

12 A I'm unsure. I don't know, and maybe somebody
13 did talk with them. Or I don't know. Maybe
14 that's something that we should look into in the
15 future. I mean, something to think about. I
16 don't, you know.

17 Q All right.

18 A This is new to me.

19 Q Fair enough. In terms of the job creation that
20 will occur, I think like Ms. Bailey said, I
21 think as we go along there's more of this full
22 cost accounting. You've got, here's all the
23 jobs that are created, but we also have to take
24 a look at the jobs that could possibly be lost,

1 and how does this all balance out.

2 In terms of your own organization, if this
3 should prove to be a benefit for your
4 organization, do you anticipate doing a direct
5 or indirect, well, a direct job in your company?
6 I mean, do you expect to do any hiring?

7 A If this Project goes through?

8 Q Right.

9 A If this Project goes through, if we get some of
10 the work, yeah, I would have to hire more
11 employees.

12 One thing that I want to point out here is
13 that I think is very important for you folks to
14 know is that I started out from nothing. My
15 parents worked at Ethan Allen Factory. I've got
16 two sons that are in my business. Well, one
17 isn't anymore. He moved to Boston to work.

18 I would like the young people to have the
19 same opportunity that I did. There's no more
20 young people staying in Coos County. They're
21 leaving. They're going down here where there's
22 opportunity, job opportunities, lots of them,
23 and everything else.

24 And one of my main reasons for doing a lot

1 of this stuff is I want all those kids to have
2 the same opportunity that I did when I got out
3 of high school. That's very important to me.

4 Q I appreciate that. But you think for your own
5 company there may be opportunities for hiring?

6 A Absolutely. You know, the point you made about
7 the impact of jobs lost, there would be no jobs
8 lost that would be permanent. None whatsoever.
9 If you really think about this.

10 Q You're saying that they'll be no jobs lost?

11 A Permanent jobs lost because of this Project.

12 Q So you say there's no potential for anyone going
13 out of business during the construction period
14 in the two to three years, well, the two years
15 of time?

16 A Strictly because of this Project? Absolutely
17 not. They may use it as an excuse but
18 absolutely not. Because if you drive down that
19 interstate, and you head over to Route 4, I want
20 you to take a good hard look. If you leave Coos
21 County and you drive down that interstate and
22 you drive over Route 4 as I did for four years
23 as my kids went to UNH, I took in all that
24 beauty that everybody else did. And everybody

1 else takes that same ride every weekend. If you
2 look really close, there's one any thing you're
3 going to notice the whole time you're taking
4 that ride. If you really want to look for it,
5 there's power lines everywhere, and it didn't
6 ruin anybody's ride, and it sure didn't ruin
7 mine.

8 Q All right. Thank you.

9 PRESIDING OFFICER HONIGBERG: Mr. Iacopino,
10 I understand you have some questions that Ms.
11 Weathersby left?

12 MR. IACOPINO: Yes, I do, and I'm going to
13 read these questions to you, sir.

14 **QUESTIONS BY MS. WEATHERSBY READ BY MR. IACOPINO:**

15 Q My name is Mike Iacopino. I'm the counsel to
16 the Committee.

17 First question that Ms. Weathersby had was,
18 most of her questions deal with your
19 organization and how it's set up. So the first
20 question is how many members are in the Coos
21 County Business and Employers Group?

22 A I think there's four of us.

23 Q Four?

24 A Four or five.

1 Q What businesses are represented?

2 A There is construction, logging, a gravel
3 business, a trucking company, a tractor sales
4 business. I think that's it.

5 Q Okay. Her next question was it involves your
6 discussion with other potential employers and
7 businesses. I think this stems from your
8 earlier testimony where you said you've had
9 these discussions with other business owners.
10 Can you tell us more about those? What other
11 potential employers other than those represented
12 in your group have you had these discussions
13 with about hiring more people as a result of the
14 Project?

15 A I have friends that own a business in Pittsburg
16 that are in the tourism business. They have
17 restaurants, and they have cabins. They're
18 scared to death to speak up because they will be
19 boycotted. But they, if this goes through, they
20 will be completely full. They know it.
21 Full-time. For the whole term of this Project.
22 And they have vacancies a good part of the year
23 now.

24 Q Do you believe that they would hire more

1 employees?

2 A They said they would.

3 Q Any other companies or businesses or types of
4 businesses that you think would fit in that
5 category?

6 A Restaurants. Lots of restaurants. All the
7 people that house people because you've got a
8 huge influx of people that are going to have to
9 have places to stay, they're going to have to
10 eat. Parts stores, I mean, I don't know as
11 they'll all put on extra people, but I do know
12 that all the restaurants and the people that
13 house people will have to because they won't be
14 able to -- I mean, if you're used to having 30
15 percent capacity in your motel or hotel
16 business, and you're all of a sudden at 100
17 percent for two years, you've got to hire
18 people. I mean, it's just a common sense thing.

19 Q And then her next question is similar to one
20 that's been asked to you a couple of times, but
21 she's interested in what discussions your group
22 has had with a number of different types of
23 official government type agencies. So let me
24 just go through them one by one, and you let me

1 know if you're aware of any discussions with
2 them.

3 First, are you aware of your group having
4 any discussions with any state agencies or state
5 officials about the Project and the jobs that it
6 would bring?

7 A Not that I'm aware of.

8 Q How about with any county level agencies?

9 A I don't think so.

10 Q Any regional economic or planning agencies? You
11 know like North Country Council, places like
12 that?

13 A No. Not that I know of.

14 **QUESTIONS BY MR. IACOPINO:**

15 Q And then I have one question for you. This is
16 not from Ms. Weathersby. There is just a
17 question I had in my mind having heard you
18 testify. And we heard testimony earlier this
19 afternoon about the Project Labor Agreements,
20 and you, I think, indicated that it was your
21 hope that folks from New Hampshire would be
22 hired to fill the jobs. And I guess my question
23 is if the Committee was inclined to grant this
24 Certificate, would you want to see that as a

1 condition of the Certificate, requiring the
2 Applicant to hire New Hampshire labor first?

3 A It wouldn't hurt my feelings any. That's for
4 sure.

5 Q Thank you.

6 PRESIDING OFFICER HONIGBERG: My questions
7 have been answered. Mr. Dennis, do you have any
8 further questions for your witness?

9 MR. DENNIS: No. I do not.

10 PRESIDING OFFICER HONIGBERG: All right. I
11 think that brings us to the end of what we can
12 accomplish today. Off the record.

13 (Discussion off the record)

14 PRESIDING OFFICER HONIGBERG: We'll adjourn
15 for the day and return at 9 tomorrow where we'll
16 pick up with Mr. Varney.

17 (Hearing recessed at 4:51 p.m.)

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C E R T I F I C A T E

1
2 I, Cynthia Foster, Registered Professional
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17 Dated at West Lebanon, New Hampshire, this 30th
18 day of September, 2017.

19
20 _____
21 Cynthia Foster, LCR
22
23
24

