

**SITE EVALUATION COMMITTEE**

**Annual Review and Evaluation of Application and Filing Fees**

**RSA 162-H:8-a, III**

**Prepared by: Pamela Monroe, Administrator**

**April 3, 2018**

**A. Completed Dockets**

**1. SEC Docket No. 2015-05, Joint Application of New England Power Company d/b/a National Grid and Public Service Company of New Hampshire d/b/a Eversource for a Certificate of Site and Facility to Construct a New 345 kV Electric Transmission Line in Southern, NH (Merrimack Valley Reliability Project)**

The project consisted of construction of a new 345 kV overhead transmission line, approximately 18 miles in length, located in an existing developed transmission line corridor. The project is located in the Towns of Pelham and Hudson in Hillsborough County, and the Towns of Windham and Londonderry in Rockingham County. This is a reliability project selected by the Independent System Operator of New England to address identified transmission capacity needs for the continued reliability of the regional electric transmission system in Southern New Hampshire and northeastern Massachusetts.

On August 5, 2015, the SEC received the Application. The Subcommittee held a public meeting on September 23, 2015 and determined that the Application was complete. An order memorializing this decision was issued on October 5, 2015 (61 days, but October 4, 2015, was a Sunday). The Subcommittee conducted two full days of adjudicative hearings and 4 hours of deliberations. On July 11, 2016, the Subcommittee decided voted unanimously (7-0) to grant the certificate (281 days). The written order and certificate of site and facility, with conditions, was issued on October 4, 2016 (365 days from acceptance of the Application).

There was 1 individual intervenor in this docket.

Application Fee **\$104,000** (\$50,000 base charge x 18 miles in length at \$3,000 per mile (\$54,000)). Total charges billed: **\$36,666**. Total charges paid: **\$33,141**.

**2. SEC Docket No. 2015-02, Application of Antrim Wind Energy, LLC for a Certificate of Site and Facility for Construction of a Wind Project in Antrim, NH**

The Project is for the construction and operation of 9 direct drive wind turbines, each capable of generating 3.2 MW for a total nameplate capacity of 28.8 MW. The Project will be constructed entirely in the Town of Antrim.

On October 2, 2015, the SEC received the Application. The Subcommittee held a public meeting on November 18, 2015 and determined that the Application was complete. An order memorializing this decision was issued on December 1, 2015 (60 days). The Subcommittee conducted 13 full days of adjudicative hearings and 3 full days of deliberations. On December 12, 2016 (377 days), the Subcommittee voted 5-1 to grant the certificate. The final written order and certificate was issued on March 17, 2017 (472 days).

Three Motions for Rehearing were received and a hearing was held on May 5, 2017. The Subcommittee denied the Motions for Rehearing and issued an Order on June 21, 2017. The case is on appeal to the N.H. Supreme Court.

Twenty-seven petitions to intervene were filed in this docket. Twenty-five of the petitions were granted, resulting in 12 intervenor groups.

Application Fee **\$78,800** (\$50,000 base charge X 28.8 MW of power (\$1,000 per MW for a facility less than 40 MW). Total charges billed: **\$164,534**. Total charges paid: **\$101,972**.

**3. SEC Docket No. 2015-07, Joint Petition of Granite Ridge Energy, LLC and Calpine Granite Holdings, LLC, for Approval to Transfer Membership Interests in Granite Ridge Energy, LLC**

A Petition was filed to transfer ownership of a 720 MW combined cycle natural gas-fired power plant that was granted a certificate by the SEC in 1999. The facility commenced commercial operation in 2003. In 2004, the SEC approved transfer of the ownership interests of the certificate holder, AES Londonderry, LLC (AESL), to its lenders through voluntary foreclosure and the use of a special purpose holding company.

On October 28, 2015, the SEC received the Petition. On January 19, 2016, the Subcommittee conducted its adjudicative hearing and completed its deliberations in 5 hours and voted unanimously to grant the Petition (84 days). A final written decision and Order was issued on February 3, 2016 (99 days).

Application Fee **\$3,000** (3-member subcommittee). Total charges billed and paid: **\$1,409**.

#### **4. SEC Docket No. 2015-08, Tennessee Gas Pipeline Company, LLC**

On November 16, 2015, a docket was opened when Tenn. Gas filed a letter with the SEC stating that it intended to submit an application for a Certificate of Site and Facility to construct a compressor station, and 71 miles of natural gas transmission pipeline from the Massachusetts border in Winchester, NH to Pelham, NH.

On January 5 and 12, 2016, the Subcommittee assigned to this docket convened to consider intervening in the Federal Energy Regulatory Commission (FERC) proceedings involving the siting of high pressure gas pipelines in order to protect the state of New Hampshire. *See* RSA 162-H:10-b.

On May 24, 2016, Tenn. Gas filed a letter with the SEC, stating that it had withdrawn its application for the project with the Federal Energy Regulatory Commission and that it no longer planned to file an application with the SEC.

An application was never submitted in this docket. Total charges billed to and paid by the SEC Fund for the proceeding to consider intervention: **\$2,935**.

#### **5. SEC Docket No. 2016-01, Rulemaking**

RSA 162-H:10-b, effective July 20, 2015, required to SEC to adopt rules relative to the siting of high pressure gas pipelines within one year.

On January 25, 2016, the SEC opened a rulemaking docket, seeking input on specific rules language. In order to comply with the statutory deadline, a contractor was retained to conduct research, review the advance public comments that were received, and to work with the Administrator in drafting rules consistent with state and federal law. On June 30, 2016, the SEC held a public meeting to consider the oral and written public comments that were received and to approve specific language and the text of a final proposal. On July 21, 2016, the Joint Legislative Committee on Administrative Rules approved the final proposal, and on August 15, 2016, the SEC held a public meeting and approved the adoption and filing of the final proposal as approved by JLCAR.

Total billed and paid charges to the SEC Fund: **\$15,182**.

#### **6. SEC Docket No. 2016-02, Joint Petition of IFM Global Infrastructure Fund and Nautilus Generation, LLC for Approval of the Transfer of Ownership Interests in Essential Power Newington, LLC**

A Petition was filed to transfer ownership of a 525 MW combined cycle, dual fuel, (natural gas and oil) power plant that was granted a certificate by the SEC in 1999. The facility commenced commercial operation in 2002. In 2008, the SEC approved transfer of 100% of the membership interests of the certificate holder, EP Newington, to Essential Power, LLC.

On February 29, 2016, the SEC received the Petition. On June 2, 2016, the Subcommittee conducted its adjudicative hearing and completed its deliberations in 2 hours, and voted unanimously to grant the Petition (94 days). A final written decision and Order was issued on June 3, 2016 (95 days).

Application Fee **\$3,000** (3-member subcommittee). Total charges billed and paid: **\$502**.

#### **7. SEC Docket No. 2016-03, Petition for Declaratory Ruling**

The Petition in this docket was filed by 17 Towns, the Ashland Water and Sewer Department, the Society for the Protection of New Hampshire Forests, and the Appalachian Mountain Club. The Petition requested that the SEC issue a ruling declaring that pursuant to RSA 231:160 *et seq.*, only municipalities have the authority to authorize the installation of power poles or underground cables on, across, or under locally maintained highways.

On December 19, 2016, the Petition was filed. On January 12, 2017, the SEC held a public meeting to discuss how it would proceed in considering the Petition and voted to dismiss the Petition. On March 7, 2017, the written Order dismissing the Petition was issued. The Petitioners filed a Motion for Rehearing, but the Motion was subsequently withdrawn.

Application Fee **\$3,000**. Total charges billed and paid: **\$5,936**.

### **B. Open Dockets**

#### **1. SEC Docket No. 2015-04, Application of Public Service Company of New Hampshire d/b/a Eversource Energy for a Certificate of Site and Facility for the Construction of a New 115 kV Transmission Line**

This Project consists of the construction of a new 115 kV transmission line between existing substations in Madbury and Portsmouth. The proposed transmission line will be approximately 12.9 miles in length and is comprised of a combination of above ground, underground, and underwater segments in the Towns of Madbury and Durham in Strafford County, and the Town of Newington and the City of Portsmouth in Rockingham County. This is a reliability project required to address concerns in the Seacoast Region identified by the Independent System Operator of the New England electric system.

On April 12, 2016, the SEC received an Application. The Subcommittee held a public meeting on June 1, 2016 and determined that the Application was complete. An Order memorializing this decision was issued on June 13, 2016 (62 days, but June 11, 2016, was a Saturday). The Procedural Schedule has been put on hold for various reasons at no fault of the Subcommittee. Based upon time estimates provided by the parties at the prehearing conference, the adjudicative hearings will take 5 days.

There are 2 intervenor groups and 7 individual parties in this docket. Counsel for the Public has retained 3 consulting firms to provide expert analysis and opinion of the effects of the Project on aesthetics, historical and cultural resources, and the quality of the environment.

Application Fee \$88,700 (\$50,000 base charge X 12.9 miles in length at \$3,000 per mile (\$38,700). Total charges billed and paid to date: **\$10,994**.

**2. SEC Docket No. 2015-06, Joint Application of Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy for a Certificate of Site and Facility for the Construction of a New 1,090 MW Electric Transmission Line**

On October 19, 2015, the SEC received an Application for construction of a new transmission line with a 1,090 MW transfer rating, extending approximately 192 miles from the Canadian border in Pittsburg, NH to a substation in Deerfield. Approximately 60 miles will be located underground. The Subcommittee held a public meeting on December 7, 2015, and determined that the Application was complete. On December 18, 2015, an order memorializing this decision was issued (60 days).

The Subcommittee received 160 Motions to Intervene. There are 24 intervenor groups in this docket. Counsel for the Public retained outside counsel as well as 8 consulting firms to provide expert opinion and analysis in the areas of: economic benefits; aesthetics and scenic resources; energy markets; historic and cultural resources; wildlife, wildlife habitat and rare, threatened and endangered species; and transmission design and construction. The adjudicative hearings were held over 70 days beginning in April 2017 and concluding in December 2017. There were three days of deliberations. The final written Order denying the Application was issued on March 30, 2018 (833 days).

Application Fee \$626,000 (\$50,000 base charge X 192 miles in length at \$3,000 per mile (\$576,000). Total charges billed to date: **\$588,438**. Total charges paid to date: **\$455,819**.