

State of New Hampshire
Site Evaluation Committee

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Dianne Martin
Chairwoman

Robert R. Scott
Vice-Chair

April 16, 2021

Dear Attorney Newman:

Thank you for your April 8 letter, "Public Service Company of New Hampshire d/b/a Eversource Energy Notice of Transmission Line Maintenance on the A111 Line (Franklin to New Hampton)." The letter and its attachments have been forwarded to the full Committee and will be discussed, as necessary, at the Committee's next general public meeting. Notices of such public meetings are posted in accordance with RSA 91-A, including on the Committee's website and at the Public Utilities Commission.

The stated purpose of your letter is provide notice to the Committee "in an abundance of caution" and requests any further Committee inquiry occur within 60 days. Your letter also cites to multiple past proceedings of the Site Evaluation Committee, including dockets in which the Committee considered and granted petitions for declaratory rulings concerning the application of RSA 162-H:5 to various energy projects.

As I am sure you are aware, a declaratory ruling is an agency ruling as to the specific applicability of any statutory provision or of any rule or order of the agency. RSA 541-A:1, V. By law, a declaratory ruling cannot have general applicability. Accordingly, any historic declaratory ruling issued by the Site Evaluation Committee applies only to the specific petition that was the subject of that proceeding.

Regarding the specific applicability of RSA 162-H:5 to the described A111 Line transmission project, you are free to file a petition for declaratory ruling, with the appropriate fee, in accordance with RSA 162-H and the Committee's administrative rules.

Respectfully,

A handwritten signature in cursive script that reads "Dianne Martin".

Dianne Martin
SEC Chairwoman

Cc: Vice Chair, Robert Scott
Jon Lavalley, AG Office