

DRAFT MINUTES

SITE EVALUATION COMMITTEE PUBLIC MEETING

July 21, 2021 at 1:30pm

The following Committee members were present as confirmed through roll-call:

Chairwoman Dianne Martin;
Vice-Chairman Robert Scott;
Commissioner Dan Goldner
Commissioner Victoria Sheehan;
Director Wilfred Arvelo, as designee for Commissioner Taylor Caswell;
Michael York as designee for Commissioner Sarah L. Stewart;
Susan Duprey, Esq., Public Member;
George Kassas, Public Member;
Thomas Eaton, Alternate Public Member (remote);
Robert Baines, Alternate Public Member; and
Lisa Noe, Alternate Public Member (remote).

Also present:

J.D. Lavalley, Assistant Attorney General;
Michael Iacopino, retained counsel to the Committee.

Chairwoman Martin called the meeting to order.

The following public meeting agenda items were addressed:

- 1. Approval of Minutes from May 24, 2021 Meeting – Motion to Approve as modified** – struck redundant reference to “Marguerite” on page 2. Corrected reference to Committee member Arvelo to Wildolfo.

Unanimous.

- 2. Updates on administrative matters.**

Chairwoman Martin updated the Committee regarding the legislative committee created by HB2 to review the Committee and the funding and posting of the administrator position. Discussion regarding concern about filling the position when it might not continue after the legislative review. Vice-chair Scott recommended posting the position with understanding it would not be filled until after the report of the Committee. Ms. Duprey asked about the labor grade and funding for the position. She also raised the question as to whether the number of projects warrants filling the position full-time and permanently. Commissioner Scott responded that the complaints and enforcement work related to compliance, as well as calls regarding process, and other concerns, would support the position.

Chair Martin provided an update on the work of the investigative subcommittee. Update on the website improvements and viewing of new website. Update on Seacoast Reliability reporting in Docket 2015-04 from Attorney Iacopino. Monitoring at the UNH property has come to a close. PH monitoring continues. Drought had caused concern regarding revegetation but recent rain has helped. Salt marsh monitoring is by agreement with DES and will continue for five years. Dispute resolution process has some identified potential disputes that may use that process. The Committee is not involved – it is a separate process.

3. Eversource Correspondence dated May 28, 2021, Notice of Transmission Line Maintenance on the A111 Line.

- a.** Public Comment regarding the Eversource A111 from:
 - i. Marguerite Francis – Ms. Francis provided comment regarding her concerns about excavation and building of a road by Eversource by her home without notice to her and answered questions from the Committee. Ms. Francis shared that the letters sent out to property owners on the M127 line partial rebuild last June did not communicate the magnitude of what was going to be happening. Work on her property started after July 4, 2020. The project took about 6 months or longer. The Committee heard from Ms. Francis twice, the second time to give her an opportunity to respond to Eversource’s comments including concerns about the permitting process through the town and the NHDES compliance process.
 - ii. Eversource – comment by Joe Purington (as well as Erik Newman and others from Eversource) and answered questions regarding outreach to property owners, condition of the line, height of the poles and potential interference with views, permitting, and related proceedings before the PUC. Eversource provided description of improvements and maintenance to transmission line. Recent physical inspection showed need to work on 10 mile area in Franklin, Hill area. Wires were outdated.
- b.** Committee continued discussion of Transmission line maintenance on the A111 line and next steps. Commissioner Scott noted there was no request from Eversource before the Committee related to the correspondence and noted that there is a venue for at least a complaint about a public utility to be lodged with the Department of Energy. Ms. Duprey shared a concern that the work on this

line may have been on the line or over the line of “sizable” and expressed concern about the impacts on the property and the need for a forum for these concerns to be heard. Ms. Duprey recommended sending a letter to Eversource saying we have serious concerns about whether this triggers jurisdiction. Mr. Kassas asked if there would be an increase in the load. Ms. Duprey made a motion that the Committee send a letter to Eversource expressing concern about whether or not they reached jurisdictional requirement of sizable change. There was no second.

4. **RSA 162-H:8-a, III, the Committee’s annual review and evaluation of the application and filing fees contained in the fee schedule established by RSA 162-H:8-a, II**

Committee discussion of the fees received during FY 21 and related expenses. Chair Martin noted there were three dockets during the FY. The related fees totaled \$3,600. Two of the dockets did not have an associated fee (one is an investigative subcommittee and one is a petition for jurisdiction that met the statutory requirements to be excluded from the filing fee requirement. Expenses fall into two types: 1. Docket related including primarily Department of Justice and Compensation to Committee members. 2. Expenses not specifically associated with a docket, these expenses are generally ongoing, including the administrator expenses, IT, etc. The Chair noted the requirements for review including sufficiency of the fees and a recommendation to the fiscal committee if the fees were to be changed. Vice-Chair Scott gave an overview of the statutory process. He noted the ongoing work that has to be done outside the application process that requires ongoing resources and the larger problem related to fees not covering the ongoing costs. Vice-Chair Scott noted the study committee that looked at funding for the Committee in the past. His recommendation was that the Committee communicate to the HB2 legislative committee the concerns about funding but not bring a request to the fiscal committee until the legislative committee studying the SEC completes its work. Commissioner Sheehan noted the overarching issue that there isn’t a filing fee associated with everything that comes before the body and that it was prudent to work with the legislative study committee regarding the issue. Vice-Chair Scott suggested that the Committee vote to provide a letter to the legislative

committee. Mr. Kassas suggested that the structure of the fees may need to change and questioned whether establishment of an ongoing maintenance fee might be useful. Vice-Chair Scott moved that the Committee send a letter to the legislative committee authored by the Chair and Vice-Chair. **Unanimous.**

5. Committee review and discussion of Antrim Wind Investigative Subcommittee actions, including correspondence from the Investigative Subcommittee in Docket 2021-02 dated May 24, 2021 regarding a May 6, 2021 complaint.

Discussion of the May 24, 2021 recommendation to the Committee from the Subcommittee recommending no action be taken in response to the Complaint. Attorney Lavalley summarized the options before the Committee. Mr. Arvelo moved that the Committee accept the recommendation of the Subcommittee. Ms. Duprey responded to ask whether the Committee members have seen the letter from Mr. Block which was just emailed. Ms. Duprey noted the letter asserted that the lights were still flashing more than they should. The Committee discussed the specifics of the complaint at issue in the May 6, 2021 complaint. Attorney Lavalley read the complaint to the Committee regarding the TransAlta plan to put the system into override for system optimization. Vice-Chair noted that the complaint at issue was narrow on the issue in the complaint and noted that should be reviewed by the subcommittee as a separate complaint. The Chair noted that the letter from Mr. Block is directed to Mr. Evans, the presiding officer of the subcommittee in docket 2021-02, not the Committee. Mr. Kassas indicated that he would be abstaining from the vote given his participation in the subcommittee. Vice-Chair indicated that the letter from Mr. Block should be handled by the subcommittee. He noted that the subcommittee gave the complaint a thorough review and said he was in favor of accepting the recommendation. Motion to approve the recommendation of the Subcommittee approved - **Unanimous** (Kassas abstained).

The meeting was adjourned to the call of the Chair.