

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 15-460

NORTHERN PASS TRANSMISSION, LLC

Petition to Cross Public Waters

PETITION TO INTERVENE

OF

FRANCONIA COMMUNITY CHURCH OF CHRIST

Franconia Community Church of Christ, by and through its attorneys, Preti Flaherty Beliveau & Pachios, LLP, petitions the Public Utilities Commission ("Commission") to allow it to intervene in the above-captioned matter in accordance with RSA 541-A:32 and NH Admin. Rule Puc 203.17, stating as follows:

1. On October 19, 2015, Northern Pass Transmission, LLC (the "Applicant") filed a Petition to Cross Public Waters with the Commission (the "Petition"). One of the proposed crossings will be located in the town of Franconia, on or adjacent to property owned by Franconia Community Church of Christ.

2. Franconia Community Church of Christ has an interest in the proposed crossing because it will substantially affect Franconia Community Church of Christ, its members and the broader community to an extent not necessary for the reasonable provision of service to the public by the Applicant.

3. The Applicant has proposed a crossing of public waters under the Gale River at the New Hampshire Route 116 highway bridge in Franconia. The Gale River and proposed crossing are located directly adjacent to the church and its property. Elements of the proposed crossing, including a horizontal bore sending pit and the cable installation itself, will be directly on, along, or in front of the church property. Additionally, the Applicant's proposed crossing at the Franconia Community Church of Christ site does not appear to take into consideration the existence of an underground tunnel used as a walkway between the church and property across the street.

4. Installation and maintenance of this crossing will affect Franconia Community Church of Christ and its members. Franconia Community Church of Christ's building is one of the oldest structures in the town of Franconia, and has stood as a fixture in the community for over 200 years. The Applicant's crossing would expose Franconia Community Church of Christ and its members to added disruption, construction risks, congestion, vibration and noise, long-term utility maintenance issues, safety issues, and potentially increased insurance costs.

5. Franconia Community Church of Christ is also concerned that the crossing, as proposed, will unduly interfere with orderly spiritual, economic, social, cultural, school, sports and leisure activities on church property and in the community. Franconia Community Church of Christ is also concerned about on natural resources from disturbances to shorelines and waterbodies and the effects of buried transmission lines on the surrounding soils, water, flora and fauna.

6. Franconia Community Church of Christ is concerned that this crossing, as proposed, (a) is not necessary to meet the reasonable requirements of service to the public because it will have significant effects on the rights of the public and alternative locations for the project are available, and (b) cannot, as requested, be exercised without substantially affecting the public rights in waters. Franconia Community Church of Christ also believes that the Applicant has failed to explore reasonable alternative locations, including re-routing the project along the I-93 corridor (which runs near to and parallel to the current proposed route through the heart of Franconia), and that this option should be thoroughly considered.

7. RSA 541-A:32 and NH Admin. Rule Puc 203.17 provide that the Commission, or its presiding officer, shall grant a petition for intervention if:

(1) The petition is submitted in writing to the presiding officer, with copies mailed to all parties named in the presiding officer's order of notice of the hearing, at least 3 days before the hearing;

(2) The petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and

(3) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.

8. As discussed herein, the proposed facility and this proceeding will impact the rights, duties, privileges, immunities and other substantial interests of Franconia Community Church of Christ. The interests of justice and orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

WHEREFORE, Franconia Community Church of Christ respectfully requests that the Public Utilities Commission:

A. Grant Franconia Community Church of Christ's Petition to Intervene; and

B. Grant such other and further relief as may be just.

Respectfully submitted,

Franconia Community Church of Christ
By and through its attorneys,
Preti Flaherty Beliveau & Pachios, LLP

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