

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Northern Pass Transmission, LLC

DE 15-459

**PETITION TO INTERVENE OF THE
SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS**

The Society for the Protection of New Hampshire Forests (the “Forest Society”), by and through its attorneys, BCM Environmental & Land Law, PLLC, respectfully petitions the New Hampshire Public Utilities Commission (“PUC”) for late intervention in the above-captioned proceedings pursuant to RSA 541-A:32 and PUC Rule 202.17 because the proposed facility will impact the rights, duties, privileges, immunities, and other substantial interests of the Forest Society and the interests of justice and orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention. In support of its request, the Forest Society states as follows:

1. On or about October 19, 2015, Northern Pass Transmission, LLC (“Northern Pass”) filed an application with the Site Evaluation Committee (“SEC”) to construct, operate, and maintain a 192-mile, high voltage electric transmission line from the international border between New Hampshire and Canada to a substation in Deerfield, New Hampshire. According to the petition, the line would pass through the following towns: Clarksville, Stewartstown, Dixville, Millsfield, Dummer, Stark, Northumberland, Lancaster, Whitefield, Dalton, Bethlehem, Sugar Hill, Franconia, Easton, Woodstock, Thornton, Campton, Plymouth, Ashland, Bridgewater, New Hampton, Bristol, Hill, Franklin, Northfield, Canterbury, Concord, Pembroke,

Allenstown, Deerfield, Raymond, Candia, Chester, Auburn and Londonderry, over lands some of which the Forest Society owns in fee and/or holds conservation easements over.

2. Contemporaneous with the SEC filing, Northern Pass filed a petition with this Commission seeking permission to operate as a public utility pursuant to RSA 374:26. The petition states that the proposed construction of the transmission line is related to a transmission service agreement between Northern Pass and Hydro Renewable Energy, Inc. (HRE), a subsidiary of Hydro-Quebec. Under the agreement, Northern Pass will develop, site, finance, construct, own, and maintain the electric transmission line, and sell firm transmission service to HRE over a 40-year period.

3. On November 24, 2015, the Commission issued an Order of Notice requiring all interested parties to petition to intervene by December 7, 2015.

4. The following properties are some of those in which the Forest Society owns the fee interest and are directly affected by the proposed Northern Pass route:

From Northern Pass Application:			
Sheet Number	Property Owner Identification Number	Property Name	Town
2 of 180	401.01, 400.01	Washburn Forest	Clarksville
43 of 180	12519, 12527	Kauffmann Forest	Stark
44 of 180	12528, 12541		
45 of 180	12547, 12548		
77 of 180	3215	The Rocks Estate	Bethlehem
78 of 180	3159, 3220		

5. The following properties are some of those in which the Forest Society owns a Conservation Easement interest and are directly affected by the Northern Pass route:

From Northern Pass Application:			
Sheet Number	Property Owner Identification Number	Fee Owner Name	Town
9 of 180	10649	McAllaster	Stewartstown
7 of 180	10644	Green Acre Woodlands	Stewartstown
11 of 180	10673	Lynne Placey	Stewartstown
11 of 180	10676	Brad & Daryl Thompson	Stewartstown
44 of 180	12535	Percy Summer Club	Stark
56 of 180	2293	Bartow & Baker, J. & Baker, L.	Lancaster
78 of 180	3160.01, 3221	Russell	Bethlehem
56 of 180	2294	Campen, E. & E.	Lancaster
79 of 180	3416	Hannah	Sugar Hill
88 of 180	3825, 3828	Daarvid	Easton
157 of 180	7995	Spear	Concord
179 of 180	9712	Menard	Deerfield
179 of 180	9714	Geddes Trust, Melinda L.	Deerfield

6. The Forest Society petitions to intervene in this matter because Northern Pass's petition to operate as public utility is integral to Northern Pass's proposed facility, is subject to a transmission service agreement with HRE, and is projected to cross through/over portions of lands owned by the Forest Society and over which the Forest Society holds conservation easements. The Forest Society is concerned that its property interests, rights, obligations, and duties may be substantially affected by Northern Pass's obligations to HRE under its transmission service agreement.

7. RSA 374:26 requires the Commission to determine, among other things, whether it will be in the public good to grant Northern Pass permission to operate as a public utility. The Forest Society's interests in ensuring its property interests are not adversely impacted require its intervention. In particular, the Forest Society has an interest in the "public good" assessment that must be made in this proceeding as it may relate to the new requirement under the Site

Evaluation Committee laws to assess whether the project is in the public interest. RSA 162-H:16, IV(e).

8. Granting of the Forest Society's petition will not undermine the orderly conduct of the proceedings but rather will ensure the ongoing protection of the public good and protection of the Forest Society's properties rights. This matter has not progressed substantially such that permitting the late intervention would prejudice the applicant.

9. RSA 541-A:32 provides as follows:

The presiding officer shall grant one or more petitions for intervention if:

(1) The petition is submitted in writing to the presiding officer ...;

(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.

10. The Forest Society filed to intervene, and was granted intervenor status, at the Site Evaluation Committee based on its concerns about the various impacts that the project will have on the Forest Society's properties.

11. Northern Pass submitted its Petition to operate as a public utility as part of Northern Pass's application to the SEC, and, therefore, it is appropriate for the Forest Society to similarly be allowed to intervene in this matter.

12. In short, the proposed facility will impact the rights, duties, privileges, immunities, and other substantial interests of the Forest Society. The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

13. Counsel for Northern Pass objects to the relief requested.

WHEREFORE, the Forest Society respectfully requests that the Public Utilities Commission:

- A. Grant the Forest Society's Petition to Intervene; and
- B. Grant such other and further relief as may be just.

Respectfully Submitted,

**SOCIETY FOR THE PROTECTION OF
NEW HAMPSHIRE FORESTS**

By its Attorneys,

April 12, 2016

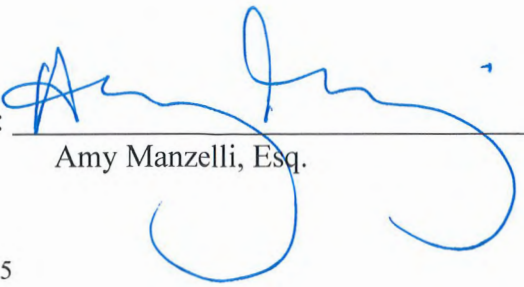
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CERTIFICATE OF SERVICE.

I hereby certify that on this day, April 12, 2016, a copy of the foregoing petition was sent by electronic mail or U.S. Mail, postage prepaid, to persons named on the Service List of this docket.

By: 
Amy Manzelli, Esq.