

From: [NEWMAN, ERIK R](#)
To: [Cote, Lauren M](#)
Subject: FW: PUC Complaint from 2018: Joseph Garneau, 7 Garneau Rd, Franklin
Date: Thursday, August 20, 2020 11:27:33 AM

From: PSNHPUCLiaison
Sent: Thursday, August 20, 2020 10:33 AM
To: NEWMAN, ERIK R <erik.newman@eversource.com>; Plante, David L <david.l.plante@eversource.com>; Burke, Carol A <carol.burke@eversource.com>; Gagnon, Sandra T <sandra.gagnon@eversource.com>; Geaumont, Marc <marc.geaumont@eversource.com>; Nelson, Kurt I <kurt.nelson@eversource.com>; Stanek, Michael D <michael.stanek@eversource.com>
Cc: PSNHPUCLiaison <PSNHPUCLiaison@eversource.com>
Subject: PUC Complaint from 2018: Joseph Garneau, 7 Garneau Rd, Franklin

Good morning,

FYI. In December 2018, Mr Garneau filed a complaint with PUC regarding cutting the Christmas trees in the M127 corridor. The following is the associated email string between Eversource and PUC Staff.

Thanks,
Karen

From: PSNHPUCLiaison
Sent: Tuesday, December 11, 2018 02:37 PM
To: Bersak, Robert A <robert.bersak@eversource.com>; Allwarden, Christopher <christopher.allwarden@eversource.com>; Redding, Sean D <sean.redding@eversource.com>
Cc: PSNHPUCLiaison <PSNHPUCLiaison@eversource.com>
Subject: FYI: Joseph Garneau, 7 Garneau Rd, Franklin (response from NHPUC Staff)

FYI: I received the following response from NHPUC Staff regarding Mr Garneau's complaint.

KT

From: Howard-Pike, Clare <Clare.Howard-Pike@puc.nh.gov>
Sent: Tuesday, December 11, 2018 10:38 AM
To: PSNHPUCLiaison
Subject: RE: Joseph Garneau, 7 Garneau Rd, Franklin

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Dear Karen,

Thank you so much for the information and history surrounding Mr. Garneau's concerns. He had said there had been much contact over the years. I had already explained to Mr. Garneau that the original easement documents would outline the legal perimeters of trimming and maintenance of growth in the rights-of-way. I was somewhat surprised that his inquiries were not made when he first received notice of the planned work and only as it was about start.

I appreciate the details you provided and the info will help me to explain the situation to Mr. Garneau.
Clare

From: PSNHPUCLiaison [<mailto:PSNHPUCLiaison@eversource.com>]
Sent: Tuesday, December 11, 2018 10:09 AM
To: Howard-Pike, Clare
Cc: PSNHPUCLiaison
Subject: Re: Joseph Garneau, 7 Garneau Rd, Franklin

Good morning, Clare:

Eversource does have a long history of trying to work with with Mr Garneau regarding tree trimming and clearing in this Transmission right of way. You are likely aware that NHPUC does not have jurisdiction over Transmission rights-of-way, however Eversource offers you the following:

The area to be cleared is part of Eversource's existing Transmission right-of-way for which Public Service of New Hampshire dba Eversource has easements dated 1951 and 1964. The easements give Eversource the legal rights to manage the vegetation within the rights-of-way as necessary for the safe and reliable operation of the transmission lines located there. The Commission has noted that it does not have the authority to determine the property rights under such easements; "Only a court of competent jurisdiction may determine individual property owners'

rights." Order No. 26,103 at 17 (February 12, 2018).

The vegetation work is part of Eversource's right-of-way maintenance program and is not being performed to accommodate new construction. There are three existing 115 kV lines in this right-of-way and vegetation has grown to the point that they present dangers to the safe and reliable operation of those lines.

There were past discussions between Mr Garneau and Eversource regarding the vegetation in question, including a proposal in which he would perform maintenance of the trees within the right-of-way, however that proposal was never concluded, and any maintenance has either been insufficient or not performed. We met with Mr. Garneau and his attorney this past summer; but that meeting was unproductive due to their refusal to cooperate.

The trees identified for removal are species which are incompatible with good utility practice in Transmission rights-of-way because these species grow too tall. In this case, many of the trees are already too tall, and now are, or will be, in violation of minimum vegetation control distances as specified by the North American Electric Reliability Corporation (NERC) in the next growing season, and they need to be removed. The vegetative growth is so severe that an outage is required to safely remove trees under one of the lines and special operating instructions will be enforced for another. The trees need to be removed as soon as possible to preserve safety and reliability.

The City of Franklin, through its City Manager and Police Chief, is aware of the need for Eversource to perform this work. They are understanding and will provide assistance as needed.

If you have any questions, please let me know.

Thanks,
Karen

From: Howard-Pike, Clare <Clare.Howard-Pike@puc.nh.gov>
Sent: Monday, December 10, 2018 01:27 PM
To: PSNHPUCLiaison
Subject: [External Sender]Joseph Garneau, 7 Garneau Rd, Franklin

Sandra,

This customer has contacted our office with an urgent complaint regarding a notice he has received from the company that states that clear cutting is scheduled on his property this week. I found that he registered a complaint in 2016, that was connected with the DE 15-459 Northern Pass Transmission LLC docket. I have attached his letter to provide some explanation.

Could you provide information about this action?

[Clare E. Howard-Pike](#)

Consumer Services and External Affairs

New Hampshire Public Utilities Commission

Phone 603-271-2431

Fax 603-271-3878

Clare.Howard-Pike@puc.nh.gov

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