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August 24, 2020

Ms. Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301

Re: DOCKET 20-014

Dear Director Howland:

I am in receipt of Secretarial Letter dated August 19, 2020 in the above referenced docket enclosing a letter of concern dated August 17, 2020. Please accept this letter as Public Service Company of New Hampshire d/b/a Eversource Energy's response to said letter of concern, as required by the Secretarial Letter.

The letter of concern is copied below, with Eversource's response following each paragraph in bold and italics:

My office represents Joseph Garneau and Mary Cohen ("Garneau"), owners of property located on Carr Street, Franklin, NH, known as Tax Map 77, Lot 402, which property is encumbered by an easement to Eversource Energy ("Eversource") for the electric lines involved in this project. The Garneau property abuts the Northern Rail Trail, and faces the Webster Switching and Distribution Substation. The property in question also abuts Chance Pond.

One of Garneau's main concerns regarding this project is erosion in the area due to the proposed construction, and what, if any, planned temporary mitigation measures will be taken to prevent silt and other run off into Chance Pond during construction.

The scope of the project licensed under Docket 20-014 in proximity to Chance Pond is the installation of new shield wire, which will be installed by helicopter and ground-based pulling and tensioning equipment. Structures are not going to be added or replaced as part of this scope at that location and there will not be any ground disturbance on the Garneau property. There will be minor temporary ground disturbance in upland areas off of the Garneau property to allow for the set up and operation of the pulling equipment. Any disturbed areas will be stabilized and restored upon completion of the work. Soil erosion concerns will be managed with Eversource's standard Best Management Practices, which are approved by the New Hampshire Department of Environmental Services and employed across all of Eversource's

projects. There will also be weekly monitoring of construction activities performed by an environmental consultant. Reports are generated each time an inspection is performed and action items are immediately addressed by Eversource's contractors. Eversource's in-house personnel also monitor the project on a daily basis and are instructed to address erosion issues when they arise in accordance with applicable State regulations and local ordinance.

Permanent measures to prevent erosion after the project's completion are also necessary. In 2018 Eversource clear cut the easement area and since then has taken no measures to prevent erosion into the pond. As a result, silt and other matter washes into Chance Pond unchecked. Included in that clear cutting were 225 Christmas trees, planted by Garneau with the knowledge and permission of Eversource, and those trees were cut and chipped without warning or compensation.

There is no Joint Use Agreement between Eversource and Mr. Garneau authorizing the Christmas trees to be located within the transmission easement ROW. Mr. Garneau and his attorney were provided with one month advanced notice for the tree removal. Eversource attempted to negotiate options for mitigation with Mr. Garneau and his attorney for months in advance, up until the night before the tree removal, but they were not willing to negotiate. More details about this tree removal and associated negotiations can be found in the response to Mr. Garneau's PUC complaint related to the M127 corridor on December 11, 2018 (enclosed).

Mr. Garneau has not notified Eversource about his concern for Chance Pond prior to this letter of concern. In 2018, Eversource offered to plant trees at the slope by Chance Pond to assist with erosion control, but those plantings were denied by Mr. Garneau as he wished to retain a view of Chance Pond. Eversource's environmental consultants have since reviewed the area as recently as August 12, 2020 and have not observed a need for additional erosion control.

Also of concern is the current lack of buffer plantings surrounding the substation, which were promised as part of the expansion of the substation but were never planted. This buffer was to provide a screen from the lights installed around the perimeter of the substation, as well as from workers' view. It is also my understanding that Eversource clear cut the buffer between my clients' property and the Northern Rail Trail. The property owners request that the promised buffer plantings be included in the final phase of construction on this portion of the line.

In 2016, Eversource built the Daniel Webster Substation next to the existing Webster Substation on Webster Lake Road. As part of the construction of that substation, trees were cleared from the area. Eversource agreed to provide a vegetative buffer to the new substation along Webster Lake Road to afford visual mitigation. In 2017, Eversource installed a four-foot berm and 170 arborvitae to fulfill its commitment. In addition, a property owner on Carr Street requested plantings in a certain location to help buffer the other side of the new Daniel Webster Substation. In 2017, Eversource installed those plantings in that additional location to further screen the new substation.

Mr. Garneau never requested additional plantings relative to the expansion project, as the expansion of Eversource's infrastructure did not directly impact the view from his property. While there is a tree buffer between Mr. Garneau's property and the Daniel Webster Substation, Mr. Garneau does have a view of the Webster Substation following tree removal that occurred in December 2018, but that removal was not within the scope of the Daniel Webster Substation construction project in 2017 or related to Eversource's commitment to buffer in conjunction with the substation construction project. The trees that were removed in December 2018 within the ROW had been identified as out of compliance with the safe and reliable operation of the overhead transmission line, according to OSHA and ANSI standards. Many of the trees were within three (3) feet of the transmission line.

In advance of the tree removal in December 2018, extensive plantings were offered to Mr. Garneau and his attorney for the Garneau property including plants that would screen the Webster Substation, but they never accepted the offer to work with Eversource on a planting plan. Therefore, specific plantings were never discussed or agreed upon.

Additionally, the majority of the property abutting the rail trail was owned by a Fred Roy at the time of the vegetation management was performed in December 2018. When Mr. Roy was offered a fence or buffer to the substation, he declined and chose to put trees in a different area. Mitigation was offered and executed to Mr. Roy's satisfaction and the lack of screening along the Roy property is not a deficiency in the screening commitments that Eversource made in conjunction with the expansion project.

My clients fear that new construction along this line will lead to further devaluation of their property and are concerned about additional or expanded lines overburdening the area and causing harm to their property as well as Chance Pond.

Eversource remains open to discussion regarding mitigation plantings for Mr. Garneau, relative to the tree removals performed in December 2018. The recently licensed shield wire replacement on the M127 Line will not change his view.

Pursuant to the Commission's notice of March 17, 2020, this filing is only being provided by email.

Thank you for your assistance. Please let me know if you have any questions.

Sincerely,



Erik Newman
Senior Counsel

via e-mail w/Encl.