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Update 2/26/11

### **Upcoming Dates:**

#### **VERY IMPORTANT:**

**March 9 in Concord at the Legislative Office Building – Representatives Hall (SEE COPIES OF THE BILLS AT THE END OF THIS EMAIL.)**

#### **Hearings on House Bills 648 and 649**

THESE TWO HOUSE BILLS ARE CRUCIAL and will be heard on March 9<sup>th</sup> before the Science, Technology and Energy Committees.

At 10:15 there will be a hearing on **House Bill 648 on eminent domain**. This will bring legislation into conformity with the intent of the amendment to the NH Constitution and prevent Northern Pass from using PUC utility rules to “take properties”.

At 1:00 there will be a hearing on **House Bill 649 which allows a Regional Planning Commission** to ask for a economic and social impact study for transmission lines. The results of this study must be presented to the PUC and Site Evaluation Committee to consider in their review to permit Northern Pass. This is a separate study from the EIS and legislation requires the applicant to pay the costs. But the study will be independent of the applicant.

Some communities are arranging for buses to go down to Concord. Representative Hall holds well over 400 people and we want to **fill the hall with supporters of both bills**.

### **Town Meetings**

**On or Around March 7 – Town Meetings** Be sure to go to your town meeting this year. Many towns throughout NH have **petitions on their warrants opposing Northern Pass**. Be sure to go, make comments and vote your opinion on whether Northern Pass will have a negative impact on your town. Most towns will have these petitions by a voice vote so you must attend in order to be heard.

### **Northern Pass Transmission Scoping Meetings**

**THESE ARE EXTREMELY IMPORTANT TO ATTEND. You should bring copies of comments with you whether you have an opportunity to speak or not. EACH issue that is mentioned MUST be studies addressed by the DOE! You can register to comment prior to the hearings by contacting Brian Mills at [Brian.Mills@hq.doe.gov](mailto:Brian.Mills@hq.doe.gov) at a specific hearing.**

People who have already registered to speak are listed at <http://www.northernpasseis.us/Comments/RequestToSpeak.asp> so there's still plenty of space for you.

**Monday, March 14, 6-9 pm** 209 Academy Road  
Pembroke, NH 03275

**Tuesday, March 15, 6-9 pm** Franklin, NH Franklin Opera House  
316 Central Street  
Franklin, NH 03235

**Wednesday, March 16, 6-9 pm** Lincoln, NH The Mountain Club on Loon, Hancock Room  
90 Loon Mountain Road Lincoln, NH 03251

**Thursday, March 17, 6-9 pm** Whitefield, NH Mountain View Grand Hotel and Resort,  
Presidential Room  
101 Mount View Road  
Whitefield, NH 03598

**Friday, March 18, 6-9 pm** Plymouth, NH Plymouth Regional Senior Center  
8 Depot Street  
Plymouth, NH 03264

**Saturday, March 19, 1-4 pm** Colebrook NH Colebrook Elementary School  
27 Dumont Street  
Colebrook, NH 03576 Saturday, March 19, 1-4 pm

### **Breaking News**

We have received word that the entire Coos County Delegation of NH Representatives has unanimously announced that they are opposed to Northern Pass.

### **North Country Council Directors Voted Unanimously Against Northern Pass.**

The North Country Council Board of Directors voted unanimously against Northern Pass. The Council is the North Country's Regional Planning Commission. The North Country Council is one of 9 Regional Planning Commissions in New Hampshire and it serves Coos, Carroll and Grafton Counties. Their web site is at <http://www.nccouncil.org/> and office is at the Rocks Estate in Bethlehem.

The Council provides the following services to the regions' towns. Some are complimentary and others contractual.

[Transportation](#)

[Economic Development](#)

[Emergency Preparedness](#)

[Solid Waste Technical Assistance](#)

Natural Resource Planning  
Housing Needs Assessment  
Community Planning  
Public Participation  
Assistance with Review of Subdivision or Site Plan Applications  
Community Outreach and Education  
Geographic Information Systems (GIS)

North Country Council has established a page on their website on Northern Pass at <http://www.nccouncil.org/ncc.php?page=31>. At that page you will find results from a recent survey of towns conducted by the Council on the Impact of Northern Pass. 359 responses indicate that NP will have a mostly negative impact on towns while 28 indicated a mostly positive impact.

The following Resolution was adopted on February 23 by the Board of Directors of the N.C. Council:

**To express the opposition of the Board of North Country Council to the Northern Pass Project based on a survey of our member communities, the preponderance of negative impacts which may result from its construction, and the lack of regional benefit.**

**We urge the development of energy projects and policies that are in keeping with the policies and strategies adopted by the Council for the benefit of the region and our state.**

**Pursuant to RSA 36, we also request the commissioning of an independent study to help in the evaluation of the complex far reaching impacts which this project and its alternatives present to the region.**

## **They Keep Growing Babies – or More Proposed Power Lines**

This article from Platts.com . According to their web site, Platts is the leading global provider of energy and metals information, and the world's foremost source of price assessments in the physical energy markets. Since 1909, Platts has enabled the markets to operate with transparency and efficiency, and helped traders, risk managers, analysts, and industry leaders make better trading and business decisions.

We wonder if once there is one transmission line, that more may follow. Read the article to see who the players are and you make up your own mind.

*Four New England utilities are planning a new \$1.5 billion transmission line to move wind power from north to south within the region, said Charles Shivery, Northeast Utilities' chairman, president and CEO.*

*Shivery discussed the new project Monday during a joint earnings call with NStar at the EEI Financial Conference in California. NU and NStar on proposed a \$17.5 billion "merger of equals" October 18.*

*NStar and NU would build the new 1,500 MW line with United Illuminating and National Grid. It would run 250-300 miles from either northern Maine or New Hampshire into New England's more densely populated states to the south.*

*"This is a real project that we think we will be able to move forward," Shivery said.*

*The new line will use the same "participant pay model" as Northern Pass, a 1,200-MW direct current transmission line that NU and NStar already are working together to develop with Hydro-Quebec to carry hydroelectricity into New England from Canada.*

*NStar spokeswoman Caroline Allen said in an interview that the four utilities are "looking at the feasibility of a large-scale, multi-state project that could cost-effectively" help meet renewable portfolio standards.*

*Regarding the NU/NStar merger, the companies hope to win regulatory approval of the union six months. Under the deal, NStar shareholders would receive 1.312 shares of NU stock for each NStar share they hold. Once the merger is completed, NStar shareholders would own about 44% of the combined company with NU shareholders owning 56%.*

*NStar Chairman, President and CEO Thomas May said the merger has been "well-received" by politicians and regulators. "People want to help us get through this process. No one is throwing up roadblocks. No one is saying 'this is stupid,'" he added.*

--Lisa Wood, [newsdesk@platts.com](mailto:newsdesk@platts.com)

## **Links to information or media coverage of Northern Pass:**

Atta Girl Records sent us a link to Soco Magazine at <http://www.socomagazine.info/> has in their latest issue has an large spread on Northern Pass. Go to: <http://issuu.com/soco/docs/march11?mode=embed&layout=http://skin.issuu.com/v/light/layout.xml&showFlipBtn=true&pageNumber=70>

Letter to the Concord Monitor written by Julie Moran in response to the recent Dog and Pony show that Northern Pass, PSNH and HQ have been presenting editorial boards. Go to <http://www.concordmonitor.com/article/241272/opposition-spans-the-entire-state>

Katie Rose on You Tube at [http://www.youtube.com/watch?v=4Sw2SXj91zk&feature=player\\_embedded](http://www.youtube.com/watch?v=4Sw2SXj91zk&feature=player_embedded)

## **Letters Opposing Northern Pass to the Governor**

Pam and Peter Martin are up to 700 signatures on their petition to the Governor. We encourage you to sign this petition if you have not already. For more information on the campaign contact them at: [martinp003@hotmail.com](mailto:martinp003@hotmail.com)

The goal is 1000 letters.

**HOUSE BILL 648**

AN ACT relative to eminent domain petitions by public utilities.

SPONSORS: Rep. Rappaport, Coos 1; Rep. Remick, Coos 2; Rep. Kurk, Hills 7; Rep. Tholl, Coos 2; Rep. Ladd, Graf 5; Rep. Daugherty, Coos 1; Rep. Brosseau, Graf 6; Rep. Reilly, Graf 8; Sen. Forrester, Dist 2

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill prohibits public utilities from petitioning for permission to take private land or property rights for the construction or operation of a private large scale transmission line.

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Explanation: Matter added to current law appears in **bold italics**.  
Matter removed from current law appears ~~[in brackets and struckthrough]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

11-1072  
06/03

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT relative to eminent domain petitions by public utilities.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Proceedings to Acquire Property or Rights; Petition. Amend RSA 371:1 to read as follows:

371:1 Petition. Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a line, branch line, extension, ~~[or a]~~ pipeline, conduit, line of poles, towers, or wires across the land of another, or should acquire land, land for an electric substation, or flowage, drainage, or other rights for the necessary construction,

extension, or improvement of any water power or other works owned or operated by such public utility, and it cannot agree with the owners of such land or rights as to the necessity or the price to be paid therefore, such public utility may petition the public utilities commission for such rights and easements or for permission to take such lands or rights as may be needed for said purposes. No public utility may petition for permission to take private land or property rights for the construction or operation of an electric generating plant *or a private large scale transmission line*.

2 New Section; Proceedings to Acquire Property or Rights; Definition. Amend RSA 371 by inserting after section 1-a the following new section:

371:1-b Definition. In this subdivision "private large scale transmission line" means an electric transmission line that involves the acquisition of a new right of way totaling 10 or more miles in length for which the majority of the costs are privately funded and not included in an approved rate base.

3 Effective Date. This act shall take effect 60 days after its passage.

embers. This bill is a revision of the current bill and adds

**HOUSE BILL 649**

AN ACT relative to the Northern Pass Project to construct and operate transmission lines from the Canadian border to a proposed terminal in Franklin, New Hampshire.

SPONSORS: Rep. Ladd, Graf 5; Rep. Kurk, Hills 7; Rep. Rappaport, Coos 1; Rep. Aguiar, Graf 6; Rep. Harding, Graf 11; Rep. Cooney, Graf 7

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill:

I. Requires a regional planning commission to undertake a fact finding impact study when certain high voltage transmission line projects are proposed.

II. Prohibits a public utility from petitioning for permission to take private property for the construction or operation of a private large scale transmission line.

III. Requires any agreement between a large scale participant-funded transmission line and an electric distribution utility to balance the interests of the ratepayers and the developer.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through]~~.  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

11-1073  
06/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT relative to the Northern Pass Project to construct and operate transmission lines from the Canadian border to a proposed terminal in Franklin, New Hampshire.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 New Sections; Regional Planning Commission Fact Finding Impact Study. Amend RSA 36 by inserting after section 53 the following new sections:

36:53-a Regional Planning Commission Fact Finding Impact Study.

I. Upon receiving a written request for intervention from a governing body under RSA 49-B:2, IV(c) a regional planning commission shall initiate an independent social, economic, and environmental fact finding impact study regarding the location, construction or the acquisition of a new right-of-way that totals 10 or more miles in length of high voltage electric transmission lines. The regional planning commissions shall collaborate and develop a joint fact finding impact study for any proposed high voltage transmission line project that extends to multiple planning regions. To maintain report integrity and to achieve transparency, a contracted service or consultants, independent of the project developer, may assist in all or part of the fact finding impact study.

II. The fact finding impact study shall include public input and the completed report with recommendations shall be presented to the speaker of the house of representatives, the president of the senate, a commissioner of the public utilities commission, and the chairman of the site evaluation committee established under RSA 162-H:3 on or before November 1, 2011. The report shall be used in deliberations of the site evaluation committee, prior to its consideration of the location of the high voltage electric transmission line, and prior to project approval.

III. In this section, "high voltage transmission line" means a line with a design rating in excess of 200 kilovolts.

36:53-b Costs of Fact Finding Impact Study. The costs of any fact finding impact study conducted under RSA 36:53-a shall be paid by the developer of the high voltage electric transmission lines. Such expense shall not include any part of the salaries of regional planning commission employees.

2 Proceedings to Acquire Property or Rights; Petition. Amend RSA 371:1 to read as follows:

371:1 Petition. Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a line, branch line, extension, ~~[or a]~~ pipeline, conduit, line of poles, towers, or wires across the land of another, or should acquire land, land for an electric substation, or flowage, drainage, or other rights for the necessary construction, extension, or improvement of any water power or other works owned or operated by such public utility, and it cannot agree with the owners of such land or rights as to the necessity or the price to be paid therefore, such public utility may petition the public utilities commission for such rights and easements or for permission to take such lands or rights as may be needed for said purposes. No public utility may petition for permission to take private land or property rights for the construction or operation of an electric generating plant **or a private large scale transmission line**.

3 New Section; Proceedings to Acquire Property or Rights; Definition. Amend RSA 371 by inserting after section 1-a the following new section:

371:1-b Definition. In this subdivision, “private large scale transmission line” means an electric transmission line that involves the acquisition of a new right of way totaling 10 or more miles in length for which the majority of the costs are privately funded and not included in an approved rate base.

4 New Paragraph; Other Public Utilities. Amend RSA 374:22 by inserting after paragraph I the following new paragraph:

I-a. Any approval granted under this section related to a large scale private or participant-funded transmission line to be sited in the state shall be conditioned upon the sale of electricity and related products and attributes transmitted on the line at cost-based rates, or at rates lower than market, to any electric distribution utility in New Hampshire that seeks to purchase such electricity. An electric distribution utility shall seek approval of such purchase from the public utilities commission. The commission shall require, as a condition of approval of any such agreement, that it provides net benefits to ratepayers, includes appropriate protections for ratepayers, and demonstrates that it is in the best interests of ratepayers by balancing the interests of the developer, the reasonable power needs of electricity consumers, and the need to increase the growth of business and industry throughout the state. No approval shall be granted by the public utilities commission related to any large scale private or participant-funded transmission line before July 1, 2012.

5 Effective Date. This act shall take effect upon its passage.