

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A EVERSOURCE ENERGY

Petition for Approval of Lease Agreement Between Public Service Company of New Hampshire
d/b/a Eversource Energy and Northern Pass Transmission LLC

Docket No. DE 15-464

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY'S OBJECTION
TO PETITION TO INTERVENE OF
KRIS PASTORIZA

Pursuant to New Hampshire Code of Administrative Rules Puc 203.07 and RSA chapter 541-A, Public Service Company of New Hampshire d/b/a Eversource Energy ("PSNH" or the "Company") hereby objects to the petition to intervene of Kris Pastoriza in the above-captioned docket. In support of its objection, PSNH states the following:

1. On October 19, 2015, PSNH filed a petition for approval of a lease transaction between it and Northern Pass Transmission LLC ("NPT") whereby PSNH would lease to NPT certain real estate rights owned by PSNH. On April 11, 2016, Ms. Pastoriza filed a late petition to intervene and alleged that intervention was justified because "the PSNH easement crosses the right-of-way to my abutting property, 780 Gibson Road [in Easton], (a right-of-way that pre-dates the siting of the line), is extensively within the viewshed of my property, and any violation of the easement contract will negatively affect my property."¹ Motion to Intervene at 1. The petition does not demonstrate how any of Ms. Pastoriza's rights, duties, privileges, immunities or other substantial interests are affected

¹ The petition also states that Ms. Pastoriza is the "representative" for Ruth Ward, the owner of property at 280 Gibson Rd. in Easton. The petition, however, offers nothing that demonstrates that Ms. Pastoriza is, in fact, authorized to represent Ms. Ward. Therefore, PSNH does not address Ms. Ward. Nevertheless, to the extent the Commission deems it appropriate to address the potential concerns of Ms. Ward, PSNH submits that the same infirmities exist with any potential intervention by Ms. Ward, as with Ms. Pastoriza.

by the proceeding, nor that the interests of justice require the intervention. *See* RSA 541-A:32. Ms. Pastoriza's petition should, therefore, be denied.

2. In her petition, Ms. Pastoriza contends that her property is encumbered by an easement owned by PSNH. That much is true. However, the easement owned by PSNH is not included in the easements that are part of the underlying lease in this case. In Easton, the NPT line is proposed to be built entirely underground in public roadways. *See, e.g.,* <http://www.northernpass.us/easton-nh.htm>, for a description of the NPT line in Easton (noting that the NPT line in Easton would consist of "9.4 miles of underground along public roads."). In Easton, the NPT line would not use any easements owned by PSNH, and no land in Easton is included in the properties that are covered by the lease in this docket. *See, e.g.,* PSNH Lease Petition in Docket No. DE 15-464, Bates Page 185, Attachment to Testimony of Robert P. LaPorte, Jr., listing towns with properties subject to the proposed lease. While Ms. Pastoriza may have some generalized interest in the NPT project, or some aspect of it, she would not be affected by any decisions of the Commission relative to the lease that is the subject of this proceeding.² Accordingly, in that Ms. Pastoriza does not have the requisite interests at stake as required by RSA 541-A:32, her intervention should not be granted.

² PSNH notes that the Commission has already denied the request to intervene of different petitioners for precisely the same reasons articulated here – the land and easements identified in the intervention petition were not subject to the lease. *See* Transcript of February 19, 2016 Pre-Hearing Conference in Docket No. DE 15-464 at 13.

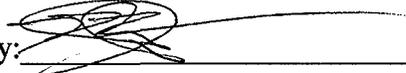
WHEREFORE, PSNH respectfully requests that the Commission:

- (1) Deny Ms. Pastoriza's petition to intervene in this proceeding; and
- (2) Order such further relief as may be just and equitable.

Respectfully submitted,

**Public Service Company of New Hampshire d/b/a
Eversource Energy**

April 15, 2016
Date

By: 

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CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached Objection to be served pursuant to N.H. Code Admin. Rule Puc 203.11.

April 15, 2016
Date


Matthew J. Fossum