

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

Petition of NSTAR Electric Company d/b/a Eversource Energy Pursuant to G.L. c. 164, § 72 for Approval to Construct and Operate a New 115-kV Electric Transmission Line Through the Towns of Bourne, Sandwich, and Barnstable)	
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**PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
PURSUANT TO G.L. c. 164, § 72 FOR APPROVAL OF A NEW 115-kV
TRANSMISSION LINE**

Now comes NSTAR Electric Company d/b/a Eversource Energy (“Eversource” or the “Company”), seeking a determination from the Department of Public Utilities (the “Department”) that, pursuant to G.L. c. 164, § 72 (“Section 72”), the Company’s proposal to construct and operate an approximately 12.5-mile, overhead 115-kilovolt (“kV”) electric transmission line (the “New Line”) along existing Eversource right-of-way (“ROW”) between Eversource’s Bourne Switching Station and West Barnstable Substation is necessary, serves the public convenience and is consistent with the public interest (the “Section 72 Petition”). The New Line, which will travel through Bourne, Sandwich and Barnstable, together with the related station improvements, are referred to herein as the Mid Cape Reliability Project, or the “Project.” In support thereof, the Company states as follows:

1. Eversource, with a principal place of business at 800 Boylston Street, 17th Floor, Boston, Massachusetts 02199, is an electric company as defined by G.L. c. 164, § 1 and, therefore, is authorized to transmit electricity. NSTAR Electric Company d/b/a Eversource Energy, EFSB 16-02/D.P.U. 16-77, at 77-78 (2018) (“Eversource Needham”); NSTAR Electric Company d/b/a

Eversource Energy, EFSB 15-03/D.P.U. 15-64/15-65, at 78 (2017) (“Eversource Mystic-Woburn”); NSTAR Electric Company d/b/a Eversource Energy, D.P.U. 15-85, at 6 (2016).

2. The Company is represented by David S. Rosenzweig, Esq. and Michael J. Koehler, Esq., Keegan Werlin LLP, 99 High Street, Suite 2900, Boston, MA 02110.

3. The New Line satisfies the Department’s standards under Section 72 because the Project is needed and will serve the public interest by increasing the reliability of the regional electric transmission system on Cape Cod, Martha’s Vineyard and Nantucket.

4. To accommodate the New Line, the Company also proposes to undertake improvements at the West Barnstable Substation, including the addition of a new 115-kV switchyard bay (circuit breakers and bus work) on the west side of the existing substation. The western fence line of West Barnstable Substation will be expanded by approximately 65 feet to accommodate the new terminal. The expansion work will take place on some existing disturbed and graveled areas but will also include approximately 1.4 acres of tree removal where grading, modifications to an existing stormwater swale, reconfiguring an existing gravel access road and relocating the existing 25-kV distribution line poles will occur. There will be sufficient space at Bourne Switching Station to terminate the New Line.

5. Simultaneously herewith, the Company is also filing: (a) a petition to the Energy Facilities Siting Board (the “Siting Board”) requesting approval of the construction of the Project pursuant to G.L. c. 164, § 69J (the “Section 69J Petition”) (EFSB 19-06); (b) a petition to the Department requesting that the Department grant individual and comprehensive zoning exemptions from the operation of the *Zoning Ordinance of the Town of Barnstable* (the “Barnstable Zoning Ordinance”) pursuant to G.L. c. 40A, § 3 (the “Zoning Petition”) (D.P.U. 19-

143); and (c) a motion with the Department to refer this Section 72 Petition and the Zoning Petition to the Siting Board and to consolidate each of the petitions for review by the Siting Board.

6. Pursuant to G.L. c. 164, § 72, an electric company seeking approval to construct a transmission line must file a petition with the Department for:

[A]uthority to construct and use or to continue to use as constructed or with altered construction a line for the transmission of electricity for distribution in some definite area or for supplying electricity to itself or to another electric company or to a municipal lighting plant for distribution and sale . . . and shall represent that such line will or does serve the public convenience and is consistent with the public interest . . . The department, after notice and a public hearing in one or more of the towns affected, may determine that said line is necessary for the purpose alleged, and will serve the public convenience and is consistent with the public interest.

7. The Department, in making a determination under G.L. c. 164, § 72, considers all aspects of the public interest. Boston Edison Company v. Town of Sudbury, 356 Mass. 406, 419 (1969); Eversource Needham at 77; NSTAR Electric Company d/b/a Eversource Energy and New England Power Company d/b/a National Grid, EFSB 15-04/D.P.U. 15-140/15-141, at 151-52 (2018) (Eversource/NEP Woburn-Wakefield); NSTAR Electric Company, D.P.U. 13-177/13-178, at 41 (2015) (“NSTAR Seafood Way”); NSTAR Electric Company, D.P.U. 13-126/13-127, at 40 (2014) (“NSTAR Electric Avenue”). All factors affecting any phase of the analyses performed by a company in connection with the public interest and public convenience are weighed fairly by the Department in a determination under G.L. c. 164, § 72. Town of Sudbury v. Department of Public Utilities., 343 Mass. 428, 430 (1962).

8. In evaluating petitions filed under G.L. c. 164, § 72, the Department examines: (1) the need for, or public benefits of, the present or proposed use; (2) the environmental impacts or any other impacts of the present or proposed use; and (3) the present or proposed use and any alternatives identified. Eversource Needham at 77-78; Eversource/NEP Woburn-Wakefield at 152; NSTAR Seafood Way at 41; NSTAR Electric Avenue at 40.

9. In determining whether a proposed project is reasonably necessary for the public convenience or welfare, the Department balances the interests of the general public against the local interests and determines whether the line is necessary for the purpose alleged and will serve the public convenience and is consistent with the public interest. Eversource Needham at 77-78; Eversource/NEP Woburn-Wakefield at 151-52; Eversource Mystic-Woburn, at 84; NSTAR Seafood Way at 41; NSTAR Electric Avenue at 40. The Department undertakes “a broad and balanced consideration of all aspects of the general public interest and welfare and not merely [make an] examination of the local and individual interests that might be affected.” New York Central Railroad v. Department of Public Utilities, 347 Mass. 586, 592 (1964); see Eversource Mystic-Woburn at 79.

10. The Section 69J Petition, including its Attachment A, a document entitled *Analysis to Support Petitions Before the Energy Facilities Siting Board - Mid Cape Reliability Project* (the “Analysis”), is incorporated herein by reference and made a part hereof. The Project is more particularly described in Section 1 of the Analysis. The Analysis provides the factual basis for the Company’s conclusion that the Project meets the consistent standards of the Siting Board and Department under G.L. c. 164, §§ 69J and 72, respectively, because the Project is necessary to provide a reliable energy supply for the Commonwealth while minimizing cost and environmental impacts.

11. As described more fully in Section 2 of the Analysis, the primary purpose of the Mid Cape Reliability Project is to address potential thermal overloads and low voltage conditions that could result in the loss of electric service to the entire Cape Cod area and the islands of Martha’s Vineyard and Nantucket, totaling over 500 megawatts of load. Such an outage could

affect over 200,000 customers in the Cape Cod area. The need is present at existing load levels and is therefore immediate.

12. In addition to the Company's proposed Project, the Company identified potential alternatives to address the issues driving the need for the Project. In evaluating alternatives, the Company considered factors relating to the reliability, complexity, cost, and the time required to implement them in order to address the identified needs in an efficient, reliable, and long-lasting manner while balancing issues of cost and environmental impacts. The alternative approaches included: (1) a No-Build Alternative; (2) a transmission alternative involving the reconductoring, rebuilding and bifurcation of existing transmission lines, as well as associated terminal system upgrades;¹ and (3) non-transmission alternatives ("NTAs") such as energy efficiency, demand response programs and distributed generation. The Company also undertook a thorough and objective analysis to identify the preferred Project route, which included an evaluation of environmental impacts, reliability, and cost of various potential routes. The Project alternative and routing options that were considered are described in Sections 3 and 4 of the Analysis.

13. The Company has conducted detailed analyses of the environmental impacts of the Project, has identified the relevant impacts and has proposed measures to minimize impacts associated with the construction and operation of the Project. The Company also analyzed the Noticed Variation, which would involve the design and construction of a 345-kV transmission line on the same ROW as the Project but operated at 115 kV, relative to the Project. The Company's analysis demonstrates that the Noticed Variation will cost more than the Project, but will have

¹ More specifically, the transmission alternative studied consists of the following components as more fully described in Section 3 of the Analysis: (1) reconductor and rebuild a 115-kV overhead transmission line from Bourne Switching Station to West Barnstable Substation (approximately 26.5 miles); (2) bifurcate a 115-kV transmission line from Bourne Switching Station to Barnstable Switching Station (approximately 16 miles); and (3) construct the associated terminal system upgrades.

similar environmental impacts, while providing potential synergy for the future interconnection of renewable energy generation. Overall, the Company's analysis demonstrates that the Project will achieve an appropriate balance among conflicting environmental concerns as well as among environmental impacts, reliability and cost. Comprehensive information regarding the minimization of impacts is set forth in Section 5 of the Analysis.

14. As required under Section 72, and in support of this Petition, a description of the Project and an estimate of its costs are included in the Analysis. The Department's Section 72 Checklist is provided as Attachment A to this Petition and a draft hearing notice (including an electronic version in MS Word format) is being provided along with the Section 69J Petition. In further compliance with the Department's Section 72 Checklist, USGS locus maps and diagrams of the proposed transmission line routes can be found in Sections 1, 4 and 5 of the Analysis. A list of all permits required for the Project is found in Section 6 of the Analysis. Lastly, a copy of the Company's Environmental Notification Form submitted pursuant to the Massachusetts Environmental Policy Act is provided as Appendix 6-1 of the Analysis.

WHEREFORE, the Company respectfully requests that the Department (or, as appropriate, the Siting Board), pursuant to G.L. c. 164, § 72, and after due notice and a public hearing, determine that the construction of the Project is necessary for the purposes stated, will serve the public convenience and will be consistent with the public interest, and thus, authorize the Company to construct and operate the Project.

Respectfully Submitted,

**NSTAR ELECTRIC COMPANY d/b/a
EVERSOURCE ENERGY**

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