



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

June 23, 1986

D.P.U. 84-246-A

Joint petition of New England Hydro-Transmission Electric Company, Inc. and New England Power Company for a determination that proposed electric transmission lines in the Towns of Tyngsborough, Dunstable, Groton, Ayer, Shirley, Lancaster, Sterling, West Boylston, Boylston, Shrewsbury, Grafton, Millbury, Sutton, Upton, Milford, Medway, and the City of Leominster and the alteration of existing transmission lines in the Towns of Ayer, Shirley, Lancaster, Sterling, West Boylston, Boylston, Shrewsbury, Grafton and Millbury are necessary and would serve the public convenience and be consistent with the public interest.

D.P.U. 84-247-A

Joint petition of New England Hydro-Transmission Electric Company, Inc. and New England Power Company for exemption of electric transmission lines from zoning by-laws of the Towns of Tyngsborough, Dunstable, Groton, Shirley, Lancaster, Sterling, West Boylston, Boylston, Shrewsbury, Grafton, Millbury, Sutton, Upton, Milford, and Medway and the zoning ordinance of the City of Leominster.

D.P.U. 84-248-A

Joint petition of New England Hydro-Transmission Electric Company, Inc. and New England Power Company for exemption of electric converter terminal from zoning by-laws of the Towns of Ayer and Groton.

APPEARANCES:

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 FOR: NEW ENGLAND POWER COMPANY
 NEW ENGLAND HYDRO-TRANSMISSION
 ELECTRIC COMPANY
Petitioners

On May 2, 1986, New England Hydro-Transmission Electric Company, Inc. ("NEH") and New England Power Company ("NEP"; jointly, "Petitioners") filed a Motion for Clarification of Findings Regarding Environmental Impact with the Department of Public Utilities ("Department"). In their motion, the Petitioners ask the Department to clarify its findings regarding the environmental impact of the New England/Hydro-Quebec Phase II transmission facilities which are the subject of D.P.U. 84-246, 84-247 and 84-248, pursuant to G.L. c. 30 sec. 61.

The Petitioners' witnesses testified that most of the environmental effects of the project would be related to construction activities, and therefore would be temporary (Exh. LPS, p. 11). In addition, they stated that the design of the proposed facilities includes measures which will reduce any potential environmental impacts (Exhs. LPS, pp. 17-19; FSS, pp. 58-65).

In its Order of April 11, 1986, the Department noted that the Petitioners' plan was "found by the Energy Facilities Siting Council ("EFSC") to be 'superior to alternatives in terms of cost and environmental impacts'" and that "the proposed projects will have a minimum impact on the environment." D.P.U. 84-246, 84-247, 84-248, p. 33. A fair reading of the Department's Order indicates that the environmental impact issue was addressed and considered by the Department. The omission of an explicit finding on the environmental impact issue was merely an oversight on the Department's part. Based on the Order's intent

I. INTRODUCTION

On November 30, 1984, New England Hydro-Transmission Electric Company, Inc. ("NEH") and New England Power Company ("NEP"; jointly, "Petitioners") filed three joint petitions with the Department of Public Utilities ("Department") seeking approval of the Petitioners' construction proposal for implementation of Phase II of the New England/Hydro-Quebec project to provide a 2000 megawatt ("MW") interconnection between Quebec and New England. The Petitioners are both wholly-owned subsidiaries of New England Electric System ("NEES"), which is a voluntary association created under Massachusetts law and a registered holding company under the Public Utility Holding Company Act of 1935. NEES' other subsidiaries, affiliates of the Petitioners, are Massachusetts Electric Company; New England Power Service Company ("NEPSco"), which provides engineering, technical and other services for NEES companies; Granite State Electric Company in New Hampshire; Narragansett Electric Company in Rhode Island; and New England Energy, Inc. The Commission designated Celia E. Strickler, Esq., as hearing officer in the case.

In D.P.U. 84-246, the Petitioners seek: a determination under G.L. c. 164, sec. 72, that the proposed new transmission lines and the alteration, relocation, and reconstruction of existing transmission lines are necessary, would serve the public convenience, and would be consistent with the public interest and accordingly, grant the Petitioner the authority to construct, alter, relocate, reconstruct, and use the proposed

the Department finds it is appropriate to make the specific finding requested and to amend the Order to reflect this finding.

In addition, the Petitioners pointed out three apparent errors in the Department's April 11, 1986 Order. Specifically, they refer to the omission of the town of Grafton from the caption for D.P.U. 84-246, a reference on page 1 to a 690 megawatt ("MW"), rather than 2000 MW interconnection between Quebec and New England for Phase II, and the description, on page 1, of the Granite State Electric Company. These errors were inadvertent and had no substantive bearing on our decision.

Accordingly, after review and consideration, the cover sheet has been corrected and a corrected page 1 has been attached to this Order, and it is

ORDERED: That the Order dated April 11, 1986 be and hereby is amended to include the following finding:

FINDS: That the environmental impact of the project is as described by the EFSC in the Environmental Impact Report and in the Department's April 11, 1986 Order, and that all feasible measures have been taken to avoid or minimize said impact.

By Order of the Department,

/s/ PAUL F. LEVY

Paul F. Levy, Chairman

Commissioners participating in the decision of D.P.U. 84-246-A, D.P.U. 84-247-A, D.P.U. 84-248-A were: Levy, Chairman; McIntyre and Keegan

A true copy
Attest;

Mary L. Cottrell
Secretary

Appeal as to matters of law from any final decision, order or ruling of the Commission may be taken to the Supreme Judicial Court by an aggrieved party in interest by the filing of a written petition praying that the Order of the Commission be modified or set aside in whole or in part.

Such petition for appeal shall be filed with the Secretary of the Commission within twenty days after the date of service of the decision, order or ruling of the Commission, or within such further time as the Commission may allow upon request filed prior to the expiration of twenty days after the date of service of said decision, order or ruling. Within ten days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court sitting in Suffolk County by filing a copy thereof with the Clerk of said Court. (Sec. 5, Chapter 25, G.L. Ter. Ed., as most recently amended by Chapter 485 of the Acts of 1971).