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## VIA HAND DELIVERY AND E-MAIL

June 15, 2017

Stephen August, Esq.  
Presiding Officer  
MA Energy Facilities Siting Board  
One South Station  
Boston, MA 02110

**RE: NSTAR Electric Company d/b/a Eversource Energy  
Sudbury-Hudson Transmission Reliability Project  
EFSB 17-02 / D.P.U. 17-82 / D.P.U. 17-83**

Dear Presiding Officer August:

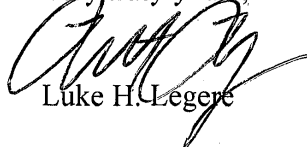
Enclosed for filing in the above-referenced matter, please find the Town of Hudson's Petition for Leave to Intervene as a Full Party, Notices of Appearance, and a Certificate of Service.

Please do not hesitate to contact me with any questions regarding this filing as follows:

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15 Court Square, Suite 500  
Boston, MA 02108  
(617) 338-6464  
llegere@mcgregorlaw.com

Thank you for your attention to this matter.

Very truly yours,



Luke H. Legere

Enclosures

cc: Catherine J. Keuthen, Esq. (by e-mail and first-class mail)  
Cheryl A. Blaine, Esq. (by e-mail and first-class mail)  
Thomas Moses, Town of Hudson (by e-mail only)



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**COMMONWEALTH OF MASSACHUSETTS  
ENERGY FACILITIES SITING BOARD**

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Petition of NSTAR Electric Company d/b/a )  
Eversource Energy Pursuant to G.L. c. 164, §69J )  
For Approval to Construct, Operate and Maintain )  
A New 115-kV Transmission Line in the Towns of ) **EFSB 17-02**  
Sudbury, Hudson and Stow and the City of )  
Marlborough and to Make Modifications to an )  
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for Exemptions from the Operation of the Sudbury, )  
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Petition of NSTAR Electric Company d/b/a )  
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For Approval to Construct, Operate and Maintain )  
A New 115-kV Transmission Line in the Towns of )  
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**TOWN OF HUDSON’S PETITION FOR LEAVE TO INTERVENE  
AS A FULL PARTY**

Pursuant to G.L. c. 30A, §10, 980 CMR 1.05(1), and the Notice of Adjudication and Notice of Public Comment Hearing (“Notice”) issued by the Energy Facilities Siting Board (“Siting Board” or “EFSB”), the Town of Hudson (the “Town”) hereby petitions the Siting Board for leave to intervene as a full party in the above-captioned consolidated proceedings.

In support of its Petition, the Town states the following:

1. The Town is a municipal corporation, duly organized under the laws of the Commonwealth, with an address of 78 Main Street, Hudson, Massachusetts 01749.

2. On April 20, 2017, NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) filed with the EFSB a petition for approval to construct, operate, and maintain (the “Petition”) an approximately 9-mile, 115-kV underground transmission line through the municipalities of Hudson, Sudbury, Stow and Marlborough, and to make improvements to Eversource’s Sudbury Substation (the “Project”). The proposed transmission line would extend from the existing substation in Sudbury to the Hudson Light & Power Department’s substation at Forest Avenue in Hudson. Eversource’s “Preferred Route” for the Project would largely follow an inactive railroad right-of-way (“ROW”) owned by the Massachusetts Bay Transportation Authority (“MBTA”). The Siting Board docketed the matter as EFSB 17-02.

3. On April 20, 2017, Eversource filed two petitions with the Department of Public Utilities (“DPU”) requesting:

- a. Exemptions from the operation of the Hudson, Sudbury and Stow Zoning Bylaws pursuant to G.L. c. 40A, § 3 (docketed as DPU 17-82); and
- b. Approval to construct, operate and maintain a new 115-kV transmission line in the municipalities of Hudson, Sudbury, Stow and Marlborough pursuant to G.L. c. 164, § 72 (docketed as DPU 17-83).

4. Also on April 20, 2017, Eversource filed a Motion to Consolidate the three matters referenced above.

5. On April 27, 2017, the Chairman of DPU issued a Referral Order, pursuant to G.L. c. 25, § 4 and 220 CMR 1.09(3), referring the two DPU matters for review and approval or rejection by the EFSB pursuant to G.L. c. 164, § 69H(2).

6. Presiding Officer Stephen J. August issued a Consolidation Order dated April 27, 2017, consolidating the proceedings pursuant to 980 CMR 1.09(2).

7. G.L. c. 30A, §10 provides that the Siting Board may “allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding . . . .”

8. The Town seeks to intervene in this proceeding as a full party, with all of the rights and opportunities recited in 980 CMR 1.05(1)(h), because it will be substantially and specifically affected by the proceeding.

9. More than half of the Project’s proposed transmission line would be located in Hudson under the “Preferred Route” and “Noticed Variation Route”. Specifically, those routes propose to construct 4.65 miles of the 9-mile transmission line in Hudson: 3.27 miles would be in the MBTA ROW in Hudson, while the final 1.3 miles of the Project would be installed within public roadways in Hudson. Similarly, the “Noticed Alternative Route” to place the transmission lines entirely under existing roadways would total 10.46 miles in length, of which almost half, 4.09 miles, would be constructed within public roadways in Hudson.

10. The Project would have substantial and specific environmental impacts on the Town, as it is proposed in close proximity to municipal drinking water supplies, natural resources, and residential neighborhoods.

11. The Project bisects one of the largest and most pristine wetland and wildlife systems remaining in Hudson and the immediately surrounding area, which includes parts of the Assabet River National Wildlife Refuge, the Desert Natural Area, and the Marlborough-Sudbury State Forest in Hudson. In addition, the Project’s “Preferred Route” comes within 1,500 feet of Lake Boon, a state-designated Great Pond, and crosses a stream flowing into Lake Boon. It also crosses Fort Meadow Brook, a tributary to the Assabet River.

12. The Project would be constructed in close proximity to the watersheds and aquifers surrounding the five Hudson town wells (the Chestnut-1, Chestnut-2, Chestnut-3, Cranberry, and Kane wells), which provide water for over 20,000 people. The MBTA ROW traverses two Zone II protection areas associated with those wells, and appears to be close to, or within, one or more Zone I protection areas.

13. The Project would disturb soils contaminated with wood preservatives and possibly other heavy metals deposited from years of train operations and track maintenance.

14. The Project would result in new alteration of slightly less than 14,000 square feet of bordering vegetated wetlands (including nearly 13,000 square feet of permanent fill), and more than 242,000 square feet of other wetland resource areas, generating a very large environmental impact. Wetlands are protected resources which perform critical functions including flood control and pollution filtering, and are a valuable habitat for diverse wildlife. The Project's wetlands impacts are either located within Hudson, or are part of the larger wetland system that encompasses and directly affects the quality of Hudson's wetland resources.

15. The Project would result in the substantial loss of mature forestland as a result of clearing approximately 6.7 miles of the MBTA ROW (3.27 miles in Hudson) at a width of 30 to 50 feet. This clearing of vegetation will have a large impact on soils and wildlife, and would alter the local microclimate by changing the winds, temperatures, moisture and light. These are mature and healthy forests, comprised of a mix of tree growth. This is significant clearing, especially considering the bogs, steams and other wetlands adjacent to the ROW. The loss of habitat, impacts on water absorption, increased soil erosion, and the potential for invasive plant species to take root in disturbed areas will either take place within Hudson, or within the ecosystem that includes and directly affects the quality of Hudson's natural resources.

16. The Project would impact habitat for state-listed endangered wildlife species, including habitat use by such species in certified and potential vernal pools along the Project's "Preferred Route". Specifically, no fewer than two state-certified vernal pools and two potential vernal pools are located within or in extremely close proximity to the ROW in Hudson.

17. Greenhouse gas emissions from machinery and fuels involved in construction pose a threat of environmental harm from the Project as well.

18. The Project would substantially and specifically impact the Town financially. The "Preferred Route", "Noticed Alternative Route", and "Noticed Variation Route" all propose significant work under existing roadways in Hudson. Coordinating this work with the Town would necessarily involve a significant amount of time and effort for the Hudson Public Works Department, Police Department, and other Town Officials and boards. In addition, impacts to traffic patterns and flow will negatively impact Hudson's businesses and residents.

19. Eversource's petition for exemptions from the Hudson Zoning Bylaw substantially and specifically affects the Town, which has a legal interest in applying and enforcing the provisions of its Zoning Bylaw. The Hudson Zoning Bylaw was duly adopted by the Town in an exercise of its corporate powers, in order to protect the Town and its residents from deleterious uses and structures, and to promote the public health, safety and welfare, as well as to provide for orderly and appropriate land use. Eversource is seeking substantial waivers which will negatively impact the Town, its neighborhoods, its residents, and real estate values.

20. Hudson's Zoning Bylaw is in place to avoid and minimize impacts to Hudson residents, and would be important to protect public health, safety and welfare during and after construction of the Project, especially concerning environmental issues such as water, light, odor,

noise pollution, congestion, and aesthetics. Hudson's noise regulations would be particularly important to protect residents during all construction.

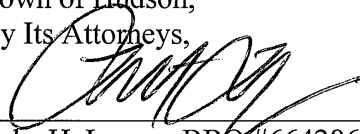
21. Eversource's proposal to construct, operate and maintain the Project would have direct and wide-ranging effects on the Town and its residents. Consequently, the Town will be substantially and specifically affected by the outcome of these proceedings and wishes to intervene as a full party to protect its interests and the interests of its residents.

22. No other party can adequately represent the Town's interests as the public entity responsible for a variety of public services and functions, including without limitation managing the Town's supply and distribution of water, implementing, protecting and enforcing the Town's Zoning Bylaw and other laws concerning public health, safety, and nuisance issues including traffic, noise and pollution.

23. Allowing the Town to intervene will not affect the orderly conduct of this proceeding. No party will be prejudiced by the Town's intervention in this proceeding.

Wherefore, for the reasons set forth above, the Town of Hudson respectfully requests that its Petition for Leave to Intervene as a Full Party be ALLOWED.

Respectfully submitted,  
Town of Hudson,  
By Its Attorneys,



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Dated: June 15, 2017

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ENERGY FACILITIES SITING BOARD**

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**NOTICE OF APPEARANCE OF COUNSEL**

I hereby give notice of my appearance as counsel for the Town of Hudson in the above-captioned matter.

Respectfully submitted,



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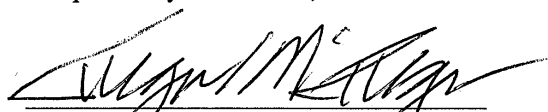
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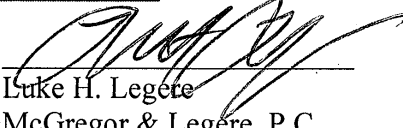
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**CERTIFICATE OF SERVICE**

I hereby certify that, pursuant to 980 C.M.R. 1.03(4), true copies of the Town of Hudson's Petition for Leave to Intervene as a Full Party and Notices of Appearance were served on June 15, 2017 by first-class mail, and e-mail, upon the following counsel identified on the Notice of Adjudication and Notice of Public Comment Hearing.

Catherine J. Keuthen, Esq.  
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\_\_\_\_\_  
Luke H. Legere  
McGregor & Legere, P.C.

Dated: June 15, 2017