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BY HAND

October 15, 2018

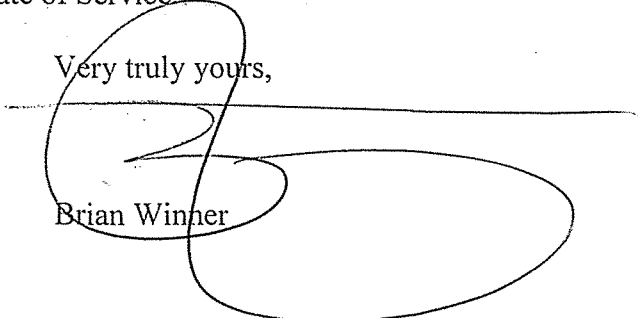
Donna C. Sharkey, Presiding Officer
Energy Facilities Siting Board
Department of Public Utilities
One South Station, 5th Floor
Boston, MA 02110

Re: Petition of NSTAR d/b/a Eversource Energy
EFSB 18-02

Dear Presiding Officer Sharkey,

Please find enclosed the Town of Ashland's Motion to Intervene as a Party Pursuant to 980 CMR 1.05 and in Accordance with Notice of Adjudication, along with a Certificate of Service

Very truly yours,


Brian Winner

Enc.

cc: Town Manager, Town of Ashland
Service List

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

COMMONWEALTH OF MASSACHUSETTS

ENERGY FACILITIES SITING BOARD
DEPARTMENT OF PUBLIC UTILITIES

EFSB 18-02

Petition of NSTAR Gas Company d/b/a
Eversource Energy.

TOWN OF ASHLAND'S MOTION TO INTERVENE AS A PARTY
PURSUANT TO 980 CMR 1.05 AND IN ACCORDANCE
WITH THE NOTICE OF ADJUDICATION

The Town of Ashland ("Ashland") hereby moves, pursuant to 980 CMR 1.05 to intervene in the above captioned matter and respectfully requests that the Energy Facilities Siting Board (the "EFSB") grant full intervenor status to Ashland for the reasons set forth herein. As grounds therefor, Ashland states as follows:

NSTAR Gas Company d/b/a Eversource Energy ("NSTAR") has petitioned the EFSB for approval to construct a natural gas pipeline replacement in and through the Towns of Hopkinton and Ashland (the "Project"). The Project would replace to 3.71 miles of existing 6-inch diameter steel natural gas pipeline between a station in Hopkinton and a station in Ashland with 12-inch diameter pipe.

As stated the Notice of Adjudication and shown on the plan attached hereto as Exhibit A, NSTAR's preferred route for the Project is approximately 2.57 miles in length within Ashland. It crosses residential parcels with frontage on Hardwick Road, Pennock Road Winesap Way and Indian Spring Road in Ashland before reaching West Union Street (Route 135). The route continues along Route 135 before re-entering Ashland State Park. The route crosses Cold Spring Brook north of the Ashland Reservoir dam and spillway, exits Ashland State Park, and continues east across residential properties fronting on Warren Road before reaching Chestnut Street. East of Chestnut Street, the easement continues across a residential property with frontage on Chestnut Street before crossing a parking lot associated with the Chestnut Place Apartment

Homes complex on Joanne Drive. East of Joanne Drive, the easement passes through residential parcels with frontage on Prospect Street, Stage Coach Drive, Wayside Lane, Brimstone Way, and Carriage House Path. The route also crosses open space property designated as the “Ledgemere Farms Conservation Restriction,” and then terminates at Cedar Street.

The preferred route, both directly and indirectly, impacts the Ashland State Forest and the Ashland Reservoir, both valuable natural resources, and impacts both public lands and public ways within Ashland.

As stated in NSTAR’s petition, the alternative route for the Project “would follow the existing Transfer Line easement for approximately 845 feet” and “[f]rom that point, the Noticed Alternative Route follows existing roadways.” In other words, the preferred route proposes significant impacts to valuable natural resources in Ashland, while the alternative route follows existing roadways and avoids such impacts. Accordingly, if allowed to intervene as a party, Ashland will object to the preferred route selected by NSTAR and will advocate for approval of an alternate route. Additionally, Ashland will provide its unique perspective and expertise regarding the preservation and protection of the lands, waters, and resources of its community as to the evaluation and selection of an approved route.

The granting of intervenor status in an adjudicatory proceeding before an administrative agency such as the EFSB is a matter largely within the discretion of the agency. Pursuant to Section 10 of the State Administrative Procedures Act, G.L. c. 30A, an agency “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” Tofias v. Energy Facilities Siting Board, 435 Mass. 340, 346-347 (2001)(“[b]ased on that permissive ‘may’ this court has

repeatedly recognized that agencies have broad discretion to grant or deny intervention”). The EFSB’s Rules for the Conduct of Adjudicatory Proceedings, 980 CMR 1.00 et seq., mirror the “substantially and specific” standard for intervention set forth in G.L. c.30A. The EFSB may also consider, among other factors, the scope of the proceeding, the nature of the petitioner’s interests, whether the petitioner’s interests are unique and cannot be raised by any other petitioner, and the potential effect of the petitioner’s intervention, including whether participation by the petitioner is likely to help elucidate the issues in the proceedings. See NSTAR Electric Company d/b/a Eversource Energy, EFSB 16-02/DPU 16-77, Ruling on Motions to Intervene and Motions to Participate as Limited Participants (December 8, 2016).

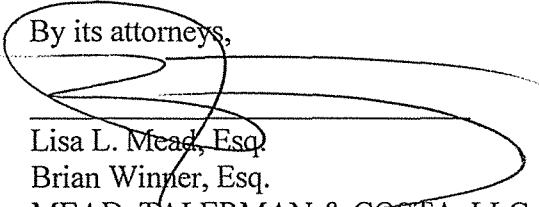
Ashland is substantially and specifically affected by these proceeding within the meaning of 980 CMR 1.05(1)(b). Essentially, Ashland is a host community for the Project. There are several specific ways in which Ashland is affected (whichever route is ultimately approved); namely the Project would be located: upon public ways and lands within Ashland; upon or proximate to lands and waters which are resources areas within the jurisdiction of the Ashland Conservation Commission, and upon unique and valuable natural resource areas such as the Ashland State Park, the Ashland Reservoir and Cold Spring Brook which carries into other waterways. Furthermore, Ashland’s participation as a party will not prejudice any existing party and will, in contrast, elucidate the issues in these proceedings because Ashland is in a unique position to articulate the likely harms and/or benefits of the route(s) being proposed in this matter as they pertain to unique and valuable natural resource areas such as the Ashland State Park, the Ashland Reservoir and Cold Spring Brook as well as the public lands and ways within Ashland. The issues and concerns raised by Ashland may also address similar concerns which may be

raised by private parties in Ashland affected by the Project. Accordingly, Ashland's status as party intervenor may also streamline these proceedings by reducing the need or desire for additional parties to intervene and raise similar and/or overlapping issues. Upon information and belief, no other party is capable of or similarly situated to articulate and elucidate these matters.

WHEREFORE, for the forgoing reasons, the Town of Ashland respectfully requests that its motion be allowed and that it be granted full party intervenor status in the above captioned matter.

TOWN OF ASHLAND,

By its attorneys,

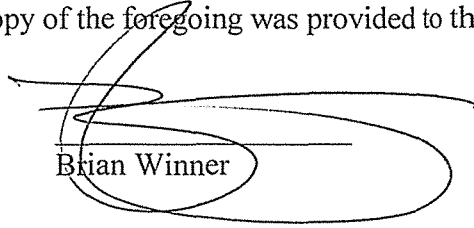

Lisa L. Mead, Esq.
Brian Winner, Esq.
~~MEAD, TALERMAN & COSTA, LLC~~
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brian@mtclawyers.com

Dated: October 15, 2018

CERTIFICATE OF SERVICE

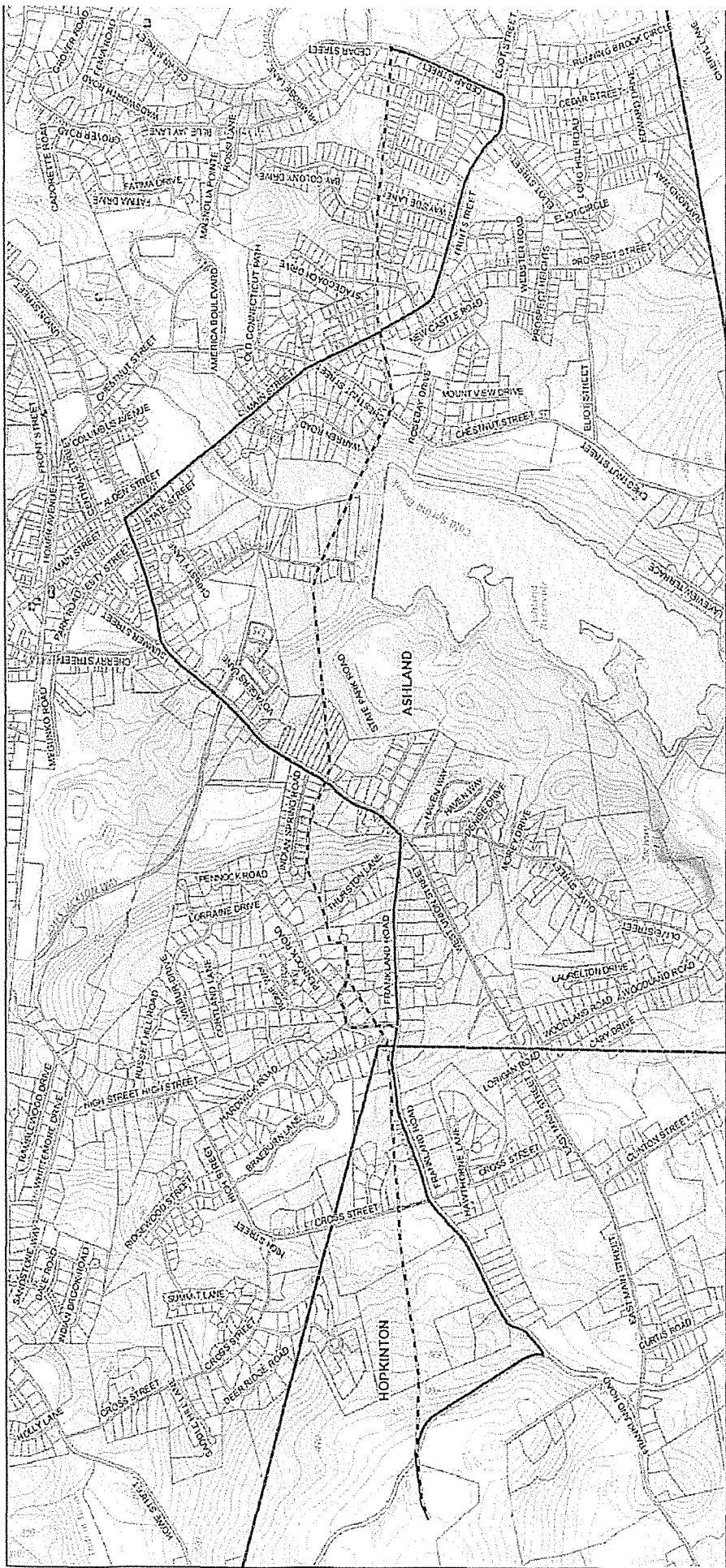
I, Brian Winner, hereby certify that a true and accurate copy of the foregoing was provided to the all parties on the attached SERVICE LIST.

Dated: 10/15/18

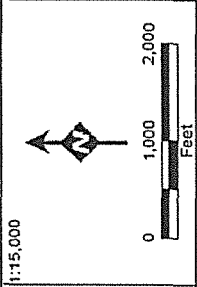
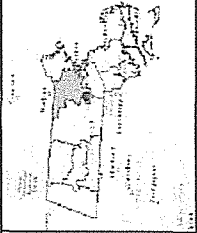


Brian Winner

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EVERSOURCE
 HOPKINTON ASHLAND
 TRANSFER LINE REPLACEMENT
 PREFERRED ROUTE AND
 NOTICED ALTERNATIVE ROUTE
 TRC DATE: 9/11/2018



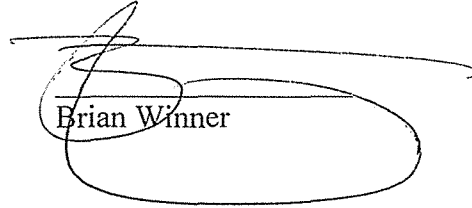
1:15,000
 Data Source: ESRI, MicroGIS, Eversource, TRC
 Base Map: ESRI

- Preferred Route
- Noticed Alternative Route
- Connecting Links
- Town Boundary

CERTIFICATE OF SERVICE

I, Brian Winner, hereby certify that a true and accurate copy of the foregoing was provided to the all parties on the attached SERVICE LIST.

Dated: 10/15/18


Brian Winner

NSTAR d/b/a Eversource Engery, EFSB 18-02

SERVICE LIST

October 15, 2018

Energy Facilities Siting Board

Donna C. Sharkey, Presiding Officer
Energy Facilities Siting Board
One South Station
Boston, MA 02110
617- 305-3525

Dpu.efiling@mass.gov
Donna.sharkey@mass.gov

Petitioner

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FOR: NSTAR