

RESPONSES TO ATTORNEY WEISMAN'S QUESTIONS

1. **NOTICE AND AVAILABILITY OF MATERIALS.** Can we get better notice than posting at town hall two days before a hearing and be able to access the materials submitted by Proponents online? How about requiring such notice by the applicant or an email notice with sign up list - at least post the full notice on the commission's web site - i.e., at least an agenda that informs the public that the project is on the agenda.

This question is directed toward the Conservation Commission, not the Proponent.

2. **PROACTIVE MONITORING BY COMMISSIONS.** Will the Commission monitor the project and employ inspections without prior notice?

This question is directed toward the Conservation Commission, not the Proponent.

3. **SIMILAR PAST NSTAR/COMCAST PROJECTS.** NStar/Comcast: What experience with similar projects has NSTAR or Comcast (or their proposed contractors) had - when and where?

NSTAR completed a horizontal directional drill (HDD) in December 2010 under the Chelsea River between Chelsea and East Boston. In that project, three parallel 36-inch-diameter drills were completed into which high density polyethylene conduits were pulled along with distribution cables. The HDDs were each 1,800 feet long and were designed to clear with significant margin the federal shipping channel in the river. NSTAR's predecessor company, Commonwealth Energy, installed four submarine cables from Falmouth to Martha's Vineyard, two of which land in Tisbury.

4. **SUBMARINE CABLE EXPERIENCE.** Have NStar/Comcast or their proposed contractors ever executed a submarine cable and horizontal directional drilling (HDD) for the conduit?

One of NSTAR's predecessor companies, Commonwealth Energy, installed four submarine cables from Falmouth to Martha's Vineyard that used a combination of HDD and in-ocean cable installation. The timeframe for these installations was 1986 through 1996.

5. **CONTRACTOR:** Has a contract for the project been bid and awarded to a particular contractor? If so, please identify that contractor.

An installation contractor has not been awarded a contract at this time.

6. **HEAVY EQUIPMENT CONCERNS.** The Environmental Plan Table 4-1, P 12 (attached to both MVC and TCC submissions) suggests typical equipment for land based construction.

- A. Exactly what temporary equipment, infrastructure, fuel storage trucks, holding tanks and intrusions of such nature will be necessary on the MV end of the project - which will have activities both undersea and under and on the land?

Temporary equipment will be associated with the HDD operation, manhole and conduit installation, and cable pulling. For the HDD operation, there will be a drilling rig, a control trailer, pipe trucks with drill pipe sections, and a filtering unit to separate recycled drill fluid from removed soils. A small crane or excavator will

be used to lift pipe sections. The drill rig will pull conduits through the HDD-enlarged hole from the water to land. Manholes will be precast offsite and transported to the installation location. A small crane will lift the precast units into place and an excavator will be needed to excavate the pit and backfill the manholes after installation. Cable pulling underground will require a cable reel truck to feed the cable and a pulling unit to pull the cable between manholes. Once on NSTAR property south of Main Street, the cables will surface on a wooden riser structure similar to two existing cables and be installed on distribution poles similar to the existing lines on the right of way. For the majority of the cable route on land, the existing poles will be used to carry the new cables. Comcast fiber will leave the manhole south of Main Street and will extend to existing utility pole #119 where it will connect to the existing overhead distribution system. Two temporary construction trailers may be sited near the Main Street manhole during the drilling and pull-back operations to provide a temporary office and storage.

B. Please describe the measures NSTAR and Comcast will take to reduce noise, dust, vibration and leakage during construction?

Very little dust will be generated during these activities, but if this becomes a problem the area will be watered to reduce dust generation. The HDD operation will generate some noise; however, the operation will be in an open environment and if noise complaints are received, noise curtains can be used to reduce noise beyond the work area. All diesel-driven equipment will be monitored for any fuel leakage. Absorbent cloth material or trays will be used under such equipment to capture any fuel or lubricant leakage, and spill kits will be retained at the equipment to rapidly remove any unexpected spills. Due to the location of construction and the distances from the nearest residents, vibration is not expected to be an issue.

C. Will there be generators, fuel storage tanks, high voltage lines?

There will be no generators or fuel storage tanks permanently installed at the site. The cables will be distribution cables at a nominal voltage of 23 kV, phase-to phase, which is the same voltage as the two existing sets of cables entering Tisbury.

D. How will NSTAR provide for security of the site against vandalism or accident during the construction period, especially at night and during periods when no active work is being performed?

Materials will be locked in containers, and vehicles will be locked when construction is not in progress. Theft and vandalism have not been problems in this area; however, if they do become problems, either video surveillance or a watch person will be employed to enhance security.

7. HDD RIG AND APPROACH PIT: Please describe in plain English what a "10 foot by 10 foot" rig and an "approach pit" (Narrative, P. 3) is and how it will be constructed and sealed against leakage.

A. Where exactly does NSTAR contemplate placing the pit and the rig?

The "pit" being referred to in the question is the HDD excavated area, and it will be located where the HDD manhole location is shown on the plans.

B. What safeguards to secure the pit and rig from leakage of the slurry and tampering are contemplated?

The pit will be secured with temporary fencing to prevent entry. Drill cuttings will be vacuumed from the "pit" and filtered in a separating unit to reclaim the drill fluid from the cutting materials. The cutting materials will be properly collected and disposed of in accordance with applicable regulations.

C. Pit and rig in place for how long?

The pit and drill rig should be in place for the duration of the HDD operation and pulling of conduit, estimated to not exceed one month. Once complete and the conduit pulled, the rig will be removed and a pre-cast manhole will be set in the pit and the area backfilled.

8. "SLURRY" - RISKS TO ENVIRONMENT: The slurry will consist in part of drilling fluids containing or consisting of bentonite - what is bentonite and what are the potential hazards of the substance to flora, fauna and water? (Narrative, p. 4)

Drilling fluid associated with the HDD operation will consist of a water-based slurry predominantly composed of bentonite, a naturally-occurring, non-toxic clay. This bentonite slurry will cool and lubricate the drill bit, stem, and other equipment, and will also seal the sides of the bore to minimize the potential for the release of drilling fluids. As the pilot hole approaches the targeted exit hole location, the contractor will flush drilling fluids and cuttings from the bore hole with water, and will use water in place of drilling fluid in the final stage of drilling. This will minimize the potential for a release of drilling mud as the drill head reaches the surface of the seafloor to avoid unnecessary turbidity.

9. What restrictions or conditions will the TCC/MVC place on the project to ensure the restoration of all areas? Will the TCC/MVC require posting of a bond to ensure the work is done, without the need of court actions by the affected private and public interest parties?

This question is directed toward the Tisbury Conservation Commission and Martha's Vineyard Commission.

10. SORTING & SEPARATION OF TOXIC MATERIALS FROM HDD.

A. How will the toxic materials be sorted or separated "on site"?

No toxic materials are expected to be recovered from the HDD operation. Should any toxic materials be discovered during the drilling operation, the materials will be analyzed and the proper Federal and State agencies notified. The materials will be collected and processed in accordance with regulatory requirements.

B. What equipment will be necessary and where will it be located and for how long? (Narrative, P. 4 and Environmental Plan).

Typically, a filtering unit is used to separate the drill fluid (bentonite clay) from the drill cuttings so the drill fluid can be recycled. This equipment will be in place for the duration of the HDD operation.

- C. How close will trucks need to get to load the residue and materials? How many loads and what will be the effect on the natural areas that have taken over all but a narrow foot path (6 to 8 feet) of Squantum Avenue?**

Trucks or similar equipment will be required to access the drilling area to supply drill muds and pipe sections, and remove cuttings. The HDD drill rig is approximately 8 ½ feet wide and vegetation will be trimmed to a width of approximately 12 feet to accommodate this rig, and similarly-sized trucks and mud filtering equipment. Minor grading may also be required to provide a level path for equipment access. On a daily basis, trucks will traverse this path to and from the drill rig area to supply pipe and mud, and remove cuttings. We estimate approximately 2-3 trucks per day will be needed for this purpose. Erosion/sedimentation controls will be installed along the edge of wetlands to protect them. A construction fence will be utilized to mark the limit of work for other areas. This path will be restored following construction with a natural ground cover.

11. PERMANENT EQUIPMENT AND INFRASTRUCTURE:

- A. Exactly what permanent equipment, infrastructure, fuel storage trucks, holding tanks and intrusions of such nature will be necessary on the MV end of the project?**

The permanent equipment for NSTAR/Comcast will be subsurface manholes and subsurface conduits with cables in the conduits to an NSTAR-owned property south of Main Street and to an existing Comcast utility line at Main Street. At that location, the NSTAR cables will be on a wooden riser structure similar to two existing riser structures where they will transition to overhead distribution construction, most of which will be on existing distribution poles. The permanent equipment for Comcast will consist of a subsurface fiber from the landward HDD manhole to an existing utility pole on Main Street. There will be no fuel storage trucks or tanks and no holding tanks.

- B. Please describe the measures NSTAR and Comcast will take to reduce noise, dust, vibration and leakage during operation?**

Once installed, the equipment is static and it will not produce noise, vibration, dust, or leakage.

12. NOISE & VIBRATION CONCERNS:

- A. What parts of the new above-ground infrastructure will generate noise and vibration?**

The above-ground infrastructure will not produce any noise or vibration.

- B. What has NSTAR and Comcast done to measure the impact?**

This is not applicable – see above.

C. What effect will the noise have on flora, fauna and humans?

Once installed, the infrastructure will not generate noise.

D. What measures do NStar and Comcast plan to take to reduce or buffer noise and vibration to ameliorate the negative effect on neighbors, human and animal?

See the response to "C" above.

13. SCHEDULE CONCERNS: The proposal suggests a schedule that will begin in "Winter/Spring" (Narrative, p. 7) and take an estimated five to eight months! NStar and Comcast claim the "field operation" will occur between "December and May" (Narrative, p.2).

A. As we are already a week into January and the permitting and approvals are not complete, can NStar please update and provide a realistic schedule for the work which does not interfere with Plover and marine species breeding or Spring and Summer use of the twenty or more residences affected by the project?

Project installation is expected to begin in Fall 2013, which will avoid interfering with the busy recreational season and potential impacts to avian and marine species.

B. The Proponent suggests that "installation will occur outside of the busy recreational season" (Narrative, P. 12). Shouldn't the TCC/MVC require a schedule that does not interfere with animal breeding or recreational season use by humans and excludes activity during these periods?

The Massachusetts Division of Marine Fisheries has determined that due to the lack of impacts from this Project, no time-of-year restrictions are necessary to protect marine species. The Massachusetts Natural Heritage and Endangered Species Program has similarly determined the Project will have no adverse effect on protected species. The construction period will occur outside of the busy recreational season, and impacts to navigation and recreation will be limited to the immediate area of Project installation.

14. LEGAL RIGHTS OF THIRD PARTIES: NStar and Comcast acknowledge (Narrative, P. 2) that "the portion of Main Street that runs to Squantum Avenue is listed as a private road, meaning that special approvals and easements will be necessary". THE FOLLOWING QUESTIONS ALSO APPLY FOR ABUTTERS TO THE POWER LINE CORRIDOR:

A. What specific easement or other written instruments or statutes do NStar and Comcast claim grant any rights?

NStar owns property that fronts on the south side of Main Street opposite Squantum Avenue, on which three riser stations are currently located. South of this property, NStar has recorded easement rights in a corridor that currently has overhead distribution lines running south toward Franklin Street. NStar also has recorded easement rights for a 40-foot-wide easement from Main Street northward to the ocean water edge. Twenty feet of this easement is on the western half of Squantum Avenue and continues beyond the end of Squantum

Avenue across property owned by the West Chop Trust to the water edge. A parallel 20-foot-wide section of the easement starts on the north side of Main Street and continues northward on property owned by the Sheriffs Meadows Trust and then the West Chop Trust to the water edge for a total of a 40-foot width easement.

B. How and when has NSTAR or Comcast communicated with abutters along Squantum Avenue and Main Street concerning the running of fiber-optic cable along Main Street from Squantum to Iroquois Avenue?

A communications plan will be developed to communicate to abutters the relatively minor impacts.

C. When can we Main Street abutters expect to hear from Comcast regarding easements for the fiber-optic cables?

Comcast is actively negotiating with property owners along Squantum Ave to secure the required easements. Once the cable reaches Main St it will rise up on and existing utility pole and over-lash to Comcast's existing plant.

D. Do NSTAR and Comcast contemplate communicating directly with the many additional home owners who about the NSTAR Corridor running from Squantum toward Franklin Street, and if so, when?

The Proponent is currently seeking permits for the Project. A communications plan will be developed to communicate to abutters the relatively minor impacts.

E. Why should the TCC/MVC act before these easements are secured - particularly when the time necessary to secure the rights will materially affect the schedule for the project asserted by the Proponents?

NSTAR already has the easements necessary for the Project along the corridor Attorney Weisman has expressed interest about. The MVC and TCC are well within their authority to act on the project.

15. GOVERNMENTAL PERMITS AND APPROVALS:

A. What approvals and permits have NSTAR and Comcast obtained?

The Project has completed Massachusetts Environmental Policy Act review.

B. Which reviews, permits and approvals are still needed?

A comprehensive table of the anticipated permits, reviews, and approvals required for the Project was provided in the MEPA documents, which were submitted to the Tisbury Conservation Commission and Martha's Vineyard Commission, and are available for review.

C. What is the current status of each necessary application?

Of the applications that have been submitted, the Development of Regional Impact (DRI) reviews before the Cape Cod Commission and Martha's Vineyard Commission are underway, and the permitting process with the Tisbury Conservation Commission is also ongoing.

- 16. DIRT ROAD AND BORDER AND TREE CANOPY PRESERVATION:** The dirt road portion of Main Street southerly to Squantum is a popular pedestrian strolling area, with a lovely canopy of trees that are home to many birds and which contribute to the natural ambience of the road. What measures do NStar and Comcast plan to minimize the effect on the dirt road and its tree canopy?

NSTAR and Comcast do not intend to destroy the tree canopy of Main Street. If equipment is too large to travel Main Street without affecting the tree canopy, the equipment will access the job site via NSTAR's access road from the easement that can be entered from Golf Road.

- 17. UNDERGROUND FIBER-OPTIC CABLE INSTALLATION - STUDY AND ANALYSIS:** Noting that utilities have just been compelled to pay significant fines for failure to plan for and remedy storm damage and service interruptions (resulting from Super-storm Sandy):

- A. Have NSTAR and Comcast considered putting the 5.5-inch-diameter (Narrative, p. 3) fiber-optic cables underground at least from Squantum Avenue and the NSTAR corridor northerly on Main Street and around to Franklin Street?

The question indicates there is a misunderstanding about the cable installation. The 5.5-inch-diameter cable is the submarine cable that is proposed to be installed between Falmouth and Tisbury. This cable will contain both power and fiber optic cables and will be solely either in the ocean or underground. It will terminate in manholes near the ocean edge. Within those manholes the power and fiber optic cables will be separated and routed in different directions. The fiber optic cables will be less than 0.5 inches in diameter and are proposed to be routed on existing poles along Main Street to Comcast's facilities. The power cable conductors will be joined to land cables and routed underground to an existing riser station south of Main Street where they will transition to overhead construction. The overhead cables will be roughly the same diameter as the existing cables running overhead along the right of way south of Main Street and the new cables will generally co-exist on existing poles.

- B. Wouldn't this help reduce the impact on flora and fauna in the woodlands along the road and also reduce the likelihood that these areas will have to be disturbed again for repairs (note the increasing frequency and power of storms we are experiencing and expect in the future)?

The debate over overhead electric construction versus underground is well established. It is a cost versus appearance debate. Underground construction is expensive and the cost is ultimately assessed to consumers. In addition, while overhead lines can be subject to storm damage, underground lines also can experience failure, with repair disturbing the environment significantly more than repair of an overhead line.

- 18. CONCERNS WITH PLAN TO MOUNT FIBER-OPTIC CABLE ON EXISTING UTILITY POLES ON MAIN STREET, ETC.:** The Proposal asserts that the Comcast line will be installed on "existing utility poles" (MVC Application - Environmental Plan Attachment, P.11) - failures of such installations will require repairs which may also interfere with flora and fauna as well as abutters' use of their land and the dirt road:

- A. What analysis of the existing thin wood poles along the dirt road portion of Main Street have been done to test whether these thin poles can support the contemplated cable at a height of 25 to 40 feet - commensurate with existing cables?**

Based on our discussion at the Tisbury Conservation Commission meeting, Mr. Weisman had the impression that we were proposing to hang the 5.5 inch diameter cable from the utility poles along Main Street, thus the nature of this question. We informed him at the meeting that the proposed wire would be a very thin wire the size of a finger as it would only carry fiber, not the 5.5 inch hybrid cable which will be used for the submarine crossing.

- B. What analysis and testing of the effects of anticipated high wind has been done and with what results?**

See response in 18 A above. High winds should have little impact on the proposed fiber wire.

19. RESORATION SAFEGUARDS: What safeguards will the TCC require to ensure that natural habitats and the dirt road and shoulder areas are restored to their prior state?

This question is directed toward the Tisbury Conservation Commission.

20. NEW UTILITY POLES AND RISERS IN NSTAR CORRIDOR:

- A. Please describe in detail the "15 new poles" contemplated for installation in the NSTAR corridor running south from Main Street toward Franklin and beyond?**

NSTAR is finalizing the design of the land portion of the Project and is expecting to use approximately six new distribution poles. These will be standard wooden poles approximately 35 feet above ground similar to the distribution poles currently on the right of way. NSTAR plans to co-locate the new lines on existing poles for most of the land part of the Project to minimize adding new poles to the area.

- B. What analysis of the impact on flora, fauna and neighbors has NSTAR performed, and with what results?**

The impact on flora, fauna, and neighbors will be no different that the impact from the existing distribution lines on the right of way.

- C. What measures (such as noise barriers and sight barriers) are planned to reduce the effects of noise and the expansion of unsightly activities?**

No noise barriers or visual barriers are planned. This work is standard distribution line construction and is temporary in nature. Construction will be conducted in accordance with Tisbury regulations governing construction hours.

21. ENVIRONMENTAL FIELD SUPERVISOR AND NEED FOR COMMISSION OVERSIGHT: The Environmental Plan (Attachment to both MVC and TCC submissions) speaks of an "Environmental Field Supervisor" who reports to the "Proponent". Who is the proponent and what supervision of the EFS does the commission contemplate?

The “Proponent” for the Project is the team of NSTAR Electric Company and Comcast Communications. The Environmental Field Supervisor (EFS) is a professional environmental scientist knowledgeable about the project and the environmental conditions and regulations whose role is to provide daily guidance to the construction contractors to ensure all environmental regulations and requirements, including the Order of Conditions from the Tisbury Conservation Commission, are executed properly. This individual will have stop-work authority should a non-compliance activity occur. The EFS will be in contact with the proponent’s construction management.

22. SAFEGUARDING MARINE ANIMALS AND FLORA: Please describe in plain English the potential negative effects and possible countering Safeguards for fish and marine life at middle ground and in to the beach?

The Project will not have any significant impact on marine species or benthic habitat (i.e., the seafloor). Cable installation will disturb a very narrow swath of the seafloor, and the habitat will not be unique relative to immediately adjacent habitat. For this reason, the narrow swath of disturbance is expected to recolonize quickly. Marine species in the water column will be able to avoid the cable installation activities. The Project will have no impact on the beach since it will be installed beneath this resource via HDD. The project has been reviewed extensively through the MEPA process by state agencies including: Massachusetts Coastal Zone Management, Division of Marine Fisheries, Natural Heritage and Endangered Species Program and Massachusetts Department of Environmental Protection. The project has been designed to comply with the requirements of the new state Ocean Management Plan.

23. “CABLE RISERS” AND OTHER INFRASTRUCTURE”

A. Please describe in plain English the “proposed cable risers” (Narrative, p. 6) on the Tisbury end, giving size and specific planned location.

A riser station is a small fenced area where underground cables rise onto a vertical structure to transition to overhead construction. The riser structure will be constructed of two wooden vertical poles with a cross-arm. There are three such stations currently located on NSTAR property south of Main Street opposite Squantum Avenue. Two of these stations are in use and one is not in use. NSTAR plans to rebuild the unused station for the proposed new service line. It will look like the two stations currently in use with new poles, equipment, and fencing. All of this will be outside of Conservation Commission jurisdiction.

B. Please describe any and all “above ground infrastructure necessary to improve or add in the NSTAR corridor south of Main Street and within 300 feet of Squantum Avenue?

Above-ground equipment will include the refurbished riser station described in 23A above, up to two new wooden distribution poles with insulators, switching and other needed attachment equipment, and cables mounted on the distribution poles.

C. Please describe any active aspects of such risers and infrastructure, with particular attention to describing noise, vibration and emissions of any kind.

The riser station has all static equipment and generally do not provide any noticeable noise, vibration, or emissions.

24. EFFECTS ON MAIN STREET NEIGHBORHOOD AND NSTAR CORRIDOR ABUTTERS:

The Main Street - West Chop neighborhood has many children, particularly in the period from late April through Thanksgiving - the other affected areas have children in residence year round. What security and safety measures will be taken to insure that the installations are not a dangerous attraction or safety hazard to children and adults as well as animals?

The hybrid cable and electrical connections to the NSTAR manhole south of Main Street will be entirely underground and the only above ground facilities will be within a fenced area on the NSTAR right-of-way or on overhead wires. Comcast/NSTAR regularly uses Police Details to control pedestrian and vehicle traffic during construction. Comcast/NSTAR will work with the Tisbury Police Department to determine the best approach to protect traffic during the construction phase.

25. LET'S GET REAL ON THE OBJECTIVES OF THE PROJECT: Despite the claim on Narrative P. 13 that Comcast and NSTAR are "making this investment on a proactive basis not to expand the customer base but rather to provide existing customers on the island with the benefit of reliability . . ."

A. Isn't this begging the question?

The question is suggesting that NSTAR and Comcast have been less than forthright in stating the overall objective of the project, and nothing could be more incorrect. The customer base on Martha's Vineyard is very limited by the geography of the island and NSTAR does not build service lines at considerable expense for no apparent need. Electrically, Martha's Vineyard is supplied by three active distribution lines, all from Falmouth and all at the same operating voltage of 25 kV. Two of these supply cables enter the island in Tisbury and one in Oak Bluffs. There is a fourth cable that is installed between Falmouth and Oak Bluffs but this cable was defective at installation and was operated in a derated condition. It failed in August 2011 and will not be repaired. The cables were installed between 1986 and 1996, and two of the operating cables have experienced multiple failures. There are also five diesel generators ("DGs") located on the island, each rated for 2.5 megawatts. These are owned and maintained by GenOn Canal, LLC and operated by NSTAR under an exclusive agreement between the two companies. Two of the DGs are 1940 vintage and three are 1960 vintage.

During winter, early spring, and late fall months, the cables are usually sufficient to supply the island electric load, assuming all cables are operating. Should a cable fail, however, which is the planning criteria NSTAR must plan for, additional supply capability would be needed meaning the DGs would have to be run or supplemental generation would have to be brought onto the island on an emergency basis. During the late spring, summer, and early fall months, peak demand has risen significantly setting new demand records in 2011 and 2012. NSTAR has had to operate all cables at maximum operating limits, have

all GenOn DGs in operation, and provide up to 7 additional temporary DGs brought to the island to supply load and be available should a cable fail.

The project is designed to replace the failed cable and eliminate the need for the temporary additional DGs during the summer months. It will not eliminate the need to operate the five permanent DGs owned by GenOn to meet demand. Some have suggested using wind and photovoltaic arrays to offset the need for installed electric supply. Wind is a variable, intermittent source that cannot be counted on to be available when needed. The peak demand during the late spring and summer months occurs between 5:00 PM and 8:00 PM when the sun is in a waning stage making the photovoltaic option ineffective to meet the need.

The proposed new cable is procured and will be installed in a more reliable manner, eliminating many of the failure mechanisms the existing cables have experienced in the past. It is intended to improve the reliability of electric service to Martha's Vineyard with installed infrastructure that will not be dependent on temporary mobile generators.

There is currently only one cable feeding the island that contains fiber optic strands. Comcast has rights to 5 of those fiber optic strands, of which only 3 are needed to feed the entire Island - all services, all areas. The 2 remaining strands are available for expansion if needed. This single cable represents a single point of failure. Comcast proposes to install a second cable to the island following the proposed route, which is intentionally separate and away from the existing cable, to create a diverse link that will serve to carry the existing load should the existing cable fail.

- B. Won't the project actually install the infrastructure for expansion of NSTAR's and Comcast's commercial activities either by expanding its customer base or by enabling it to provide additional services to more of its existing customer base? Let's not guild the lily!!**

See the response to "A" above.

- 26. THE EFFECT ON UPLANDS IS FAR GREATER THAN DESCRIBED IN THE SUBMISSIONS: The Proponents claim that the construction will impact "less than one acre of uplands during construction." This seems incorrect, given the extensive planned routes and multiple above ground cable installations contemplated. The plan affects every abutter and also others. This contention is also incorrect given the plan to have a fueling of "heavy construction equipment" while at the landing site near the HDD drilling pit. And when the Proponent represents that "there will be no hazardous wastes stored in the Project area either during or after construction" (Narrative, p. 12), can we assume that all such refueling will be from a fuel truck that will not be parked at the site indefinitely but removed from the site on a daily basis?**

The less than one acre estimate for upland construction is accurate. NSTAR plans to rebuild an existing unused riser station that will have no more impact than the station that is already present along the south side of Main Street. Since the entry point for the new cable is Tisbury and additional service is needed not only in Tisbury but also in

Oak Bluffs and Edgartown, overhead distribution cables will be routed from the riser station to locations in these areas; however, NSTAR plans to use existing distribution pole locations for these lines that will not add additional infrastructure to the area.

During HDD and other construction work, heavy equipment will require refueling. This will come from refueling vehicles that will not remain on site. There are no other "hazardous materials" associated with the Project.

- 27. PERMANENT EFFECTS ON LAND USE.** See Narrative, P. 12 asserting the Project will have "no permanent adverse impacts to persons or property" - and goes on to reiterate the assertion regarding public property and conservation interests. The Proposal contemplates that "approximately 15 new utility poles" will be installed (Narrative, P.8) and with the new manholes will constitute the only "upland impacts" and that "The Project will have no permanent impacts on land use." Please describe the size and composition of the poles and any infrastructure that will be required to utilize them. What maintenance activities will be required along the route and how will those impact the area and abutters? What noise and sight impositions will be permanent? The additional towers and equipment on the NSTAR corridor will certainly negatively affect the value of each abutter's land - is this not a significant impact?

These questions have been answered in previous questions. The manholes will be below-grade, with the only at-grade features being manhole access covers that will be flush with the grade level. Since the application was filed, NSTAR has completed detailed engineering and now contemplates fewer than 15 new wooden distribution poles will be required. NSTAR intends to make use of existing pole locations and route the new cables on these poles to the maximum extent practicable. In some cases, the existing poles will have to be replaced with slightly taller poles, but these will be wooden distribution poles very similar to the existing poles on the right of way and along public roads. The poles will carry distribution cables of the approximate size that is currently on the poles (i.e., not a 5.5-inch-diameter cable).

Maintenance on these lines will be no different than any other routine distribution maintenance and generally will only be required should there be an electric problem, which is typically an infrequent occurrence. The lines will not generate noise and will have a visual impact similar to the visual impact already on the right of way corridor from existing lines.

We offer no comment on the impact on abutting property values.

- 28. SIGNIFICANT VISUAL IMPACTS.** Proponent contends that the "Project will have no significant visual impacts" (Narrative, P. 13). In representing a landowner on Main Street abutting the NSTAR corridor on the northeasterly side and being the legal owner in trust of the next parcel over on Main Street, I can only say that it is cavalier to suggest that new transmission towers, risers in the corridor and new 5.5" cables all along the front of the property will have no visual impact - perhaps the TCC/MVC should consider a condition requiring Comcast and NSTAR to install sight, fume, dust and noise barriers along the corridor to protect abutters and the flora and fauna in the woodlands that comprise much of their properties and require the Comcast cable to be installed underground. And can someone please tell me what the new "above-ground infrastructure" on the corridor will be - won't that also have a visual impact?

This comment is based on an inaccurate understanding of the Proponent's application. The Proponent is not installing any transmission towers as part of this Project. The "poles" referenced in the application will be standard wooden distribution poles similar to what currently exists on the right of way south of Main Street. There will be no 5.5-inch-diameter cable exposed along an abutting property. The referenced 5.5-inch-diameter cable is a submarine cable that will be installed in the ocean and underground for short distances to a shore-side manhole. At no place in the application does the Proponent state this cable will be exposed on overhead structures. As stated several times in the responses to previous questions, the riser structure NSTAR intends to rebuild already exists on the right-of-way south of Main Street. If anything, this will be visually improved by rebuilding it.

29. ZONING ORDINANCE REQUIREMENTS NOT DESCRIBED. The submissions to TCC/MVC do not describe in any detail the requirements of the Zoning Ordinance or demonstrate that the project as routed and described in fact complying with the ordinance (e.g., setback, safety and height requirements and limitations). The TCC/MVC should not approve the project unless and until this information is provided.

This comment is accurate since zoning information is not included in the MVC or TCC applications nor should it be. Any zoning variances would be processed through the local Zoning Board of Appeals; however, since this Project is no different than the existing service cables using the same easement and same right of way, no zoning variances are needed.