

From: [Trowbridge, Philip](#)
To: [Schlosser, Michael](#); [Blecharczyk, Jeffrey](#)
Subject: RE: Complaint questions
Date: Monday, July 8, 2024 12:01:00 PM

Thank you.

Philip Trowbridge, P.E., Manager
Land Resources Management Program
Water Division, NH Department of Environmental Services
P.O. Box 95
Concord, NH 03302-0095
phone (603) 271-4898
email: Philip.R.Trowbridge@des.nh.gov

*We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-
LRM customer satisfaction survey](#).*

From: Schlosser, Michael <Michael.J.Schlosser@des.nh.gov>
Sent: Monday, July 8, 2024 11:44 AM
To: Trowbridge, Philip <Philip.R.Trowbridge@des.nh.gov>; Blecharczyk, Jeffrey <JEFFREY.D.BLECHARCZYK@des.nh.gov>
Subject: RE: Complaint questions

Phil,

I spoke with Jeff and Ridge about this and have attached pertinent prior communications. The response is short and is a modification of a response from the attached letter. There are instances in the application for issued AoT permits of the applicant signing as the applicant as well as the situation of the agent signing for the applicant and the applicant signing as the owner of the easement on the same application. I only looked at 4-5 applications to make this determination. I am not sure it is necessary to state that Eversource signed as either the applicant or owner in the response, but I did respond directly to the questions.

DES and the New Hampshire Attorney General have allowed Eversource to sign the AoT permits for its 70+ transmission line rebuilds as "owner" or agent of the land on which it has easements. DES, the New Hampshire Attorney General and Eversource willfully excluded transmission easement-encumbered landowners from the AoT permitting process, in violation of DES's own rules.

NHDES has issued permits for AoT applications that are signed by Eversource as the applicant or

owner. For the purposes of a permit to do work in a ROW, the easement owner holds record title to do any work they are authorized to do in the ROW by the easement. Therefore, the easement holder is legally the "owner" per Env-Wq 1502.45 and NHDES did not willfully exclude easement encumbered landowners. Please see the attached *Appeal of Robert C. Michele &a.*, (Slip Opinion 2014-159, August 11, 2015) for support of this interpretation.

Let me know if you would like me to add anything to the response.

Thanks,

Mike Schlosser, PE
Alteration of Terrain Bureau, Land Resources Management

Water Division, NH Department of Environmental Services
29 Hazen Drive, PO Box 95
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(603) 271-3568
Michael.J.Schlosser@des.nh.gov

From: Trowbridge, Philip <Philip.R.Trowbridge@des.nh.gov>
Sent: Friday, July 5, 2024 3:16 PM
To: Blecharczyk, Jeffrey <JEFFREY.D.BLECHARCZYK@des.nh.gov>; Schlosser, Michael <Michael.J.Schlosser@des.nh.gov>
Subject: FW: Complaint questions

Please prepare a response using language from the previous complaints regarding easement ownership.

Philip Trowbridge, P.E., Manager
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From: Scott, Robert <Robert.R.Scott@des.nh.gov>
Sent: Friday, July 5, 2024 2:59 PM
To: Trowbridge, Philip <Philip.R.Trowbridge@des.nh.gov>
Subject: Fwd: Complaint questions

Robert R Scott
Commissioner
New Hampshire Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
W: 603.271.2958
C: 603.892.1706
robert.r.scott@des.nh.gov

From: Nancy West <nancywestnews@gmail.com>
Sent: Friday, July 5, 2024 2:34:47 PM
To: Scott, Robert <Robert.R.Scott@des.nh.gov>
Subject: Complaint questions

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Mr. Scott, I apologize for sending an incomplete email. I believe you were copied on the full complaint. Is it accurate:

DES and the New Hampshire Attorney General have allowed Eversource to sign the AoT permits for its 70+ transmission line rebuilds as "owner" or agent of the land on which it has easements.

DES, the New Hampshire Attorney General and Eversource willfully excluded transmission easement-encumbered landowners from the AoT permitting process, in violation of DES's own rules.

Nancy West
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