



The Bow Times

“Of the People, By the People, For the People”

ECRWSS
PRSR STD
U.S. POSTAGE
PAID
PERMIT #130
Portsmouth, NH
POSTAL CUSTOMER

BOW, NH

VOL 25, NO. 4

April 2018

www.thebowtimes.com

FREE

HARRY JUDD AND PSNH... WHAT IS THE CONNECTION?

By: Chuck Douglas

On February 1, 2018, Bow resident Bryan Milazzo sent an email to Selectman Harry Judd saying in part: “I can’t understand why, as a Town of Bow selectman, you have not recused yourself from every action related to the Eversource power plant. Clearly... you and your company have more intimate knowledge about the inner workings of Eversource, information not available to taxpayers and town officials. Information that presents a conflict with your duties as a selectmen. Please resign or recuse yourself from ANY discussion related to the Eversource plant.” All selectmen were copied.

Judd’s response was: “Bryan, Once again, you misunderstand and mischaracterize facts. Please refrain from making slanderous statements about me. Harry.”

A few days later at the February 6, 2018, meeting of the Board of Selectmen Harry Judd said a citizen had cast “aspersions on my personal ethics” claiming that he “received payment from one of the utilities in town.” Mr. Judd said his firm had done work for the Public Utilities Commission, not a utility.

Judd’s answer, while technically true, is more nuanced. After reading Mr. Milazzo’s emails to and from the Selectmen about a possible conflict of interest, this paper requested contracts and payments from the State for Judd’s company as part of our Sunshine Week efforts under RSA 91-A, the Right to Know Law.

BACKGROUND

Harry Judd started Accion Group, LLC in 2001 with a business email address of jack.crisp@crisplaw.com according to the Secretary of State’s website, the **sole member or owner** is Mr. Judd. Accion’s website says they are “consultants to the energy industry.” Former Selectman, Jack Crisp, is the Registered Agent for Accion and his wife is employed as a researcher there.

FOLLOW THE MONEY

All the public utilities in the state, be they water, telephone, electric, etc., are regulated by the New Hampshire Public Utilities Commission in Concord. It pays for itself by assessing its annual costs on the utilities, not the taxpayers. It contracts out some of its work to private vendors who are then paid by a “special assessment” on the particular utility their project involves. In other words, a utility is indirectly paying for work it may not want (like processing a complaint against it) to a company like Accion, but run through the P.U.C.’s books.

(con’t. p. 3)



Aidan Dennehy performed the national anthem for the New Hampshire Senate recently. Aidan is with from the left, Senate Majority Leader Jeb Bradley, of Wolfeboro, Aidan’s father, Michael Dennehy, of Bow, and Senate Minority Leader Jeff Woodburn, of Whitefield, formerly of Bow.



BARN FIRE FORCES ALLENS OUT OF BOW CENTER HOME

Fire officials have yet to determine the cause of a fire that destroyed a barn and severely damaged a home at 73 Bow Center Road.

Bow Fire responded to reports of a fully engulfed barn at the residence of Joanne and Travis Allen in March. The situation escalated when the fire began to spread to a structure that connects the barn to their house, said Fire Chief Mitchell Harrington.

The barn is a total loss as are the family’s vehicles and the connecting structure to the home. It’s unclear whether the family will be able to salvage their home, which sustained heavy smoke and heat damage.

No one was harmed thanks to the family’s dog, whose barking woke the family up. At the same time, neighbors called in the fire.

“It took two hours and the work of 61 firefighters from 13 surrounding municipalities to knock the fire down,” Chief Harrington said. Extensive mutual aid was required due to the fire’s distance from a water source, the size of the building and the spread of the blaze.

The house belongs to Joanne and Travis Allen and they are currently staying with relatives.

If you would like to support the Allen family during their time of need, donations can be made through a GoFundMe page, set up on their behalf, at the following link: <https://www.gofundme.com/bow-barn-fire>.

BOW ROTARY CHALLENGES BHS STUDENTS IN ‘FOUR-WAY TEST SPEECH CONTEST’

By Rick Minard, Member, Rotary Club of Bow



Contestants from left to right: Sonya Delorie, Emma Roberge, Caitlin Robbins, Jack Rich, Alison Lambert, Matthew Place, Aiden Fisher, and Ana Milano. (Photo Eric Anderson)

Eight Bow High School students accepted a challenge from the Rotary Club of Bow to talk publicly about their ethical choices. In presentations that ranged from five to seven minutes, they talked to their friends, families, and a panel of Rotary judges.

Jack Rich talked about being bullied and how it had inspired him to install “Friendship Benches” across the region. Ana Milano explored the ethics of personal relationships using *Fifty Shades of Grey* as an example of unethical behavior. Matthew Place spoke forcefully about the failure of New Hampshire to require testing newborns for a specific, and fatal, genetic trait.

Sonya Delorie explained the public benefits of strong STEM programs in public schools. Alison Lambert explained the public benefits of frank and inclusive sex education programs in public schools. Aiden Fisher described the corrosive favoritism she had experienced in a tiny private school and the decisions she made to overcome it when she enrolled at Bow High. Caitlin Robbins demonstrated the ethical foundation for inclusion. (con’t. p. 9)

(Harry Judd con't. p. 1)

\$175,000 CONTRACT - 2012

In June of 2012 the P.U.C. asked the Governor and Council to approve a \$175,000 contract with Harry Judd's company for work to be done in 2013 and 2014. The memo seeking approval said payment would be "100% utility assessment."

RSA 365:37, II allows the P.U.C. "to assess the costs of experts against the impacted utility and any other parties to the proceeding" said the P.U.C. Requested Action letter of June 27, 2012.

The invoices for each month of Accion's work reflect that overwhelmingly the work involved PSNH and was done by an engineer named Michael Cannata, Jr. billed at \$210 an hour. Cannata previously worked for PSNH and the P.U.C.

For instance, one matter involving PSNH was Docket DE 12-116 which was a reconciliation of Energy Service and Stranded Costs for PSNH. It was opened on May 1, 2012, and closed on April 9, 2013. Judd's employee Michael Cannata did work on that project. For September 2012, he billed \$19,215.00 for that month alone.

In August, prior to that he spent 15 hours preparing for and attending a technical conference on the Merrimack Station in Bow and in July of 2013 spent most of his time working on Merrimack outage issues and drafting a "Merrimack Module."

Thus for a year or more the contract involved issues relating, in part, to Merrimack Station and investigating complaints *against* PSNH by consumers, etc. Time devoted to other utilities like UNITIL was minimal.

PSNH SUES - 2013

PSNH had timely applied for an abatement of part of its 2012 tax but it was denied. On August 28, 2013, PSNH sued Bow in Merrimack County Superior Court for over assessment of the Merrimack Station.

\$75,000 CONTRACT - 2014

Another contract was entered into on October 13, 2014, for \$75,000 bringing the total to \$250,000 through July of 2015. Again most of the work was complaints filed against PSNH or review of how the utility would be paid to sell off its generation assets such as the Schiller Station in Portsmouth and Bow's Merrimack Station.

The 2014 contract included as consultants, Harry Judd and Michael Cannata, Jr. among others. Accion was the consultant to the P.U.C. staff regarding how to handle some of the costs of the scrubbers at Merrimack Station owned by Public Service Company of New Hampshire doing business as Eversource Energy.

The staff of the Public Utilities Commission and PSNH entered into a settlement regarding \$5,700,000 that had been held back from PSNH. The settlement in Order #25,815 on September 18, 2015, gave PSNH only \$2.9 million of what it wanted.

Michael Cannata of Accion Group filed testimony with the P.U.C. in that PSNH matter and, according to the P.U.C., Eversource did not agree that certain requests for data obtained by Accion should be made public. As the order said "Eversource filed a motion for confidential treatment of the following data requests that were attached to Accion's testimony: Staff 1-9, CLF 1-6 and Staff 2-27." Order No. 25, 815 at page 2.

The P.U.C. matter involved reconciling various energy charges for the year 2013, one of the same years Bow and Eversource were in dispute over taxing Merrimack Station.

This made the company and our selectmen adversaries. The case for 2012-13 taxes only ended on January 11, 2018, when the Supreme Court ruled against Bow.

2015 INVOLVEMENT

Mr. Leszek Stachow, the P.U.C.'s Assistant Director of the Electric Division, testified in PSNH proceeding DE-14-238 regarding what to do with PSNH generating assets like Merrimack Station. Accion and the P.U.C. butted heads with PSNH over the timing of the sale of assets like Merrimack Station. Mr. Stachow relied on Accion's Cannata who said the sales should be put off for five years because they were not in the "public interest" (p. 21).

Accion also disagreed with how PSNH wanted to handle its recovery of the stranded costs for things like the scrubber at Merrimack Station. The Consumer Advocate relied in part on Accion's Cannata to oppose PSNH on that issue as well.

On page 7 of P.U.C. Order No. 25, 815 in the matter known as "Public Service Company of New Hampshire d/b/a Eversource Energy" in Docket DE 14-120 Judd's company's involvement was evident: "Staff filed the testimony of Accion which summarized the operation of Eversource's generation units," among other things.

The extent of involvement with Merrimack Station can be seen in the January 2015 billing that was assessed to PSNH:

**ACCION GROUP L.L.C.
RE: NH PUBLIC UTILITIES COMMISSION
UTILITY TECHNICAL CONSULTING SERVICES
SUMMARY OF SERVICES – JANUARY 2015
MICHAEL D. CANNATA, JR.**

DATE	ACTIVITY	TIME
4-Jan-15	Review and Organize Material	2.00
5-Jan-15	Review Material. Prepare for Merrimack Interview	3.00
6-Jan-15	Interview at Merrimack Station – Bow, NH.	9.50
8-Jan-15	Attend PSNH Market Meeting, Conference with L. Tillotson	4.00
10-Jan-15	Draft Schiller Report	5.00
11-Jan-15	Draft Schiller Report	7.00
12-Jan-15	Draft Schiller Report	1.50
13-Jan-15	Draft Merrimack Report	5.50
14-Jan-15	Interview and Station Walk Down at Merrimack Station-Bow, NH.	5.50
15-Jan-15	Draft Merrimack Report	5.00

That month's billing came to a total for all days of \$16,994.08 for work by Cannata and Sheri Crisp.

RECUSE OR NOT?

Has Eversource/PSNH been hardnosed towards Bow because some of Judd's company's advocacy was against them on their dime through the utility assessment to pay Accion?

Should Harry Judd have recused himself from any involvement in the PSNH tax case? You decide.

BOW POLICE OFFICER AND K-9 IN COLLISION

On April 3, 2018, at approximately 8:50 am, Master Patrol Officer, Matt Pratte and police dog Roxy were traveling southbound on Interstate 93 in Hooksett, NH. The cruiser was following traffic and traveling in the right hand lane when it was rear ended by a Dodge 2500 pickup truck and pushed off the highway into an embankment. The Bow police cruiser and the Dodge pickup both sustained significant damage.

Officer Pratte sustained a trapezius strain to his shoulder and a muscle strain to his calf. He will be on light duty until he is cleared. Hooksett Fire Chief, James Burkush, transported Roxy to CAVES in Concord for an evaluation. CAVES cleared Roxy with no injuries.

The 2015 Ford Bow police cruiser was reported as "totaled" by Primex, Bow's insurance company. Chief Margaret Lougee said, "The Department is working with Primex to obtain another cruiser. Our K-9 will be out of service until we can get another cruiser in service. We are looking at 3 weeks."

