

Applicant's marketing pitch (as described in its February 9, 2009 Objection) constitutes "adequate financial capability." Counsel for the Public has diligently sought on a friendly basis and using the discovery process to obtain coherent responses and credible information from the Applicant to explain how it proposed to build and operate the Project. To date all that has been received are nebulous and unsupported assertions about how it *ought* to work. *See* Applicant's Objection at ¶¶ 11, 12 ("It is GRP's intention to demonstrate through supplemental testimony that the windpark possesses characteristics that would attract capital in normalized financing markets, thus allowing GRP to demonstrate that it 'has adequate financial capability'"). Credible testimony from a disinterested financial analyst is critical. Had the Applicant provided concrete information in a timely way and provided a credible explanation for its financial capability on July 15 or anytime thereafter, perhaps Counsel for the Public would not need a consultant on this issue now. The reason for the lateness of the request to employ the Consultant is entirely caused by the Applicant. It was not until February 9, 2009 that the Applicant announced that instead of demonstrating actual financial capability now, it intended to present a marketing pitch for future financing, which gave rise to serious and substantial concerns about the financial capability of this project.

2. The Applicant's objection to the submission of testimony by Counsel for the Public on financial capability is strange. As it appears now, the Applicant plans to submit additional testimony on this very issue on the 23rd of February. It would be terribly unfair to the people of the State of New Hampshire to preclude Counsel for the Public from also doing so. The budget submitted to employ the

Consultant is necessary to get the testimony filed and defended at the hearing but there is nothing at present that would limit Counsel for the Public from submitting testimony on the 23rd and the Committee should not erect such a barrier.

Respectfully submitted this 19th day of February, 2009,

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By his attorneys

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Certificate of Service

I, Peter C.L. Roth, do hereby certify that I caused the foregoing to be served by electronic mail upon each of the parties on the Service List.

Dated: February 19, 2009

/s/ Peter C.L. Roth
Peter C.L. Roth