

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

**Docket No. 2010-01**

**Re: Application of Groton Wind, LLC for a Certificate of Site and Facility  
for a Renewable Energy Facility in Groton, New Hampshire**

**Order Accepting Application for Certificate of Site and Facility**

**Issued April 26, 2010**

**BACKGROUND**

On March 26, 2010, Groton Wind, LLC (Applicant) filed an Application for a Certificate of Site and Facility for a renewable energy facility proposed to be located in Grafton County, in the Town of Groton, New Hampshire. The Applicant petitions the Site Evaluation Committee (Committee) for a Certificate of Site and Facility (Certificate) in order to construct and operate a renewable energy facility. The Application proposes the construction and operation of 24 wind turbines, each having a nameplate capacity of two (2) megawatt (MW) for a total nameplate capacity of 48 MW. The Application also proposes the construction of approximately 9.3 miles of new gravel road and upgrades to approximately 2.4 miles of existing gravel road, as well as the construction of an on-site switch yard, an operation and maintenance building, and a lay down yard to be used during the construction and commissioning of the Project to accommodate construction trailers, storage containers, and other Project components, and to serve as a parking facility for construction workers. In addition, the Application proposes to install a 34.5 kilovolt (kV) electrical collection system for the collection of electricity from the wind turbines. The collection system will consist of both underground and overhead collection lines. The Applicant proposes to interconnect the project to an existing 13-mile long 34.5 kV electric distribution line delivering the project's output to the Beebe River Substation owned and operated by Public Service Company of New Hampshire.

On April 22, 2010, the Applicant filed a supplement to Section C of the Application. The Supplement contained a listing of the names and addresses of land owners who owned property in proximity to the boundaries of the leased land for the proposed Project.

Copies of the Application have been provided to each state agency having jurisdiction under state or federal law to regulate the construction or operation of the proposed facility pursuant to RSA 162-H:6-a, I. On April 5, 2010, counsel for the Committee advised those state agencies, by letter, of the filing of the Application and requested that agencies with jurisdiction over portions of the Application advise the Committee as to whether the Application contained sufficient information for the purposes of the exercise of that agency's jurisdiction. Additionally, counsel also wrote to the Selectmen and Town Clerk for the Town of Groton, the North Country Council, and the Grafton County Commissioners, informing them of the filing of the Application and advising them of the process to make their views known to the Site

Evaluation Committee. To date, the Committee has not received information from any state agency suggesting that the Application does not contain sufficient information to carry out the purposes of RSA 162-H or to permit the review required by any state agency.

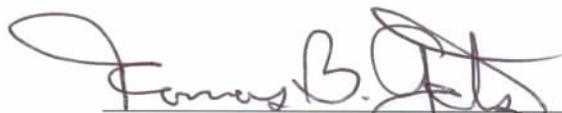
On April 21, 2010, the Committee received correspondence from the Water Division of the New Hampshire Department of Environmental Services (DES) indicating that the Water Division had received sufficient information to conduct its review of the Applicant's Alteration Of Terrain Permit Application No. 100325-033. Similarly, that correspondence indicated that the Applicant's Wetlands Permit Application No. 2010-00745 was also complete. It should be noted that consideration by the United States Army Corps of Engineers (ACOE) may require the filing of an application for a Section 401 Water Quality Certification. However, to date, the ACOE has not indicated whether such a certification will be necessary. Nonetheless, the Water Division of DES reports that, if the Project falls within the state's Programmatic General Permit (PGP) for Section 401 Certification, sufficient information has been obtained to address the issue. If ACOE requires an individual Section 404 Permit, then additional submittals will be required. However, at this point in time, it appears that all required applications for permits required through the Water Division of DES have been filed and contain sufficient information for the Water Division to conduct its technical review.

On April 22, 2010, the Committee received correspondence from the New Hampshire Fish & Game Department. Although the Fish & Game Department does not have statutory authority to issue permits, certificates, or licenses, there are several wildlife studies that have been undertaken by the Applicant. The Fish & Game Department has reviewed those studies and notes that several studies are continuing. Given the ongoing nature of the studies, the Fish & Game Department reports that the Application contains sufficient information to move forward with the Site Evaluation Committee process.

#### **SUFFICIENCY AND ACCEPTANCE OF APPLICATION**

A comprehensive review of the Application reveals that the Applicant has provided all information required by RSA 162-H and by the Site Evaluation Committee rules codified at NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES, Site 301. Based upon my preliminary review of the Application as required by RSA 162-H: 6-a, II, I find that it contains sufficient information to carry out the purposes of RSA 162-H pertaining to Renewable Energy Facilities. The Application is hereby accepted and deemed to seek the issuance of the Certificate of Site and Facility for a Renewable Energy Facility as defined in RSA 162-H:2, XII. To the extent that this facility may also qualify as an Energy Facility under RSA 162-H:2, VII, I find that the Application contains sufficient information and, pursuant to NEW HAMPSHIRE CODE OF ADMINISTRATION RULES, Site 302.04, I hereby waive any additional Application requirements that may exist.

April 26, 2010



Thomas B. Getz, Presiding Officer  
Vice Chair, NH Site Evaluation Committee