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June 21, 2010

*Via Electronic Mail and Hand Delivery*  
NH Site Evaluation Committee  
c/o Jane Murray, Secretary  
29 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

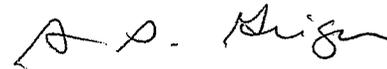
**Re: Application of Groton Wind, LLC –  
SEC Docket No. 2010-10**

Dear Ms. Murray:

Enclosed for filing with the Site Evaluation Committee in the above-captioned matter, please find an original and 3 copies of a Partially Assented-To Motion to Amend Order and Notice.

Please contact me if you have any questions about the enclosed filing.  
Thank you.

Very truly yours,



Susan S. Geiger

Maureen D. Smith  
(Of Counsel)

cc: Via Electronic Mail to Service List (exclusive of Committee members)  
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**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, NH**

**PARTIALLY ASSENTED-TO MOTION TO AMEND ORDER AND NOTICE**

NOW COMES Groton Wind, LLC (“the Applicant”) by and through its undersigned attorneys and respectfully moves the Presiding Officer to amend the provisions of the Order and Notice of Prehearing Conference, Site Visit and Public Information Hearing issued May 21, 2010 relating to publication of said Order and Notice and a display advertisement in a newspaper of general circulation in Grafton County. In support of this Motion, the Applicant states as follows:

1. The Presiding Officer’s Order and Notice dated May 21, 2010, *inter alia*, scheduled a public hearing for June 28, 2010 in Plymouth, New Hampshire and ordered the Applicant to cause the Order and Notice to be published on or before May 27, 2010 in a newspaper of general statewide circulation. Such publication occurred as ordered. *See* Affidavit filed June 18, 2010. Thus, the statutory notice prerequisites for the public hearing in the above-captioned matter have been satisfied. *See* RSA 162-H:6-a, IV (the subcommittee, upon 30 days notice, shall promptly hold at least one public hearing in the county in which the proposed facility is to be located.)

2. In addition to the above-described notice provisions, the Order and Notice dated May 21, 2010 required the Applicant to cause the Order and Notice to be published in a newspaper of general circulation in Grafton County “as soon as practicable, consistent with such newspaper’s

publication schedules”...and to publish “at least one display advertisement publicizing the public information hearing in a newspaper of general circulation in Grafton County not less than ten, nor more than fourteen days, prior to the public information hearing.”

3. The Applicant has made a good faith effort to comply with the publication provisions of the May 21, 2010 Order and Notice. As the Affidavit filed June 18, 2010 indicates, the undersigned’s assistants contacted the Plymouth Record Enterprise by phone and by electronic mail to arrange for publication of the Order and Notice and display advertisement. In addition, on May 27, 2010, the undersigned sent a letter to the Plymouth Record Enterprise requesting publications consistent with the provisions of the May 21, 2010 Order and Notice. As the Affidavit also indicates, such publication did not occur as requested. Instead, the display advertisement was published in the Plymouth Record Enterprise on June 3, 2010 rather than between June 14 and June 18, 2010, and the Order and Notice have not yet been published. A representative of the Plymouth Record Enterprise has indicated that the display advertisement will be republished in the June 24, 2010 edition of that newspaper and that the Order and Notice will be published in that same edition. *See* Affidavit filed June 18, 2010.

4. Upon information and belief, the attached article on the Groton Wind Project appeared in the Union Leader, Laconia Citizen and Foster’s Daily Democrat on or about May 26, 2010. The article provides information about the date, time and location of the June 28, 2010 public hearing.

5. The public has been provided adequate notice of the public hearing to be held on June 28, 2010 in Plymouth given that: a) the notice provisions of RSA 162-H:6-a, IV have been satisfied by the publication of the Order and Notice and article in the Union Leader which occurred on May 26, 2010; b) the publication of the display advertisement occurred in the

Plymouth Record Enterprise on June 3, 2010; and c) the republication of said display advertisement as well as the publication of the Order and Notice will occur in the Plymouth Record Enterprise on June 24, 2010. Accordingly, good cause exists to modify the May 21, 2010 Order and Notice to relieve the Applicant of the specific requirements relating to publishing notice in a Grafton County newspaper.

6. In view of the foregoing, the Applicant respectfully requests that the "Further Ordered" paragraph of said Order and Notice be amended to read as follows:

"FURTHER ORDERED, that the Applicant shall cause this Order and Notice to be published, on or before May 27, 2010, in a newspaper of general statewide circulation. The Applicant shall also cause a display advertisement to be published in at least one newspaper of general circulation in Grafton County prior to the public hearing on June 28, 2010."

7. Pursuant to N.H. Admin. Rule Site 202.14(d) the undersigned has made a good faith effort to obtain concurrence with the relief sought herein from of all of the parties by e-mailing a draft copy of this Motion to them and asking for their position on it. As of the time of the filing of this Motion, the Town of Plymouth has indicated its assent, the Town of Groton takes no position, no parties have expressly objected, Mr. Thibodeau stated that he does not agree that the intent of the Order and Notice has been fulfilled, and the remaining parties did not respond to the above-referenced e-mail before the time this Motion was filed.

WHEREFORE, the Applicant respectfully requests that the Presiding Officer amend the provisions of the May 21, 2010 Order and Notice as indicated above and take such additional action as may be appropriate.

Respectfully submitted,

Groton Wind, LLC  
By Its Attorneys

  
\_\_\_\_\_  
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Concord, N.H. 03302-3550  
(603) 223-9154  
Fax (603) 223-9054  
ssg@orr-reno.com

Dated: June 21, 2010

Certificate of Service

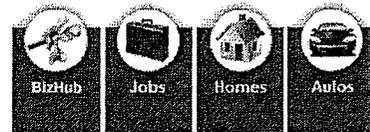
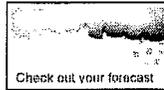
I hereby certify that, on the date written below, I caused the foregoing Motion to be sent by electronic mail or U.S. mail, postage prepaid, to the persons on the service list (exclusive of Committee members).

6/21/10  
Date

  
\_\_\_\_\_  
Susan S. Geiger

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## Hearing set for June on Groton wind farm

By PAULA TRACY  
New Hampshire Union Leader  
Wednesday, May 26, 2010

CONCORD — A proposed wind park in Groton will be the subject of a site visit and public hearing June 28 before the New Hampshire Site Evaluation Committee.

In addition, the town of Groton and area residents have petitioned to intervene in the process.

Iberdrola, a Spanish company which owns the state's first wind park in Lempster, has filed an application with the state to build 24 wind turbines on Tenney and Fletcher mountains, just west of Plymouth. Each tower has the nameplate capacity to produce up to 2 megawatts of power a year.

The state has nine months to consider the project from the acceptance of its application on April 26.

Last Friday, the New Hampshire Site Evaluation Committee issued an order and notice of a prehearing conference, site visit and public information hearing.

The public hearing will be at Plymouth State University's Hyde Hall on Highland Street on Monday, June 28, at 7 p.m. in Room 220. Those who wish to attend a site visit will be offered an opportunity, weather permitting, on the same date at 1 p.m. The gathering spot for the site visit will be in the parking lot of the Wal-Mart Supercenter at 683 Tenney Mountain Highway, Plymouth.

Thomas B. Getz, presiding officer and subcommittee chairman for the NH Site Evaluation Committee also scheduled a prehearing conference at the Public Utilities Commission, 21 South Fruit St., Concord on Monday, June 7 at 10 a.m.

This will be a time for the committee to review petitions to intervene in the process.

The Town of Groton has petitioned to intervene as have a number of area residents, including Kathleen Park, Annie Valdmanis, Richard Wetterer and Dr. Lawrence Mazur. Others have until Friday, June 4 to file their intent to intervene. While he has not filed to be an intervenor, Gardner Hall, an owner of abutting property to the project on Tenney Mountain has written to the committee about "real concerns" he has about the project's impact on the value of 400 acres he plans for development.

The Attorney General, by law, will be appointing an assistant attorney general to serve as counsel for the public during the hearings.

That attorney's job is to "represent the public in seeking to protect the quality of the environment and in seeking to ensure an adequate supply of energy."

Getz said that whomever Attorney General Michael Delaney chooses, "the appointment of Counsel for the Public does not prevent any person from being heard or represented by counsel."

The subcommittee, which will hear the application, has also been established.

It will consist of George Bald, commissioner of NH Resources and Economic Development; Charles Hood, who is designee for the Department of Transportation; Eric Steltzer, who is energy policy analyst for the state Office of Energy and Planning; Stephen Perry, chief of Inland Fisheries for NH Fish and Game and that department's designee; Michael Harrington, staff engineer for the Public Utilities Commission; Richard Boisvert, designee for the Division of Historical Resources; Robert Scott, director of air resources for the state Department of Environmental Services; Brook Dupee, bureau chief for Health and Human Services and serving as the chairman, Thomas B. Getz of the PUC.