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November 23, 2010

Via Hand Delivery and Electronic Mail

NH Site Evaluation Committee
c/o Jane Murray, Secretary
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

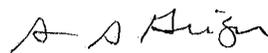
***Re: Docket 2010-01 Application of Groton Wind, LLC
for a Certificate of Site and Facility for a Renewable Energy Facility***

Dear Ms. Murray:

Enclosed for filing with the Site Evaluation Committee in the above-captioned docket, please find an original and four copies of the Applicant's Objection to Motion of Intervenor Group Buttolph/Lewis/Spring for Order Directing Groton Wind, LLC and Iberdrola Renovables to Bear the Cost of Expert Consultant.

Please contact me if there are any questions about this filing. Thank you.

Very truly yours,


Susan S. Geiger

Maureen D. Smith
(Of Counsel)

cc: Parties (electronic mail only)
Enclosures
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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

**APPLICANT'S OBJECTION TO MOTION OF INTERVENOR
GROUP BUTTOLPH/LEWIS/SPRING FOR ORDER DIRECTING
GROTON WIND, LLC AND IBERDROLA RENOVABLES TO BEAR THE
COST OF EXPERT CONSULTANT**

NOW COMES Groton Wind, LLC (“the Applicant”) by and through its undersigned attorneys and respectfully objects to the Motion filed by the Buttolph/Lewis/Spring Group of Intervenors (“the Intervenors”) which seeks an order compelling the Applicant and Iberdrola Renovables to bear the costs of the Intervenors’ property value witness, Michael McCann. In support of this objection, the Applicant states as follows:

1. The Site Evaluation Committee (“the Committee”) lacks the authority to grant the relief requested by the Intervenors. The Committee has only those powers which are expressly granted or fairly implied by statute. See Appeal of Public Service Co. of New Hampshire, 122 N.H. 1062, 1066 (1982). Actions beyond that authority are improper. Id. The Intervenors claim RSA 162-H:10, V authorizes the Committee to award expenses incurred by the Intervenors to retain a witness on property values. However, the Intervenors’ reliance on that statute is misplaced. That statute permits the Committee to assess certain costs to an applicant that have been incurred by the *Committee or public counsel* in furtherance of their statutory duties. See id. Nowhere does it state, or even

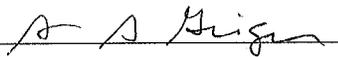
imply, that the Committee may award any costs independently and unilaterally incurred by a *group of intervenors*. See id. In the absence of such authority, the Committee simply lacks the ability to provide the relief requested by the Intervenors.

2. In addition to the absence of legal authority to grant the relief requested by the Intervenors, public policy and common sense compel that the Motion be denied. An order requiring an applicant to pay costs incurred by a group of intervenors would improperly incentivize those in opposition to a renewable energy project to incur substantial costs simply to harass and discourage an applicant knowing that the costs would be born by the applicant. This would in turn chill applications to the Committee and have the potential to make otherwise viable renewable energy projects uneconomical.

WHEREFORE, for all of the foregoing reasons, the Applicant respectfully requests that the Committee deny the Intervenors' Motion and grant such other and further relief as deemed just and proper.

Respectfully submitted,
Groton Wind, LLC
By Its Attorneys

Dated: November 23, 2010


Susan S. Geiger

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Certificate of Service

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

11/23/10

Date

Susan S. Geiger

Susan S. Geiger

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