

**THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

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In the matter of the)	
Application for Certification)	Docket No. 2010-01
Pursuant to RSA 162-H of)	June 11, 2011
GROTON WIND LLC)	
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**BUTTOLPH/LEWIS/SPRING INTERVENOR GROUP OBJECTION TO APPLICANT'S MOTION
FOR RECONSIDERATION OR REHEARING DATED JUNE 6, 2011.**

The Intervenor Group Buttolph/Lewis/Spring (the "Intervenors") respectfully objects to the Applicant's June 6, 2011 motion for reconsideration or rehearing of the "Decision Granting Site and Facility with Conditions" (the "Decision") dated May 6, 2011. Our concerns include, but are not limited to, the following:

RSA 162-H:11 and RSA 541 dictate the process that must be followed in the event of a request for rehearing by any aggrieved party. Pertinent text includes the following:

"Decisions made pursuant to this chapter shall be reviewable in accordance with RSA 541." (RSA 162-H:11). "Within 30 days after any order of decision has been made by the commission, any party to the action or proceeding before the commission, or any person directly affected thereby, may apply for a rehearing..." (RSA 541:3). "...No appeal from any order or decision of the commission shall be taken unless the appellant shall have made application for rehearing as herein provided..." (RSA 541:4).

The Applicant is, or should be, fully versed in the details of both RSA 162-H and RSA 541. RSA 541:4 makes it crystal clear that any request for rehearing shall have been made within 30 days in order to be eligible for judicial review under RSA 541. All parties are obviously required to adhere to

this 30 day deadline if they expect to have their request considered by the Site Evaluation Committee (the "Committee"). However, the Applicant filed their request on June 6, 2011. The Applicant's filing is dated 31 days after the Order. There is no explanation for the fact that this filing is dated beyond the statutory time frame, and after careful review of RSA 541 it is clear that there is no provision for allowing this filing to be accepted as a valid step in the judicial review process under the law. If the committee considers a filing for rehearing beyond the due date, this would be extraordinarily unfair to all parties who understand their obligation to act within the timeframes prescribed by law, and have made significant personal sacrifices in order to do so.

We assume the Committee is well aware of the detailed requirements of RSA 541, rendering the Intervenor's instant filing to be merely reinforcing what is already clear to all. Nevertheless, we respectfully remind the Committee that there is no flexibility in the application of RSA 541 with respect to the rehearing filing time frames prescribed in the judicial review process. Due to the late filing from the Applicant, we are confident that the Committee will agree that it has no choice but to dismiss the Applicant's filing as incompatible with the crystal clear language of RSA 541:3.

Respectfully submitted,

The Intervenor

By their spokesperson



James Buttolph

I, James Buttolph, do hereby certify that I caused the foregoing to be sent by electronic mail or U.S. mail to the persons on the currently active service list for docket 2010-01. An original plus 9 copies has also been provided via US mail to the SEC.