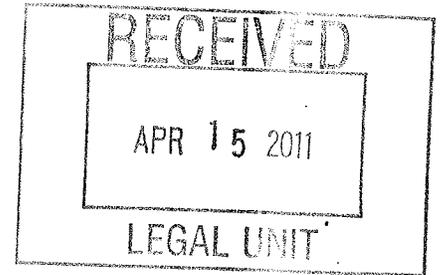


Brian R. Beihl  
Jeanmarie White  
17 Jameson Ave., P.O. Box 26,  
Antrim, NH 03440  
603-620-8300 / beihl@comcast.net



Chairman Thomas S. Burack  
New Hampshire Department of Environmental Services  
Ref. SEC Docket 2011-02  
29 Hazen Drive  
Concord, NH 03301

April 13, 2011

Good Day, Chairman Burack:

I respectfully petition the New Hampshire Site Evaluation Committee to grant me general intervention status in the proceedings in Docket No. 2011-2, RE Antrim Wind Energy LLC, pursuant to NH Code of Administrative Rules, Site 202.11 and RSA 541-A:32, and state as follows:

I am a 24-year resident of the town of Antrim, founder and former chairman of the Antrim Chamber of Commerce, business owner, avid outdoorsman and user of nearby Gregg Lake and adjoining lands, Scoutmaster for Boy Scout Troop 2, one of the oldest troops in New Hampshire, and a promoter of tourism in the local area. I consider myself a moderate in these proceedings, representing a large group of voters who, while they support wind power, wish to see the town of Antrim's interests are protected.

I am a signatory to the Petition, the text being attached and incorporated by reference herein, by means of which registered voters in the Town of Antrim request that the State Over Renewable Energy Facility filed by Antrim Wind Energy LLC, for the reasons set forth therein. This Petition is being submitted in these proceedings as signed on April 15, 2011.

My rights, duties, privileges, immunities or substantial interests as a resident, registered voter, Antrim town meeting attendee, property owner and active citizen may be affected by the proceedings. Allowing intervention will not impair the interests of justice and the orderly and prompt conduct of the proceedings.

A copy of this petition for intervention has been sent by U.S. mail to Richard Uchida, Orr & Reno Professional Association, attorney for Antrim Wind Energy, LLC, and to the Board of Selectmen, Town of Antrim.

Regards,

A handwritten signature in black ink, appearing to read "Brian Beihl". The signature is stylized and cursive.

Brian R. Beihl

# PETITION

We, the undersigned registered voters in the Town of Antrim, New Hampshire, request that the State of New Hampshire Site Evaluation Committee rule against the Petition for Jurisdiction Over Renewable Energy Facility requested by Antrim Wind Energy LLC.

We request this ruling for the following reasons:

1. We assert the timing for this Petition for Jurisdiction is not ripe.

- a. The first request to the NH Site Evaluation Committee for jurisdiction oversight came from the Antrim Board of Selectmen, in a letter received in your office Feb. 10, 2011. It requests State oversight “if and when an application is made to construct this facility.”

Antrim Wind Energy LLC has not submitted an application (as defined under 162-H:7, Application for Certificate) or even a preliminary site plan for this project to the Town of Antrim, the Antrim Planning Board, or the NH Site Evaluation Committee. This project is not fully developed. Antrim Wind Energy LLC’s own Petition reveals plans to conduct further studies and discussions before an application will be ready, by current estimate at the end of 2011.

Thus, Antrim’s Wind Energy LLC’s petition for immediate jurisdiction determination is clearly not within the terms of the original Antrim Board of Selectmen’s request. For this reason alone, appropriateness of exercise, and perhaps further, the manner of any exercise of discretionary jurisdiction is not ripe for determination.

- b. In addition, the membership of the Antrim Board of Selectmen and the Antrim Planning Board changed significantly after town elections on March 8, 2011. As a result, the majority of the Antrim Planning Board no longer supports the Town’s request for State oversight, and only one Selectman who supported the vote to request NH Site Evaluation Committee jurisdiction, if and/or when a site plan for this project is submitted, is currently in office.
- c. Given both of the points above, we are asking the NH Site Evaluation Committee to either deny the Antrim Wind Energy LLC’s petition without prejudice to resubmit or that the issue be subject to continuance under SEC procedural rule Site 202.17 until ripe.

2. We assert that jurisdiction over the Antrim Wind Energy LLC project is a matter for local control.

- a. The Town of Antrim has a fully developed Zoning Ordinance plus Subdivision Regulations, including Site Plan Review. Planning and zoning regulations have been in effect in Antrim since 1974. As the land use landscape changed over the decades, the Town’s lawfully elected or appointed land use boards have properly and diligently overseen the development of new regulations, ordinances and master plans in a timely and productive manner.
- b. The Antrim Planning Board is currently developing local procedures, including possible zoning ordinances or overlays, for wind energy projects consistent with RSA 672:1, III-a. That work, to be assisted by an ad hoc advisory committee, is expected to be completed within six months and should be ready for a Special Town Election vote in Fall 2011 or, at the latest, by March 2012. That schedule will not cause undue delay to this developer. This important work will be rendered moot if jurisdiction over Antrim Wind Energy LLC’s project is considered and ruled upon before the Antrim voters have the opportunity to vote on any fully developed planning instruments proposed.

3. We assert that premature jurisdiction by the State of New Hampshire over this project might invite litigation and unnecessary expense for the Town of Antrim, the State of New Hampshire, and/or the project developer.

- a. Allowing this local renewable energy project, the extent of which is contained solely within the borders of the Town of Antrim, to be subject to siting oversight from the State is not warranted.

