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July 6, 2012

Ms. Jane Murray, Secretary
New Hampshire Site Evaluation Committee
New Hampshire Department of Environmental Services
P.O. Box 95
29 Hazen Drive
Concord, NH 03302-0095

Re: Docket No. 2012-001 Application of Antrim Wind Energy, LLC for a Certificate of Site
and Facility for a Renewable Energy Facility

Dear Murray:

Enclosed please find for filing in this matter the motion to compel of the Audubon Society of
New Hampshire.

Very truly yours,



David M. Howe

Cc Service List

Enc.

THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. 2012 – 01

Re: **Antrim Wind Energy, LLC**

THE AUDUBON SOCIETY OF NEW HAMPSHIRE
MOTION TO COMPEL RESPONSES TO DATA REQUESTS

NOW COMES the Intervenor, the Audubon Society of New Hampshire (“ASNH”), by its attorney, and respectfully moves for an order compelling relevant information requested by ASNH through data requests and denied by the Applicant, Antrim Wind Energy, LLC, and in support thereof, ASNH states as follows:

1. On June 1, 2012 counsel to ASNH propounded numerous data requests to the Applicant. The Applicant provided responsive information to most, but not all of the requests.
2. In request NHA 1-7 ASNH requested information concerning the ambient sound levels on the eastern shore of Willard Pond and along the northern property line of ASNH’s Sanctuary. The Applicant responded simply by stating that no such ambient sound level measurements were taken at these locations and by suggesting that the ambient sound levels at the Sanctuary would be similar to those measured on Salmon Brook Road.
3. ASNH renewed the request for sound monitoring at the Sanctuary on June 29, 2012 during the Technical Session, and the Applicant stated that it would object to the request.
4. ASNH suspects that the ambient sound levels at its Sanctuary may be lower than at Salmon Brook Road. In addition, because ASNH’s property is a wildlife sanctuary that is

insulated from major roads, the lack of human induced noise is a significant feature that visitors experience at the Sanctuary, and protection of the quiet enjoyment of the natural environment at the Sanctuary warrants careful consideration and protection of current ambient sound levels at the Sanctuary. Willard Pond, within the Sanctuary, is a great pond open to the public. Motor boats other than those that are electric powered are prohibited at the pond.

6. During the Technical Session held on June 29, 2012, ASNH requested a visual simulation from Goodhue Hill, which is within the Sanctuary and provides scenic views of various features in numerous directions, including views in the direction of the Project site. The Applicant argued that the view is similar to that from Bald Mountain, which is the subject of a visual simulation prepared by the Applicant's consultant, and declined to provide the simulation.

7. ASNH believes that the views from Goodhue Hill are an important public resource and are different from the views from Bald Mountain and that a visual simulation from Goodhue Hill would be important information concerning the visual impacts of the Project.

8. ASNH holds a conservation easement on approximately 887 acres of land owned by Meadowsend Timber, LLC, known as the French Conservation Easement and also as Rockland Forest. The property, which is accessible from a gated road off of Salmon Brook Road, includes the summit of Robb Mountain and slopes of Willard Mountain. Trails on the property are open to the public for hiking, cross-country skiing and snowshoeing and provide a number of scenic views. Those views include views in the direction of the Project site from the summit of Robb Mountain.

9. During the Technical Session held on June 29, 2012, ASNH requested a visual simulation from an area near the summit of Robb Mountain. The Applicant argued that the views from Robb Mountain are similar to those from Bald Mountain and denied the request.

10. Robb Mountain is immediately southwest of the Project site and closer to the Project site than Bald Mountain. ASNH believes that the views from Robb Mountain are an important public resource and that a visual simulation from the summit of Robb Mountain would be important information concerning the visual impact of the Project.

11. To the extent that Counsel to the Public is granted leave to hire his proposed visual consultant and noise consultant, the approved scope of work of such consultants would include the information requested by ASNH and the Counsel to the Public and his consultants agree to provide the requested visual and sound information requested by ASNH, ASNH would agree to a reduction in such information provided by the Applicant.

11. ASNH has requested that other parties assent to this motion. The Applicant has not assented to this motion. The following other parties have assented to the motion: Appalachian Mountain Club, Counsel for the Public, Robert L. Edwards and Mary E. Allen, Industrial Wind Action Group, the North Branch Group of Intervenors (Including Richard and Lorraine Block), the Salmon Brook Group of Intervenors (the Schaefers, Janice Longgood and Clark Craig, Jr.), and Katherine Sullivan. The Harris Center takes no position concerning the motion.

WHEREFORE, ASNH respectfully requests that the SEC issue an order compelling the Applicant to provide the information requested and granting such other and further relief as justice requires.

Respectfully submitted,

AUDUBON SOCIETY OF NEW HAMPSHIRE

By Its Attorney,

Date: 7/6/12



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Certificate of Service

I hereby certify that, on this 6th day of July, 2012 I have sent the foregoing Response via electronic mail to the persons named on the Service List of this Docket.



David M. Howe