

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

**DOCKET NO. 2012-01**

**APPLICATION OF ANTRIM WIND ENERGY, LLC  
FOR A CERTIFICATE OF SITE AND FACILITY**

**ANTRIM LANDOWNERS' MOTION FOR REHEARING**

NOW COME Michael J.H. Ott, Antrim Limited Partnership, Steven R. Cotran, Paul J. Whittemore and Whittemore Trust (collectively "Antrim Landowners") and pursuant to RSA 541:3, respectfully move that the Subcommittee of the New Hampshire Site Evaluation Committee ("Subcommittee") rehear its Decision and Order denying Antrim Wind Energy, LLC ("AWE") a certificate of site and facility for the Antrim Wind Project ("the Project"). In support of this motion, the Antrim Landowners state as follows:

1. RSA 541:3 authorizes any person directly affected by an SEC order to file a motion for rehearing.

2. The Antrim Landowners are directly and negatively affected by the SEC's Decision to deny AWE a certificate of site and facility. The Subcommittee's Decision deprives the Antrim Landowners of the freedom to use our property as we wish, as well as the ability to receive the benefits of the leases that we have negotiated with AWE.

All of the Antrim Landowners own property in the Town of Antrim that is currently being leased to AWE and that will be leased for the remainder of an initial 25-year term if AWE commences commercial operations. AWE has an option to extend the leases for

another 25 years. Each Landowner, their property and the proposed use by AWE is identified below:

- a. Michael J. H. Ott owns 330 acres and is leasing his property to AWE for the project's access road, substation, O&M building. In addition, Turbines 1 and 2 are proposed to be located on Mr. Ott's property.
- b. Antrim Limited Partnership (an entity that is unrelated to AWE and whose members include the Bean Family) owns approximately 900 acres and is leasing its property to AWE. Turbines 3, 4, 5 and 6 are proposed to be located on ALP's land.
- c. Steven R. Cotran owns approximately 130 acres and is leasing his land to AWE. Turbines 7 and 8 are proposed to be located on Mr. Cotran's land.
- d. Paul J. Whittemore owns approximately 140 acres and is leasing his land to AWE. AWE proposes to locate a section of the Project's ridge line road is on this land.
- e. Whittemore Trust owns approximately 360 acres and leases this property to AWE. Turbines 9 and 10 are proposed to be located on the Whittemore Trust property.

3. The Subcommittee acted unreasonably in denying AWE's application on the basis of the Project's aesthetics impacts and in failing to recognize AWE's substantial conservation measures as an adequate mitigation package for aesthetics impacts. The Decision is shortsighted and unreasonable because it does not take into consideration the long-term aesthetic and conservation benefits of the Project. AWE's Project will insure that hundreds of acres of ridgeline property will be permanently conserved even after the wind turbines cease operating. This means that after the Project is decommissioned, the Tuttle Hill ridgeline will forever remain in a natural, largely undeveloped condition. Thus, when the long-term aesthetic impacts of the Project on the region are considered, it is clear that the Project's impacts are not unreasonably adverse. Good cause, therefore, exists for a rehearing on this issue.

4. Although the Subcommittee is concerned about the Project's impacts on aesthetics, the Decision overlooks that by not approving the Project, the Antrim Landowners will not be free to utilize our property in ways that will maximize benefits to the Antrim community through the Project's clean energy benefits, financial benefits and conservation measures. In addition, without the Project and its conservation measures, the Landowners would have the ability to use our property in ways that could have aesthetically displeasing results without the high level of corresponding benefits provided by the Project. As Subcommittee Member Green recognized during deliberations, "the people that own that land could do something even more intrusive...". Transcript of Day 3 Deliberations, Afternoon Session, p. 32.

5. The Subcommittee's decision that the AWE project would have an unreasonable adverse affect on aesthetics of the region seems to have been heavily influenced by only one landowner – the New Hampshire Audubon. This is evidenced by the fact that the Decision states that the Project "would have a particularly profound impact on Willard Pond and the dePierrefeu Wildlife Sanctuary which is owned in fee and managed by Audubon." Decision, p. 51 of 71. The Antrim Landowners find it unjust and unreasonable that the views of one landowner can constitute the basis for overriding the efforts of multiple Landowners who have executed leases with AWE and who wish to see our property used as a wind farm and large portions of it permanently conserved thereafter, and the Town of Antrim, which signed an agreement allowing 10 turbines up to 500 feet tall to be located on our property and pledged their support to the Project.

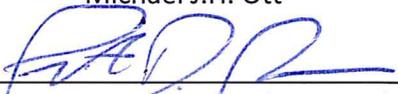
6. While we understand that some of our neighbors are concerned about their views of the AWE project, the property on which it will be located still belongs to us and has been carefully sited and considered for several years. The Subcommittee must not overlook our rights to use our property as we reasonably see fit, especially in this case where it will be used for the public good in promoting the State of New Hampshire's renewable energy goals as well as the Town of Antrim's renewable energy and open space goals as articulated in the Antrim Master Plan. Leasing our land for use by AWE is not just about our land, or the revenue we will derive from the leases, it is also about the environment and our region's energy future. The AWE Project is a clean source of electricity. The Project will not combust fossil fuels or produce harmful air emissions, while increasing energy price stability and decreasing fossil fuel dependence. It is important for the Subcommittee to not lose sight of the fact that the carbon dioxide emissions avoided with the AWE project operational is equal to taking approximately 10,631 passenger vehicles off the road annually. AWE Ex. 3, Appx. 10, p. 9. This is a long-term, conservative average. *Id.*

7. For all of the reasons described above, good cause exists to reconsider or rehear the Decision and grant a certificate of site and facility to AWE.

Respectfully submitted,

*Signatures appear on the following page(s)*

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Michael J.H. Ott  
  
Antrim Limited Partnership

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Steven R. Cotran

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Paul J. Whittemore

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Whittemore Trust

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Michael J.H. Ott

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Antrim Limited Partnership



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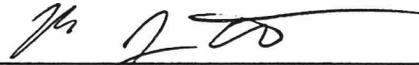
Steven R. Cotran

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Paul J. Whittemore

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Whittemore Trust



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Michael J.H. Ott

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Whittemore Trust

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Michael J.H. Ott

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Antrim Limited Partnership

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Steven R. Cotran

*Paul J. Whittemore*

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Paul J. Whittemore

*Paul J. Whittemore*

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Whittemore Trust

Certificate of Service

On this 23 day of May, 2013, the undersigned caused a copy of this Motion to be sent to the persons listed on the service list for this docket.

Paul J. Whittemore