STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Concerning an Application for a Certificate of Site and Facility
Antrim Wind Energy LLC
Docket No. 2012-01

OBJECTION OF THE NORTH BRANCH INTERVENOR GROUP

To The

APPLICANT'S UNASSENTED-TO MOTION TO STRIKE INTERVENOR SULLIVAN'S LATE-FILED SUBMISSION

The North Branch Intervenor Group, as recognized by the New Hampshire Site Evaluation Committee in SEC Docket 2012-01, submits this objection to the Applicant's Unassented-to Motion to Strike Intervenor Sullivan's Late-filed Submission. The Intervenors joining in this action are all residents and voters in the Town of Antrim and are described as follows: Richard and Loranne Carey Block; Annie Law; Robert A. Cleland; Elsa Voelcker; James Hankard; Samuel E. and Michele D. Apkarian.

The Intervenors, so described, argue that the Applicant's Motion to Strike Intervenor Sullivan's Late-filed Submission should be denied for these reasons: (1) Ms. Sullivan's letter is nothing more than a letter of personal opinion; (2) As such, she has the right to submit her letter to all members of the distribution list provided by the Site Evaluation Committee; (3) The charges and claims made by the Applicants in their Motion are groundless.

Argument

1) Ms. Sullivan's letter is nothing more than a letter of personal opinion.

This letter was submitted in her capacity as a resident of Antrim and an interested and involved party in these proceedings. In no way could anyone misconstrue this document as anything but a letter, and certainly not as any kind of formal objection to any previously submitted documents in this case. To do so is to apply speculative or imagined properties to this letter.

Ms. Sullivan's comments have as much, or more, right to be submitted as the 30 identical form letters received from businesses ranging from 70 to 90 miles away from Antrim.[1]

(2) Ms. Sullivan has the right to submit her letter to all members of the distribution list provided by the Site Evaluation Committee.

Since her letter was little different in content from the letter previously submitted by Peter Burwen and forwarded to the distribution list by Jane Murray, it was appropriate for Ms. Sullivan to simply use the very same email distribution list used by Ms. Murray.

(3) The charges and claims made by the Applicants in their Motion are groundless.

Since there is no possible way that Ms. Sullivan's letter can be interpreted as a formal Objection, the Applicants' charges and request that her letter be stricken from the record are groundless. Moreover, previously during these proceedings there have been at least six letters of opinion from Intervenors directed to the SEC. There were no objections to any of these letters filed by the Applicant or their attorneys.

[1] Except, arguably, from the Massachusetts business owner who, apparently not having read the form

Furthermore, the inclusion of Marie Harriman in the list of concurring parties is improper, since Ms. Harriman is not an Intervenor in this case and in fact has never materially participated in these proceedings. Her name should be stricken from the record.

Conclusion

Because Ms. Sullivan's letter to the SEC is simply a letter of personal opinion and nothing more, and as such she has the right to submit it to the entire distribution list, the Applicant's Motion to Strike is trivial, groundless, and a time-wasting tactic.

WHEREFORE, the North Branch Intervenors' Group respectfully requests that the Committee summarily discard the Applicant's Motion to Strike Intervenor Sullivan's Late-filed Submission.

Respectfully submitted,

Dated: July 2, 2013

Richard Block
spokesperson for North Branch Resident Intervenors

Certificate of Service

I, Richard Block, certify that on July 2, 2013, I served a copy of the foregoing on the Parties and Intervenors, as identified on the official service list, by electronic mail.

Richard Block