

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE  
ORDER AND NOTICE OF PUBLIC MEETING**

**March 13, 2014**

**PLEASE TAKE NOTICE that the Site Evaluation Committee for the State of New Hampshire will conduct a public meeting on April 7, 2014 at 6 PM. The meeting shall be held at the Littleton Opera House, 2 Union Street in Littleton, New Hampshire.**

The business of the Site Evaluation Committee at said meeting shall include the following docket and any other business that is lawfully before the Committee:

**Docket Number 2014-03**

**Motion of Granite Reliable Power, LLC to Amend a Certificate of Site and Facility with Request for Expedited Relief**

**Background**

On March 12, 2014, Granite Reliable Power, LLC (Applicant) filed a Motion to Amend a Certificate of Site and Facility (Motion) with the New Hampshire Site Evaluation Committee (Committee). The Motion requests that the Committee amend certain conditions contained in the Certificate of Site and Facility issued in NHSEC Docket No. 2008-04, Application of Granite Reliable Power, LLC, on July 15, 2009 (Certificate).

**Nature and Location of Facility and the Proposed Amendment**

On July 15, 2009, the Committee granted a Certificate to the Applicant for the siting, construction and operation of a 99 MW wind powered electric generation facility consisting of 33 wind turbines on private lands located in Dixville, Erving's Location, Millsfield, Odell and the Town of Dummer in Coos County (Facility.) The Facility is fully constructed and commercially operating. The Certificate imposed numerous conditions pertaining to the construction and operation of the Facility. A number of conditions were incorporated into the Certificate through a High Elevation Mitigation Settlement Agreement. Included within the High Elevation Mitigation Settlement Agreement, Section A, Paragraph 5, and incorporated in the Certificate was a condition stating:

Within the Retained Land on Mt Kelsey, only those trees necessary for project construction will be cut. Once construction is completed, there shall be no commercial timber harvesting in this area. After project construction the roadway shall be revegetated so that the roadbed is limited to 12 feet in width.

In its Motion the Applicant asserts that it has complied with all conditions contained within the High Elevation Mitigation Settlement Agreement. However, the Applicant asserts that that the maintenance requirements of the Facility necessitate the repeated and periodic disturbance of the revegetated areas along the roadbed to accommodate heavy construction equipment. The

Applicant seeks to amend the Certificate to replace the road width condition with a Revised High Elevation Restoration Plan that will require that road widths be reduced generally to 16 feet. In addition the Revised High Elevation Restoration Plan includes additional requirements pertaining to: 1) minimization of temporary and permanent disturbances; 2) restricted access; 3) stabilization and revegetation (including requirements pertaining to grading, soil preparation, tree seedlings, and mulch for moisture retention and soil stabilization); 4) monitoring, and; 5) maintenance.

The Applicant asserts that expedited relief is necessary in order to undertake the requirements of the Revised High Elevation Restoration Plan during the growing season.

The Motion and other information pertaining to this matter may be reviewed during business hours at the Office of the Chairman of the Site Evaluation Committee located at:

New Hampshire Department of Environmental Services  
29 Hazen Drive  
Concord N.H. 03301

or at the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov).

### **Authority for Hearing**

The Committee's authority to undertake these proceedings is set forth at RSA 162-H: 4, II.

### **Intervention and Public Comment**

A person demonstrating that his or her rights, duties, privileges, immunities or other substantial interests might be affected by this proceeding may file a petition to intervene. Any person wishing to intervene in this matter shall file a motion to intervene on or before April 7, 2014. Motions to intervene should comply with the requirements of RSA 541-A: 32 and N.H. CODE OF ADMINISTRATIVE RULES, Site 202.11 and shall be filed with:

Jane Murray, Secretary  
NH Site Evaluation Committee  
New Hampshire Department of Environmental Services  
29 Hazen Drive  
Concord N.H. 03301

Motions to intervene may also be filed with the presiding officer, in hand, at the time of the meeting. Written public comment on the Motion will be accepted through the conclusion of the proceedings.

At the Public meeting, the Committee will consider motions to intervene, if any are filed. In addition the Committee will review the Motion and determine whether the matter requires an adjudicatory hearing. If it is determined that an adjudicatory hearing is not necessary the

Committee may deliberate on the merits of the Motion or may determine that further proceedings are necessary.

### **ORDER AND NOTICE**

**It is hereby ordered**, that the Site Evaluation Committee for the State of New Hampshire, will meet in public session for consideration of matters pending in the above referenced docket on **April 7, 2014 at 6 PM at the Littleton Opera House, 2 Union Street in Littleton, New Hampshire;**

**It is hereby further ordered**, that Granite Reliable Power, LLC, shall cause a copy of this Order and Notice of public meeting to be published no later than March 24, 2014, in the New Hampshire Union Leader or New Hampshire Sunday News which are newspapers of regular statewide circulation. Granite Reliable Power, LLC shall be responsible for the cost of said publication;

**It is hereby further ordered**, that Granite Reliable Power, LLC, shall cause a copy of this Order and Notice of public meeting to be published in an additional newspaper of regular circulation in Coos County on or before March 24, 2014. In addition, Granite Reliable Power, LLC, shall publish a display ad in said newspaper advising the public of the date, time, place, and subject matter of the public meeting in Docket Number 2014-03 on or before March 24, 2014. . Granite Reliable Power, LLC shall be responsible for the cost of said publication and advertisement; and

**It is hereby further ordered** that Granite Reliable Power, LLC, shall file affidavits documenting the required publication of this Order and Notice on or before April 4, 2014.

**By Order of the Site Evaluation Committee, this 13<sup>th</sup> day of March, 2014.**



Thomas S. Burack  
Chairman and Presiding Officer  
NH Site Evaluation Committee