

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

May 14, 2014

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

Docket No. 2014-03

REPORT OF PREHEARING CONFERENCE

On May 1, 2014, a prehearing conference was held in the above referenced docket. Counsel to the Committee, Michael J. Iacopino, presided. This memorandum will serve as a Report of Prehearing Conference pursuant to RSA 541-A: 31, V (d). Notice pursuant to RSA 541-A: 31, V (b), of the prehearing conference was provided to the service list on April 24, 2014.

Participants

The following parties in this docket were present for the prehearing conference: Granite Reliable Power, LLC (Applicant) was represented by Attorneys Harold Pachios and Matthew Warner of Preti Flaherty, Beliveau & Pachios. Counsel for the Public, Senior Assistant Attorney General Peter C.L. Roth. Windaction.org, *pro se*, was represented by Lisa Linowes, *pro se*. Coos County Commissioner Rick Samson also appeared, *pro se*.

General Discussion

At the outset of the prehearing conference, the parties engaged in a general discussion regarding the contours of the request contained in the Applicant's motion to amend the Certificate and the evidence that might be expected during the course of the proceeding. The Applicant initially indicated that it intended to call two witnesses, Tyler Phillips of Horizon Engineering and John Cyr, project manager. After further discussion, the Applicant also

indicated that they would likely attempt to have a witness from the New Hampshire Fish & Game Department and perhaps from the Appalachian Mountain Club as well.

Counsel for the Public, Peter Roth, indicated that he may be required to engage an expert in this case. He reported that he had not begun to look for such an expert at this point because he needed a better understanding of the Applicant's position.

In addition, there was discussion amongst the parties about the original restoration plan. All of the parties had in their possession the revised elevation restoration plan dated May 3, 2014 which was attached to the Applicant's motion. However, the original Decision in this matter required that:

once construction above 2,700 feet is complete, the project shall be re-vegetated in accordance with a plan to be developed by the Applicant in conjunction with NHF&G. The plan must address re-establishment of endemic species including spruce fir within the restored right of way. The plan must include provisions for planting of seedlings and the application of organic matter to best support successful restoration.

See, Decision at p. 56. In addition, the Certificate contained a similar condition. *See*, Certificate at p. 4. At the prehearing conference all parties reported that they did not have possession of a copy of the original re-vegetation plan. Mr. Pachios indicated that he would attempt to obtain a copy of that plan from his client. He also reported that a copy of the plan should be in the possession of the New Hampshire Fish & Game department.

There was also discussion of a general nature regarding areas of potential settlement amongst the parties. However, that discussion was neither specific nor complete enough to pursue to a conclusion at the prehearing conference.

Scheduling

All parties present agreed to proceed upon the basis of the schedule set forth below. However, the Applicant, through its representatives, did indicate that the delay caused by the schedule set out below may cause the Applicant to re-think its request and simply live within the terms of the original Certificate of Site and Facility.

The schedule as determined at the prehearing conference is as follows:

1. The Applicant shall pre-file the testimony of its witnesses on or before May 22, 2014.
2. Counsel for the Public and the intervenors shall submit data requests to the Applicant on or before June 5, 2014.
3. The Applicant shall answer the data requests from Counsel for the Public and the intervenors on or before June 19, 2014.
4. Counsel for the Public shall file a motion to retain expert services on or before June 20, 2014.
5. Any objection to Counsel for the Public's motion to retain expert services must be filed by June 30, 2014.
6. The Committee, through its presiding officer, will endeavor to rule on the motion for expert services on or before July 10, 2014.
7. A technical session will be held on or around July 24, 2014, with the exact date to be determined. At this technical session, the Applicant's witnesses will be available for questions. All supplemental requests for documents made at the technical session shall be satisfied within seven days after the technical session.
8. On or before August 8, 2014, Counsel for the Public and the intervenors shall pre-file their testimony.
9. The Applicant may issue data requests to Counsel for the Public and the intervenors on or before August 15, 2014.
10. Counsel for the Public and the intervenors shall file their answers to the Applicant's data requests on or before August 29, 2014.

11. A technical session will be held on or around September 5, 2014, with the exact date to be determined. At this technical session, Counsel for the Public and the intervenors shall have their witnesses available for questions by the Applicant's representatives. All supplemental requests for documents made at the technical session shall be satisfied within seven days after the technical session.

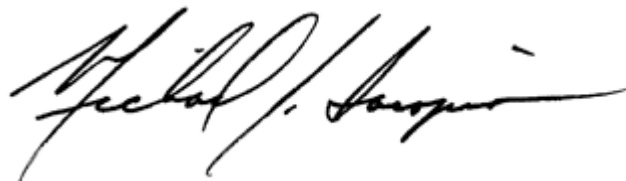
12. All supplemental testimony from any party will be filed by October 3, 2014.

13. All stipulations between the parties shall be filed by October 3, 2014.

14. An adjudicatory hearing will be held before the full Site Evaluation Committee on or around October 20, 2014, with the exact date to be determined upon canvassing the Committee for availability.

The presiding officer will issue a final procedural order incorporating all of the deadlines and dates set forth herein and scheduling adjudicative hearings referenced herein. To the extent that the procedural order is different than this Report, the parties shall follow the procedural order. The parties are encouraged to cooperate with each other in the trading of information and performing discovery.

Date: May 14, 2014



Michael J. Iacopino, Counsel
Site Evaluation Committee