

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

September 23, 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

PROCEDURAL ORDER

Introduction

This Order establishes the procedural schedule for the balance of the adjudicative proceedings in this matter.

Background

On July 15, 2009, in Docket No. 2008-04, the New Hampshire Site Evaluation Committee (Committee) granted a Certificate of Site and Facility to Granite Reliable Power, LLC (Applicant). Under the Certificate, the Applicant was authorized to site, construct, and operate a 99 megawatt wind powered electric generation facility consisting of 33 wind turbines on private lands located in Dixville, Irvings Location, Millsfield, Odell and the Town of Dummer in Coos County (Facility). The Facility is now fully constructed and commercially operating. The Certificate contained a number of important conditions pertaining to the construction and operation of the Facility. A series of conditions were incorporated into the Certificate through the Committee's approval of a high elevation mitigation settlement agreement. The high elevation mitigation settlement agreement included a provision that states:

Within the retained land on Mt. Kelsey, only those trees necessary for project construction will be cut. Once construction is completed, there will be no commercial timber harvesting in this area. After project construction, the roadway shall be re-vegetated so that the road bed is limited to 12 feet in width.

On March 12, 2014, the Applicant filed a motion to amend the Certificate of Site and Facility (Motion). By way of motion, the Applicant seeks to amend the condition contained in the high elevation mitigation settlement to replace the road with a revised high elevation restoration plan that will require that road width be revised generally to 16 feet. The Applicant also seeks, through its revised high elevation restoration plan, to amend additional requirements of the Certificate.

Counsel for the Public has filed an appearance and objected to the Motion. County Commissioner Rick Samson and Windaction.org have been allowed to intervene in this proceeding.

As part of the procedural schedule in this docket, the Committee scheduled a technical session for July 24, 2014. At the technical session, Counsel for the Public and the intervenor, WindAction.org, asked the Applicant to permit them to undertake a site visit at the Facility. The Applicant agreed. Counsel for the Public then filed a motion that, amongst other things, sought to extend the deadlines in this case until after the site visit was conducted. On August 7, 2014, I granted that request. As part of the Order of August 7, 2014, the Applicant was required to advise counsel for the Committee when the site visit had been concluded. By letter dated September 2, 2014, the Applicant advised counsel to the Committee that the site visit was concluded on August 29, 2014. The site visit having been completed, a new procedural schedule is in order.


Procedural Order

The following procedural schedule shall apply for the balance of the adjudicative proceedings in this docket:

1. Counsel for the Public and the intervenors' prefiled testimony is due on September 15, 2014.
2. The Applicant shall issue any data requests to Counsel for the Public or the intervenors on or before September 22, 2014.
3. Counsel for the Public and the intervenors will reply to the Applicant's data requests on or before October 6, 2014.
4. A technical session will occur on Thursday, October 9, 2014, at 10:00 a.m., at the Offices of the New Hampshire Public Utilities Commission. At the technical session Counsel for the Public and the intervenors shall make their witnesses available for questioning.
5. Counsel for the Public and intervenors shall answer any unanswered data requests from the technical session in writing on or before October 16, 2014.
6. Any and all supplemental testimony from any party shall be filed on or before October 23, 2014.
7. Any stipulations between the parties shall be filed by October 23, 2014.
8. An adjudicative hearing will be held on a date to be determined between November 10, 2014 and November 28, 2014 based upon the ability to convene a quorum of the Committee.

A copy of this Procedural Order shall be provided to the Applicant and to all parties in accordance with New Hampshire Code of Administrative Rules, Site 202.07.

SO ORDERED this 23rd day of September, 2014 by the Site Evaluation Committee.


Thomas S. Burack, Chairman
New Hampshire Site Evaluation Committee

