

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2014-03

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

October 6, 2014

**ORDER AND NOTICE OF PUBLIC ADJUDICATIVE
PROCEEDINGS TO BE HELD ON NOVEMBER 24, 2014**

I. 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). The Certificate authorized the Applicant to site, construct and operate 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 included 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. 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.

On March 12, 2014, the Applicant filed a Motion to Amend the Certificate of Site and Facility (Motion). The Applicant asserts that it has complied with all conditions contained within the High Elevation Mitigation Settlement Agreement. However, the Applicant asserts 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.

II. Parties to the Adjudicative Proceedings.

The parties to the adjudicative proceedings are: the Applicant, Granite Reliable Power, LLC, Coos County Commissioner Rick Samson, Windaction.org (the Industrial Wind Action Group), and the public. The public will be represented in these proceedings by duly appointed Counsel for the Public, Peter C.L. Roth, Senior Assistant Attorney General.

III. Public Comment.

The Committee shall reserve time on November 24, 2014, at 9:00 a.m. to hear oral comments from the public pertaining to the Motion. Written public comments may be filed with the Committee until the close of the proceedings. Written public comments should be mailed to Jane Murray, Secretary Site Evaluation Committee, Department of Environmental Services, 29 Hazen Drive, P.O. Box 95, Concord, New Hampshire 03302.

IV. Time, Date and Place: Commencement of Adjudicatory Proceedings.


The adjudicatory hearing shall commence on Tuesday, November 24, 2014, at 9:30 a.m. or immediately upon the conclusion of public comments at the office of the Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, New Hampshire and shall continue each day thereafter at such times and places as determined by the Chair of the Committee. In addition, the hearing may be recessed subject to the call of the Chair. The Committee may undertake deliberations immediately upon the conclusion of the adjudicative proceeding.

Based upon the foregoing, it is hereby:

ORDERED: That the duly designated Committee of the Site Evaluation Committee for the State of New Hampshire shall hold a public adjudicative hearing on November 24, 2014, commencing at 9:00 a.m. at the offices of the Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, New Hampshire and each day thereafter at such further times and places as the Chairperson of the Subcommittee may announce.

FURTHER ORDERED: That a copy of this Order and Notice of Public Adjudicative Proceedings shall be served on each of the parties.

So ordered this 6th day of October, 2014, by the Site Evaluation Committee.


Thomas S. Burack,
Chairman Site Evaluation Committee
Presiding Officer