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May 8, 2015

VIA E-MAIL AND FIRST CLASS MAIL

Jane.murray@des.nh.gov

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

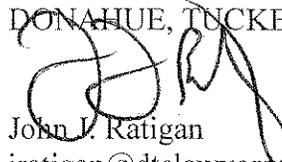
Re: Request of SEA-3, Inc. for Exemption from the Approval and Certificate Provisions of RSA Chapter 162-H

Dear Ms. Murray:

Please find enclosed the Town of Newington's Motion to Intervene regarding the above-captioned matter that we wish to place on file at this time, with the New Hampshire Site Evaluation Committee.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC


John J. Ratigan
jratigan@dtclawyers.com

JJR:nes

Enclosure

cc: Alec McEachern, Esq.
Jane M. Ferrini, Esq.
Peter C. L. Roth, Esq.
Anthony I. Blenkinsop, Esq.

DONAHUE, TUCKER & CIANDELLA, PLLC

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THE STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

DOCKET NO. 2015-01

MOTION TO INTERVENE

**Request of SEA-3, Inc. for Exemption from the Approval and Certificate Provisions
of RSA Chapter 162-H**

NOW COMES the Town of Newington, New Hampshire, by and through its attorneys, Donahue, Tucker & Ciandella, PLLC, and submits this Motion to Intervene in the above-referenced matter, and in support thereof states as follows:

1. On or about January 7, 2015, SEA-3, Inc. (SEA-3) filed a Request for Exemption from the Approval and Certificate Provisions of RSA Chapter 162-H with the New Hampshire Site Evaluation Committee (“SEC”), regarding expansion of its propane storage and distribution facility located at 190 Shattuck Way, Newington, New Hampshire (the “Site”).

2. On March 26, 2015, the SEC issued a Procedural Order in this matter. Requests to intervene were to be filed on or before April 22, 2015.

3. The Town of Newington initially was not going to intervene, as Newington planned to participate fully in the public hearing on SEA’s Exemption Application to be held in Newington on May 7, 2015. Newington anticipated no further immediate proceeding on the exemption request.

4. At the conclusion of the May 7, 2015 SEC public hearing, the SEC subcommittee adopted a Motion to Establish an Adjudicative Proceeding on SEA-3’s exemption request.

5. Since the Site Evaluation Committee has set up an adjudicative hearing process in this matter, the Town of Newington wishes to intervene.

6. Pursuant to RSA 541-A:32 and Site 202.11, the Town of Newington moves to intervene in this matter. As Newington is the municipality in which the SEA-3 property is located, and as Newington's Planning Board reviewed and approved the SEA-3 site plan application, Newington has rights, duties, privileges, immunities or other substantial interests in this matter.

7. Further, the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing intervention.

WHEREFORE, the Town of Newington respectfully requests that the Site Evaluation Committee:

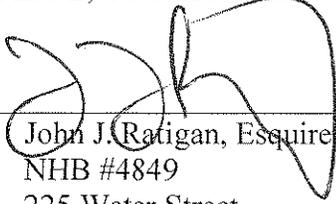
- A. Allow it to intervene in the above-captioned matter; and,
- B. Grant such other relief as the Site Evaluation Committee deems just and necessary.

Dated this 8th day of May, 2015.

Respectfully submitted,
TOWN OF NEWINGTON

By its attorneys:
DONAHUE, TUCKER & CIANDELLA, PLLC

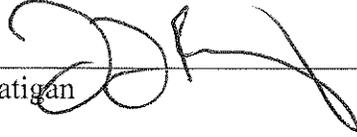
By: _____


John J. Ratigan, Esquire
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jratigan@dtclawyers.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion has this 8th day of May, 2015 been sent via e-mail only to Alec McEachern, Esquire, Jane M. Ferrini, Esquire, Peter C. L. Roth, Esquire and Anthony I. Blenkinsop, Esquire.

John J. Ratigan

A handwritten signature in black ink, appearing to read "JR", is written over a horizontal line. The signature is stylized and cursive.

S:\NA-NE\Newington\SEA-3 Rail Safety Issues\Site Evaluation Committee Pleadings\2015 05 08 Motion to Intervene.docx