

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

March 2, 2016

Docket No. 2015-02

**Application of Antrim Wind Energy, LLC
for a Certificate of Site and Facility**

**REPORT OF PREHEARING CONFERENCE AND
RECOMMENDED PROCEDURAL SCHEDULE**

On February 25, 2016, a prehearing conference was held in the above referenced docket. Michael J. Iacopino, was the presiding officer. This memorandum will serve as the Report of Prehearing Conference pursuant to RSA 541-A: 31, V (d). Notice of the prehearing conference pursuant to RSA 541-A: 31, V (b), was issued on December 10, 2015 and February 23, 2016.

Participants

The following parties were present for the prehearing conference: Barry Needleman, Esq. and Rebecca Walkley, Esq. of McLane Middleton representing Antrim Wind Energy, LLC, Jack Kenworthy and Henry Weitzner from Antrim Wind Energy, LLC, Mary E. Maloney, Esq., Counsel for the Public, Geoffrey T. Jones, Town of Stoddard Conservation Commission, Stephen Froling, Esq., representing the Harris Center for Conservation Education, Lisa Linowes, Windaction Group, Francie Von Mertens and Margaret Watkins, New Hampshire Audubon Society, Charles Levesque and Mary Allen, intervenors, Lorraine Carey Block, Elsa Voelcker, Annie Law, Robert Cleland, and Joshua Bucu, non-abutting intervenors, Janice Duley Longgood, Brenda Schaefer, Mark Schaefer, and Stephen Berwick, abutting intervenors, Wes Enman, intervenor, Fred Ward, PhD. meteorologist intervenor.

Pamela Monroe, Administrator for the Site Evaluation Committee was also present.

The Antrim Board of Selectmen and the International Brotherhood of Electrical Workers did not appear at the prehearing conference.

General Discussion

The parties were advised of the scope and nature of a pre-hearing conference.

Mr. Needleman advised the attendees that the Applicant would be filing a short supplement to the Application sometime within the next week. The supplement is expected to include an updated description of the tax equity status of the project and information regarding a change in ownership of Eolian Wind, LLC.

The parties then discussed the likelihood of additional witnesses. All parties first indicated that they reserved the right to call fact witnesses and expert witnesses. The purpose of the discussion was to get an idea of the number of possible witnesses so that a realistic procedural schedule might be reached.

Counsel for the Public indicated that she did not expect to hire any additional witnesses other than the aesthetics expert already employed. Lisa Linowes indicated that Windaction Group may employ an expert witness on sound issues. Charles Levesque reported that his intervenor group was contemplating four potential witnesses who would testify about land protection plans and local regulations in Antrim. Lorrane Carey Block, on behalf of the non-abutting intervenors, indicated that the group's witness plans were not yet set. But, she did not think that they would call more than two witnesses apart from the individual testimony of each non-abutting intervenor. Ms. Von Mertens explained that the Audubon Society expected to call a panel of their members, as they had done previously in the 2012 docket. Mr. Jones indicated that he would testify for the

Stoddard Conservation Commission and he may call one expert witness on the issue of wildlife habitat fragmentation. Mr. Enman indicated that other than his own testimony he does not believe that he will call any witnesses. Mr. Froling advised that the Harris Center did not intend to call any witnesses. Ms. Duley Longgood advised that the abutting intervenors reserved their right to testify and to call additional witnesses but they were not in a position to presently discuss what witnesses might be called.

After discussing potential witnesses the parties discussed a proposed procedural schedule. The schedule set forth below was agreed to by all of the parties present at the prehearing conference. The parties jointly recommend that the schedule be adopted in a procedural order.

Procedural Schedule

The Parties agreed to the following procedural schedule:

March 25, 2016 – Counsel for the public and intervenors shall propound data requests upon the Applicants.

April 8, 2016 – Applicants shall respond to data requests propounded by Counsel for the Public and intervenors.

April 25 and 26, 2016 – Technical session with Applicant’s witnesses.

April 29, 2016 – State agencies shall report progress, draft permits and draft conditions 150 days after acceptance of the application.

May 23, 2016 – Counsel for the public and intervenors shall disclose expert witnesses, if any, and shall provide pre-filed testimony.

June 6, 2016 – The Applicants shall propound data requests on Counsel for the Public and intervenors.

June 24, 2016 – Counsel for the Public and intervenors shall respond to data requests.

July 12 and 13, 2016 – Technical session with witnesses for Counsel for the Public and intervenors.

July 28, 2016 – State agencies shall issue final permits and conditions, if any, 240 days from acceptance of application.

August 12, 2016 – Supplemental pre-filed testimony due from all parties.

August 26, 2016 – Parties shall file statements of stipulated facts and any other stipulations.

September 7, 2016 – Final Structuring Conference

September 12, 2016 – Final adjudicative hearing (Estimated time needed for hearing is 1-2 weeks.)

Unless otherwise noticed, all conferences, technical sessions and hearings in this docket shall be held at the Offices of the Public Utilities Commission, 21 South Fruit Street, Suite 110, Concord NH, and shall commence at 9 a.m.

Other Issues

Counsel for the Public and several of the parties present expressed a desire for the Subcommittee to conduct an additional site visit to include the following points of interest:

Bald Mountain
Goodhue Hill
Pitcher Mountain
Meadow Marsh
Robb Reservoir
Franklin Pierce Lake
Windsor Mountain
Lovering Mill Road (2 locations)
Farmstead Road
Bacon Ledge
Hedgehog Mountain
High Five
Berwick residence Reed Carr Road
Back Road to Gregg Lake (Craig Road?)
Salmon Brook Road (Longgood/Schaefer residences)

Counsel for the Public also renewed her request that the Applicant be required to demonstrate the

heights of turbines by using balloons. There was discussion about the additional site visit and the balloon issue. The parties will be further advised as to whether the Subcommittee will undertake another site visit and what areas will be visited. In addition Mr. Needleman indicated that the Applicant would look into the balloon issue in more detail and discuss the matter with Counsel for the Public.

The parties were advised that filing by email remains the preferred method of filing motions and objections.

Data requests and responses and all other discovery shall be served on the service list but shall not be filed with the Subcommittee or sent to Subcommittee members.

So ordered this 2d day of March, 2016

A handwritten signature in black ink, appearing to read "Michael J. Iacopino". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Iacopino
Presiding Officer