

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

**Docket No. 2016-02**

**Joint Petition of IFM Global Infrastructure Fund and Nautilus Generation, LLC for  
Approval of the Transfer of Membership Interests in  
Essential Power Newington, LLC**

**ORDER AND NOTICE OF  
PRE-HEARING CONFERENCE AND PUBLIC HEARING**

**Background**

On February 29, 2016, IFM Global Infrastructure Fund (IFM) and Nautilus Generation, LLC (Nautilus), filed a Joint Petition with the Site Evaluation Committee (Committee) seeking approval to transfer membership interests in Essential Power Newington, LLC (EP Newington), to Nautilus. The Joint Petition requested the appointment of a three-member subcommittee under RSA 162-H and an expedited review and approval of the proposed transfer of ownership interests in IFM to Nautilus. On March 28, 2016, an order was issued appointing a subcommittee.

According to the Joint Petition, EP Newington owns and operates a 525 megawatt combined-cycle, dual fuel merchant electric generation facility in Newington, New Hampshire (Facility), pursuant to a Certificate of Site and Facility issued in Docket No. 98-01, effective May 25, 1999 (the Certificate). The Certificate was issued to and is currently held by, EP Newington (which was known as Newington Energy, LLC, at the time that the Certificate was issued). IFM itself owns 100% of the membership interests in Essential Power Investments, LLC (Essential Power Investments). Essential Power owns, through several wholly-owned subsidiaries, a 100% equity interest in EP Newington. Essential Power, LLC (EPLLC), a subsidiary of Essential Power Investments acquired 100% of the membership interests in EP

Newington, and thus acquired the Facility, in 2008 after the Committee authorized the transfer of all membership interests in EP Newington to EPLLC in Docket No. 2008-01. A “Pre-Transfer Organization Chart” is included as an Appendix to the Joint Petition.

The Joint Petition and any related filings may be examined on the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov) or during business hours at:

New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord N.H. 03301

### **Authority for Hearing**

The Committee’s authority to approve or deny the proposed transfer of membership interests is set forth at RSA 162-H:5, I.

### **Intervention and Public Comment**

A person demonstrating that his or her rights, duties, privileges, immunities or other substantial interests may be affected by this proceeding may file a motion to intervene. Any person wishing to intervene in this matter shall file a motion to intervene on or before **May 9, 2016**. Motions to intervene shall comply with the requirements of RSA 541-A:32 and N.H. CODE OF ADMINISTRATIVE RULES, Site 202.11. Objections to motions to intervene shall be filed by **May 16, 2016**.

Written public comments on the joint petition will be accepted through the conclusion of the proceedings. Motions, objections and written comments may be sent via first-class mail or e-mail to:

Pamela Monroe, Administrator  
NH Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord N.H. 03301  
[Pamela.Monroe@sec.nh.gov](mailto:Pamela.Monroe@sec.nh.gov)

### **Prehearing Conference**

A prehearing conference will be held on **May 18, 2016 at 10:00 a.m.** at the office of the Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, N.H. 03301. A prehearing conference is an informal proceeding at which the parties to the docket may discuss the issues including, but not limited to: the conduct of discovery and technical sessions; offers of settlement or agreement on any issue; methods to simplify the issues in dispute; stipulations or admissions as to issues of fact or proof by consent of the parties; changes to standard procedures by consent of the parties; limitations on the number of witnesses or scope of discovery; consolidation of witnesses; the filing of the testimony of witnesses; and any other matter that may aid in the disposition of the proceeding. The Petitioners, Counsel for the Public, parties seeking intervention and all other parties shall attend the prehearing conference.

### **Public Hearing**

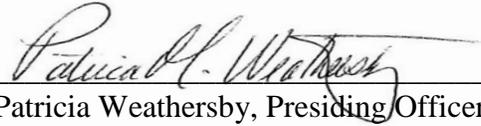
A public hearing will be conducted on **June 2, 2016 at 9:00 a.m.** and on **June 3, 2016 at 9:00 a.m., if needed**, at the office of the Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, N.H. 03301. The public hearing shall be conducted as an adjudicative proceeding and may include deliberation on the merits of the Joint Petition.

### **Publication**

IFM or Nautilus shall cause a copy of this Order and Notice of Pre-Hearing Conference and Public Hearing to be published no later than **April 26, 2016**, in the New Hampshire Union Leader, a newspaper of regular statewide circulation, and, as soon as publication schedules permit, in one or more additional newspapers having a regular circulation in Rockingham County. IFM and/or Nautilus shall file an affidavit documenting such publication with the

Subcommittee on or before **May 2, 2016**. IFM and/or Nautilus shall bear the cost of said publication.

SO ORDERED this twentieth day of April, 2016.

A handwritten signature in black ink, appearing to read "Patricia H. Weathersby", is written over a horizontal line.

Patricia Weathersby, Presiding Officer  
Site Evaluation Committee