

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2021-04

**Application of Chariot Solar, LLC
for a Certificate of Site and Facility**

ORDER ON PROCEDURAL WAIVER REQUEST

March 31, 2022

I. BACKGROUND

On October 5, 2021, Chariot Solar, LLC (Applicant) submitted a letter stating that it intends to submit an application for a Certificate of Site and Facility (Application) with the New Hampshire Site Evaluation Committee (Committee), in accordance with RSA 162-H, to construct a 50 MW solar generating facility in Hinsdale, New Hampshire. In response to the Applicant's letter, the Committee opened the above-captioned docket. On January 7, 2022, the Committee received a procedural request from the Applicant seeking a waiver of certain application filing requirements.

II. APPLICANT'S WAIVER REQUEST

Site 301.01(a) requires an applicant to file with the Committee one original and 15 paper copies of its application and an electronic version in PDF format, unless otherwise directed. Site 301.02 provides that the format of the application shall be on standard 8-1/2 x 11-inch sheets, and that plans, maps, photo-simulations, and other oversized documents shall be folded to that size or rolled and provided in protective tubes. In its request for a waiver, the Applicant stated that its Application will be hundreds of pages long, and that many of the documents will be oversized and, therefore, will have to be folded or put into protective tubes.

To conserve resources and to make it more convenient for agency members of the Committee, Counsel for the Public, once appointed, and the Town of Hinsdale (the Town), the Applicant requests that the Committee waive the requirement that it be provided with complete paper copies for each recipient and proposes to provide copies of its Application in a combination of paper and electronic format, as set forth below.

As an alternative to the requirements in the rules, the Applicant proposes to provide to the Committee: (1) one complete paper copy of the Application, including pre-filed testimony and all related appendices and reports, in 8-1/2 x 11-inch binders, with Project maps, the visual impact assessment report, and related photo-simulations unfolded in an 11 x 17-inch binder; (2) six paper copies of the Application and pre-filed testimony; and (3) ten electronic copies of the Application and all associated attachments in PDF format on USB thumb drives, or other electronic media.

The Applicant also states that it will coordinate with the Town and Counsel for the Public to provide them with copies that meet their preferences. Lastly, the Applicant offered to provide such other copies as directed by the Committee.

III. ANALYSIS AND FINDINGS

At this stage in the proceeding, the Applicant has filed a letter with the Committee stating its intent to file an application and this docket has been opened. RSA 162-H:3, V provides that the chairperson may perform administrative actions on behalf of the Committee. The request is a procedural matter that is administrative in nature.

Site 301.01(a) provides that an applicant shall file one original and 15 paper copies of its application, unless otherwise directed by the chairperson. Site 302.05

provides that the Committee shall waive a rule upon request by an interested party, if the Committee finds that the waiver will serve the public interest and that the waiver will not disrupt the orderly and efficient resolution of matters before the Committee. In determining the public interest, Site 302.05(b) provides that the Committee shall waive a rule if compliance with the rule would be onerous or inapplicable given the circumstances of the affected person; or the purpose of the rule would be satisfied by an alternative method. As noted by the Applicant, similar procedural waiver requests were granted in Docket Nos. 2019-02 and 2015-04.

Requiring the Applicant to provide 15 paper copies to the Committee would be an unnecessary waste of resources, and the public interest will be served by providing the Application in a combination of both paper and electronic means. The alternative method proposed by the Applicant will satisfy the purpose of the rules, subject to the conditions below.

IV. ORDER

It is hereby ordered, that the Applicant shall provide to the Committee: (A) a complete original copy of the Application, the pre-filed testimony, and all related appendices and reports in 8-1/2 x 11-inch binders, with the Project Maps, visual impact assessment report and related photo simulations provided unfolded in an 11 x 17-inch binder; (B) six paper copies of the Application and pre-filed testimony; and (C) ten electronic copies of the Application and all associated attachments and reports in .pdf format on USB thumb drives; and it is

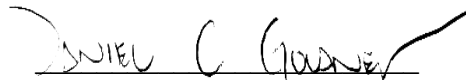
Further ordered, that the Applicant shall provide one paper copy of all applicable agency permit applications or other agency-required information, directly to the appropriate agencies on the same date that the Application is filed with the Committee; and it is

Further ordered, that the Applicant shall coordinate with the Town of Hinsdale and provide a copy of the Application in either paper or electronic form, or a combination of both, in accordance with the Town's preference, on the same date that the Application is filed with the Committee; and it is

Further ordered, that the Applicant shall coordinate with Counsel for the Public, upon appointment by the Attorney General, and provide a copy of the Application in either paper or electronic form, or a combination of both, in accordance with the Counsel's preference; and it is

Further ordered, that the Applicant shall provide additional electronic and/or paper copies of any of the documents provided in the Application upon request of the Committee.

SO ORDERED this thirty-first day of March, 2022.



Daniel C. Goldner
Chairman, Site Evaluation Committee
Commissioner, Public Utilities Commission