

**STATE OF NEW HAMPSHIRE SITE EVALUATION COMMITTEE**

**Docket No. 2022-01**

**Petition for Declaratory Ruling  
Regarding Avangrid Renewables, LLC and Lempster Wind, LLC**

**September 22, 2022**

**NOTICE OF PUBLIC MEETING FOR DELIBERATION**

On February 16, 2022, the Town of Lempster (“Town”) filed a petition for a declaratory ruling with respect to the Lempster Wind, LLC facility pursuant to N.H. R. Admin. Site 203.01. The facility received a Certificate of Site and Facility on June 28, 2007, in Docket No. 2006-01. The Chair convened a three-member subcommittee to hear this petition, consisting of Presiding Officer and Public Utilities Commission Commissioner Carleton Simpson, Public Member Lisa Noe, and Department of Transportation designee Michael Servetas.

Lempster Wind, LLC, and Avangrid Renewables, LLC (the “Facility”) and Kevin and Debra Onnela (the “Landowners”) filed petitions to intervene, and the Presiding Officer granted those petitions.

As clarified in the April 28, 2022, Prehearing Order and as clarified by the June 6, 2022, order on the Intervenors’ Motion for Rehearing and/or Clarification of that Prehearing Order, the Town seeks a declaratory ruling as to **whether the 2007 Certificate requires the installation of locked gates at their current locations on Bean Mountain Road.**

At a June 29, 2022, meeting, the Subcommittee granted the Facility’s Assented-to Motion for Site Inspection. The subcommittee conducted the site inspection on

August 25, 2022.

**STATUTORY AUTHORITY:** Proceedings are governed by the Site Evaluation Committee statute (RSA 162-H) and administrative rules (Site Part 200 et seq.). To the extent the Committee's statutes and rules do not address an issue of policy or procedures, the Subcommittee shall rely upon RSA 541-A and Jus Part 800 et seq.

Before the subcommittee is a petition for a declaratory ruling, which, as explained in the Prehearing Order, is "an agency ruling as to the specific applicability of any statutory provision or of any rule or order of the agency." RSA 541-A:1, V. The Subcommittee's inquiry will be limited, as described in the Prehearing Order, to an interpretation of the 2007 Certificate and to the SEC's own rules and statutes.

**SCHEDULE:** Pursuant to RSA 541-A, V(b) and Site 202.10, the presiding officer hereby schedules an in-person **Public Meeting for Deliberation** as follows:

**Date:** Tuesday, October 11, 2022

**Time:** 10:00 AM EST

**Place:** New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301

As explained in the Prehearing Order, this proceeding is not a forum for the vindication of private rights, and there are no plaintiffs and defendants. The Subcommittee's sole role is to provide an interpretation of the 2007 Certificate. To the extent any party wishes to file anything into the docket to aid the Subcommittee in its

interpretation, they are instructed to do so no later than 10 days prior to the hearing date. To the extent any party wishes to assist the Subcommittee in its inquiry by making a statement at the public meeting, not to exceed 10 minutes, they may do so.

So ordered, 22 of September, 2022

A handwritten signature in black ink that reads "Carleton B. Simpson". The signature is written in a cursive style with a large initial 'C' and a long, sweeping underline.

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Carleton B. Simpson  
Presiding Officer