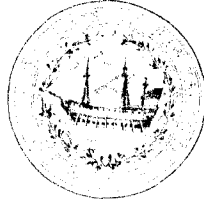


ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II
DEPUTY ATTORNEY GENERAL

October 13, 2008

NH DEPT. OF
ENVIRONMENTAL SERVICES

OCT 15 2008

RECEIVED

Thomas B. Getz, Vice Chairman
NH Site Evaluation Committee
Sub-Committee Chairman
NH Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-2429

Re: Application of Granite Reliable Power, LLC
Site Evaluation Committee Docket No. 2008-04

Dear Vice Chairman Getz:

Enclosed for filing with reference to the above-captioned matter is a *Motion of Counsel for the Public Pursuant to RSA 162-H:10, II for Entry of an Order Directing that Future Hearings on this Matter be Conducted Exclusively in Coos County.*

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Peter C.L. Roth".

Peter C.L. Roth
Senior Assistant Attorney General
(603) 271-3679
peter.roth@doj.nh.gov

cc: Attached Service List

**THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

RE: Application of Granite Reliable)	
Power, LLC for Certificate of site and)	Docket No. 2008-04
facility to construct up to 99 MW of wind)	
electric generation in Coos County,)	
New Hampshire and operate the same)	

**MOTION OF COUNSEL FOR THE PUBLIC PURSUANT TO RSA 162-H:10, II FOR
ENTRY OF AN ORDER DIRECTING THAT FUTURE HEARINGS ON THIS
MATTER BE CONDUCTED EXCLUSIVELY IN COOS COUNTY**

Counsel For The Public, Peter C.L. Roth, (“Counsel”) hereby moves the Committee for entry of an order, pursuant to RSA 162-H:10, II, directing that all further hearings on this matter be held in Coos County. In support hereof, Counsel respectfully represents as follows:

1. This matter involves a facility exclusively to be built in the northern reaches of Coos County. The project site involves several small towns and unincorporated places. Millfield, the principal location, has a population of 15 people. Coos County is the State’s largest county in terms of landmass, but is also the State’s least populated county.

2. Travel from Errol or Colebrook to Concord is approximately three hours by car in good weather and conditions. Other than by heroics, travel from Coos County places that may be affected by the project is not done for a day trip. For a person to make this trip safely, an overnight stay would be well advised. In addition, for many cost is a factor; the round trip for Counsel to attend the public meeting in Groveton, with mileage, hotel and per

diem, cost \$224. Upon information and belief, lodging in Coos County is cheaper than in Concord.

3. Pursuant to RSA 162-H:10, II, hearings in this case “may be held in the county or one of the counties in which the proposed facility is to be located or in Concord, New Hampshire, as determined by the site evaluation committee.” Clearly the legislature contemplated that in certain cases the public interest would best be served by holding the adjudicative and other hearings in the county where the facility will be constructed.

4. As evidenced by the turnout and participation at the public meeting in Groveton on the evening of October 2, 2008, and the number of Coos County people intervening, there is considerable public interest in this project and no small amount of controversy. Several Coos County residents have intervened in the matter. In addition, the residents of Millfield are preparing a petition to have the hearings held in Coos County. Holding hearings in Concord with its attendant costs, burdens and risks will deprive the people of Coos County a meaningful opportunity to observe and participate in the proceedings.

WHEREFORE, Counsel For The Public respectfully requests that the Committee enter an order directing that further hearings and proceedings in this matter be conducted in Coos County, and granting such other and further relief as may be just.

PETER C.L. ROTH
COUNSEL FOR THE PUBLIC

By his attorneys

KELLY A. AYOTTE
ATTORNEY GENERAL



Peter C.L. Roth
Senior Assistant Attorney General
NH Bar No. 14395
Environmental Protection Bureau
33 Capitol Street
Concord, New Hampshire 03301-6397
Tel. (603) 271-3679

Certificate of Service

I, Peter C.L. Roth, do hereby certify that I caused the foregoing to be served by first class mail postage prepaid upon each of the parties on the attached Service List.

Dated: October 13, 2008


Peter C.L. Roth

Noble Environmental Power
RE: Granite Reliable Power
Docket No. 2008-04

Service List

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