

Lynn A. Correnty
6 Braeside Road
PO Box 427
Pittsburg, NH 03592
(603) 538-6845

Mr. Thomas S. Burack
Chairman
NH Site Evaluation Committee
c/o NH Dept. of Environmental Services
29 Hazen Road, PO Box 95
Concord, NH 03392-0095

March 25, 2009

Dear Mr. Burack,

I respectfully ask that you to take the information I have included below to substantiate my reasons for being against the Noble windpark proposal for Coos County.

The enormous environmental footprint needed to supply such a minute amount of power cannot be justified by anyone in this industry.

We need to hold onto our lands until the time comes when we can make a tremendous difference by their forfeiture. This proposed project is not it! We stand to gain much more by keeping it in its current pristine state. Our forests give us so much in pure oxygen production, timber production, wildlife to keep the balance of nature in tact in our forests, filtering our priceless water supplies, and offering abundant refuge for ourselves and our tourists.

Please do not allow us to jump on a bandwagon for wind power when all true documentation of its ability to provide anything positive in green energy production demonstrates this industry cannot produce anything substantial. It is an empty, land-swallowing giant. In years to come maybe this industry will discover a way to be more productive, but right now it has not proven itself to date.

Please take a scrutinizing look at all the land taken for wind power, and how much it is capable of producing.

I wish it was the answer, but dreaming and reality are opposites in this case:

filed: March 19, 2009 • New York

Noble liens snare landowners

Several property owners who entered easement agreements with an arm of Noble Environmental Power now find themselves with mechanic liens on their land after the company reportedly failed to pay a bill to an electrical company.

On March 11, three separate mechanics liens were filed in the Franklin County Clerk's office in connection with properties used by Noble for development of the Noble Chateaugay Windpark.

The liens, filed by electrical contractor Stuart C. Irby Company of Jackson, Miss., indicate that Noble has not paid \$784,692.88 for electrical materials and equipment and related services in connection with the construction and installation of a wind turbine project known as "Noble Chateaugay Windpark, LLC" in the State of New York.

While the lien documents are filed as a liability on Noble Chateaugay Windpark LLC's interest, they also include the property owners. One property is owned by Michael Garrow of Chateaugay; another is owned by Alonso Domingo of West Orange, N.J.; and the other is owned by Marjorie Cornell of Pawling, and Gary Cornell of York, Pa.

Officials in the county clerk's office explained that the liens would be recorded against the property owners, as well as against Noble Chateaugay Windpark..

Having a lien on a property in addition to potentially damaging credit scores renders the owner unable to obtain a clear title to the property.

It can also impact the owners' ability to obtain loans and lines of credit. When reached for comment Tuesday, Gary Cornell said he was not yet familiar with the terms of the lien.

"I don't know enough about it to have an opinion," he said. "The property's not worth \$700,000 I can tell you that. If you know someone who's interested in buying it, I think I'd be happy to sell it."

Numbers listed for Garrow and Marjorie Cornell were out of service. Domingo did not return a call for comment Tuesday.

When reached Tuesday at the company's Connecticut headquarters, Noble Environmental Power Communications Associate Maggie Wisniewski would not comment on the liens.

"We can't comment on these matters, so I guess I have to say 'no comment'." Wisniewski said.

Noble Environmental Power entered into easement agreements with more than 50 area landowners in Franklin County for use of land for wind turbine development. The agreements specific to the liens were entered into by property owners and Noble Chateaugay Windpark LLC, one of many Limited Liability Corporations (LLCs) operated under Noble's umbrella.

Documents on file in the county clerk's office show at least 11 different LLCs under

Noble's umbrella: Noble Belmont Windpark LLC, Noble Burke Windpark LLC, Noble Chateaugay Windpark LLC, Noble Chateaugay II Windpark LLC, Noble Chateaugay LLC, Noble Chateaugay Windpark II LLC, Noble Cherry Hill Windpark LLC, Noble Clinton Windpark I LLC, Noble Development LLC, Noble Environmental Power LLC and Noble Environmental Power 2008 LLC. The LLCs are based in Delaware, according to the New York Department of State.

More than a handful of documents transferring easement rights between the different LLCs are signed by the same person on behalf of two different Noble LLCs.

Jim O'Connor, senior counsel of the legal team at Noble Environmental Power's headquarters, did not return a message seeking an explanation for the creation of the numerous LLCs.

Several local attorneys consulted on the matter, but not familiar with Noble specifically, said a company may form multiple LLCs if it has multiple projects and wishes to keep the funding and liability for those projects separate.

One attorney, who asked not to be named, said each LLC would be "insulated from the others in terms of liens and liabilities."

"The Limited Liability Corporation is a form of corporation set up for a specific use or purpose," the attorney said. "Generally, it's meant to isolate and insulate assets and liabilities."

According to documents filed with the state, Noble Environmental Power sells the output of its facilities exclusively at wholesale in the spot markets administered by the New York Independent System Operator, or neighboring control areas. The company also sells environmental attributes or renewable energy credits to purchasers such as green energy marketers, the New York State Energy Research and Development Authority (NYSERDA) or other customers.

According to NYSERDA's procurement contract report filed in spring 2007, the government agency has a contract with Noble to pay the company \$65.3 million for the Noble Chateaugay Windpark under the Renewable Portfolio program, which administers the renewable energy credits. Further details about that contract were not immediately available.

Noble earned renewable energy credits, which it could then sell, for the Chateaugay park for the calendar year 2008, though the project wasn't completely online until late December of that year.

March 18, 2009 by Darcy Fargo in the Malone Telegram

filed: November 8, 2008 • New York, Opinions

Is Noble flipping ownership?

On October 24, 2008, Noble Environmental (there being many versions or layers of Noble, it turns out) applied to the NYS Public Service Commission for permission to do the following:

Pursuant to Part 8 of the New York State Public Service Commission's ("Commission") Rules and Regulations, 16 NYCRR Part 8, Noble Altona Windpark, LLC ("Noble Altona"), Noble Chateaugay Windpark, LLC ("Noble Chateaugay"), and Noble Wethersfield Windpark, LLC ("Noble Wethersfield") (together, the "Noble Wind Companies"), and EFS Noble II LLC ("EFS II" and together with the Noble Wind Companies, "Petitioners"), hereby petition the Commission for a declaratory ruling that the Commission will not review, under Section 70 of the Public Service Law ("PSL"), a proposed transfer of certain membership interests in the Noble Wind Companies' upstream owner, Noble Environmental Power 2008 Hold Co. LLC ("NEP 2008") to EFS II.

As a result of this transfer, which will occur in connection with an equity contribution from EFS II to NEP 2008, Noble Environmental Power 2008 Hold Co. Prime, LLC ("Noble Holdco") will hold all of the managing Class B membership interests in NEP 2008, and EFS II will hold all of the passive, non-controlling Class A interests in NEP 2008 (the "Transfer") and neither any of the Class B interests nor any associated management rights. In addition, Petitioners hereby request that the Commission declare that EFS II and certain of its affiliates will not become electric corporations under the PSL as a result of their ownership of the Class A interests in NEP 2008.

Does this signal that Noble is flipping ownership? Hard to say. RiverCityMalone sent the petition ([read the petition, here](#)) to two experts. One an attorney and the other a business analyst.

The attorney noted that the petition seems to be an effort to hand off tax credits to a special tier of investors now going by the name EFS Noble II (which, in turn, is a "wholly owned subsidiary of General Electric," p. 5 of Petition). One can only guess the reasons. Are some of the EFS II investors in fact big corporations in financial distress, eager to reap the full benefit of tax credits? (Note that the tax credits are none other than your tax dollars being turned over to wealthy corporations.) Is Noble passing along big-bucks tax credits to EFS II investors in return for much-needed cash? ("EFS II will make cash-only capital contributions to Noble Environmental Power 2008 in exchange for 100% of the passive, non-controlling Class A membership units of Noble Environmental Power 2008," p. 7 of Petition.) Can we go a step further: Might this cash infusion into (apparently) cash-strapped Noble consist, perchance, of tax dollars doled out to Wall Street investment banks in the recent \$700 billion bailout?

The business analyst went further than the attorney. He felt the petition did indeed suggest transfer of ownership (witness the phrase, "transfer of certain membership interests"), though not of day-to-day control and operations. In fact in his judgment, "the goal of this document is to eliminate legal oversight controls."

"This is the beginning of the multiple ownership/control transfers that were predicted," he

continues. "There will be more. We can predict that local protections and/or income will be reduced (diluted) at each transfer."

Read the petition yourself. You connect the dots.

As I read it I'm struck by the layers and versions of what I thought was simply Noble Environmental Power. A veritable torrent of them. (Am I the only person who thinks "Enron"?)

Then, to ask the PSC, *please don't review this transaction*. Why not review it, I ask? This is followed by multiple loud assurances that the EFS II crowd won't in any way control operations, and they really are not electric corporations—which brings to mind Shakespeare's famous line, "Methinks the lady protesteth too much." As in, *What are these people hiding?*

But I digress. Is Noble flipping ownership? Maybe the better question is: Who is Noble Environmental? How many versions and iterations and layers and incarnations and legal entities are there of this company we all thought was Plain Jane Noble? "Noble Environmental is, in turn, owned by JPMP Noble Wind Energy, LLC, and certain individuals, trusts and limited liability companies," p. 4 of Petition. (Presumably JPMP stands for something like JP Morgan Bank? Not to mention the certain individuals, trusts and limited liability companies.)

Are you confused yet? (Jeez, I always thought it was Chuck, John, Mark and the guys, driving around in little white trucks and that yellow Hummer, which I see disappeared. Call me naïve.)

And which LLC within this Yellow Pages of Limited Liability Corporations now has master control of the lease you, dear reader, hold in your hand? Which LLC is ultimately responsible, now, for discharging agreements (legal and "good faith") made with the Town of Chateaugay, among others? And what does the fine print say about each LLC's legal and financial obligations to leaseholders and towns and school boards—and are those obligations now, shall we say, mutating?

But the burning question of this editorial: *Is Noble churning its identities?*

Let me be clear, I ask these questions not to impugn Mother Noble's integrity, but in the pursuit of clarity. ("And now abide faith, hope, and clarity, and the greatest of these is clarity.") I consider myself pretty well educated—and I find anything but clarity and reassurance as I read this document (prepared, I see, by two turbocharged law firms).

When I was a professor I often counseled students, "If you read something and find it impenetrable and inscrutable, there's a good likelihood it's deliberately so." I decided long ago that if I read a document in the English language and it makes no sense, there's something fishy. It's not *me*, it's *it*. (Let's call it Martin's Fishy Principle of English Prose.)

Read this petition and apply Martin's Fishy Prose Principle. (It's handing over your tax and electricity-rate dollars, so you'd better be able to understand it.) No, don't surrender your God-given mental faculties and plead, "Well, Gee, I guess the lawyers understand it,

so it must be okay.” Big mistake! If you, my friend, can’t understand this, the problem lies with the document — and the shrewd people who crafted it.

“If it doesn’t make sense — it isn’t true.” Judge Judy

November 7th, 2008

by Calvin Luther Martin

[rivercitymalone](#)

In light of the above information, and also the fact that 99 MegaWatts of wind turbine power proposed is only true when the wind blows:

Windplants can’t produce electricity when the wind is not blowing, and electricity from a windy day cannot be stored to use on a calm day. In the East, wind blows enough to generate electricity only 15-30% of the time, and only 10% of the time is it during periods when demand is sufficient on the grid to make the turbine electricity usable. (See [GE's System Performance Evaluation to NY State Energy Research and Development Authority](#).) Because wind electricity is intermittent and unreliable, and because our supply of electricity on the grid must be dependable, every windplant requires a backup power plant that is fast and dependable (gas, coal, nuclear, hydro) to supply power when the wind stops blowing or doesn’t blow within the right mph range. For every megawatt of turbine electricity there must be reliable, instantly dispatchable power in reserve... a ready backup constructed and kept running for times when wind turbines have too little wind. The upshot is that most, if not all of windpower’s CO2 savings is lost to emissions from the backup generators that the grid requires to even out the supply of electricity during times when the wind is not blowing within the right range of speeds. Windpower’s CO2 savings are lost to emissions from conventional generation facilities (mainly coal) that must be constructed and kept running to backup the windplants during periods of low-wind and no-wind. Windpower’s backup requirement eliminates most if not all of its savings, in terms of fossil fuel consumption and CO2 emissions. [Lees for More: The Rube Goldberg Nature of Industrial Wind Development, How the Scam Works](#)

Reducing CO2 emissions is a goal with universal support, yet carbon dioxide emissions can be reduced more efficiently by other means. **Based on cost, wind and solar energy cannot compete with clean coal and nuclear**, with wind reaching any substantial part of the market only if these two options are not available. Meanwhile, tax incentives and market interventions such as RPS impede progress by misdirecting capital away from more efficient technologies, such as clean coal and nuclear. In January, 2007, the [Australian government officially redirected its energy policy from wind \(and solar\) to clean coal and nuclear, citing the incapacity of wind and solar technologies to compete](#)

cost-effectively or to contribute substantially to energy generation.

- **Claim:** A 1.5MW wind turbine generates 1.5MW of electricity, or a 2.0MW turbine generates 2.0MW of electricity. (In the wind business, this is referred to variously as the “rated” capacity and “nameplate” capacity of a turbine.)

Facts: The effective capacity of wind turbines in the eastern states is only about 10% of their nameplate capacity. (See GE's System Performance Evaluation to the NY State Energy Research and Development Authority.) In other words, wind turbines are 90% inefficient in the eastern USA. Here's why.

Turbines can generate electricity only when the wind blows. In eastern states, wind conditions are inadequate to generate electricity more than 15-30% of the time. This means that a 1.5 MW turbine has a **capacity** for only .225-.450MW of electricity generation ($1.5\text{MW} \times 0.15 = .225\text{MW}$; $1.5\text{MW} \times 0.30 = 0.45\text{MW}$). So a turbine is said to be only 15-30% “efficient” (rather than 70-85% inefficient).

But wait. What if the wind produces electricity at times when it's not needed?

Electricity on the grid cannot be stored. If not used when generated, it's lost.

In the East, **wind is fundamentally “out of phase” with electricity demand.** When the wind normally blows most (at night in winter), electricity demand is least. When electricity demand is normally highest (summer afternoons), the wind is least. The result is that **most of the electricity that's generated by wind turbines is generated at times when it's not needed...** not even usable. It is wasted. Or, in the words of GE itself:

Capacity factors of inland wind sites in New York are on the order of 30% of their rated capacity. Their effective capacities, however, are about 10%, due to both the seasonal and daily patterns of the wind generation being largely “out of phase” with the NYISO load patterns. The offshore site in Long Island exhibits both annual and peak period effective capacities on the order of 40%. The higher effective capacity is due to the daily wind patterns peaking several hours earlier in the day than the rest of the wind sites and therefore being much more in line with the load demand. As has been noted earlier, these capacity factors are based on the 2001 through 2003 meteorological data combined with the operating characteristics of the 1.5 MW GE wind turbine design. – Source: System Performance Evaluation, Prepared by GE ENERGY for the New York State Energy Research and Development Authority.

So when we hear wind salesmen's claims, let's be clear about the facts:

Rated or nameplate capacity 1.5-2.0MW

Capacity factor 15-30% of nameplate capacity (Eastern US)

Effective capacity 10% of nameplate capacity (Eastern US)

In the eastern USA, a 1.5MW turbine will normally generate about 0.15MW of usable electricity; a 2.0MW turbine, about 0.20MW of usable electricity.

- EIA Lowers its Forecast for the Contribution of “Wind Energy”

January 30, 2007 by Glenn R. Schleede, Round Hill (VA)

Summary:

The latest annual energy forecast issued by the US Energy Information Administration (EIA) indicates that, by the year 2030, wind energy would supply less than 1% of US electric generation and about 4/10 of 1% of total US energy consumption.

This forecast, which likely overstates the potential contribution of wind energy, helps show that officials of the wind industry and US Department of Energy are misleading the public, media and government officials with their claims that wind might supply 20% of US electricity.

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Mr. Burack, if there is any other information you would like me to research for you, I would be happy to do it!

The future health and access of our forests rest in your hands. Thank you Sir.

Very sincerely,

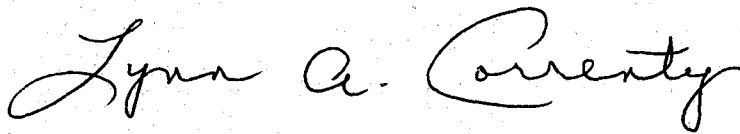
Lynn A. Correnty

6 Braeside Rd.

Pittsburg, NH 03592

(603) 538-6845

themerrykitchen@hotmail.com



e-mail cc: P. Roth
L. Linowes
E. Williams
Gov. Lynch