

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

November 5, 2010 - 2:05 p.m. DAY 5
Public Utilities Commission
21 South Fruit Street AFTERNOON SESSION
Suite 10
Concord, New Hampshire

RE: SEC DOCKET NO. 2010-01
Application of Groton Wind, LLC,
for a Certificate of Site and
Facility for a 48 Megawatt Wind
Energy Facility in Groton,
Grafton County, New Hampshire.
(Hearing on the merits)

PRESENT: SITE EVALUATION SUBCOMMITTEE:

Chairman Thomas B. Getz N.H. Public Utilities Comm.
(Presiding)

Robert Scott, Director Air Resources Division - DES
Brook Dupee, Bureau Chief Dept. of Health & Human Serv.
Richard Boisvert N.H. Div. of Historical Res.
Stephen Perry, Chief Inland Fisheries - N.H. F&G
Charles Hood, Admin. Dept. of Transportation
Donald Kent, Admin. Dept. of Resources & Econ. Dev.
Eric Steltzer Office of Energy & Planning

* * *

Counsel for the Committee: Michael Iacopino, Esq.

COURT REPORTER: SUSAN J. ROBIDAS, LCR NO. 44

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ALSO PRESENT:

Counsel for the Applicant: (Groton Wind, LLC)	Susan S. Geiger, Esq. Douglas L. Patch, Esq. (Orr & Reno)
Counsel for the Public:	Peter Roth, Esq. Michelle Thibodeau
Reptg. the Town of Groton:	Miles Sinclair, Selectman
Reptg. the Buttolph Group:	James Buttolph, Intervenor Cheryl Lewis, Intervenor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

I N D E X

WITNESS: CHERYL LEWIS

DIRECT EXAMINATION:	PAGE
By Mr. Buttolph	4
CROSS-EXAMINATION:	
By Mr. Roth	6
By Mr. Patch	31
INTERROGATORIES BY SUBCOMMITTEE MEMBERS:	
By Dr. Kent	58
By Chairman Getz	67
By Mr. Dupee	70
DISCUSSION RE: EXHIBIT 44	76
MOTION TO DENY CLOSING HEARING	113
MOTION TO CONTINUE HEARINGS	130

* * * * *

EXHIBITS	PAGE
App. 48 Confidentiality Provision from Groton Wind Lease	4
App. 49 E-mail from Erika Mark to Mr. Iacopino	4
App. 50 11/5/10 Letter from U. S. Army Corps of Engineers	82

1 P R O C E E D I N G S

2 (Applicant Exhibits 48, 49 marked.)

3 CHAIRMAN GETZ: Okay. Good afternoon,
4 everyone. We're back on the record in Site Evaluation
5 Committee Docket 2010-01 and turning to the direct
6 testimony and cross-examination of Ms. Lewis.

7 Mr. Buttolph, you're ready to proceed?

8 MR. BUTTOLPH: Sure.

9 (WHEREUPON, CHERYL LEWIS was duly
10 sworn and cautioned by the Court Reporter.)

11 CHERYL LEWIS, SWORN

12 DIRECT EXAMINATION

13 BY MR. BUTTOLPH:

14 Q. Good afternoon. Can I ask you to state your name for
15 the record.

16 A. My name is Cheryl Lewis.

17 Q. And your state -- your place of employment, Cheryl?

18 A. It's Baker River Campground.

19 Q. Are you the same Cheryl Lewis who filed prefiled
20 testimony on this docket?

21 A. I am.

22 Q. Do you have any changes to your testimony or updates
23 that you would like to articulate at this time?

24 A. I just have two slight additions.

1 On October 18th, I sent an e-mail to Mr. Matt
2 Gittell, who was the one who conducted the study, the
3 economic study for the Applicant. And I was hoping
4 to just ask him a few questions regarding his study,
5 and I did not receive any response.

6 The second addition is, just for the record, I
7 did bring in, I believe it's Exhibit 45, if I'm
8 correct -- I'm sorry, 35, which is the land lease
9 from Iberdrola. Earlier this week, Chairman Getz had
10 asked, when I had mentioned a gag order on one of the
11 leases, asked if I could bring in one if I had seen
12 it. And that is what that exhibit is. It is 35.
13 And from my understanding, Heartland Wind, LLC is a
14 subsidiary -- or was a subsidiary of PPM, which is
15 now owned by Iberdrola.

16 Q. Is that all?

17 A. That's all.

18 MR. BUTTOLPH: We can release Ms.
19 Lewis for cross-examination at this time.

20 CHAIRMAN GETZ: Okay. Let me, before
21 we do that -- two things: So, I guess the first is just
22 your e-mail was to Ross Gittell?

23 WITNESS LEWIS: I'm sorry. Ross. The
24 other name was Matt. Yes, Ross Gittell.

1 CHAIRMAN GETZ: And this Exhibit 35
2 that you -- that's been marked for identification, the
3 so-called gag order, what section of this agreement would
4 be the gag order provision?

5 WITNESS LEWIS: It was Page 24. 13.2
6 refers to the confidentiality of it.

7 CHAIRMAN GETZ: Okay. Thank you.
8 That's all I need for now.

9 Okay. So, Ms. Lewis is available for
10 cross?

11 MR. BUTTOLPH: Yes, she's all set.

12 CHAIRMAN GETZ: So, Mr. Sinclair, any
13 questions?

14 MR. SINCLAIR: None.

15 CHAIRMAN GETZ: Thank you. And Mr.
16 Roth.

17 MR. ROTH: Thank you, Mr. Chairman.
18 I'm just trying to read 13.2.

19 CROSS-EXAMINATION

20 BY MR. ROTH:

21 Q. Good afternoon, Ms. Lewis. Thank you for being here,
22 and thank you for your participation in this
23 proceeding and assisting in it being an orderly and
24 efficient process as you promised at the time of your

1 intervention.

2 I want to ask you about this exhibit that you
3 just provided to us, No. 35. And you say that this
4 was a lease between Heartland Wind, LLC, or a form of
5 lease, perhaps, only prepared by Heartland Wind, LLC,
6 and that Heartland was a subsidiary of some other
7 company?

8 A. PPM.

9 Q. PPM. And that PPM was at some point acquired by
10 Iberdrola Renewables; is that correct?

11 A. Correct. That's my understanding.

12 Q. Do you know whether this lease was created before or
13 after that acquisition?

14 A. I don't know the exact date of the acquisition. I
15 believe the lease was 2007.

16 Q. Can I turn your attention to Page 25 --

17 A. Yes.

18 Q. -- the notice provision. There are addresses there
19 for Heartland Wind, PPM. Do you know whether that
20 address in Portland, Oregon, is the address of
21 Iberdrola?

22 A. That I do not know.

23 Q. 1125 Northwest Couch, Suite 700, Portland, Oregon.

24 Okay.

1 Or the telephone number, do you know whether
2 that's Iberdrola's phone number?

3 A. I don't know.

4 Q. Okay.

5 A. Quite honestly, I just was able to find this last
6 night. And we had had some technical difficulties,
7 so I didn't have my computer for a few days, so
8 that's why it was last night I just found this.

9 Q. Okay. All right. Now turning to Paragraph 13.2.
10 Have you read that?

11 A. Yes, I have.

12 Q. Is there anything in here that suggests that, if
13 there was something wrong with the turbines, that the
14 landowner was prohibited from speaking publicly about
15 it?

16 A. Yes, I believe so.

17 Q. Where is that?

18 A. Well, it talks about methods of operation, methods of
19 construction, power production or availability of
20 wind power facilities, as well as financial terms or
21 payments. So, I believe in the very beginning, the
22 first two sentences, that it's clearly showing that,
23 if something is not being done properly, that the
24 landowner is under a gag order to discuss it.

1 Q. All right. Now I want to turn to your business.
2 You've been -- rather than the address in Portland,
3 let's turn to your address in Rumney.

4 What percentage of the campsites at your
5 business are tenters?

6 A. Roughly half.

7 Q. Roughly 50 percent?

8 A. Hmm-hmm.

9 Q. And how many tent sites is that?

10 A. Thirty.

11 Q. And do you have an estimate of what your occupancy or
12 vacancy rate is over a typical season for those
13 sites?

14 A. It's a little bit difficult to say for this
15 particular summer. If we consider the summer being
16 basically a 12-week period, from June through the end
17 of August, we were completely full 11 of those 12
18 weeks on the weekends -- not during the week but on
19 the weekends. However, we are open a little bit
20 before and a little bit after that. We're open
21 through -- Memorial Day through Columbus Day. So
22 we're -- I'm sorry.

23 Q. How many days is your campground open?

24 A. Basically 152, somewhere in that area I believe.

1 Q. A hundred and fifty-two. And how many of those days
2 are -- how many days of occupancy do you have for
3 those tent sites?

4 A. That, I don't have those figures off the top of my
5 head. It varies quite a bit year to year, based on
6 the weather. This year was a pretty good weather
7 year for camping; whereas, you know, there certainly
8 is a bit of variability for that. And I haven't had
9 a chance to gather those numbers for this past
10 camping season.

11 Q. Okay. Do you typically keep that kind of
12 information?

13 A. Not particularly that, no.

14 Q. So you don't take the number of dates you're open
15 times the number of sites that you have and then
16 calculate how many days, sites you have filled?

17 A. I have not up until this point, because we have
18 basically been trying to push hard on just growing
19 the business, and at this point I have not made those
20 calculations.

21 Q. Okay. And if this is confidential and proprietary
22 information of yours, then you should not answer it,
23 unless you get confidentiality agreements from the
24 appropriate people. But how much money do you earn

1 per year from those campsites?

2 A. That would definitely be confidential. I would
3 prefer not to discuss --

4 Q. Okay.

5 A. -- financials.

6 Q. All right. Let's look at it from a percentage basis
7 then.

8 I think your testimony has been that you would
9 expect to lose business in the tent sites --

10 A. Correct.

11 Q. -- because of the impacts from the project. And what
12 percentage of an impact do you expect? Would it be
13 something like 25 percent, as Mr. McCann suggested,
14 or do you have another figure?

15 A. To be very honest, I have absolutely no idea. I
16 think it totally depends on the level of impact, as
17 far as the level of sound --

18 Q. Okay.

19 A. -- which I know, as far as the sound, they testified
20 that it could be somewhat more of a random event,
21 which could be four nights of my entire camping
22 season. But if those four nights happen to fall on a
23 weekend night, and basically all my tenters cannot
24 sleep and they tell their friends, who tell their

1 friends, who tell their friends that there's a wind
2 farm there and it's not a place that you can sleep,
3 then that can have a major impact on my future
4 revenue, even if it's just for sporadic nights. So,
5 I have a very difficult time quantifying any
6 particular number because I truly just don't know.

7 Q. Okay. What direction do most of your tenters come
8 from when they travel to your campground? Do they
9 come up Route 25 from 93?

10 A. I would say at least half of them come from Canada.
11 We have a large number of rock climbers, and that has
12 grown significantly over the last two years. And the
13 majority of the rock climbers, right now, anyway,
14 we're seeing the increase coming from Canada. I'm
15 not sure if that totally answered your question.

16 Q. No, that's not what I was trying to get at. What
17 route do they take to arrive?

18 A. Oh, I'm sorry.

19 Q. Do they come down 93 and up 25?

20 A. I'm sorry. Generally, yes. Some of them also come
21 from Route 89. It depends on what part of Canada
22 they're coming. The ones from Montreal tend to come
23 directly from 93. The ones that are coming more
24 towards -- from the Ontario area or through that way

1 will come down 89 and across Route 118.

2 Q. Okay. Have you experienced, in the time that you've
3 owned the campground, seasons where the road was
4 under serious reconstruction or repair -- for
5 example, the traffic circle or other projects of
6 magnitude along Route 25 -- that might have caused
7 traffic delays?

8 A. I have not since we've owned it.

9 Q. Okay. And when you bought it, did you have any
10 understanding about impacts on the revenue of the
11 campground in the event of a large construction
12 project?

13 A. I know that prior to us buying it, they had redone
14 the covered bridge, the Smith Covered Bridge. And I
15 know that did impact a number of campers. I didn't
16 get any definite, you know, percentages or anything
17 from the former owner. But I know, even from campers
18 that are there, that come to us now, they have told
19 us that it, you know, impacted them because it made
20 their ride quite a bit longer to get to us.

21 Q. Do you expect your campers to shy away if the
22 construction project at the project covers the
23 season?

24 A. I think that it's a little bit hard to tell. I

1 think, without ever experiencing it and understanding
2 the level of delays or the frequency of delays, it's
3 hard to know. I think I would assume if some of the
4 delays are significant, that it would impact it.

5 Q. Now turning to sort of the bigger picture.

6 You said you tried to get a hold of Professor
7 Gittell. Did you review Professor Gittell's study?

8 A. I did a little bit. I won't say that I spent a lot
9 of time going through it. But I did have some
10 questions regarding the LBNL study, as well as Mike
11 McCann. I was hoping to discuss the two points of
12 view a little bit and just find out what his thoughts
13 were on property value a little bit deeper.

14 Q. So you didn't contact the professor to talk about the
15 economic study that he submitted?

16 A. Well, the economic study that he had submitted was
17 based on the Baker River Valley. And I was hoping to
18 have an opportunity to talk to him a little bit
19 further on how he felt regarding property values and
20 some of Michael McCann's viewpoints on the impacts of
21 it, and just get a better understanding of if he had
22 taken any of that into account when he produced his
23 study.

24 Q. Okay. Going back to your campground again. Sorry if

1 I'm hoping around a little bit here. I guess this
2 just moves into some of the noise issues a little
3 bit.

4 Do your campers, when they're visiting your
5 campground, run generators and air-conditioning units
6 while they're there?

7 A. Not generally, no. In fact, the majority of our
8 campsites don't have the ability to handle air
9 conditioners. We're basically bare bones, back to
10 nature kind of old-fashioned campground. We're not
11 one of the newer RV resorts that have all the bells
12 and whistles. And we have a few sites up top that
13 are some of our seasonal sites that have 50 amps.
14 But the majority of the rest of the sites that would
15 handle RVs do not have the full amps. And we
16 specifically state on our rules that people cannot
17 run their ACs or their air conditioners off of the
18 electric supply. Those that do have generators, it
19 must be a very quiet generator, because we do try to
20 keep the noise level, particularly at night, as quiet
21 as possible. We've never had an issue with a
22 generator being loud if anybody does run one.

23 Q. Do you have a posted quiet hour at the campground?

24 A. We do. It's 10 p.m. to 8 a.m.

1 Q. And during quiet hours, are campers permitted to run
2 generators?

3 A. They can if it's very quiet. The newer generators
4 are very quiet, for the most part, and often you
5 don't even know they're going. In my opinion, it's
6 the older generators that are noisier. And in that
7 case -- but quite honestly, being up in the
8 mountains, there's not that many hot nights. I mean,
9 we did have a hot spell this summer. But by and
10 large, people are usually out in the river cooling
11 off, and then at night it is cooler. So there's --
12 for the most part, there's not usually a need for air
13 conditioning at night.

14 Q. Have any of your tent campers ever complained about
15 the noise produced by the RVs?

16 A. No. I think the only -- most of our tent campers
17 would usually ask to be in areas that are more geared
18 towards the tent campers. So they're not, generally
19 speaking, right in the middle of the RVs, so it
20 usually is not an issue. On a busy holiday weekend,
21 you know, when we're really extra full, it might be a
22 little different because they might be put in a place
23 that, you know, is more in the middle of an RV area,
24 so to speak.

1 Q. But in the circumstance like that, have you had
2 complaints from the tenters about the RVs being too
3 noisy?

4 A. No. No.

5 Q. Have you ever ejected anybody from the campground
6 from making too much noise?

7 A. Yes, I have.

8 Q. That must have been interesting.

9 A. With the help of the Rumney Police Department.

10 Q. And what kind of noise were they making?

11 A. Well, we've thrown out three groups in five years.
12 And one was fairly -- it was a group of probably 20
13 young people. And they had too much to drink and
14 were partying and had been warned and were told if
15 they didn't quiet down, they would be leaving. And
16 that's what happened.

17 Q. Okay. Now, the Baker River, there was some talk the
18 other day about whether the Baker River volume
19 produced noise when it was -- when the volume of the
20 river was -- I don't mean volume of the noise, but
21 the flow of the river was at greater levels. What's
22 your experience with the kind of noise that the Baker
23 River makes?

24 A. The Baker -- the area where our campground is, and I

1 believe for the most part where it runs through
2 Rumney -- I believe further up towards the Wentworth
3 area it may be a little rocky. But from Rumney down,
4 the majority of it is sandy bottom, and that's why we
5 have our beach area. And so it's quiet. You know,
6 it's sand. So you don't get the noise of what you
7 think of as a babbling brook or, you know, a river
8 such as the Pemigewasset or some of the others where
9 it's rockier and it's noisier.

10 Q. And would it be your understanding that sort of the
11 overall length of the Baker River, the section going
12 through Rumney is relatively, I don't want to call it
13 level, but has -- does not experience a great
14 difference in elevation from the upstream end to the
15 downstream end?

16 A. Yeah. I would say it's -- I forget which class it
17 is. But it's a much lower class river on the Rumney
18 end compared to the Wentworth, which is a more -- is
19 considered challenging for, say, kayakers and that
20 kind of thing; whereas, the Rumney end of it, it may
21 be moving fast if the river is fairly high, but, like
22 you said, it is a bit more level. So as long as the
23 river's not running super fast, it's perfect for
24 people tubing or that kind of thing.

1 Q. Okay. Now, if we were -- if this room were in your
2 campground somewhere and we had the windows open,
3 would we be able to hear the river?

4 A. No. Not in most places. I'll say there may be a few
5 sites where there's rocks right up against, or if the
6 river is really, really low and there's a rock
7 sticking up on the edge. But it would be an
8 occasional, not like a babbling of any sort. So,
9 overall, I would say 95 percent throughout the whole
10 area of where the river goes along the campground you
11 would not be able to hear anything.

12 Q. Does the Baker River freeze solid in the wintertime?

13 A. No, it does not.

14 Q. Do you know whether Halls Brook or Clark's Brook
15 freezes over in the wintertime?

16 A. That I do not know.

17 Q. All right. Now, in your testimony, you described
18 some of the noises from the diner.

19 A. Yes.

20 Q. Can you hear the noises from the diner at your
21 campground?

22 A. Occasionally I can. Particularly when they have -- I
23 can't think of what you call it when they have the
24 old-fashioned cars there.

1 Q. Cruise Night?

2 A. Cruise Night. And when they have their Cruise Night,
3 we can hear the loud speaker and people there, yes.
4 And occasionally if large trucks stop there,
5 occasionally we might be able to hear them.

6 Q. Okay. And I hope you have reviewed, and I take it
7 you have reviewed Mr. Tocci's testimony. Did you see
8 Mr. Tocci's two-prong approach to impact assessment?

9 A. Yes.

10 Q. Would you be satisfied if the Subcommittee adopted
11 Mr. Tocci's two-prong approach in this case?

12 A. If you could refresh my memory a little bit?

13 Q. Well, they have the one prong was no sound from the
14 project over 40 dB, if I remember correctly, and then
15 determining the level of impact by how many dBs over
16 background the sound of the project was.

17 A. Yes, I would be satisfied with that.

18 Q. Okay. All right. Have you ever had opportunity
19 outside of, you know, these formal settings, such as
20 this hearing or the public meetings, to meet
21 personally with Mr. Cherian?

22 A. You said outside of public meetings?

23 Q. Yeah. A private meeting to discuss your situation
24 with your business or its impact.

1 A. He had e-mailed me, asked me for that. And we had
2 set up a time and a date. And when I told him the
3 other intervenors would be there, he immediately
4 cancelled the meeting.

5 Q. Okay. If Mr. Cherian were willing to meet with you
6 and discuss some sort of mitigation for the sound
7 impacts at your campground, would you be willing to
8 do that?

9 A. I would consider it.

10 Q. Okay. Turning now to the questions that were raised
11 in your testimony about the aquifer. And pardon my
12 ignorance. I was unable to find a map of the aquifer
13 online.

14 But the aquifer that there's a -- I take it
15 you're concerned that the activity at the project
16 site will somehow contaminate or otherwise harm the
17 Town of Rumney aquifer. Is that your testimony?

18 A. That's correct. There is a very large map that I do
19 have. I believe we had reserved Exhibit 32, if I'm
20 correct, to enter the big map, if that would help.

21 Q. Do you have the map of the aquifer?

22 A. That's it.

23 Q. My question is, I've always understood that a river
24 forms a hydraulic barrier to the transmission of

1 groundwater flow. Is that not the case here?

2 Because you're on the north side of the river; right?

3 A. I don't know that, quite honestly.

4 Q. Okay. Nice, pretty map.

5 CHAIRMAN GETZ: Is this Buttolph 32

6 or --

7 MR. IACOPINO: Yeah, on the exhibit

8 list it's blank because they had taken the exhibit back

9 and they were going to make pictures.

10 THE WITNESS: It didn't work. The

11 writing was just too small.

12 MR. IACOPINO: They were going to

13 reduce it for copies.

14 BY MR. ROTH:

15 Q. Before I ask you to tell me what this map says,

16 'cause there's a lot of pretty colors and stuff on

17 here, can you tell me, is it your understanding that

18 the -- sorry, I'll back off -- that the Rumney

19 aquifer somehow goes under the Baker River and that

20 you draw from it on the north side of the Baker

21 River?

22 A. Yes. My understanding is it's on both sides.

23 Q. Okay.

24 A. Yes.

1 Q. Does this map show that?

2 A. Yes, it does.

3 Q. Can you tell us how this map demonstrates that? I
4 always thought that a good-size river was a hydraulic
5 barrier.

6 A. Basically, the light purple and dark purple that you
7 see is the town aquifer all the way through here, all
8 the way through here.

9 (Witness indicating.)

10 BY MR. ROTH:

11 Q. And so on that map, the Baker River sits kind of in
12 the middle of it?

13 A. Yes. The blue that runs here is the Baker River. So
14 it goes right here.

15 (Witness indicates.)

16 A. And the project site -- this is Groton Hollow Road
17 right here.

18 (Witness indicates.)

19 A. You can see the aquifer starts on part of Groton
20 Hollow Road. And this is where the project site is,
21 over here.

22 (Witness indicates.)

23 A. So, my concern was with blasting that takes place in
24 this area, if there's any potential -- or the muck

1 piles that were talked about this week, if there's
2 any potential of contamination going into the
3 aquifer, then basically the majority of the residents
4 live on top of the aquifer, and their wells are
5 drawing from it. So I just was concerned about
6 overall contamination to anybody.

7 In addition, the new transmission line proposal
8 will also go right over the aquifer, because that's
9 going to go right through here, and it will run right
10 across the aquifer as well. So if there needed to be
11 any blasting done to put any of the new line in, that
12 could potentially be a concern as well.

13 Q. Okay. Is your campground upstream or downstream of
14 where Clark's Brook empties into the Baker River?

15 A. It would be downstream.

16 Q. So, you're downstream from that?

17 A. Hmm-hmm. Yes.

18 Q. Okay. All right. And it's your understanding that
19 groundwater in the aquifer flows through bedrock
20 underneath the Baker River.

21 A. Yes.

22 Q. Okay.

23 MR. IACOPINO: Mr. Roth, does it help
24 you at all to know that the legend identifies those pink

1 things as a gravel aquifer?

2 MR. ROTH: It brings to mind another
3 question.

4 BY MR. ROTH:

5 Q. How deep is -- how deep are your drinking water wells
6 at the campground? Are they in the gravel or are
7 they in bedrock?

8 A. I believe it's in bedrock and it's very deep. I
9 can't recall exactly what the paperwork was. But I
10 believe it was -- I could provide that to the
11 Committee if they wanted it. But if I remember
12 correctly, it was over 250 feet.

13 Q. Okay. If the Applicant adheres to blasting standards
14 from DES, do you think that that should resolve your
15 concerns about the risk of harm to the aquifer?

16 A. Well, I would hope so. But, again, my concern is
17 just those things that happen outside of what is
18 predicted. And I think, as Mr. Walker testified
19 earlier this week, certainly the situation that
20 happened on Interstate 93, in which the entire town's
21 drinking water supply wound up getting contaminated
22 due to blasting and erosion issues there several
23 years back, I just think there's potential. And
24 that's where my fear is. I mean, I don't mean to

1 sound paranoid. I just think that it's things to
2 consider, that's all.

3 Q. Okay. But you don't have an opinion about whether
4 the best management practices for blasting that are
5 in the Applicant's permit, if they're followed, of
6 course, because that's -- I suppose the devil's in
7 the details there -- but if they're followed, those
8 should be protective?

9 A. If they're followed, I would hope so.

10 Q. Okay. Now, in your testimony, you recommended that
11 the Committee review and apply the sound limits that
12 were imposed upon the Deerfield project. Do you
13 remember that?

14 A. Yes.

15 Q. And you provided a copy of the order for that. And
16 you said that you thought that your tenters ought to
17 be considered interior bedrooms with a 30-decibel
18 unit. Is that --

19 A. Yes.

20 Q. Do you think that's really fair? I mean, think about
21 that. I thought tenting was supposed to be a great
22 outdoors kind of thing. And a tent isn't really a
23 residence, though, is it?

24 A. Well, it is if you're tenting. That's where you're

1 sleeping for the weekend. And I think things should
2 be to the level where it's not disrupting your sleep.

3 Q. Okay. So you think that if they were to adopt the
4 Deerfield standard, it should say "30 decibel to an
5 interior bedroom and tents"?

6 A. Yeah. I mean, based on the sound study coming back,
7 that the level of ambient sound at my campground was
8 25, I do think that's appropriate.

9 Q. Are you -- have you ever heard of people who sleep on
10 their porch in the summertime?

11 A. Yes.

12 Q. Okay. Nearly last question. Have you been out on
13 the water at Loon Lake or Stinson Lake?

14 A. I have not on Loon Lake. At Stinson Lake, yes.

15 Q. And you were here the other day when there was
16 testimony about the potential for the cross-section
17 lines of sight. And do you remember Mr. Harrington
18 asking about whether, if you redrew those
19 cross-section lines of sight, there might be now an
20 impact on the surface of Stinson Lake?

21 A. Yes.

22 Q. Now, do you think that a panoramic view of turbines
23 on Stinson Lake would have a significant effect on
24 the aesthetics of that lake?

1 A. Absolutely.

2 Q. And the last question. I think you were here when we
3 had a discussion about the FAA lighting on the
4 turbines.

5 A. Hmm-hmm.

6 Q. And do you have a view of those ridges from your
7 campground?

8 A. We do at certain places, yes. Not the entire
9 campground, but there are places we do.

10 Q. And from those places, approximately how many of the
11 turbines do you think would be visible, based on the
12 projections that have been made, anyway?

13 A. Well, that's difficult to say. Based on the
14 topography and vegetation, I believe it showed one to
15 seven where we have a few campsites. However, my
16 home may be significantly more, because my home is
17 higher up than the campground.

18 Q. All right. So, from your home you'll be able to see
19 some number more than seven of the turbines?

20 A. Yes.

21 Q. And are you concerned about the light --

22 A. Yes. Absolutely.

23 Q. -- at night?

24 A. Hmm-hmm.

1 Q. And you heard Mr. Hecklau talk about the thickness of
2 trees and that 200 feet of trees is basically a solid
3 wall. Isn't that what he said?

4 A. Yes.

5 Q. Viewing the project from your home, do you have a
6 view that goes through 200 feet of trees? Or what is
7 it? Or are they evergreens? I mean...

8 A. It's a combination I'd have to say. It's a
9 combination. I guess, to be quite honest, the
10 studies that have been done, I find it difficult to
11 fully believe that they're quantified. I guess the
12 only way I can explain it is based on the avian
13 studies that we heard so much about, that how much of
14 a correlation is there truly between pre-construction
15 versus post construction. And I have those same
16 concerns with all the other studies that have been
17 done, whether it's visual, whether it's sound, that
18 is it truly -- you know, how accurate are these
19 modeling programs? Do we really know? Have there
20 been any studies on those that show that, you know,
21 the exact viewshed that was done in the modeling
22 program for Lempster, did that come out 100 percent
23 accurate when the final result was done? And to me,
24 those are the types of studies that would be helpful

1 to the Committee in the future, because then they
2 could look at this much easier and know that there is
3 a level of accuracy with what the Applicant's
4 consultants are saying, based on, you know, what does
5 actually happen. And I think without having some of
6 that, I think it's difficult for us as the
7 intervenors who have these concerns, that we'd like
8 these concerns to be diminished. We're not here, you
9 know, wanting to have a level of fear or a level of
10 unknown. But without having adequate information,
11 it's very difficult not to worry.

12 Q. I'm actually going to ask you one more question.
13 This isn't my last question. Sorry.

14 But this next to last question is, do you
15 believe -- or would you like to see the Applicant
16 employ FAA-compliant lighting that is least likely to
17 make a visual impact on your home or other places in
18 Rumney?

19 A. Absolutely. I would like them to take every possible
20 measure, if this is approved, every possible measure
21 that there is to reduce the level of impact to every
22 resident and every business in the surrounding area.

23 Q. Okay. My next question, last: Are you anti-wind?

24 A. No, I'm not. I'm not anti-renewable. I believe in

1 it. In fact, my husband and I have looked into solar
2 for our campground. And it may be something we
3 consider down the road. But I just feel that they
4 need to be very appropriately sited when they're
5 doing wind farms. And the more I've learned about
6 it, the more concerns and the more unknowns I feel
7 there are. And I guess, like Dr. Mazur, I don't want
8 to personally be a guinea pig. I don't, you know,
9 want my -- the equity that we've tried to build and
10 everything that we have worked for I don't want to
11 disappear. And I think there's just too many
12 unknowns and too many possible impacts that may
13 occur.

14 Q. Thank you. That's all my questions.

15 CHAIRMAN GETZ: Thank you. Mr. Patch.

16 MR. PATCH: Yeah. Thank you, Mr.

17 Chairman.

18 CROSS-EXAMINATION

19 BY MR. PATCH:

20 Q. Good afternoon.

21 A. Good afternoon.

22 MR. PATCH: First of all, I just have
23 one issue with, I believe it's Buttolph Exhibit 32, which
24 we were not provided a copy of. We've not been able to

1 review it. And I don't know if there's a way for them to
2 vouch if it's the same information that was in Volume II,
3 Appendix 1, Figure 8, I think it is.

4 WITNESS LEWIS: I'm sorry. Could you
5 say that exhibit again?

6 MR. PATCH: I think it's Volume II,
7 Appendix 1, which is our wetland application, and then
8 Figure 8. There's a groundwater resources map in there.

9 (Witness reviews document.)

10 MR. ROTH: It doesn't appear to be the
11 same picture.

12 MR. PATCH: Is it the same
13 information, do we know, or --

14 WITNESS LEWIS: Are you saying from
15 the map that we have?

16 MR. PATCH: Yeah.

17 WITNESS LEWIS: That map is from the
18 Conservation Commission, as well as the Town of Rumney.
19 We have two identical maps from the Town. This is the
20 Town-supplied map.

21 MR. PATCH: Okay. We weren't provided
22 a copy of it. So it's going to be kind of hard to ask
23 questions about it. And I understand that it was probably
24 difficult to copy that map. But even if it had been

1 brought to the prehearing conference and we had a chance
2 to look at it, it would have been good. I just want to
3 point that out for the record.

4 WITNESS LEWIS: Can I just point out
5 for the record that it was there at the technical session.
6 I did bring that. And your consultants did go over it and
7 look at it.

8 MR. PATCH: But if we knew it was
9 going to be an exhibit -- it was not on your exhibit list
10 last week. So I'm just pointing that out for the record,
11 because I think it's unfortunate that we didn't have a
12 chance to actually look at it.

13 MR. IACOPINO: Mr. Chairman, for the
14 record, this map is entitled, "Water Resources GIS Mapping
15 Analysis By the Society for the Protection of New
16 Hampshire Forests." In the top left-hand corner it says,
17 "Town of Rumney, New Hampshire."

18 CHAIRMAN GETZ: Okay. Thank you.

19 BY MR. PATCH:

20 Q. I mean, first of all, Ms. Lewis, I just want to point
21 out one thing. You mentioned the FAA lights. And I
22 want to direct your attention and the Committee's
23 attention to Page 64 of our application. I believe
24 it's Section I.1. It's right at the very end where

1 it says "Mitigation." And it says there that to
2 mitigate for any potential visual effect, Groton Wind
3 will use lights that pulse 20 times per minute and
4 have a vertical beam spread of 3 degrees, which is
5 the lowest amount allowed by the FEA -- FAA. Sorry.

6 Do you remember seeing that in the application?

7 A. I don't. And to be honest, I'm not an expert in this
8 area. I just know there was testimony earlier this
9 week that stated that there was some FAA-approved
10 lighting that minimized the amount of shadow flicker
11 and that, you know, and the lighting as well -- I'm
12 sorry. I'm mistaken there. It would minimize the
13 amount of light that would be seen at night. And all
14 I'm asking, or would hope, is that that's the type of
15 light that's used, is the one that would have the
16 minimal impact on anybody.

17 MR. ROTH: Mr. Chairman, is Attorney
18 Patch representing that that light that's featured in the
19 application is that which is sort of maximally minimizing
20 of visual impacts for turbine beacons that are
21 FAA-compliant?

22 MR. PATCH: Yes.

23 BY MR. PATCH:

24 Q. Okay. Ms. Lewis, I mean, you've already established

1 that you're the owner of the campground. It might
2 help, actually, if we could look at the map there and
3 pinpoint for the Committee where the campground is.
4 Not this map, but the one underneath it. And it's
5 not really a map, it's a blow-up, actually.

6 I mean, as I understand it --

7 MR. ROTH: You're blocking the map
8 from all of us.

9 MR. PATCH: I know. I'm doing my
10 best.

11 BY MR. PATCH:

12 Q. As I understand it, you're directly across Route 25
13 on the north side of Route 25 from the Polar Caves;
14 correct?

15 A. Correct.

16 Q. At this bend in the river.

17 (Counsel indicating.)

18 Q. It might be easier to look at our exhibit, which is
19 the smaller version of this, Exhibit 8.

20 So it's right here at this bend in the river;
21 correct?

22 A. Correct.

23 Q. And then, maybe just to pinpoint a couple other
24 locations here that are -- this is a gravel pit;

1 correct?

2 A. Yes.

3 Q. Right here.

4 (Counsel indicating.)

5 Q. This is, I believe, Plain Jane's Diner right up here?

6 A. Yes.

7 Q. And I'll try to be descriptive for the record. When
8 I say "right up here," I mean west on Route 25. Hard
9 to know the exact distance. But on the same side as
10 the Polar Caves on the south side of Route 25 is
11 where Plain Jane's is. And further up the road
12 before you get to Groton Hollow Road is where the
13 gravel pit is; correct?

14 A. Correct.

15 Q. And then there's a traffic circle down here on Route
16 25, which is down toward the right edge of the map.
17 It's further beyond the traffic circle where the
18 Wal*Mart is located; is that correct?

19 A. Correct.

20 Q. And again, that's on the south side of Route 25. And
21 the municipal airport, I believe, is just over here
22 on the edge of the map. You know, I think this is
23 sort of the extension of the runway right here, if I
24 understand correctly. Do you know if that's the

1 case?

2 A. I believe that's the farm. It may be at least one
3 more field down here. Might be over here more.

4 (Witness indicates.)

5 BY MR. PATCH:

6 Q. But it's beyond the farm over here.

7 A. Yes.

8 Q. And in terms of the distance from here to here, it's
9 my understanding that that's about 1.26 miles; is
10 that correct?

11 A. That sounds about right.

12 Q. Sounds about right?

13 A. Hmm-hmm.

14 Q. And then, Quincy Road, which was the road that the
15 Applicant had originally said would run the
16 distribution line down, is actually this line that
17 runs from sort of the top right-hand corner down to
18 the side diagonally; is that correct?

19 A. Correct.

20 Q. It's not this longer line that's a little more
21 straight across?

22 A. That's the old railroad bed that runs straight
23 across.

24 Q. Okay. Very good. Thank you.

1 Now I would just direct your attention to
2 Applicant's Exhibit 9, which, as I understand it, is
3 basically a three-page packet of information about
4 the campground; is that correct?

5 (Witness reviews document.)

6 A. No, that's not correct.

7 Q. Okay. Then explain.

8 A. The first two is -- usually it's front and back.

9 Q. Okay.

10 A. And that's what we give out to campers. This is a
11 terrible copy. I think this was at the bottom of the
12 pile when they came to do the sound study. But this
13 is just a map of the campground we use to show people
14 where their campsite is. And generally where the
15 back side is, is the rules of the campground. The
16 third page is what comes directly off the second page
17 in our Web site.

18 Q. Okay. The first page of Applicant's Exhibit 9,
19 though, is a rough map of the campground; is that
20 correct?

21 A. Correct.

22 Q. And that appears to be Baker River, that sort of
23 curvy line at the bottom --

24 A. Yes.

1 Q. -- just above where it says "beach" -- just below
2 where it says "beach." Sorry.

3 A. Hmm-hmm.

4 Q. And then it appears that these are campsites, in
5 fact, numbered around the campground; is that
6 correct?

7 A. That's correct.

8 Q. Now, you've talked a little bit about sort of tenters
9 versus RVs. And you said you tried to group the
10 tenters in certain locations. Could you maybe
11 explain that again with this map in front of
12 everybody?

13 A. Absolutely. If you see the campsites closer to the
14 beach area?

15 Q. Yes.

16 A. Basically those are all tent sites. There are a
17 couple of them that can handle pop-up campers. So,
18 sometimes if we have pop-ups, that's where they may
19 go, in one or two of those sites. But the majority
20 down by that whole beach area do not have water and
21 electric. There's just various spigots throughout
22 that area that are shared by those. But there are a
23 few that do have -- the way the roads are set up,
24 it's difficult for -- it would be difficult for

1 larger travel trailers to get in there. So,
2 generally speaking, there may occasionally be a
3 pop-up; but otherwise, it's tenters in that area.

4 There's also, if you look at Sites 23, 24 and
5 26, which are on the left side and then right along
6 the river, those are also tent sites. And then, if
7 you look across towards the right side of the page,
8 Sites 29, 30, A, B and C -- we no longer have Site D.
9 That actually went into the river during a flooding
10 event. But A, B and C is basically a group campsite.
11 But that's also tenting. And the site directly
12 across from it is Site 31, and that's also a tent
13 site.

14 Q. And when you say "a tent site," not exclusively; is
15 that correct? I mean, if you had -- you said it's
16 roughly 50/50, I think, in response to a question
17 from Mr. Roth. But let's say some weekends you had,
18 you know, 75 percent of your customers were RVs or,
19 you know, pop-ups, or whatever it might be. Then you
20 don't say, no, you can't go there because that's a
21 tent site; is that true?

22 A. Well, no, that's actually not correct. Many of these
23 sites -- this campground was built back in the '60s,
24 way before the huge RVs that you see today, the motor

1 homes and that kind of thing. So a lot of these
2 campsites could not accommodate a full-size camper.
3 There are a small few of them. And like I said,
4 Site 1 and 2 down by the beach area do have
5 electricity on those, but it's very low. So it would
6 just be a pop-up that would go in there. It would
7 not be a travel trailer.

8 Q. But they do have electricity down there you say.

9 A. No, the majority of those sites do not.

10 Q. I thought you said --

11 A. I said Sites 1 and 2 and 19 and 18 --

12 Q. Okay.

13 A. -- have electricity.

14 Q. Now --

15 A. And sometimes tenters like electricity, so we put
16 them -- you know, if they ask for electricity, we
17 would put them in those sites. But generally
18 speaking, those are tenters in the sites that I --
19 all the sites that I mentioned.

20 Q. Now, the location of the nearest turbine from here
21 is, obviously from this perspective on this map at
22 least, sort of downwards, and it's approximately
23 8,000 feet to the nearest turbine; is that correct?
24 Proposed turbine, I should say.

1 A. No, I don't believe so.

2 Q. What's your understanding?

3 A. Well, all I can do is go by, I believe on the visual
4 study it had a 1.3-mile from where the photograph was
5 taken, okay. And the photograph was taken at the
6 very, very top, which is where it shows Birchview
7 Lane at the very top of the map. That's where that
8 photograph was taken.

9 Q. So you're saying 1.3 is about 8,000 feet, though;
10 correct? You're just saying that it was somewhere up
11 in that area, your understanding, about where the
12 photograph was taken.

13 A. But 8,000 feet being way -- the entire length to
14 where that Birchview Lane is. This is quite -- we
15 own approximately 18 acres. So it's -- I don't want
16 to say it's a huge distance. But it's not as if it's
17 a stone's throw from where that picture was taken
18 to --

19 Q. Okay. I understand.

20 A. -- these campsites that are right on the river.

21 Q. Yeah. But is it your understanding that, since the
22 time that photograph was taken, that, in fact, the
23 Applicant dropped what was the nearest turbine, which
24 I think was E1? Is that fair to say?

1 A. I believe it was N1, but --

2 Q. I'm sorry. N1.

3 A. But, yes, I do.

4 Q. So, in fact, the distance may have changed from when
5 the photograph was taken, the distance to the nearest
6 turbine.

7 A. Correct. But my estimate would be that where these
8 tent sites are, if it's true that it was 1.3 miles up
9 by Birchview Lane, then down by the river tent sites
10 it would have had to be under a mile from the
11 turbine, even at least with the original turbine of
12 N1.

13 Q. Okay. But it's no longer there --

14 A. Correct.

15 Q. -- it's no longer proposed.

16 CHAIRMAN GETZ: Let's stop there for a
17 second, because I think the testimony, from the questions
18 I asked the other day, it was the E1 that I understood to
19 have been the turbine that was --

20 WITNESS LEWIS: Oh, that may be my
21 mistake then. I thought it was N1.

22 MR. PATCH: I think that's correct,
23 Mr. Chairman.

24 MR. IACOPINO: It is E1.

1 WITNESS LEWIS: It is E1.

2 BY MR. PATCH:

3 Q. I'm going to direct your attention here for a minute
4 to some information that is included in Applicant's
5 Exhibit No. 10. And this concerns the Plymouth
6 Airport.

7 Do you have an understanding of how long that
8 airport has been there?

9 A. I do not.

10 Q. On this particular, this three pages of information
11 we presented to you, I believe there's an indication
12 that it was 1947 that it originally opened.

13 A. Hmm-hmm.

14 Q. And do you have any reason to think otherwise?

15 A. No, I do not.

16 Q. And as I understand it, it's owned by the Town of
17 Plymouth; correct?

18 A. Correct.

19 Q. And how often during the day do you hear flights
20 going overhead? I'm particularly concerned about
21 summertime, obviously, when you have campers there.

22 A. Very rarely.

23 Q. I don't know if you've had a chance to look at this
24 information. But there is something in here that

1 suggests that the frequency of use is -- and this is
2 on Page 2 -- on average, about --

3 MR. ROTH: I'm sorry. Page 2 of what?

4 MR. PATCH: Exhibit 10. Applicant's
5 Exhibit 10.

6 MR. ROTH: Okay.

7 BY MR. PATCH:

8 Q. That the frequency of occurrences is approximately 58
9 per week. I'm looking toward the bottom of the page,
10 Page 2, about four lines up. It says, "Aircraft
11 based on the field: 19. Aircraft operations:
12 Average 58/week." Do you see that?

13 A. I do.

14 Q. And is it your understanding that the airport
15 operates at night?

16 A. No, I don't believe it does. And I'd also like to
17 add to that, where you have "aircraft operations,"
18 they also do hot air balloons and I believe
19 Ultralights. I mean, this is a tiny airport. This
20 is not, you know, a full-scale airport. This is for
21 very, very small planes. And I see more Ultralights
22 or hot air balloons. And if those are included in
23 that number, I would be more apt to -- I still would
24 be absolutely shocked if there's really 58 per week.

1 They do have some -- I believe they have at least
2 two, what they call "fly-ins" in the summer. In
3 fact, we had some people camp with us that were going
4 to a fly-in. And that was when they were learning --
5 they were being trained to use the type of equipment,
6 it was similar to an Ultralight, but it's not really
7 called an Ultralight. I can't think of the name of
8 it, offhand. But when they have those two fly-ins,
9 they have a number of people there and a number of
10 different people going up and down throughout the
11 weekend. And even those, generally speaking, we
12 don't even hear them when they have those fly-ins.
13 And my guess is that that's -- if this average is
14 correct, that it's included in those fly-ins. That
15 figure is taking into account the number of flights
16 that occur when they have those fly-ins and they have
17 a much larger number of people there that are -- it's
18 almost like a festival type of thing, where they have
19 food and that type of thing.

20 Q. Now, with regard to the campground, the tree cover on
21 the campground, is that primarily deciduous, or is it
22 a mixture of evergreens and deciduous?

23 A. Probably more deciduous.

24 Q. More deciduous? Do you know if foliage on trees

1 actually increases or decreases the ambient sound
2 level?

3 A. That I don't know because I'm not a sound expert.

4 Q. Well, would it surprise you to learn that, I believe
5 it was included in testimony that's been offered
6 previously in this docket, that, in fact, foliage
7 increases ambient sound level?

8 A. Well, I just --

9 MR. ROTH: Excuse me. I'd ask Mr.
10 Patch to find a reference to that. Because I recall from
11 Lempster, that was a point of some discussion and dispute.
12 And what I had understood from that, was that it was
13 minimal, and, in fact, utterly discounted by the modeling.

14 MR. PATCH: Well, I think I would
15 dispute that. But I don't have a reference handy right
16 now. So I'd be happy to try to provide that to the
17 Committee at a later date. It was really about this
18 witness's understanding. But I just don't have one handy.
19 I apologize, Mr. Chairman.

20 CHAIRMAN GETZ: Well, can you
21 formulate the question in a general way about her
22 understanding of the issue?

23 MR. PATCH: Well, I think I've already
24 asked that. So I'd be happy to withdraw that question and

1 move on.

2 BY MR. PATCH:

3 Q. Now, are you familiar with the viewshed analysis that
4 Mr. Hecklau did for the campground? And I believe
5 this was provided during the technical session.

6 A. Yes.

7 Q. And this is part of Applicant's Exhibit 11. And
8 there are two maps in there, two colored maps that
9 have been provided to the Committee. And it is my
10 understanding that the first one shows the analysis
11 that Mr. Hecklau did of the area that includes the
12 Baker River Campground. It's obviously larger than
13 that; the first one being one without vegetation and
14 the second one with. Is that your understanding as
15 well?

16 A. Yes.

17 Q. And as I understand it, his analysis chose that when
18 you -- on the second map, when you factor forest
19 vegetation into the analysis, it eliminates potential
20 project visibility for most of the campground due to
21 the abundance of forest on that site. And the blue
22 shading there, I believe, represents the area of
23 potential visibility. Is that your understanding as
24 well?

1 A. Well, to be very honest with you, I'm very concerned
2 about the accuracy of this. First of all, all of the
3 labeling is incorrect. Birchview Lane does not go
4 across the river. There's no bridge there. So I
5 don't know why there's a road that continues across
6 the river beyond our campground.

7 Fox Run Lane, which shows to the left, is
8 totally incorrect. There's a Fox Run Lane, that if
9 you look above where my campground is labeled in the
10 middle, if you look straight above, you'll see that
11 there's an area that looks to be a little bit open.
12 And my guess is that that's probably actually Fox Run
13 Lane right there, because that's where it comes off.

14 So I would have huge concerns believing any part
15 of the viewshed, when the basic part of my campground
16 is not even correct on here.

17 Q. Well, but that's just the lanes that were
18 superimposed on it, from the way I look at that map.
19 Is that correct?

20 A. But if the lanes were superimposed, they must have
21 come from GIS or something. And if the GIS is
22 indicating that there's roads where there aren't
23 roads, then perhaps they're indicating there's trees
24 where there aren't trees.

1 Q. Now, you had discussed, in response to I think a few
2 questions from Mr. Roth, hook-ups for RVs, air
3 conditioners. I mean, as I understand it, in your
4 campground in the summertime there are obviously
5 various other sources of noise in the campground.
6 There are RVs, there are appliances that would be
7 used by RVs, there are radios, there are televisions.
8 There are a lot of other forms of noise that could be
9 taking place in your campground; is that fair to say?

10 A. That's true during the day. But if you look at
11 our -- the exhibit that you had me read earlier, it
12 shows no loud radios are allowed at any time. And it
13 clearly states when quiet hours are. Now, that's not
14 to say that there's never a time when after 10 p.m.
15 it's not quiet or that an occasional issue will come
16 up, because we're dealing with people. But we do our
17 very best to address it as quickly as we possibly
18 can. My husband and I are down there on weekends
19 until midnight. We have a campfire going outside
20 that anybody -- you know, that people tend to join us
21 at. And we are down there until midnight. So we try
22 to keep a close handle on what's going on at least
23 until midnight. And, you know, for the most part,
24 issues are addressed. We try to address them quickly

1 and do the best we can.

2 Q. Have you ever heard the same logging noise that was
3 testified to yesterday by the Mazurs?

4 A. I have not.

5 Q. And the kind of noises you're talking about
6 controlling are sort of the abnormal noises from, you
7 know, people partying or something like that. That's
8 not sort of the normal, the generators that you said
9 before. You said they had to be quiet generators. I
10 don't know how you distinguish between a quiet and a
11 non-quiet generator. But there are a number of sort
12 of --

13 A. There are different generators. For RVs, there's
14 inverters. And the new ones, probably within the
15 last five to seven years, they're very quiet and you
16 don't hear them at all. It's older RV generators
17 that tend to be a bit on the noisier side. But like
18 I previously testified to, there's very few nights
19 where it's hot enough to the point where people
20 really feel the need to have a generator.

21 Q. Now, in your prefiled testimony, you said that
22 campers can hear traffic on Route 25 at times; is
23 that correct?

24 A. That's correct.

1 Q. But you said it doesn't affect their ability to
2 sleep.

3 A. It hasn't been an issue. The traffic dies down
4 significantly late at night. It's a pretty busy road
5 during the day. But at night, it's quite quiet.

6 Q. And in response to a data request from Public Counsel
7 that we've marked as our Exhibit 13, you indicated
8 that when you've asked campers about traffic noise,
9 their response has been that they're used to
10 vehicular noise at home, and therefore did not even
11 notice it; is that correct?

12 A. Yes. We do get a number of people that come from the
13 city or whatever. Usually what I do in the morning,
14 the first thing I do, or when we get up in the
15 morning on weekends, is we head down and clean up the
16 bath houses, my husband and I. And there's usually a
17 number of people in the bathrooms that are getting
18 ready for their day. And I always ask everybody,
19 "Did you sleep okay? Did you have any" -- you know,
20 "Did you have a good night? Were there any issues?"
21 And that's when a situation like that might come up,
22 where I'd say, you know, if I knew somebody was right
23 along the river, I might just mention, you know, "Was
24 there any issue with traffic?" And I remember

1 specifically one person saying this, and I think
2 that's why I wrote it in there, that, you know, "Oh,
3 there was a tiny bit of noise. But I live in the
4 city, so I don't even notice it."

5 Q. In a response to a data request from the Applicant
6 that was 1-7, I believe you indicated that you do not
7 pay a view tax on your property; is that correct?

8 A. That's correct.

9 Q. Now, are you familiar with the alternative route for
10 the line to Beebe River Substation that the Applicant
11 proposed in the supplemental filing?

12 A. Well, I'm as familiar as I can be with it since we've
13 just received it.

14 Q. Well, it was actually part of the supplemental
15 application, the map that we pointed to during the
16 course of the proceeding, you know, which was filed
17 on October 12th; is that correct?

18 A. Right. But we haven't gotten -- I mean, the map that
19 I have of that is not very large, and it's quite
20 difficult to see exactly where it is.

21 So, yes, in that filing, from what information
22 you can see from the map, I think I have an
23 understanding of where it's going to be.

24 Q. And one of your concerns, at least that you put in a

1 response to Public Counsel Data Request No. 5, was
2 with regard to putting the power lines on Quincy
3 Road; is that fair to say?

4 A. I'm sorry. I lost -- could you repeat that question?
5 Is there an exhibit that I can look at?

6 Q. There is Exhibit 12, which is your response to Public
7 Counsel's Data Request No. 5.

8 A. Okay. But it is your exhibit?

9 Q. Yes.

10 A. Okay.

11 Q. And I think it's in Public Counsel's set of exhibits,
12 too, if it would be easier for you to find it.

13 (Witness reviews document.)

14 A. Yeah, right here. Okay. Go ahead with your
15 question.

16 Q. Fair to say that one of your concerns was with regard
17 to putting the power lines on Quincy Road; is that
18 fair to say?

19 A. Yes. I was concerned if the power lines were going
20 on Quincy Road, that if there were -- if the majority
21 of the poles had to be replaced, that in doing so
22 there would be a number of delays on Quincy Road as
23 all those poles got replaced.

24 Q. And so the alternative that has now been proposed as

1 part of this proceeding would eliminate at least that
2 concern; is that fair to say?

3 A. That's true.

4 Q. Now, in response to at least one question from Mr.
5 Roth, I believe you talked about an e-mail exchange
6 that you had with Mr. Cherian with regard to a
7 proposed visit from him; is that correct?

8 A. Correct.

9 Q. And I have a copy of that e-mail exchange here. I
10 didn't bring copies, and we didn't propose to submit
11 it as an exhibit. But since it came up in response
12 to questions from Mr. Roth, I'd be happy to provide a
13 copy for the record if it would be appropriate. But
14 I'll at least start by asking you questions about it.

15 As I understand, Mr. Cherian sent an e-mail to
16 you on Wednesday, August 11th. And it said, "Hi,
17 Cheryl. I would like to come by your campground and
18 take a look. This is not an SEC formal thing. I
19 just want to personally get a better understanding of
20 your business and location so I can better understand
21 your concerns. If this is okay with you, maybe we
22 can find a time next week. Best regards, Ed." Do
23 you remember that --

24 A. I do.

1 Q. -- e-mail? And then you responded on Wednesday,
2 August 11th, same day, a little bit later in the day.
3 His was 10:51 a.m. Let's see. You were a little bit
4 later. You were at 13:13, which would be 1:13 in the
5 afternoon.

6 "Hi, Ed. I would welcome you to come and take a
7 visit. Perhaps it would help you better understand
8 why I have the strong feelings I do. Monday or
9 Tuesday would probably be the best days to meet if
10 possible. Thank you, Cheryl." Does that fit with
11 your recollection?

12 A. Correct.

13 Q. Later that day, again Mr. Cherian, on Wednesday, the
14 11th, sent an e-mail to you and said, "How about
15 Tuesday at 10 a.m.?" Is that --

16 A. Hmm-hmm.

17 Q. And then you responded again on that day, "Tuesday at
18 10 a.m. would be just fine. See you then."

19 And then the next e-mail correspondence was
20 three days later, on the 14th of August. "Dear Ed, a
21 I had a chance to discuss your visit with my husband
22 and the other intervenors I'm working with. I'm
23 willing to show you our campground, but we're not
24 sure why you would want to meet personally and

1 outside the SEC process. Can you send me a list of
2 what you want to discuss while here? Also, I hope
3 you will be prepared to take photographs that help
4 simulate the view of the project from different
5 positions around my property. I plan to ask the
6 other intervenors I'm working with to attend and
7 would like to extend an invitation to Peter Roth as
8 well. Thank you, Cheryl Lewis." Does that sound
9 consistent with --

10 A. That's correct.

11 Q. And then on the 15th, Mr. Cherian responded, "My
12 thought was just to see your campground and viewshed
13 so I can better understand your concerns. I have no
14 plan to discuss anything. I'm not sure it would be
15 useful if intervenors and Mr. Roth are invited. This
16 is not an SEC, quote, site visit, end quote; again,
17 just an attempt by me to better understand your
18 business. Perhaps I erred in asking to stop by. If
19 there will be a bunch of parties from the SEC and an
20 expectation of discussion, I will politely withdraw
21 my request to visit your campground. Sorry for any
22 misunderstanding. Ed."

23 A. Correct.

24 Q. And then you responded on Monday, the 16th, "Okay.

1 Thanks. Sorry if I caused confusion or concern. I
2 really just wanted to see your campground. Nothing
3 more."

4 I'm sorry. You responded on the 16th. "Okay.
5 I guess I will see you at the next SEC meeting, or
6 perhaps a select board meeting."

7 And then Mr. Cherian after that, "Okay. Thanks.
8 Sorry if I caused confusion or concern. I really
9 just wanted to see your campground, nothing more."

10 So, is that consistent with your understanding
11 of that e-mail exchange?

12 A. Yes.

13 Q. Thank you. I have no further questions.

14 CHAIRMAN GETZ: Questions from the
15 Subcommittee? Dr. Kent.

16 INTERROGATORIES BY DR. KENT:

17 Q. You had said your -- you testified today that you'd
18 probably be happy with -- if the Applicant met Mr.
19 Tocci's recommendations for sound level criteria?

20 A. Correct.

21 Q. When we were talking to Mr. Tocci, when he was
22 testifying during the cross, he said that he had --

23 (Court Reporter interjects.)

24 Q. He acknowledged that he had the incorrect numbers in

1 his table in his supplemental testimony.

2 A. Correct.

3 Q. Do you remember what number he agreed to?

4 A. I believe it brought it down to 33 decibels.

5 Q. And nobody's put forward numbers with the turbine
6 removed, right, with the closest turbine removed?

7 A. No.

8 Q. Still working off the old configuration?

9 A. No. I'm sorry. I believe that would be with that
10 turbine removed, because they had -- I believe there
11 was supplemental testimony from Rob O'Neal that
12 stated there wouldn't be a significant change, if I
13 remember correctly.

14 Q. Were you ever able to pull together the dates and the
15 times you were working at the campsite to avoid being
16 flooded that corresponded with Mr. Tocci's analysis?

17 A. I guess to be honest, no. I had looked at the graph
18 this week, and I forgot to go back. And just with
19 the busyness of the week, I forgot to get the actual
20 dates for that.

21 I do know that the weekend prior to when this
22 study was removed there was a lot of moving up and
23 down throughout the day, in the two days prior. And
24 that would be right before you can see the huge

1 increase on the graph of the flooding event.

2 Q. I was hoping you would be able to provide those dates
3 and times so I could figure it out myself from there.

4 A. Okay. I believe, if I can look at the graph real
5 quick, I can tell you the date.

6 Q. How does the graph tell you what those dates were?

7 A. Well, the graph just showed the rise of the river.
8 And as the river was rising, that's when we were in a
9 panic moving everything. So it's the same date as
10 when the river is rising. And I believe on the graph
11 it shows it going to, if I remember... I believe it's
12 one of the Applicant's...

13 (Witness reviews document.)

14 BY DR. KENT:

15 Q. Are you talking about the graphs in Mr. Tocci's
16 supplemental testimony?

17 A. No. I'm sorry. I'm looking at -- the Applicant had
18 produced some information from the... when I see it,
19 I'll know what it is.

20 Q. I don't want to send you on a big hunt here.

21 A. It will just take me a moment when I see it.

22 MR. IACOPINO: Applicant 22.

23 A. Yeah, I believe it's 22.

24 DR. KENT: Is that just a stand-alone

1 or --

2 MR. IACOPINO: Yeah, they're a
3 stand-alone. Applicant 20, 21, 22 are all Baker River
4 flow data. 20 and 22 appear to be graphs.

5 A. Yeah. Actually, 20 was the one I was looking at.
6 Well, I believe on October 10th and 11th -- I'm
7 sorry. It would have been... I believe the 10th was
8 a Friday. So it would have been starting in the
9 middle of the night, going into Friday, and going
10 through until the 11th. So, between the 9th and the
11 11th.

12 Q. Starting approximately what time?

13 A. On the 9th, well, it depends on what you're
14 considering major traffic. I was actually working
15 that day, and my two children were cleaning out our
16 store and getting out whatever they possibly could
17 between the two of them. And then my husband and I
18 both arrived home from work approximately --

19 Q. I'm asking about --

20 A. Four o'clock in the afternoon is when we started, I
21 believe, on that date. Roughly 4:00.

22 Q. Right. I'm asking about the activity you referred to
23 this week, where you were afraid you were going to be
24 flooded out, so you were moving --

1 (Court Reporter interjects.)

2 Q. -- you were moving pits and other equipment in the
3 campground.

4 A. Hmm-hmm.

5 Q. And what time might you have quit?

6 A. My husband and son, I believe, were still working
7 until roughly between 2:00 and 3:00 in the morning
8 and then stopped. And then I believe they did some
9 more. By then it was raining heavy. And then we all
10 worked again through part of that day, at least
11 until, I would say, 1:00 or so that day. I don't
12 remember the exact time that we stopped.

13 Q. On the 11th?

14 A. I believe so, yes.

15 Q. All day on the 11th, as well as the 10th?

16 A. Yes.

17 Q. Thank you.

18 Have your campers indicated they won't return if
19 the wind project's constructed?

20 A. I'm sorry. Could you repeat that?

21 Q. Have your campers indicated to you that they wouldn't
22 be interested in camping anymore with you if the wind
23 project was constructed?

24 A. Well, the few campers that I have talked about --

1 talked to it about, they knew what my concerns were.
2 So, you know, they basically were concerned as well.
3 I'm not going to say they said they'd never come
4 back. But they were concerned.

5 Q. Thank you for that. Did you ever talk --

6 A. Could I add to that?

7 Q. I thought you did, but you can answer more.

8 A. Okay. I just would like to add to that, that my
9 concern is not about the people that talk to me
10 regarding the wind turbines. My fear is about the
11 people that don't talk to me and let me know that it
12 kept them up at night. I think it's similar to a
13 restaurant, where as a business owner you worry.
14 You'd much rather have somebody say that something's
15 an issue, because you can try to fix it. However,
16 when it comes to a wind turbine, I have no control
17 over that. But it's the people that you don't hear
18 from that never come back again and tell other
19 people. That's my larger concern.

20 Q. Any of your campers express interest in the wind
21 project?

22 A. Well, no, I wouldn't say that. Towards the end of
23 the summer I was doing a lot of work in preparation
24 for this. So, frequently on the weekends I'd have

1 paperwork, and campers would ask me what I was
2 working on. Or they'd just come over to chat at our
3 store, and we would get talking to them about it. I
4 did have a few campers that were somewhat familiar
5 with turbines because of where they lived. And
6 those, in particular, had more concern than others.
7 I know there's one in Newburyport, Mass. And I have
8 somebody that's fairly close to that, and have
9 friends that live very close to that who are very
10 unhappy by the noise levels.

11 Q. Last question. Mr. Roth was asking you about what
12 you've been calling a "gag order," the
13 confidentiality statement.

14 A. Hmm-hmm.

15 Q. What is it you would imagine you would want released
16 that you believe that section doesn't allow to be
17 released?

18 A. No. I think my concern in a lot of the testimony
19 that came out this week is we have felt that
20 information from the people that are affected the
21 most has not been able to get out to the public, and
22 that's why I brought up the gag order. Because I
23 believe it was Mr. Mihalik that I had asked about
24 that specific question to. Because I think that

1 impacts the overall public by not having full ability
2 to know what is going on with people that are very
3 close to turbines. And if the majority of the people
4 that are closest to it don't have the ability to talk
5 about it, don't have the financial means to fight a
6 major company in order to express how they feel, and
7 so they're basically just being shut up and not able
8 to say anything, I think that impacts the future of
9 anybody's ability, including this Committee, on how
10 to go forward and how to come up with
11 recommendations, if you don't have all the
12 information and you're not allowed to have that
13 information.

14 Q. And you read that confidentiality language as
15 prohibiting people from talking about what? That's
16 my question.

17 A. Well, the part of it that -- there was a part further
18 down that talked about a cooperation agreement. I
19 believe it was on the same page or the next page of
20 that confidentiality aspect.

21 I guess the other thing I would like to state is
22 this is quite a huge document for a landowner that
23 lives in a rural area, which most of the wind
24 turbines or many of the wind turbines are in. And I

1 think that, given this type of document, it's very
2 difficult for people to understand it and know
3 exactly what they're signing and know what rights
4 they're giving away.

5 And I think my concerns are just, in general,
6 that if the wind farm companies are doing everything
7 appropriately and doing everything that they have
8 testified to this board this week, then why should
9 there be any need to have much of it confidential,
10 including methods of operation, including if they're
11 following best management practices. Those should
12 just be a given. It shouldn't be a matter of
13 somebody not being able to speak up because they're
14 not doing something that they are supposed to be
15 doing in the first place.

16 Q. I don't want to be a pain, so I'll try one more time.

17 A. Okay.

18 Q. What language do you see in here that prevents people
19 from talking about issues about the wind turbine,
20 other than proprietary issues? I remind you that you
21 invoked your confidentiality earlier in your
22 testimony when you didn't want to talk about your
23 finances.

24 A. Correct.

1 Q. So what is it in this language that you find prevents
2 people from discussing? That's what I'm trying to
3 get at. I'm not sure what language you're referring
4 to and what they can't say. The basis for your
5 statement is?

6 A. Well, I guess I thought I had sort of answered that.
7 Where it states that they can't talk about the
8 methods of construction, the methods of operation.

9 Q. Can you imagine how methods of construction and
10 operation might be proprietary and want to be
11 shielded from your competitors?

12 A. Well, I can also imagine how methods of construction,
13 if they're not being done properly, would want to not
14 be allowed out to the public knowledge or to DES or
15 to anybody else if -- that's all.

16 Q. Okay. Thank you.

17 A. You're welcome.

18 INTERROGATORIES BY CHAIRMAN GETZ:

19 Q. So let's follow-up on that, then.

20 So you're interpreting this, that it should be
21 read so broadly, that someone who signed this
22 agreement would not be permitted to make public a
23 violation of the law that was -- that they were aware
24 of that a wind developer was committing.

1 A. Absolutely. My thought would be, there would be
2 threat of a lawsuit.

3 Q. Wait a second. That's your interpretation of this
4 clause?

5 A. Hmm-hmm. Correct.

6 Q. All right. Now, this -- are you -- with this
7 particular agreement, are you saying that Groton Wind
8 has signed such agreements with individuals in the
9 Groton area, or in the Lempster area, for that
10 matter?

11 A. Well, there were -- there was a confidentiality
12 recently submitted.

13 WITNESS LEWIS: Do you know what
14 exhibit it is?

15 MR. IACOPINO: Mr. Chairman,
16 Applicant's Exhibit --

17 MR. PATCH: I think it's 48, but I'm
18 not sure if it was marked.

19 MR. IACOPINO: Yeah, I think it's 48
20 as well.

21 WITNESS LEWIS: No, 43 I have.

22 MR. IACOPINO: No. Actually, we're
23 going to need to correct that, too. It may have been
24 marked as 43, but it's actually going to be remarked as

1 Exhibit 48. It was prepared -- it was provided by the
2 Applicant in response to data requests from the Committee,
3 and it is the confidential language that was requested.
4 And it bears the same -- and this Exhibit 48, which some
5 of you may have still marked as 43, is entitled "Excerpt
6 from Groton Wind Landowner Lease: Confidentiality
7 Provisions." And it's further explained. "Below excerpt
8 is the complete confidentiality terms of this lease."

9 Did you need a copy, Mr. Chairman?

10 CHAIRMAN GETZ: I have it.

11 MR. IACOPINO: Okay. I've got a
12 couple extras here. You might want to just change it to
13 48. Anybody else need an extra copy? It should be 48.

14 CHAIRMAN GETZ: Okay. I have the
15 Exhibit 48.

16 BY CHAIRMAN GETZ:

17 Q. And it appears that the confidentiality language is
18 very similar. But I think the issue comes down to
19 what's the extent of this language. You take it to
20 mean that it goes beyond proprietary information and
21 means someone who signed this would not be permitted
22 to even reveal a violation of the law. That's your
23 position.

24 A. I think most non-lawyers may interpret it that way, I

1 would say. Or people that are not familiar with
2 legal documents may interpret it that way.

3 Q. Okay.

4 CHAIRMAN GETZ: Anything else? Mr.
5 Dupee.

6 MR. DUPEE: Thank you, Mr. Chairman.

7 INTERROGATORIES BY MR. DUPEE:

8 Q. One quick question. What's the closest campground to
9 yours?

10 A. There's one on the other side of the river that is
11 beyond the Plain Jane's Diner.

12 Q. Would they be in view of the turbines, do you think?

13 A. Yes.

14 Q. Have they talked to you about any concerns they might
15 have?

16 A. They have not. That particular campground is what's
17 considered an RV resort, and they gear towards large
18 RVs.

19 Q. Have you spoken to them?

20 A. I have not.

21 Q. Thank you.

22 A. Thank you.

23 CHAIRMAN GETZ: Other questions?

24 Redirect, Mr. Buttolph?

1 MR. BUTTOLPH: I have no questions.

2 CHAIRMAN GETZ: Okay. All right.

3 Then the witness is excused. Thank you.

4 (WHEREUPON the Witness was excused.)

5 MR. IACOPINO: Mr. Chairman, would now
6 be an appropriate time to address another mismarked
7 exhibit for the record?

8 CHAIRMAN GETZ: Sure.

9 MR. IACOPINO: If we look at Buttolph
10 Exhibits 30, 31 and 32, they are correctly identified in
11 the revised exhibit list. However, the Buttolph 30
12 yesterday -- well, we had marked two Buttolph 30s earlier
13 in the proceeding, one being the e-mail revisions that are
14 now marked as Buttolph 31. So there's an exhibit entitled
15 "July 17-18, 2010 Complaint Review; E-mail from Warren
16 Brown to Becky Blais." You may recall that as involving
17 the Vinalhaven Wind project. We may have referred to that
18 earlier in the proceeding as Buttolph 30. But that would
19 have been an error, and it should be Buttolph 31.

20 And the other thing was that we did
21 not have the description of Buttolph 32 on the exhibit
22 list today, and that is the large map that included the
23 depiction of the gravel aquifer. It's the large map that
24 was on the board earlier. That is Buttolph Exhibit 32.

1 And that's all the corrections I have
2 with regard to the exhibits that were marked.

3 CHAIRMAN GETZ: Thank you. One thing
4 I'd like to address before we move on to other issues.

5 Ms. Geiger, I'd like to see if I can
6 get some understanding about the Appendix -- Applicant
7 Exhibit 48, the confidentiality language --

8 MS. GEIGER: Yes.

9 CHAIRMAN GETZ: -- and whether you can
10 make an offer of proof or speak on behalf of your client
11 with respect to what is an appropriate interpretation of
12 that language. And is the language intended to be read
13 that a landowner would be precluded from speaking about
14 violations of law that they might be aware of? Or is this
15 intended to be focused on proprietary information when it
16 talks about financial terms, product design, methods of
17 operation, methods of construction?

18 MS. GEIGER: Mr. Chairman, I think
19 this is an issue that I have not studied very carefully.
20 I've endeavored to act as quickly as I can to try to
21 respond physically to requests for information. But I
22 haven't studied the language carefully enough to respond
23 to that question. I also haven't had a chance to consult
24 with Mr. Cherian, or anyone else from the company to get

1 from them what their intent is in including this language
2 in leases with landowners. So I'd prefer, if I could, to
3 have either a little bit of time to answer that this
4 afternoon; or, if you'd like, I could take a record
5 request and provide you with a written response to that
6 question.

7 MR. ROTH: Mr. Chairman, I guess I
8 have trouble with the idea of continuing record requests
9 to fill in things like this. And I guess what I would
10 suggest is I think that the language in this is pretty
11 clear. This is what is out there that the Applicant has
12 got in its landowner agreements. And I think it's a
13 matter of interpretation. For example: You know, in the
14 second part of this paragraph here, it refers to
15 operational information not being available to be shared
16 with news media, either about this facility or any other
17 facility. You know, how a landowner interprets that, or
18 even a former landowner interprets that, is, I think,
19 really a question for argument and not necessarily, you
20 know, whether the Applicant's view of that is a particular
21 way. I'm not sure it really matters at this point. And I
22 suggest that we just leave it as a matter of something to
23 be argued in post-hearing memoranda.

24 CHAIRMAN GETZ: So you're saying

1 what's relevant is what the landowner might think who
2 signs this? I thought, if I recall correctly, you may be
3 the one who raised the issue previous in this hearing
4 about whether certain types of provisions might be void as
5 a matter of public policy, to the extent that they
6 required landowners to not speak about violations of law,
7 which seems to be where Ms. Lewis is.

8 MR. ROTH: That was what I suggested.
9 And quite frankly, I mean, from my interpretation of this,
10 I don't see anything that is -- on its face, would meet
11 that definition. But I think there's an argument to be
12 made, that a landowner might interpret the prohibition
13 against discussing operational information, which could be
14 anything that was a condition of a turbine that would
15 otherwise be a violation of law, from making that public.
16 And so on its face, I don't see something here that the
17 Committee ought to be concerned about, in terms of going
18 against public policy. And that's why I suggest that this
19 is really a matter for argument about what this means to
20 the parties. I'm not sure I'm going to do anything with
21 it at all at this point. But as I said at the beginning
22 of my remarks, the idea of it being sort of a continuing,
23 you know, supplementing the record I don't think is
24 necessary, and we ought to just leave it to whatever the

1 parties want to do with it, in terms of argument in a
2 post-hearing brief.

3 CHAIRMAN GETZ: So, to the extent that
4 the Applicant wants to set that out and try to explain
5 whether it's -- that it's not so nefarious, as some people
6 might interpret that to be, that they make that clear in
7 their brief?

8 MR. ROTH: Sure. And if somebody else
9 wants to make it sound more nefarious, they're free to do
10 so.

11 MS. GEIGER: Mr. Chairman, all I was
12 trying to do is be responsive to your question about more
13 information about what the Applicant thinks or what their
14 intent is about this document.

15 CHAIRMAN GETZ: Okay. Thank you.

16 It's quarter of four. I think what we
17 need to do is address the issues we've been talking about
18 for the last couple of days, Exhibit 44.

19 MR. ROTH: Mr. Chairman, before we get
20 there, one other small housekeeping matter.

21 Yesterday, Mr. Lloyd-Evans spoke of an
22 exhibit that he was looking at. And I have that exhibit,
23 and I was just going to give it out as Public Counsel
24 Exhibit 17.

1 MR. IACOPINO: Peter, are they already
2 marked?

3 MR. ROTH: Yeah, they're already
4 marked.

5 CHAIRMAN GETZ: Okay. I think open
6 items that we need to address, first off, is we had the
7 debate over whether to admit Exhibit 44 into evidence, and
8 then, depending on that, how we deal with the additional
9 testimony from the panel. So why don't we start with the
10 Applicant's position on how we should proceed with
11 Exhibit 44.

12 MS. GEIGER: Great. Mr. Chairman, if
13 I remember correctly, the Applicant had requested --
14 basically, our request is to allow Exhibit 44 to come into
15 the record. We made that request, and there was an
16 objection from Public Counsel. And I view this as our
17 opportunity to respond to that objection; is that correct?

18 CHAIRMAN GETZ: Please.

19 MS. GEIGER: Groton Wind would
20 respectfully ask the Committee that it be allowed to
21 submit Exhibit 44, which consists of Nancy Rendall's
22 evaluations and analysis and conclusions concerning the
23 alternative power line from the project site down to
24 Route 25, which was described in the application's

1 supplemental filing on October 12th.

2 The Applicant also respectfully asks
3 that what's been marked as Exhibit 45, which is also
4 from -- a memo from Ms. Rendall, indicating that there are
5 no listed species on New Hampshire Natural Heritage
6 Bureau's data base within a one-mile radius of the
7 alternative line to Route 25.

8 And the reason why we'd like to have
9 this information come into the record, I think it's pretty
10 clear that all this week, all of the parties in this
11 proceeding have been introducing documents as exhibits
12 that were not premarked at the prehearing conference last
13 Friday. By my count, Public Counsel has marked at least
14 three such exhibits, and the Buttolph intervenor group has
15 marked at least two more.

16 Second, Exhibit 44 was prepared by Ms.
17 Rendall on November 2nd in an effort to answer the
18 Committee's questions and provide the parties with more
19 information about the alternative power line route which
20 will bring power, again, from the project site down to
21 Route 25 onto the New Hampshire Electric Cooperative's
22 poles there on Route 25, as an alternative to running the
23 power line down Groton Hollow Road to Route 25. This
24 alternative was recommended to the Applicant by the Co-Op.

1 This isn't something that the Applicant elected on its own
2 volition to do. The Applicant heard complaints from
3 residents on Groton Hollow Road about that power line.
4 And so, from a substantive merits position, we think that
5 it's appropriate to be able to present that alternative to
6 the Committee.

7 In addition, Mr. Buttolph's motion
8 talked in his -- talked last week at the motion hearing we
9 had about not having enough information about that power
10 line. And so, in order to address the issues of lack of
11 information, the Applicant put together the Exhibits 44
12 and 45 and are prepared to answer any and all questions
13 from the Committee and the other parties about that
14 information.

15 We respectfully submit that the
16 alternative route to Route 25 is a minor change in the
17 project's plans, which will ultimately be reviewed and
18 approved by the New Hampshire Department of Environmental
19 Services, which would determine formally whether such a
20 change is a minor modification. I think if you'll recall,
21 one of the conditions in both the alteration of train
22 permit decision issued by DES and the wetlands permit
23 decision issued by DES on October 8th is that DES must
24 review and approve, prior to construction, all of the

1 Applicant's construction plans. So, accordingly, DES
2 will, in fact, have the final say about the location of
3 this particular line.

4 In addition to that, we recognize,
5 though, that the parties and the SEC may be interested in
6 this information, even though DES is the final authority
7 on that line and where it goes and its impacts.

8 So, in order to afford the parties
9 more time to digest the information contained in Exhibit
10 44, we offer up a suggestion that we give the parties and
11 the Committee a few days to review the information and
12 then come back at a time that's mutually convenient for
13 everyone to permit more examination of the Leo, Rendall
14 and Walker panel. We're also willing, obviously, to make
15 Mr. Cherian available at that time to address any
16 additional questions that may have -- any additional
17 questions from the Committee that may have arisen during
18 the course of this week, and to present any additional
19 information that may have become available from any other
20 state agency during that time. We think that taking a
21 recess at this point and allowing the parties time to look
22 at Exhibit 44 and then reconvening to give everyone an
23 opportunity to conduct cross-examination for a true and
24 full disclosure of the facts is consistent with R.S.A.

1 541-A:33 and will provide the Committee with a full and
2 complete understanding of the project. And so that's what
3 we would suggest to do about that.

4 CHAIRMAN GETZ: Did you have a
5 specific schedule in mind, in terms of timing or --

6 MS. GEIGER: We understand how
7 difficult it is to get several state officials together.
8 So we would leave that up to the Committee to try to find
9 a time in your schedules to come back, as well as,
10 obviously, affording the other parties an opportunity to
11 weigh in on their schedules as well.

12 CHAIRMAN GETZ: Okay. That addresses,
13 I guess, what I would look at as to how to deal with the
14 associated facilities issues. What about historic sites
15 and the fact that we haven't seen anything from Fish and
16 Game yet?

17 MR. IACOPINO: Mr. Chairman, I'm
18 holding a letter from Fish and Game that we just got. It
19 was just e-mailed to us.

20 MS. GEIGER: And I haven't seen it.

21 CHAIRMAN GETZ: Okay. Why don't we
22 hand it out.

23 MR. IACOPINO: Okay.

24 MR. ROTH: Nor have I, nor has --

1 CHAIRMAN GETZ: I didn't expect so.

2 MS. GEIGER: And I think that this
3 further supports the idea that we should all have some
4 time to review information provided by other state
5 agencies and then perhaps come back at another day. And
6 my client would suggest that perhaps in the next two weeks
7 would be appropriate, assuming, again, of course, that
8 that complies or somehow fits in with the Committee's
9 scheduling issues.

10 CHAIRMAN GETZ: Well, let's just take
11 a second while Mr. Iacopino hands out the Fish and Game
12 letter.

13 (Pause in proceedings.)

14 MR. IACOPINO: And while you're on
15 that, we also handed out earlier what we had marked as
16 Applicant 49, which is an e-mail that we received from an
17 Erika Mark from the United States Army Corps of Engineers,
18 referencing a conference call held today with the New
19 Hampshire Department of Historic Resources and
20 representatives of the Granite [sic] Wind Farm project.

21 CHAIRMAN GETZ: And has that been
22 provided to the parties?

23 MR. IACOPINO: Yes. I might be wrong,
24 the way I quoted that. Between U.S. Corps of Army

1 Engineers and pertinent members of the Department of
2 Historic Resource. Maybe there was not a representative
3 of the Applicant there.

4 Mr. Chairman, should I ask the
5 reporter to mark the Fish and Game letter as Applicant 50?

6 CHAIRMAN GETZ: Please.

7 (Applicant Exhibit 50 marked.)

8 CHAIRMAN GETZ: Mr. Sinclair, do you
9 have a position on the exhibits and the proposal by the
10 Applicant, that we basically recess and come back in a
11 couple of weeks to address the exhibits concerning the
12 other transmission line and distribution line and the
13 other outstanding information from Fish and Game?

14 MR. SINCLAIR: I do. I would support
15 that position.

16 CHAIRMAN GETZ: Thank you. Mr.
17 Buttolph.

18 MR. BUTTOLPH: We have a position as
19 well. Of course, as everyone knows, on October 27th, it
20 was our group which filed the emergency motion to suspend
21 the hearings that were scheduled to begin on November 1st.
22 The Applicant at that point in time argued vehemently that
23 the intervenors knew the schedule and should be compelled
24 to perform to that schedule and that relief should be

1 denied.

2 On October 29th, the Applicant's
3 argument with this respect was sustained. Motion was
4 denied. But as such, all parties were compelled to
5 proceed on the original schedule.

6 We're gratified that the Chairman
7 recognized there were some issues, serious issues, with
8 respect to change in the plans from the Applicant:
9 Specifically, the new transmission wire plan was brought
10 upon us, all of us, at the last minute, with all due
11 respect, with a whole host of issues that are presented.
12 As a result, we have wetlands, environmental, historical
13 impact perhaps, environmental issues, wildlife, even such
14 basic plans as the location of the new transformer
15 facility unknown at this time. And, of course, now we
16 have information from Fish and Game, once again, late in
17 the game.

18 And if that isn't sufficient reason to
19 raise substantive concern, we've also been most recently
20 notified of a letter from New Hampshire DES, dated
21 10/28/10. Now, this letter documented the following key
22 points: Areas potentially disturbed by activities
23 associated with connecting the wind farm to the existing
24 grid have not yet been evaluated for archeology. Section

1 106 review of above-ground resources has not progressed
2 due to the cultural resource consultant's submission of
3 insufficient work products.

4 DHR's project area form was submitted
5 in July 2010 with substantive deficiencies. The text
6 alone was revised and reviewed by DHR Division of
7 Eligibility Committee on October 27, 2010, which
8 determined that it did not meet New Hampshire DHR
9 guidelines and was returned as insufficient. DHR
10 contacted U.S. Army Corps of Engineers for assistance.
11 Iberdrola was very much aware of these requirements,
12 having met early in the process, March 16, 2010, in order
13 to understand the project area form process in detail.
14 They could have been working on a lot of these issues
15 many, many, many months ago. So, clearly, the issues
16 raised by DHR could take months to resolve, it would
17 appear to us.

18 However, we are reminded that R.S.A.
19 162-H:6 indicates that within 240 days of the acceptance
20 of an application, the Subcommittee shall issue or deny a
21 certificate for a renewable energy facility. In March,
22 the SEC acknowledged receipt of the application of Groton
23 Wind, LCC for a certificate of site and facility, starting
24 the clock. We all have been marching to an agreed-to

1 schedule throughout the summer. Certainly the intervenors
2 have expressed good faith in keeping up with this process.
3 And while it may not matter from a legal perspective,
4 certainly it has taken quite a toll on us personally.

5 From the moment we became involved, we
6 were constantly reminded that the schedule was not to be
7 missed. This wasn't easy on any of us, particularly the
8 intervenors, who must take time away from our gainful
9 employment in order to exercise rights to participate in
10 this process. However, now the Committee is placed in a
11 very, very difficult spot. It's unfair for the parties to
12 be placed in the position whereby the only way that a full
13 and complete application can be evaluated is to miss the
14 time frame that was clearly articulated in R.S.A. 162-H:6.
15 A waiver of rules would be required to do so, invoking
16 202:15. But 202:15 requires not only that the waiver
17 serve the public interest, but also that the waiver not
18 disrupt the orderly and efficient resolution of matters
19 before the Committee. Clearly, a delay for potentially
20 months with respect to the historical issues would be
21 highly disruptive, particularly considering that the
22 adjudicative hearings are already underway.

23 So, for all of these reasons, it's the
24 intervenor's position that the Committee is compelled to

1 move forward and to evaluate the incomplete application as
2 it has been presented. Simultaneously, the Committee
3 should be reminded that the Applicant has an obligation to
4 meet the burden of proof, and it clearly has not done so.

5 As such, it is the position of the
6 intervenor group that the Committee has no alternative but
7 to deny this application.

8 CHAIRMAN GETZ: So, do you take that
9 position even if, I think at least under the proposal, as
10 I hear it, if it could be done that way, and could still
11 be done within the 240 days? Would that -- does that
12 change your position?

13 MR. BUTTOLPH: Well, we understand
14 that the DHR issues could take perhaps longer than that.
15 I don't know how we can wrap this whole thing together in
16 just a few days when we have that issue that's still
17 outstanding. We also need to have --

18 CHAIRMAN GETZ: So, even if the
19 associated facilities, distribution line, transmission
20 line issue could be addressed, and now that we have the
21 Fish and Game letter, the concern is that -- and again, I
22 don't know quite what to make of Exhibit 49, this letter
23 from Ms. Mark. But your expectation is that that's
24 something that's not going to be able to be handled

1 before, I think December 24 is the 240th day?

2 MR. IACOPINO: 22nd, I think.

3 CHAIRMAN GETZ: 22nd.

4 MR. IACOPINO: 22nd and 23rd.

5 MR. BUTTOLPH: I mean, there's an
6 issue of proper discovery. We need to properly vet all of
7 this information. Like, for example, this Fish and Game.
8 We're all speed-reading it here. It's been the way this
9 whole thing has been going. It's just hard for me to
10 understand, when they have the schedule way back when,
11 that they couldn't get their homework done by now.

12 CHAIRMAN GETZ: Who "they"? Fish and
13 Game?

14 MR. BUTTOLPH: I'm sorry. The
15 Applicant. Throughout this entire process, they have had
16 the opportunity to meet the schedule, and they haven't
17 done so.

18 CHAIRMAN GETZ: Okay. But you weren't
19 talking about -- were you talking about just as a general
20 matter, or were you speaking --

21 MR. BUTTOLPH: I'm talking about the
22 number of different issues that exist here. The historic
23 information is certainly something that they had every
24 capability and responsibility to address well before now.

1 That's certainly an example of homework that's missed.

2 CHAIRMAN GETZ: All right. Mr. Roth.

3 MR. ROTH: Thank you, Mr. Chairman.

4 There are at this point, as I see it, at least four fairly
5 significant unresolved issues in this case, ranging in
6 level of significance.

7 And the first -- and in no particular
8 order on my list here -- the first is the agreement with
9 the Town of Groton over decommissioning. We still don't
10 have a final signed agreement here, the last day, at 4:00
11 in the afternoon of the hearing. So we don't know what
12 agreement with the Town of Groton will be reached over
13 decommissioning, if any at all. And so at this point, a
14 fairly key issue affecting the orderly development of the
15 region is not fully developed in the record and is open.

16 We also have the DHR question, which
17 is also not fully developed and not of record, in terms of
18 where it ought to be at this stage.

19 And then we now lately have the Fish
20 and Game letter regarding avian species, and I believe
21 primarily bats, but I'm not sure. I haven't had an
22 opportunity to speed-read it. Mr. Buttolph is ahead of me
23 there.

24 And then, lastly, the interconnection

1 questions which involve a whole host of issues: Wetlands,
2 historic resources, view impacts, orderly development of
3 the region, wildlife impacts. And we just don't know,
4 other than what I would describe as a hastily prepared
5 Exhibit 44 and 45 to provide information about that.

6 I would refer the Committee to R.S.A.
7 162-H:7, which, in Paragraph 4, says, "Each application
8 shall contain sufficient information to satisfy the
9 application requirements of each state agency having
10 jurisdiction under state or federal law to regulate any
11 aspect of construction or operation of the proposed
12 facility."

13 And then I would look at the Chair's
14 letter of April -- or order, I'm sorry -- the order dated
15 April 26, 2010, where the Chair reviewed the application,
16 which included in its features, in the first paragraph of
17 background, a 34-kilovolt electrical collection system and
18 13 miles of 34.5 kilovolt electrical distribution line to
19 the Beebe River Substation, and made a finding that the
20 application was sufficient.

21 And I guess my sense of it now is
22 that, given the changes that have been made, and given the
23 sort of failure to progress on some of these issues, at
24 least as far as the interconnection, that the application

1 isn't even really complete at this point, or it's just
2 getting there. The application completeness, as I think
3 we all understand, is sort of the first step for this
4 fairly hyper process in order to get these projects done
5 in a timely fashion and in a way that respects, I think,
6 the urgency for -- that society feels for having
7 alternative energy projects be developed in New Hampshire.

8 CHAIRMAN GETZ: Well, let me stop you
9 there for a second and see if we can talk about this
10 issue.

11 So, an application can be complete to
12 start the process. But then how do we deal with changed
13 circumstances, where basically in this case I think what
14 you're focusing on is the interconnection, and that is
15 different than what was initially proposed because of
16 some, it seems a couple of interactions, one with PSNH and
17 one with the New Hampshire Electric Co-Op.

18 So, what is your suggestion there in
19 this regard? That if there's any change in circumstances,
20 we have to deem it no longer complete and start over? Or
21 is there room in this process to accommodate changed
22 circumstances? And then, also, let me work into this,
23 because it's going to go into a couple of the other
24 issues. If you can accommodate changed circumstances at

1 all, what's our standard? Because I think it's been
2 indicated by Mr. Buttolph's remarks in some regard, and
3 actually, I think two ways, almost like a strict liability
4 approach: If anything changes, that's it, you're done.
5 Or you look at fault: Should they have done something?
6 Could they have done something? Or are we then going to
7 have to get into, on the DHR issue, for example, where
8 we've heard testimony where there may be allegations that,
9 whether it was the Applicant, the Applicant's consultant,
10 personnel at DMR, personnel as the Army Corps -- I mean,
11 how do we figure out what's the standard to apply here?

12 MR. ROTH: I think it would not be a
13 good use of anybody's resources to conduct an inquiry
14 about fault or responsibility. I think we are where we
15 are at this point. And at least speaking for my office,
16 we're not sitting here taking the position that Mr.
17 Buttolph does, that, okay, today is the end of the line.
18 They haven't met their burden. You know, game over.

19 I think that there are two options
20 available here that I think make sense. One of those
21 options is the Applicant could withdraw the application
22 and resubmit it with the record preserved, and those
23 issues that are still unresolved dealt with in a revised
24 application and a process that gets essentially agreed

1 upon in another sort of case-structuring order, such as
2 what we had back in June, and then go forward with the new
3 information, so that the application completeness is sort
4 of hop-scotched up forward and we start over again at
5 least with those aspects of the application that have now
6 been made complete.

7 The second option would be to, as Mr.
8 Buttolph originally requested, to suspend the
9 deliberation, leave the record open and go through that
10 same process again -- that is, leave the record as it is
11 and in, and then set up a process going forward in the
12 coming months. And I don't mean two weeks to look at
13 Exhibit 44, but I mean enough time where the Applicant can
14 do, you know, some of the things that the Committee asked.
15 The Committee asked the Applicant to submit the design of
16 the interconnection. You know, let's see the footprint of
17 what you're going to build up there at Beebe River. For
18 the Applicant to have surveyed routes and actual surveys
19 and studies of whatever the impacts might be, including
20 the visual and historic, on the interconnection route, so
21 that the Applicant can actually get to a point where every
22 one of these projects that I've worked on in the last six
23 or seven years has been as of the date the hearing starts.
24 You know, this is the first one of these that I've seen

1 where they come in, where the interconnection route
2 essentially changes completely from the day the
3 application is filed to the date of the hearing. That's
4 just not happened in my experience. Now, I understand the
5 Applicant has the -- doesn't control all the variables
6 throughout. You know, where there are changes, you got to
7 move a pole. In Lempster, there were things done to sort
8 of adjust things a little bit. But the basic idea, the
9 basic concept of the program -- of the project doesn't
10 change in any significant way from start to finish. And
11 here we have, I think, fairly significant missing pieces
12 of information that will make it very difficult for the
13 Committee to make a decision of whether the Applicant met
14 its burden.

15 And I think the resolution isn't as
16 Mr. Buttolph suggested, to dismiss the matter, but I think
17 the resolution is to sort of put everything on hold and
18 say, okay, let's let the Applicant further provide the
19 analysis that it should have provided and then have some
20 opportunity for the parties to again have our experts look
21 at things, for us to look at things, have a tech session.
22 I don't even think -- I'm not even suggesting we do a
23 bunch of data requests again. But have a tech session,
24 and then have another couple days of hearings sometime in

1 the springtime, after the two things have happened: The
2 Applicant has produced enough information where we now
3 understand what's actually going to happen, and it's going
4 to stay that way; and, two, the parties have had an
5 opportunity to evaluate and assess that information and be
6 prepared, in a reasonable and due process fashion, to come
7 in and conduct a hearing on it.

8 And the other thing I would point out
9 is that we saw in testimony a couple days ago from one of
10 the Applicant's officers who said, you know, if we don't
11 get the certificate by the end of the year, that's not the
12 end of the story for us. We're still going to be able to
13 make the investment, and we're going to be able to still
14 qualify, he believed, for the investment tax credits. So,
15 the financial urgency is perhaps not there.

16 And I submit that the alternative that
17 I propose is far better than dismissing the application,
18 which has been suggested by Mr. Buttolph, or denying the
19 certificate, or the Applicant's alternative, which is,
20 well, let's just kind of have a quick hearing on this
21 wetlands issue and move on. I just don't think that
22 that's a prudent approach at this point.

23 CHAIRMAN GETZ: Okay. Well, Mr.
24 Buttolph, do you want to have a chance to respond to any

1 of that before I hear from the Applicant?

2 MR. BUTTOLPH: Well, I would just say
3 that it would be disappointing, certainly for our group,
4 to recognize that, having met all of the various dates
5 that we were required to meet and participated in to the
6 extent that we have, that now, because of these
7 circumstances which appear to have been the burden placed
8 upon the Applicant to meet these dates, that now we're
9 going to be in the position of having to regroup,
10 reconnect with our family and get the commitment that says
11 we're going to continue to push forward into, what, the
12 spring, whenever that might be, that that doesn't seem to
13 be fair to us.

14 CHAIRMAN GETZ: Well, let me address
15 one part of that: Going into the spring. I guess -- and
16 I'm not speaking for the Committee. I'm just asking
17 questions here. And based on experience that I've had, it
18 seems like we could address in a sooner frame of time the
19 issues of the associated facilities, the transmission line
20 and the distribution line and the Fish and Game issue and
21 the decommissioning issue. What I really don't have a
22 good feel for is how long it would take to get this
23 historic resources issue sorted out. But at the same
24 time, Mr. Buttolph, it seems like the general proposal

1 from Mr. Roth is consistent with what you were
2 recommending a week ago, before the hearing started, that
3 we take additional time to try to look at these undefined
4 areas.

5 But having said all that, Ms. Geiger,
6 do you have any reaction to the comments of Mr. Buttolph
7 or Mr. Roth?

8 MS. GEIGER: Yes, I do. Thank you,
9 Mr. Chairman. I think I'll just group these under major
10 headings, if you will. The first one is the New Hampshire
11 Electric Cooperative distribution line that runs along
12 Route 25 to the Beebe River Substation.

13 As this Committee noted in the
14 Lempster Wind case in its order on the Town of Goshen's
15 motion to intervene, it's important to note that the
16 Committee is not considering an application to construct
17 or upgrade a distribution line in this docket. The
18 Committee is considering an application to construct a
19 wind-powered electric generation facility. The
20 distribution line, the one that runs from Route 25 to
21 Beebe River, is not owned by the Applicant and is not
22 situated in the footprint of the project set forth in the
23 application; so, as the Committee noted correctly in the
24 Lempster case, it was not certificating that

1 interconnection line. And I think it's really important
2 to bear that in mind. In the Lempster case, the Committee
3 decided that, with respect to that line that ran along the
4 existing utility corridor to the Newport Substation -- and
5 here, the analogous situation is we've got a line running
6 from Route 25 to the Beebe River Substation -- the
7 Committee's responsibility on that line is to determine
8 its effect on the orderly development of the region. It's
9 not to determine all of the other impacts that apply to
10 the wind plant project proper: Aesthetics, historic sites
11 impacts on the natural environment, air and water quality,
12 et cetera. So I think it's really important to remember
13 that. The Applicant has complied with the SEC rules and
14 provided information about that line, though. And Mr.
15 Cherian would be happy to answer questions about that if
16 he were allowed to come back at a future date. However,
17 that line and any interconnection facilities, like the
18 step-up transformer, et cetera, are not being certificated
19 here; and, therefore, the precise details about those
20 facilities need not be evaluated as part of this case,
21 with the exception of how that line affects the orderly
22 development of the region.

23 So we believe very strongly that the
24 Committee in this case should apply the same standard that

1 it applied in the Lempster case and only consider the
2 interconnection lines' impact on the orderly development
3 of the region. The applicant would submit on that score,
4 by staying within an existing utility corridor and
5 interconnecting with the grid at the Beebe River
6 Substation or located near transmission facilities, that
7 we are complying with the orderly development of the
8 region because we're locating facilities near the grid.

9 CHAIRMAN GETZ: But the distinction
10 there, I believe, is that in the Lempster case, the lines
11 you're talking about weren't considered an associated
12 facility. Is that the distinction? Because if we're
13 looking at the -- if I'm getting all this correct, the
14 distribution line that's now an alternative to the line
15 down Groton Hollow Road --

16 MS. GEIGER: Right. And I believe
17 that line is jurisdictional, Mr. Chairman, and that's why
18 I fully -- we fully concede that it would be appropriate
19 to come back at a later time, after everyone's had an
20 opportunity to look at that piece of the line, if you
21 will, from the project site down to Route 25, the one
22 where Ms. Rendall submitted a memo about impacts on
23 wetlands and so forth. Clearly, we understand the need
24 for the parties to understand a little bit more about

1 that, and we'd be willing to come back and answer
2 questions about Exhibit 44.

3 CHAIRMAN GETZ: And does that also
4 include the piece that would be the new 115 interconnect?

5 MS. GEIGER: No.

6 CHAIRMAN GETZ: You would include that
7 in --

8 MS. GEIGER: I would include that as
9 the line that is interconnecting with -- obviously, that's
10 part of the interconnection line that is being
11 necessitated by studies that ISO New England and Northeast
12 Utilities, the owner of the grid, if you will, or the grid
13 facilities, have required the Applicant to review and
14 change from its initially proposed route. And --

15 CHAIRMAN GETZ: So you wouldn't
16 include that in under the definition of an associated
17 facility with this. You would liken it to the
18 distribution lines in the Lempster case.

19 MS. GEIGER: Exactly. And I think
20 it's really important, even not just the Lempster case. I
21 think it's really important to remember that, even in the
22 Granite Reliable case, Industrial Wind Action Group had
23 filed a motion for rehearing in that docket and had asked
24 the Site Evaluation Committee to require the Applicant to

1 submit the final system impact study, along with any
2 interconnection and substation plans, prior to any
3 construction activities. And the Committee said no. The
4 Committee denied that request and found that the system
5 impact study and the results were not within the mandate
6 of the Subcommittee and that the Subcommittee had no
7 authority or control over the ISO; and, therefore, it
8 would not be appropriate for the decision or certificate
9 to require the action requested by the Industrial Wind
10 Action Group. So I think we have a recognition, at least
11 in that order on Ms. Linowes's motion for rehearing in the
12 Granite Reliable docket, that the Committee was not going
13 to condition its permit or its certificate in that case on
14 any results from ISO New England or any plans concerning
15 the location of a substation.

16 So we take the same position here.
17 It's really -- it's the Co-Op's line. And again, we are
18 at the mercy, really, of ISO New England and you, and the
19 results of those studies, to know exactly, and with
20 specificity, what kind of interconnection facilities we're
21 going to need and where they're going to be placed.

22 I think it's important for the
23 Committee also to remember, and I'm sure you do, that
24 under 162-H:16, VII, the Committee can condition its

1 permit on the results of required federal and state agency
2 studies whose study period exceeds the SEC process period
3 or the application period. And I would analogize the ISO
4 New England interconnection study period to be similar to,
5 for example, the Army Corps of Engineers study period,
6 which, you know, in other cases that I've been involved
7 with has exceeded this application process period. And,
8 of course, the Committee always conditions the
9 certificates on the Applicant's ability to satisfy all of
10 the requirements of the Army Corps of Engineers, which
11 include satisfying the Division of Historic Resources,
12 which plays a consultative role in the Army Corps
13 permitting process.

14 CHAIRMAN GETZ: See, I guess the
15 concern that I have there with that specific issue about
16 historic resources, we also have to make a finding that
17 there's no unreasonable adverse effect on historic sites.
18 And how would you bridge that gap?

19 MS. GEIGER: Well, I think the
20 Committee's bridged it in the past. First, I would note
21 that Historic Resources is not a state agency that has
22 jurisdiction under state and federal law to regulate any
23 aspect of the construction or operation of the proposed
24 facility. So in that regard, it is different from DES,

1 which has to issue permits, and which did with conditions.
2 So, you know, we view DHR in a different light. Moreover,
3 even if DHR were a participating agency under the law, it
4 was supposed to have made its determinations and filed its
5 report with the Committee by October 25th. And it didn't
6 do that. It issued a letter, instead, on October 28th.
7 Now, we're not moving to strike that letter from the
8 record, even though it is untimely. Our intent, really,
9 is to work with the Division of Historical Resources to
10 address their concerns. But, again, we're going to do
11 that in the context of the Army Corps permitting process.

12 You know, my understanding is that the
13 Army Corps and DHR have met recently about the project to
14 discuss the information that was presented in the most
15 recent letter from the Division of Historical Resources.
16 And I believe that we've had marked this afternoon an
17 e-mail that was sent to Attorney Iacopino, Exhibit 49,
18 which indicates that the Army Corps held a conference call
19 with the Division of Historic Resources to discuss the
20 wind project, the Groton Wind project area form. And the
21 Army Corps believes that, after this discussion, that with
22 additional efforts on behalf of the Applicant, the project
23 area form and the permitting process can move on to a
24 successful resolution. That's pretty much what Dr. Luhman

1 testified to as well. She felt that, in her professional
2 experience and in her opinion, that the evaluative process
3 on historic resources that is conducted in concert with
4 the Army Corps will play out to a successful conclusion.

5 And I'd like to remind the Committee
6 that, for example, in the Lempster case, the Committee
7 recognized that the discovery and identification of
8 historic sites and cultural resources is, quote, unquote,
9 a fluid process. And in that case, the Committee imposed
10 as a condition of the certificate a requirement that the
11 Applicant, No. 1, continue its consultations with the DHR
12 and comply with all agreements and memos of understanding
13 with that agency; No. 2, complete its Phase 1
14 archeological survey and provide copies to DHR and the
15 Committee.

16 Now, we've done our Phase 1
17 archeological study. That's been submitted to DHR, and
18 they're okay with that. So we're much further along here
19 in this project than we were in the Lempster project. The
20 last thing the Committee ordered in the Lempster case was
21 to undertake a Phase 1B archeological survey in all
22 archeologically sensitive areas and to file the results of
23 the survey with DHR and the Committee. In this case, the
24 Applicant has already completed the Phase 1A and Phase 1B

1 survey. So Groton Wind, again, is much further along in
2 this case than it was in the Lempster case, when Lempster
3 Wind received its certificate.

4 Another thing I think is important for
5 the Committee to bear in mind is that the Applicant wants
6 to work with DHR and believes that it can successfully
7 work with DHR to address DHR's concerns and those of the
8 Army Corps.

9 One thing I want to point out is that
10 the -- we looked into DHR's processes a little bit to try
11 to figure out what may have gone awry here. And since
12 1981, DHR has had rule-making authority, but has never
13 adopted rules, or hasn't adopted rules that we could find.
14 It has some guidelines. But as the Committee knows,
15 guidelines do not have the force and effect of law unless
16 they're promulgated under R.S.A. 541-A. And the
17 rule-making process is important, because regulated
18 parties will then know which agency directives are rules
19 and what they must do to comply with them.

20 Here, we have a situation where the
21 wind industry in New Hampshire is apparently being held to
22 a separate standard by DHR. There are separate wind
23 guidelines. And we're not aware that they have separate
24 guidelines for other industries. So we're trying to

1 comply. Dr. Luhman testified that she submitted the same
2 type of information to DHR in this case as she did in the
3 Granite Reliable docket. However, we're in a different
4 situation here, and we're trying to work with DHR to find
5 out why. Again, this highlights the reasons why
6 guidelines which have not been promulgated as rules really
7 shouldn't be invoked as a reason to prohibit the project
8 from moving forward. We're confident we can work with DHR
9 and the Army Corps to address all of their concerns. And,
10 again, we would accept conditions similar to those that
11 were imposed in the Lempster project.

12 MR. BUTTOLPH: Mr. Chairman, just a
13 couple of clarification points. You had asked us to --
14 what our position might be, recognizing that our emergency
15 motion was asking for a delay of the hearings, and here
16 we're talking about exactly that. I'd like to point out
17 that our motion was filed on the 27th of October. We're
18 talking about this letter from DHR which came in on the
19 28th, which showed the degree and the extent to which we
20 have additional outstanding actions here that need to be
21 addressed. So, it certainly isn't an inconsistency on our
22 part to be suggesting that perhaps we would have to
23 consider the fact that there are more outstanding issues
24 with respect to what our position ought to be with that,

1 and also looking at the DHR information, that it will take
2 considerably longer to resolve.

3 It's also worthy to point out, I
4 believe, that they started this application in the 2005
5 time frame. Now, this has been a long time that they've
6 had to be looking at this whole process. They certainly
7 could have been working on all of these issues literally
8 for years; yet, here we are at the tail end where these
9 issues are still outstanding.

10 With respect to impacts to others,
11 looking at, for example, Mr. McCann, who helped us with
12 helping everyone and the Committee with understanding
13 potential real estate impacts. It's hard to know what's
14 going to happen with respect to the DHR inputs that we
15 finally do get back. There may be some additional impacts
16 that we would need to look at or that would behoove us to
17 look at with regard to real estate impacts, depending on
18 how that all comes forward. So this is really just
19 creating a very difficult position for all of us, and
20 certainly for the Committee. We certainly understand
21 that.

22 So, we stand by our previous position
23 that says they've had a long time to get this right, and
24 they certainly have not met the burden of proof at this

1 point, in our view.

2 CHAIRMAN GETZ: Mr. Roth, did you have
3 something else?

4 MR. ROTH: Yes, I did. I can
5 empathize completely with the intervenors's lack of desire
6 to continue this process, you know, for any more than,
7 like, five more minutes. But I still think the answer is
8 not to throw the baby out with the bath water. And I
9 think the answer is, as I said before, to suspend
10 deliberation, as Mr. Buttolph had requested.

11 I wanted to respond to a few things
12 that were mentioned by Attorney Geiger. She compared this
13 project to Lempster and to Granite Reliable Power, and
14 particularly with respect to the interconnection.

15 I would point out that in both of
16 those projects, as I did before, the interconnection was
17 established, the feasibility of those interconnections
18 routes was known and cleared. And I'm not saying through
19 any fault of their own, although, I would point out that
20 Mr. Cherian apparently knew as early as the beginning of
21 July, end of June, when he was testifying at the public
22 meeting that everything was fine, he knew then that there
23 were problems with the interconnection feasibility, and he
24 chose to ignore them. So, here we are.

1 But the feasibility was resolved in
2 both cases. And it's different to say, okay, we don't
3 know what the system impact study is going to prove from
4 ISO, and you don't have any control over ISO, nor is there
5 anything in your statute that gives you any control over
6 ISO. So all you can do is say let's -- you know, you
7 can't go on until ISO approves. And that's fairly
8 self-evident. So, Granite Reliable was waiting for the
9 system impact study. Feasibility was resolved.

10 I guess I also take issue with
11 Attorney Geiger's assertion that the only thing in
12 question in Lempster was orderly development of the
13 region. Now, maybe that's in the order. But I felt that
14 there was a lot of attention paid by the parties in that
15 case and, to a certain extent, Committee counsel, to the
16 aesthetics of the lines down the road. Now, that wasn't
17 part of the hearing because those things have been
18 resolved. But the Town of Goshen intervened on that
19 issue, and they were allowed to intervene and participate
20 on that issue. And again, you know, the other difference
21 is that the Lempster process did not include a step-up at
22 the end. There was no 115 kV at the end.

23 And then, finally, even if it is only
24 orderly development of the region, the only showing we

1 have of that is Attorney Geiger's say-so. I mean, there
2 needs to be, I think, some fleshing out of that, but with
3 the participation of the parties. And we're happy to do
4 that on a more reasonable time frame, but certainly not in
5 two weeks, as was suggested a moment ago.

6 Now, the DHR issue, you know, I
7 understand the problem that's based over DHR. And I'm
8 looking at this e-mail that was received today which
9 speaks of a conference call held today. And I note that
10 this e-mail is not from the Army Corps. And there was
11 testimony -- I'm sorry. The e-mail was from the Army
12 Corps, but not from DHR. And there was testimony the
13 other day and questions about whether -- I think fairly
14 suggesting from the testimony by Ms. Luhman, that what the
15 Applicant was trying to do was kind of do a work-around
16 DHR by getting Army Corps. And that appears to be what's
17 still going on. And, you know, if this e-mail were from
18 DHR, or a letter from DHR saying, oh, by the way, don't --
19 you know, disregard our earlier letter, things are back on
20 track, I'd feel a lot better. But I don't see that here.
21 And not to say that would resolve the issue for me. But
22 this is only a part of the answer and I don't think
23 resolves it.

24 MS. GEIGER: Mr. Chairman --

1 MR. ROTH: With respect to DHR --
2 please let me finish -- even this idea that DHR doesn't
3 really matter because they're not jurisdictional, this
4 body still has an independent duty to find no adverse
5 impact on historic and cultural resources.

6 Historically, this body has used the
7 Department of Historical and Cultural Resources to help
8 them make that determination. And I think what the
9 Applicant is suggesting here is, rather than have any sort
10 of certainty or assurance that that process is underway,
11 let's just put it all into conditions and let it roll out.
12 On that basis, you could do that with a lot of things in
13 this case. You could just get the application and say,
14 okay, if they get a wetlands certificate and they get DHR
15 and the Army Corps, we're all set. We don't need to have
16 hearings. We don't need to have intervenors and parties.
17 We can just have conditions that say, satisfy all those
18 agencies and you're all set. But that's not what it's
19 about.

20 Finally, I guess, you know, I don't
21 want to put too much on DHR, on the DHR issue. But, you
22 know, we talked -- when I was cross-examining Ms. Luhman
23 about, you know, this is final exam day, the term paper is
24 due, what I heard was, and what I'm still hearing, is a

1 classic tardy student, which is, you know, I got a bad
2 grade because the teacher wasn't fair. And so we're
3 hearing another sort of blame the teacher excuse here.
4 And I think the answer isn't -- you know, again, I don't
5 want to get too much into blame. But the answer is the
6 parties are entitled to have a reasonable and fair
7 opportunity to test this evidence, have an opportunity to
8 have a technical session, and have a -- prepare for
9 hearing.

10 And this Fish and Game letter, you
11 know, I'm not blaming anybody other than Fish and Game
12 maybe. But, you know, I have an expert on avian species.
13 He would like to review this, take some time to consider
14 it. There are on the back of this letter 10 or 12
15 authorities. My expert would probably like to look at
16 that and consider that and decide whether to file
17 additional testimony on those issues, as he was entitled
18 to do under the normal procedure.

19 So, I guess I think the more
20 reasonable approach is not to try to put it all on
21 conditions, which I think turns the Committee's
22 jurisdiction and role on its head, and instead, let's have
23 a suspension of the deliberation, and let's have another
24 technical session and put in place some more process so we

1 can review the new information as it comes in and is
2 finalized and finished, I mean, which brings me to my
3 final -- it just reminds me.

4 This route that's been proposed is
5 still not final. The feasibility study on that has not
6 even been completed, as far as I know. And that's a
7 proposed route. And it could change.

8 CHAIRMAN GETZ: Ms. Geiger.

9 MS. GEIGER: Yes. And I apologize for
10 interrupting, Attorney Roth.

11 But in terms of what the Applicant has
12 or has not communicated to DHR, I think it's very
13 important to understand -- and I didn't fully understand
14 this until I spoke with my client -- about the federal
15 process.

16 The Applicant has to work through the
17 Army Corps with DHR. I think the Applicant has reached
18 out to DHR. But really it's up to the Army Corps to
19 consult with DHR. And I apologize if I'm not stating this
20 correctly, but I'm not an expert on this process. The
21 client is not trying to work around DHR by going to the
22 Corps. The Corps is the lead federal agency in the
23 federal permitting process. So the Applicant did speak
24 with the Corps, and then the Corps, in turn, spoke with

1 DHR. In addition, the client has -- the Applicant has, in
2 fact, reached out to DHR. And I can make an offer of
3 proof, based on representations made to me by my clients,
4 that DHR indicated has, as I believe as of today, that
5 they believe they are on track in reviewing the project
6 and working with the Applicant to deal with any historic
7 resources issues. Again, you know, the best I can do is
8 to remind the Committee that the study period for the Army
9 Corps' permitting process goes beyond this application
10 period, and there is an express provision in the statute
11 that allows for conditions that, you know, in these
12 circumstances, allows the Applicant to -- you know, if
13 there is a condition that requires the Applicant satisfy
14 permitting requirements of other federal agencies. So,
15 you know, that takes care of that issue, it appears to me.

16 In addition, in Lempster, on the
17 decommissioning issue, the Lempster agreement with the
18 Town of Lempster and Lempster Wind was reached. A draft
19 agreement was filed with the Committee, and it dealt with
20 decommissioning, among other things. I believe the final
21 signed agreement with the Town was not actually -- it
22 wasn't actually executed and submitted to the Committee
23 until after the Committee had issued its decision. So, to
24 suggest that the lack of a signed agreement with the Town

1 of Groton on the issue of decommissioning should somehow
2 hold up the process I think would be unfortunate. I think
3 that the Applicant has made a commitment to, you know,
4 adhere to certain decommissioning standards, and we're
5 still waiting for the Town and the Applicant to sign off
6 on that.

7 Again, we feel confident that we can
8 work with DHR through the federal permitting process to
9 address any historical resources concerns. We have, I
10 believe, uncontroverted evidence from Dr. Luhman that, in
11 her professional opinion, the project does not have an
12 unreasonable adverse effect on historic resources. So, I
13 believe that's the state of the record on that issue.

14 CHAIRMAN GETZ: Okay. Let me just for
15 a moment talk about where personally I am on this issue.
16 And I think what drives my thinking on this is I start
17 with 162-H:1, the purpose of the statute, which in a lot
18 of regards places on us a balancing test for a lot of
19 considerations. The legislature found certain things in
20 the public interest: Maintain a balance between the
21 environment and the need for new energy facilities. And
22 it lays out a number of considerations.

23 And I also think, in that context,
24 that it requires us to balance the interest of applicants,

1 the interest of parties, and to consider the public
2 interest generally. And I also look at the time lines
3 that are laid out in 162-H:6-a. And, you know, what was
4 the purpose of the 240 days? What was the intent of the
5 legislature dealing with that? And I observe one thing,
6 is that we still have about 50 days or so within the
7 240-day time period. But the statute also provides us the
8 ability, if we determine that it's in the public interest,
9 to suspend deliberations.

10 So, taking all of those pieces of the
11 statute in mind, personally, I would not be inclined to
12 dismiss or deny the certificate at this time. But what I
13 would like -- two things that I would like to do: One is
14 to give the parties the opportunity to see if there's any
15 meeting of the minds about what alternative procedural
16 schedules might be, if you want to make a proposal in that
17 regard or not. It sounded like the Applicant had greater
18 optimism about how quickly things could proceed than
19 Public Counsel did. But at least if they could take some
20 time to see if there's some drawing together that could
21 give us some opportunity to think about those and actually
22 to provide that in writing sometime next week.

23 But there's another issue with respect
24 to the Subcommittee. What I would like to do is to speak

1 with counsel about what our procedural options are. Under
2 R.S.A. 541-A -- or not -- excuse me, not 541-A -- 91-A,
3 the Right To Know Law, we're permitted to go into session
4 with counsel to speak about issues such as procedural
5 options. And I'd like to take some time now to recess and
6 to go into session with counsel to see if there are other
7 issues or advice about procedures that would be useful for
8 us to consider. Hopefully it won't take us more than 10
9 or 15 minutes before we come back. So, thank you.

10 (Recess was taken at 4:46 p.m. and
11 the hearing resumed at 5:09 p.m.)

12 CHAIRMAN GETZ: Okay. We're back on
13 the record in SEC Docket 2010-01, and we've just completed
14 a session with Public Counsel, talking -- or counsel to
15 the Committee, not with Public Counsel -- talking about
16 our procedural options. And I think the discussion was
17 helpful to me in forming, I think, some steps that we need
18 to take right now in figuring out what our next steps are.
19 And I guess I would characterize the issues this way: I
20 think the first motion we need to address is, effectively,
21 Mr. Buttolph's motion to, I would characterize it as
22 closing the hearings today and then moving on to
23 deliberations, noting that our deliberations have to take
24 place publicly. And we're certainly not in a position to

1 deliberate the matters of the application today. But as a
2 procedural matter, the first issue we need to address is
3 whether to grant the intervenor motion to end the
4 hearings. And I'd just ask for a discussion.

5 Is there any agreement, any motion
6 from the Subcommittee members that we should grant that
7 motion? Mr. Scott.

8 MR. SCOTT: Mr. Chairman, when I look
9 at 162-H, there's many segments that talk about public
10 interest. I try to look at that. When I look at Mr.
11 Buttolph's motion to close the hearings, and ultimately I
12 believe you'd like us to deny the application, I try to
13 keep that in mind. What we've heard I think from the
14 Applicant is, given some time frame, the end result of
15 issues is there'll be more resolution. In my view, if we
16 were to grant the motion to close the hearings and
17 potentially deny, my view is, I would assume, from
18 everything you've been through, we will then be starting
19 the whole process again. And I fail to find how, for the
20 intervenors, all the time they've spent, for the Public
21 Counsel, for the Committee, how all we -- going through
22 all this again would be in the public interest. So, with
23 that, I'd be inclined, with the Committee, and I move that
24 we deny the motion.

1 CHAIRMAN GETZ: Okay. Is there a
2 second?

3 DR. KENT: Second.

4 CHAIRMAN GETZ: We have a second from
5 Dr. Kent.

6 Further discussion about Mr. Scott's
7 motion? Mr. Dupee.

8 MR. DUPEE: Thank you, Mr. Chairman.
9 I note under R.S.A. 162-H we have an obligation to look at
10 the route. I'm not talking about the route from 25 to the
11 Beebe River site, but, rather, the route down the
12 mountain. And I don't think at this point I have enough
13 information in the record that I would feel comfortable
14 essentially making or reaching a decision based upon that.
15 So I'm not sure how I could vote for closing the hearing,
16 knowing there's still information necessary, in my
17 opinion, to gather before I could make that determination.

18 CHAIRMAN GETZ: Anyone else? Well, I
19 guess I would note, similar to some comments I made
20 earlier, there are still about 50 days left in the 240-day
21 time frame. There is a statutory option for us to suspend
22 hearings. There have been changed circumstances that I
23 think merit further consideration by us. So I would also
24 support the motion to deny Mr. Buttolph's motion to close

1 the hearings and move on to deliberations.

2 So if there's no other discussion on
3 that issue, I guess all those in favor of Mr. Scott's
4 motion, please signify by saying "aye."

5 (Multiple members indicating "aye.")

6 CHAIRMAN GETZ: Any opposed?

7 (No verbal response)

8 CHAIRMAN GETZ: None opposed. So I'd
9 note for the record that the motion is unanimous. So that
10 leaves us with this issue: How to deal with continued
11 hearings in this regard. And I have to -- I think Mr.
12 Roth characterized four issues that we need to consider,
13 and that goes to: Town of the Groton and decommissioning,
14 historic resources, the Fish and Game letter on I think
15 largely the bat issues, and these associated facilities.

16 Personally, I'm concerned, on the one
17 hand, that the proposal by Ms. Geiger doesn't give us
18 enough time to take care of all those issues. On the
19 other hand, I'm concerned about the length of time that
20 might be implicated by Mr. Roth's suggestion about what
21 time would be involved. I would suggest that the parties
22 submit to us in writing a recommendation about a
23 procedural schedule. And I think we really need some
24 definition to know if the procedural schedule is any good,

1 something more definitive about the historic resources
2 issues and how soon that can be addressed, when we think
3 something might come from DES on those associated
4 facilities. I think it's important to get the information
5 to us and that the other parties get a chance to review
6 the information and to prepare for another hearing. I
7 don't know that we need discovery and to the extent of
8 time as was conducted previously, and there's a way of
9 addressing some of these issues through prehearing
10 conferences. But there has to be adequate opportunity for
11 the intervenors and for Public Counsel to prepare. So I'd
12 like you to take that into consideration.

13 But is it fair to expect -- and I turn
14 to you, Ms. Geiger -- that we could get something solid by
15 the end of next week on a proposed procedural schedule?

16 MS. GEIGER: I think so. I think that
17 would be -- obviously, it would just be a recommendation
18 to the Committee about how we think the rest of the
19 process should play out.

20 CHAIRMAN GETZ: And obviously you
21 would try to work with the other parties on this.

22 MS. GEIGER: Yes, we would try. But
23 my understanding is that if we were not able to reach
24 agreement, then we would each, or however many of us could

1 reach agreement, would be submitting those recommendations
2 to you.

3 CHAIRMAN GETZ: Yes.

4 Mr. Iacopino.

5 MR. IACOPINO: I just want to point
6 out there's still a number of data requests from the
7 Committee that are outstanding to the Applicant.

8 MS. GEIGER: Yes.

9 MR. IACOPINO: And I believe there's
10 one outstanding to one of either the intervenors or
11 counsel for the Public. So we probably ought to set a
12 date for those answers to be provided as well. I mean,
13 those are all things that the parties said they could
14 provide. Those are not subject to arguments over time
15 frames.

16 MS. GEIGER: Mr. Chairman, I just want
17 to -- I apologize, Attorney Iacopino.

18 I just want to reflect a little bit
19 more about next week. My understanding is that Thursday
20 is a state holiday; is that correct?

21 CHAIRMAN GETZ: Yes.

22 MS. GEIGER: Okay. I'm not sure about
23 other parties to the docket. I know that my office is
24 open, but I also know that neither Attorney Patch nor I

1 will be available on Friday. So that means we will have
2 to confer and reach agreement by Wednesday, close of
3 business. And I think that might be very difficult for us
4 to do.

5 MR. ROTH: I concur. Thursday is a
6 state holiday. And so that effectively, with Attorney
7 Geiger's and Patch's schedule, that ends the week on
8 Wednesday. My secretary told me I have an all-day-long
9 conference call on Monday, which I find absolutely
10 unbelievable. But... so it's going to be a short week.
11 And I concur, that perhaps if we went to Wednesday of the
12 following week that would make sense.

13 MS. GEIGER: I agree.

14 CHAIRMAN GETZ: Well, I think there
15 are competing considerations here. We think it's
16 important to move as quickly as possible within certainly
17 the 240 days and accomplish as much as we can and then
18 determine whether we need to suspend the 240-day time
19 frame. I recognize that the more time you have, the more
20 information, the better your information about what's
21 going on at DES and DHR. So let's say by a filing by two
22 weeks from today, Friday the 17th, recommendations about a
23 procedural schedule.

24 MS. GEIGER: The 19th.

1 CHAIRMAN GETZ: Fourteen plus five,
2 yes, 19. It's been a long week.

3 MR. IACOPINO: Mr. Chairman, as I
4 understand what you're asking for from the parties,
5 though, just so that everybody understands, is that if
6 they don't all come to an agreement, you want essentially
7 not just a suggested schedule from each, but also the
8 reasons underlying that schedule as well, so that you
9 can -- so that the Committee knows what those arguments
10 are coming in and any deliberation on that issue can be
11 done promptly.

12 CHAIRMAN GETZ: Yes. And I think that
13 necessarily means we're going to have to schedule a date
14 for deliberations sometime after the 19th to -- again,
15 because we have to deliberate in public on those, whatever
16 those filings are. So --

17 MS. GEIGER: Mr. Chairman, I think
18 what would also be helpful before we leave today, I think
19 I'm hearing from the bench that you want us to come to
20 agreement on a process for providing more information or
21 resolving the procedural issues around developing the
22 record on four issues. And one of those four issues is
23 associated facilities. And I don't want to leave here
24 today without understanding exactly what is meant by

1 "associated facilities."

2 CHAIRMAN GETZ: Well, I can tell
3 you --

4 MR. IACOPINO: Mr. Chairman, I would
5 just point out that there is still a data request
6 outstanding. We've reserved Applicant's No. 35 for
7 information regarding the newly proposed step-up
8 transformer station and 115 kV connection, including the
9 size, dimensions and possible locations. That was a data
10 request that the Applicant indicated that they could, in
11 fact, provide to us. So I would just point that out, that
12 that's actually a pending data request. It's my
13 understanding that's information that the Applicant was
14 going to be able to provide to us. I think that with
15 respect to associated facilities, that goes a long way to
16 the type of information that's going to be in dispute in
17 this phase of our deliberations.

18 CHAIRMAN GETZ: 'Cause I take it,
19 based on our exchange earlier, there could be a difference
20 of opinion about what constitutes an associated facility.
21 And there's certainly agreement, I think, as the lines
22 that are being proposed as an alternative to Groton Hollow
23 as an associated facility. But there are other pieces of
24 this that you're arguing are not. And I'm not sure we're

1 in a position here today to make that decision on whether
2 the facilities along 125 owned by the Co-Op and/or the
3 interconnect facilities for PSNH, the 115 kV -- which,
4 remind me: Did you agree that the 115 kV interconnection
5 owned by PSNH would be an associated facility?

6 MS. GEIGER: Well, I mean, I think it
7 depends legally. To the extent that there's an argument
8 that the associated facilities must be certificated, I'd
9 say no. I mean, it is a facility that is related somewhat
10 to the project. But it's not something we believe needs
11 to be certificated and upon which the Committee needs to
12 make all of the determinations that it needs to make about
13 the wind turbines and those associated facilities. For
14 example: You know, the substation is going to be a great
15 distance, obviously, from the turbines. The question
16 remains, you know -- from my perspective, I don't believe
17 that the Applicant, because we're not certificating that
18 particular facility or piece of equipment, I don't believe
19 the Applicant must show the aesthetics -- the impact on
20 aesthetics, historic resources or things of that nature.
21 I mean, the question is how much information -- certainly
22 under the Committee's rules we understand we're obligated
23 to provide you with information about the interconnection
24 line. And we've done that. And obviously, on

1 October 12th we provided you with additional information.
2 But it's our position that the Co-Op, the line in the
3 Co-Op's distribution corridor and the interconnection
4 facilities do not have to be certificated; meaning, the
5 Applicant does not have to demonstrate the impacts of
6 those facilities on all of the other statutorily
7 prescribed criteria.

8 What we do need to do, based on
9 guidance I'm taking from the Lempster order, is
10 demonstrate how those facilities affect the orderly
11 development of the region.

12 CHAIRMAN GETZ: Again, I think we're
13 not going to be able to resolve that today. So I think
14 that's going to have to be part of your filing to make
15 those arguments on what you think is covered.

16 MS. GEIGER: Okay.

17 CHAIRMAN GETZ: If other parties have
18 opposite arguments to make, or the same arguments, but
19 want to address the issues of what constitutes "associated
20 facilities," then please make that part of the filing.

21 MR. ROTH: Mr. Chairman, we'd be happy
22 to do that. But I think, as Mr. Iacopino points out, it
23 would be helpful to know what it is we're talking about
24 and where it's going to be. And, you know, there's a data

1 request for a number of things. And I would, again, point
2 out that these are -- this is information that is
3 typically provided in the application at the beginning.
4 And it would be nice to know what it is we're talking
5 about, to put some meat on the argument.

6 CHAIRMAN GETZ: Well, I think it would
7 be useful to have the detail. But I think -- and to the
8 extent that that data request can be answered more
9 quickly, maybe it informs. But I'm not sure how much
10 detail is necessary to address the argument of what
11 constitutes an associated facility when you have the
12 general information.

13 But I just would say, Ms. Geiger, try
14 to get the information to the other parties as quickly as
15 possible and make your arguments based on that.

16 MR. ROTH: I think there was some
17 question about whether they were going to build this
18 facility within the PSNH Substation property or on some
19 other location. And that may make a difference about
20 whether it's theirs or PSNH's. I don't know. I mean, it
21 would be nice to know where it's going to be.

22 CHAIRMAN GETZ: And I take it Ms.
23 Geiger will try to answer that data request as soon as
24 possible.

1 MS. GEIGER: We will. Thank you.

2 CHAIRMAN GETZ: Well, then, let me
3 make a motion, I guess, to --

4 MR. IACOPINO: Mr. Chairman, are we
5 going to set a date for -- I mean, there are several other
6 data requests, too. And I don't know how many of those
7 need to be provided by the Applicant before the parties
8 can appropriately brief the issue that you've requested
9 them to brief within the next two weeks.

10 CHAIRMAN GETZ: Yeah, I didn't really
11 think that that many of them were really necessary for the
12 briefing. But how many are outstanding?

13 MR. IACOPINO: I don't know exactly.
14 I haven't kept them in order of what's outstanding. I can
15 go backwards. We're waiting for the muck pile management,
16 emergency procedures for emergencies on Groton Hollow
17 Road. We're waiting for them to identify the bat groups
18 that they worked with on their studies and projects, which
19 really isn't relevant to those issues. The financial
20 statements of the various entities, the re-drawn
21 line-of-sight cross-sections, contrast information sheets,
22 the information I just referenced before about reserved
23 Exhibit 35 for the newly proposed step-up transformer
24 station. Information regarding Professor Gittell's

1 payments --

2 MS. GEIGER: We submitted that.

3 MR. IACOPINO: Oh, did you? I
4 haven't -- okay. Did you submit the explanation of the
5 calculation of the carbon offset as well?

6 MS. GEIGER: No.

7 MR. IACOPINO: I think everything
8 before Exhibit 33 has probably been provided already. So
9 those are -- that's a summary of the outstanding data
10 requests that I believe have not yet been provided.

11 MS. GEIGER: Mr. Chairman, we're in
12 the process of compiling that. As the Committee is
13 probably aware, being in the hearings here all day, and we
14 all obviously have other things to do in the evenings to
15 catch up with our work, we're in the process of compiling
16 that information. I'm confident we'll have a lot of it
17 next week, if not all of it.

18 CHAIRMAN GETZ: Is it possible by
19 close of business Wednesday?

20 MS. GEIGER: We will do our best. I
21 think the only piece that we may have difficulty with are
22 the financials, because Ms. Goland will have to go back to
23 Portland, Oregon, to confer with folks there. And we'll
24 obviously have to file a motion for protective order for

1 some of that information.

2 CHAIRMAN GETZ: And I don't think that
3 information is particularly relevant to the next task
4 before us.

5 MR. ROTH: Mr. Chairman, I think
6 missing from Attorney Iacopino's list was our
7 responsibility to provide errata sheets for Mr. Tocci's
8 testimony.

9 MR. IACOPINO: I couldn't remember
10 which -- what the other non-Applicant data request was.

11 CHAIRMAN GETZ: Well, then, I would
12 move that we continue the hearings and that we ask the
13 parties to file memoranda by November 19th proposing a
14 schedule for conducting additional hearings in this
15 proceeding.

16 MR. IACOPINO: Mr. Chairman, are you
17 making a motion to continue the hearings to the call of
18 the Chair so that there does not need to be further
19 publication of our next set of hearings?

20 CHAIRMAN GETZ: I certainly am. Do we
21 have a second?

22 MR. DUPEE: Second.

23 CHAIRMAN GETZ: Any discussion?

24 MR. BOISVERT: If I may? Regarding

1 what will be delivered to us at that point in time,
2 attorney for the Applicant noted that the Division of
3 Historic Resources was reportedly late in giving their
4 response on October 28th to a document they received on
5 October 21. I would like to have included in those
6 considerations that they have coordinated with DHR. And
7 make sure that there is sufficient time for review after
8 having received the document, which I expect will be
9 substantial. And I do not want to have a situation where
10 an agency is forced to review in haste. Thank you.

11 CHAIRMAN GETZ: Any other discussions?

12 (No verbal response)

13 CHAIRMAN GETZ: All those in favor of
14 the motion signify by saying "aye."

15 (Multiple members indicating "aye.")

16 CHAIRMAN GETZ: Any opposed?

17 (No verbal response)

18 CHAIRMAN GETZ: None opposed. Motion
19 is unanimous.

20 Is there anything else to address
21 before we close the hearings for today?

22 MR. SCOTT: Mr. Chairman, maybe some
23 of this has been all covered and I missed some of it. But
24 Turbine No. E1, is that definitely not going to be built

1 now as in those sites, or is that in question?

2 MS. GEIGER: It's not part of the
3 application.

4 MR. SCOTT: Okay. Thank you.

5 CHAIRMAN GETZ: Anything else?

6 (No verbal response)

7 CHAIRMAN GETZ: Okay. Then we will
8 close the hearing and await the filings of the parties.
9 And then, in the meantime, we will set a date for
10 deliberations on the filings by the parties. Thank you,
11 everyone.

12 (WHEREUPON, the hearing ended at
13 5:31 p.m.)

14

15

16

17

18

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T E

I, Susan J. Robidas, a Licensed
Shorthand Court Reporter and Notary Public of
the State of New Hampshire, do hereby
certify that the foregoing is a true and
accurate transcript of my stenographic notes
of these proceedings taken at the place and
on the date hereinbefore set forth, to the
best of my skill and ability under the
conditions present at the time.

I further certify that I am neither
attorney or counsel for, nor related to or
employed by any of the parties to the action;
and further, that I am not a relative or
employee of any attorney or counsel employed
in this case, nor am I financially interested
in this action.

Susan J. Robidas, LCR/RPR
Licensed Shorthand Court Reporter
Registered Professional Reporter
N.H. LCR No. 44 (RSA 310-A:173)

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

	15 (1) 116:9	7:15	71:12	
[152 (1) 9:24	2010 (5) 71:15;84:5,7,12;89:15	31 (4) 40:12;71:10,14,19	6
[sic] (1)	15th (1) 57:11	2010-01 (2) 4:5;116:13	32 (6) 21:19;22:5;31:23; 71:10,21,24	60s (1) 40:23
1	16 (1) 84:12	202:15 (2) 85:16,16	33 (2) 59:4;129:8	64 (1) 33:23
1 (7) 32:3,7;41:4,11; 103:11,13,16	162-H (2) 117:9;118:9	21 (2) 61:3;131:5	34.5 (1) 89:18	7
1.26 (1) 37:9	162-H1 (1) 114:17	22 (4) 60:22,23;61:3,4	34-kilovolt (1) 89:17	700 (1) 7:23
1.3 (2) 42:9;43:8	162-H16 (1) 100:24	22nd (3) 87:2,3,4	35 (6) 5:8,12;6:1;7:3;124:6; 128:23	75 (1) 40:18
1.3-mile (1) 42:4	162-H6 (2) 84:19;85:14	23 (1) 40:4	4	8
1:00 (1) 62:11	162-H6-a (1) 115:3	23rd (1) 87:4	4 (1) 89:7	8 (4) 15:24;32:3,8;35:19
1:13 (1) 56:4	162-H7 (1) 89:7	24 (3) 6:5;40:4;87:1	4:00 (2) 61:21;88:10	8,000 (3) 41:23;42:9,13
10 (9) 15:24;44:5;45:4,5; 50:14;56:15,18;111:14; 116:8	16th (2) 57:24;58:4	240 (4) 84:19;86:11;115:4; 122:17	4:46 (1) 116:10	89 (2) 12:21;13:1
10/28/10 (1) 83:21	17 (1) 75:24	240-day (3) 115:7;118:20;122:18	40 (1) 20:14	8th (1) 78:23
10:51 (1) 56:3	1-7 (1) 53:6	240th (1) 87:1	43 (3) 68:21,24;69:5	9
100 (1) 29:22	17-18 (1) 71:15	25 (24) 7:16;11:13;12:9,19; 13:6;27:8;35:12,13; 36:8,10,16,20;51:22; 76:24;77:7,21,22,23; 78:16;96:12,20;97:6; 98:21;118:10	44 (12) 75:18;76:7,11,14,21; 77:16;78:11;79:10,22; 89:5;92:13;99:2	9 (2) 38:2,18
106 (1) 84:1	17th (1) 122:22	250 (1) 25:12	45 (4) 5:7;77:3;78:12;89:5	91-A (1) 116:2
10th (3) 61:6,7;62:15	18 (2) 41:11;42:15	25th (1) 102:5	48 (9) 4:2;68:17,19;69:1,4, 13,13,15;72:7	93 (4) 12:9,19,23;25:20
11 (2) 9:17;48:7	18th (1) 5:1	26 (2) 40:5;89:15	49 (4) 4:2;81:16;86:22; 102:17	95 (1) 19:9
1125 (1) 7:23	19 (3) 41:11;45:11;123:2	27 (1) 84:7	5	9th (2) 61:10,13
115 (5) 99:4;108:22;124:8; 125:3,4	1947 (1) 44:12	27th (2) 82:19;105:17	5 (2) 54:1,7	A
118 (1) 13:1	1981 (1) 104:12	28th (3) 102:6;105:19;131:4	5:09 (1) 116:11	ability (7) 15:8;52:1;65:1,4,9; 101:9;115:8
11th (8) 55:16;56:2,14;61:6, 10,11;62:13,15	19th (3) 122:24;123:14;130:13	29 (1) 40:8	5:31 (1) 132:13	able (18) 8:5;19:3,11;20:5; 28:18;31:24;59:14;60:2; 64:21;65:7;66:13;78:5; 86:24;94:12,13;120:23; 124:14;126:13
12 (3) 9:17;54:6;111:14	1A (1) 103:24	29th (1) 83:2	50 (6) 9:7;15:13;82:5,7; 115:6;118:20	abnormal (1) 51:6
125 (1) 125:2	1B (2) 103:21,24	2nd (1) 77:17	50/50 (1) 40:16	above (3) 39:1;49:9,10
12th (3) 53:17;77:1;126:1	1st (1) 82:21	3	541-A (3) 104:16;116:2,2	above-ground (1) 84:1
12-week (1) 9:16	2 (6) 41:4,11;45:2,3,10; 103:13	3 (1) 34:4	541-A33 (1) 80:1	absolutely (8) 11:15;28:1,22;30:19; 39:13;45:24;68:1;122:9
13 (2) 52:7;89:18	2:00 (1) 62:7	3:00 (1) 62:7	58 (2) 45:8,24	abundance (1) 48:21
13.2 (3) 6:5,18;8:9	20 (5) 17:12;34:3;61:3,4,5	30 (5) 27:4;40:8;71:10,11,18	58/week (1) 45:12	accept (1) 105:10
13:13 (1) 56:4	200 (2) 29:2,6	30-decibel (1) 26:17		
14th (1) 56:20	2005 (1) 106:4	30s (1)		
	2007 (1)			

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>acceptance (1) 84:19</p> <p>accommodate (3) 41:2;90:21,24</p> <p>accomplish (1) 122:17</p> <p>accordingly (1) 79:1</p> <p>account (2) 14:22;46:15</p> <p>accuracy (2) 30:3;49:2</p> <p>accurate (2) 29:18,23</p> <p>acknowledged (2) 58:24;84:22</p> <p>acquired (1) 7:9</p> <p>acquisition (2) 7:13,14</p> <p>acres (1) 42:15</p> <p>across (9) 13:1;24:10;35:12; 37:21,23;40:7,12;49:4,5</p> <p>ACs (1) 15:17</p> <p>act (1) 72:20</p> <p>Action (3) 99:22;100:9,10</p> <p>actions (1) 105:20</p> <p>activities (2) 83:22;100:3</p> <p>activity (2) 21:15;61:22</p> <p>actual (2) 59:19;92:18</p> <p>actually (22) 30:5,12;33:12;35:2,5; 37:16;40:9,22;47:1; 49:12;53:14;61:5,14; 68:22,24;91:3;92:21; 94:3;113:21,22;115:21; 124:12</p> <p>add (3) 45:17;63:6,8</p> <p>addition (6) 5:6;24:7;78:7;79:4; 113:1,16</p> <p>additional (11) 76:8;79:16,16,18; 96:3;102:22;105:20; 106:15;111:17;126:1; 130:14</p> <p>additions (1) 4:24</p> <p>address (25) 7:20,20;9:2,3;50:17, 24;71:6;72:4;75:17; 76:6;78:10;79:15;82:11; 87:24;95:14,18;102:10;</p>	<p>104:7;105:9;114:9; 116:20;117:2;126:19; 127:10;131:20</p> <p>addressed (4) 50:24;86:20;105:21; 120:2</p> <p>addresses (2) 7:18;80:12</p> <p>addressing (1) 120:9</p> <p>adequate (2) 30:10;120:10</p> <p>adhere (1) 114:4</p> <p>adheres (1) 25:13</p> <p>adjudicative (1) 85:22</p> <p>adjust (1) 93:8</p> <p>admit (1) 76:7</p> <p>adopt (1) 27:3</p> <p>adopted (3) 20:10;104:13,13</p> <p>adverse (3) 101:17;110:4;114:12</p> <p>advice (1) 116:7</p> <p>aesthetics (5) 27:24;97:10;108:16; 125:19,20</p> <p>affect (2) 52:1;126:10</p> <p>affected (1) 64:20</p> <p>affecting (1) 88:14</p> <p>affects (1) 97:21</p> <p>afford (1) 79:8</p> <p>affording (1) 80:10</p> <p>afraid (1) 61:23</p> <p>afternoon (10) 4:3,14;6:21;31:20,21; 56:5;61:20;73:4;88:11; 102:16</p> <p>again (32) 14:24;25:16;32:5; 36:20;39:11;56:13,17; 57:16;62:10;63:18; 77:20;81:7;83:16;86:21; 92:4,10;93:20,23; 100:17;102:10;104:1; 105:5,10;108:20;111:4; 113:7;114:7;117:19,22; 123:14;126:12;127:1</p> <p>against (3) 19:5;74:13,18</p>	<p>agencies (3) 81:5;110:18;113:14</p> <p>agency (9) 79:20;89:9;101:1,21; 102:3;103:13;104:18; 112:22;131:10</p> <p>ago (4) 84:15;94:9;96:2;109:5</p> <p>agree (2) 122:13;125:4</p> <p>agreed (2) 59:3;91:24</p> <p>agreed-to (1) 84:24</p> <p>agreement (18) 6:3;65:18;67:22;68:7; 88:8,10,12;113:17,19, 21,24;117:5;120:24; 121:1;122:2;123:6,20; 124:21</p> <p>agreements (4) 10:23;68:8;73:12; 103:12</p> <p>ahead (2) 54:14;88:22</p> <p>air (7) 15:8,17;16:12;45:18, 22;50:2;97:11</p> <p>air-conditioning (1) 15:5</p> <p>Aircraft (3) 45:10,11,17</p> <p>airport (6) 36:21;44:6,8;45:14, 19,20</p> <p>all-day-long (1) 122:8</p> <p>allegations (1) 91:8</p> <p>allow (2) 64:16;76:14</p> <p>allowed (7) 34:5;50:12;65:12; 67:14;76:20;97:16; 108:19</p> <p>allowing (1) 79:21</p> <p>allows (2) 113:11,12</p> <p>almost (2) 46:18;91:3</p> <p>alone (1) 84:6</p> <p>along (10) 13:6;19:10;40:5; 52:23;96:11;97:3;100:1; 103:18;104:1;125:2</p> <p>alteration (1) 78:21</p> <p>alternative (16) 53:9;54:24;76:23; 77:7,19,22,24;78:5,16; 86:6;90:7,94:16,19;</p>	<p>98:14;115:15;124:22</p> <p>although (1) 107:19</p> <p>always (4) 21:23;23:4;52:18; 101:8</p> <p>ambient (3) 27:7;47:1,7</p> <p>among (1) 113:20</p> <p>amount (3) 34:5,10,13</p> <p>amps (2) 15:13,15</p> <p>analogize (1) 101:3</p> <p>analogous (1) 97:5</p> <p>Analysis (8) 33:15;48:3,10,17,19; 59:16;76:22;93:19</p> <p>and/or (1) 125:2</p> <p>answered (3) 12:15;67:6;127:8</p> <p>anti-renewable (1) 30:24</p> <p>anti-wind (1) 30:23</p> <p>anymore (1) 62:22</p> <p>apologize (4) 47:19;112:9,19; 121:17</p> <p>apparently (2) 104:21;107:20</p> <p>appear (4) 32:10;61:4;84:17;95:7</p> <p>appears (5) 38:22;39:4;69:17; 109:16;113:15</p> <p>Appendix (3) 32:3,7;72:6</p> <p>appliances (1) 50:6</p> <p>Applicant (75) 4:2;5:3;25:13;30:15; 37:15;42:23;53:5,10; 58:18;60:17,22;61:3; 69:2;72:6;73:11;75:4, 13;76:13;77:2,24;78:1,2, 11;81:16;82:3,5,7,10,22; 83:8;86:3;87:15;91:9, 21;92:13,15,18,21;93:5, 13,18;94:2;95:1,8; 96:21;97:13;98:3;99:13, 24;102:22;103:11,24; 104:5;109:15;110:9; 112:11,16,17,23;113:1, 6,12,13;114:3,5;115:17; 117:14;121:7;124:10, 13;125:17,19;126:5; 128:7;131:2</p>	<p>applicants (1) 114:24</p> <p>Applicant's (18) 26:5;30:3;38:2,18; 44:4;45:4;48:7;60:12; 68:16;73:20;76:10;79:1; 83:2;91:9;94:10,19; 101:9;124:6</p> <p>application (35) 32:7;33:23;34:6,19; 53:15;84:20,22;85:13; 86:1,7;89:7,9,15,20,24; 90:2,11;91:21,24;92:3,5; 93:3;94:17;96:16,18,23; 101:3,7;106:4;110:13; 113:9;117:1,12;127:3; 132:3</p> <p>application's (1) 76:24</p> <p>applied (1) 98:1</p> <p>apply (4) 26:11;91:11;97:9,24</p> <p>approach (5) 20:8,11;91:4;94:22; 111:20</p> <p>appropriate (9) 10:24;27:8;55:13; 71:6;72:11;78:5;81:7; 98:18;100:8</p> <p>appropriately (3) 31:4;66:7;128:8</p> <p>approve (1) 78:24</p> <p>approved (2) 30:20;78:18</p> <p>approves (1) 108:7</p> <p>approximately (6) 28:10;41:22;42:15; 45:8;61:12,18</p> <p>April (2) 89:14,15</p> <p>apt (1) 45:23</p> <p>aquifer (16) 21:11,12,14,17,21; 22:19;23:7,19;24:3,4,8, 10,19;25:1,15;71:23</p> <p>archeological (3) 103:14,17,21</p> <p>archeologically (1) 103:22</p> <p>archeology (1) 83:24</p> <p>area (26) 9:24;12:24;16:23; 17:24;18:3,5;19:10; 23:24;30:22;34:8;39:14, 20,22;40:3;41:4;42:11; 48:11,22;49:11;65:23; 68:9,9;84:4,13;102:20, 23</p>
--	---	--	---	--

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

areas (4) 16:17;83:22;96:4; 103:22	7:16;33:22,23;38:1; 44:3;108:14	114:20,24	begin (1) 82:21	58:6;66:8;71:24
argued (2) 73:23;82:22	Attorney (11) 34:17;102:17;107:12; 108:11;109:1;112:10;	balancing (1) 114:18	beginning (4) 8:21;74:21;107:20; 127:3	body (2) 110:4,6
arguing (1) 124:24	121:17,24;122:6;130:6; 131:2	balloons (2) 45:18,22	behalf (2) 72:10;102:22	BOISVERT (1) 130:24
argument (8) 73:19;74:11,19;75:1; 83:3;125:7;127:5,10	August (4) 9:17;55:16;56:2,20	bare (1) 15:9	behoove (1) 106:16	bones (1) 15:9
arguments (6) 121:14;123:9;126:15, 18,18;127:15	authorities (1) 111:15	barrier (2) 21:24;23:5	believes (2) 102:21;104:6	both (5) 22:22;61:18;78:21; 107:15;108:2
arisen (1) 79:17	authority (3) 79:6;100:7;104:12	base (1) 77:6	believing (1) 49:14	bottom (4) 18:4;38:11,23;45:9
Army (21) 81:17,24;84:10;91:10; 101:5,10,12;102:11,13, 18,21;103:4;104:8; 105:9;109:10,11,16; 110:15;112:17,18;113:8	availability (1) 8:19	based (15) 10:5;14:17;27:6; 28:11,13;29:12;30:4; 45:11;95:17;109:7; 113:3;118:14;124:19; 126:8;127:15	bells (1) 15:11	bought (1) 13:9
around (5) 15:1;39:5;57:5; 112:21;123:21	available (6) 6:9;73:15;79:15,19; 91:20;122:1	basic (4) 49:15;83:14;93:8,9	below (2) 39:1;69:7	Bridge (4) 13:14,14;49:4;101:18
arrive (1) 12:17	average (3) 45:2,12;46:13	basically (16) 9:16,24;10:18;11:23; 15:9;23:6;24:3;29:2; 38:3;39:16;40:10;63:2; 65:7;76:14;82:10;90:13	bench (1) 123:19	bridged (1) 101:20
arrived (1) 61:18	avian (3) 29:12;88:20;111:12	bat (2) 119:15;128:17	bend (2) 35:16,20	brief (4) 75:2,7;128:8,9
articulate (1) 4:23	avoid (1) 59:15	bath (2) 52:16;107:8	best (9) 26:4;35:10;50:17; 51:1;55:22;56:9;66:11; 113:7;129:20	briefing (1) 128:12
articulated (1) 85:14	await (1) 132:8	bathrooms (1) 52:17	better (9) 14:21;55:19,20;56:7; 57:13,17;94:17;109:20; 122:20	bring (5) 5:7,11;33:6;55:10; 77:20
aspect (3) 65:20;89:11;101:23	aware (5) 67:23;72:14;84:11; 104:23;129:13	bats (1) 88:21	beyond (6) 36:17;37:6;49:6; 69:20;70:11;113:9	brings (2) 25:2;112:2
aspects (1) 92:5	away (3) 13:21;66:4;85:8	beach (6) 18:5;39:1,2,14,20; 41:4	big (2) 21:20;60:20	broadly (1) 67:21
assertion (1) 108:11	awry (1) 104:11	beacons (1) 34:20	bigger (1) 14:5	brook (4) 18:7;19:14,14;24:14
assess (1) 94:5	aye (4) 119:4,5;131:14,15	beam (1) 34:4	Birchview (4) 42:6,14;43:9;49:3	brought (4) 33:1;59:4;64:22;83:9
assessment (1) 20:8	B	bear (2) 97:2;104:5	bit (26) 9:14,19,20;10:5,8; 13:20,24;14:8,12,13,18; 15:1,3;18:22;20:12; 39:8;49:11;51:17;53:3; 56:2,3;73:3;93:8;98:24; 104:10;121:18	Brown (1) 71:16
assistance (1) 84:10	babbling (2) 18:7;19:8	bears (1) 69:4	blame (2) 111:3,5	built (2) 40:23;131:24
assisting (1) 6:23	baby (1) 107:8	became (1) 85:5	blaming (1) 111:11	bunch (2) 57:19;93:23
associated (18) 80:14;83:23;86:19; 95:19;98:11;99:16; 119:15;120:3;123:23; 124:1,15,20,23;125:5,8, 13;126:19;127:11	back (28) 4:4;14:24;15:9;22:8, 18;25:23;27:6;38:8,15; 40:23;59:18;63:4,18; 79:12;80:9;81:5;82:10; 87:10;92:2;97:16;98:19; 99:1;106:15;109:19; 111:14;116:9,12;129:22	becky (1) 71:16	Blais (1) 71:16	burden (5) 86:4;91:18;93:14; 95:7;106:24
assume (2) 14:3;117:17	background (2) 20:16;89:17	become (1) 79:19	blaste (1) 111:11	Bureau's (1) 77:6
assuming (1) 81:7	backwards (1) 128:15	bed (1) 37:22	blasting (5) 23:23;24:11;25:13,22; 26:4	business (11) 9:1,5;10:19;11:9; 20:24;30:22;55:20; 57:18;63:13;122:3; 129:19
assurance (1) 110:10	bad (1) 111:1	bedrock (3) 24:19;25:7,8	blank (1) 22:8	busy (2) 16:20;52:4
attempt (1) 57:17	Baker (17) 4:18;14:17;17:17,18, 22,24;18:11;19:12; 22:19,20;23:11,13; 24:14,20;38:22;48:12; 61:3	bedroom (1) 27:5	board (3)	busyness (1) 59:19
attend (1) 57:6	balance (2)	bedrooms (1) 26:17		Buttolph (35) 4:7,8,13;5:18;6:11; 22:5;31:23;70:24;71:1, 9,11,12,14,18,19,21,24; 77:14;82:17,18;86:13; 87:5,14,21;88:22;91:17; 92:8;93:16;94:18,24; 95:2,24;96:6;105:12;
attention (6)		Beebe (8) 53:10;89:19;92:17; 96:12,21;97:6;98:5; 118:11		

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

107:10 Buttolph's (5) 78:7;91:2;116:21; 117:11;118:24 buying (1) 13:13	59:24;60:4,5;63:7,15; 67:9,12;72:5,9,20;85:13; 86:15;90:9,11,24;92:13, 21;100:24;102:23; 104:6;105:8;107:4; 108:6;110:17;112:1; 113:2,7;114:7;120:2; 122:17;123:9,10;124:2; 127:8;128:8,14	certificating (2) 96:24;125:17 cetera (2) 97:12,18 Chair (2) 89:15;130:18 CHAIRMAN (120) 4:3;5:9,20;6:1,7,12,15, 17;22:5;31:15,17;33:13, 18;34:17;43:16,23; 47:19,20;58:14;67:18; 68:15;69:9,10,14,16; 70:4,6,23;71:2,5,8;72:3, 9,18;73:7,24;75:3,11,15, 19;76:5,12,18;80:4,12, 17,21;81:1,10,21;82:4,6, 8,16;83:6;86:8,18;87:3, 12,18;88:2,3;90:8; 94:23;95:14;96:9;98:9, 17;99:3,6,15;101:14; 105:12;107:2;109:24; 112:8;114:14;116:12; 117:8;118:1,4,8,18; 119:6,8;120:20;121:3, 16,21;122:14;123:1,3, 12,17;124:2,4,18; 126:12,17,21;127:6,22; 128:2,4,10;129:11,18; 130:2,5,11,16,20,23; 131:11,13,16,18,22; 132:5,7 Chair's (1) 89:13 challenging (1) 18:19 chance (8) 10:9;33:1,12;44:23; 56:21;72:23;94:24; 120:5 change (10) 59:12;69:12;78:16,20; 83:8;86:12;90:19;93:10; 99:14;112:7 changed (5) 43:4;90:12,21,24; 118:22 changes (5) 4:22;89:22;91:4;93:2, 6 characterize (2) 116:19,21 characterized (1) 119:12 chat (1) 64:2 Cherian (11) 20:21;21:5,55;6,15; 56:13;57:11;58:7;72:24; 79:15;97:15;107:20 CHERYL (8) 4:9,11,16,17,19;55:17; 56:10;57:8 children (1)	61:15 chose (2) 48:17;107:24 circle (3) 13:5;36:15,17 circumstance (1) 17:1 circumstances (7) 90:13,19,22,24;95:7; 113:12;118:22 city (2) 52:13;53:4 clarification (1) 105:13 Clark's (2) 19:14;24:14 class (2) 18:16,17 classic (1) 111:1 clause (1) 68:4 clean (1) 52:15 cleaning (1) 61:15 clear (3) 73:11;75:6;77:10 cleared (1) 107:18 clearly (7) 8:22;50:13;84:15; 85:14,19;86:4;98:23 client (5) 72:10;81:6;112:14,21; 113:1 clients (1) 113:3 climbers (2) 12:11,13 clock (1) 84:24 close (11) 50:22;64:8,9;65:3; 117:11,16;118:24; 122:2;129:19;131:21; 132:8 closer (1) 39:13 closest (3) 59:6;65:4;70:8 closing (2) 116:22;118:15 collection (1) 89:17 colored (1) 48:8 colors (1) 22:16 Columbus (1) 9:21 combination (2) 29:8,9	comfortable (1) 118:13 coming (6) 12:14,22,23;27:6; 92:12;123:10 comments (2) 96:6;118:19 Commission (1) 32:18 commitment (2) 95:10;114:3 Committee (65) 4:5;25:11;26:11;30:1; 35:3;47:17;48:9;65:9; 69:2;74:17;76:20;78:6, 13;79:11,17;80:1,8; 84:7;85:10,19,24;86:2,6; 89:6;92:14,15;93:13; 95:16;96:13,16,18,23; 97:2,24;99:24;100:3,4, 12,23,24;101:8;102:5; 103:5,6,9,15,20,23; 104:5,14;106:12,20; 108:15;113:8,19,22,23; 116:15;117:21,23; 120:18;121:7;123:9; 125:11;129:12 Committee's (7) 33:22;77:18;81:8; 97:7;101:20;111:21; 125:22 committing (1) 67:24 communicated (1) 112:12 companies (1) 66:6 company (3) 7:7;65:6;72:24 compared (2) 18:18;107:12 compelled (3) 82:23;83:4;85:24 competing (1) 122:15 competitors (1) 67:11 compiling (2) 129:12,15 complained (1) 16:14 Complaint (1) 71:15 complaints (2) 17:2;78:2 complete (8) 69:8;80:2;85:13;90:1, 11,20;92:6;103:13 completed (3) 103:24;112:6;116:13 completely (3) 9:17;93:2;107:5 completeness (2)
C	Canada (3) 12:10,14,21 cancelled (1) 21:4 capability (1) 87:24 carbon (1) 129:5 care (2) 113:15;119:18 carefully (2) 72:19,22 cars (1) 19:24 case (26) 16:7;20:11;22:1;37:1; 88:5;90:13;96:14,24; 97:2,20,24;98:1,10; 99:18,20,22;100:13; 103:6,9,20,23;104:2,2; 105:2;108:15;110:13 cases (2) 101:6;108:2 case-structuring (1) 92:1 catch (1) 129:15 cause (2) 22:16;124:18 caused (3) 13:6;58:1,8 cautioned (1) 4:10 Caves (2) 35:13;36:10 certain (6) 28:8;39:10;74:4; 108:15;114:4,19 certainly (18) 10:7;25:19;85:1,4; 87:23;88:1;95:3;105:21; 106:6,20,20,24;109:4; 116:24;122:16;124:21; 125:21;130:20 certainty (1) 110:10 certificate (10) 84:21,23;94:11,19; 100:8,13;103:10;104:3; 110:14;115:12 certificated (4) 97:18;125:8,11;126:4 certificates (1) 101:9			

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>90:2;92:3 complied (1) 97:13 complies (1) 81:8 comply (3) 103:12;104:19;105:1 complying (1) 98:7 computer (1) 8:7 concede (1) 98:18 concept (1) 93:9 concern (13) 23:23;24:12;25:16; 55:2;58:1,8;63:9,19; 64:6,18;83:19;86:21; 101:15 concerned (11) 21:15;24:5;28:21; 44:20;49:1;54:19;63:2, 4;74:17;119:16,19 concerning (3) 76:22;82:11;100:14 concerns (18) 25:15;29:16;30:7,8; 31:6;44:5;49:14;53:24; 54:16;55:21;57:13;63:1; 66:5;70:14;102:10; 104:7;105:9;114:9 concert (1) 103:3 conclusion (1) 103:4 conclusions (1) 76:22 concur (2) 122:5,11 condition (5) 74:14;100:13,24; 103:10;113:13 conditioners (3) 15:9,17;50:3 conditioning (1) 16:13 conditions (8) 78:21;101:8;102:1; 105:10;110:11,17; 111:21;113:11 conduct (3) 79:23;91:13;94:7 conducted (3) 5:2;103:3;120:8 conducting (1) 130:14 confer (2) 122:2;129:23 conference (6) 33:1;77:12;81:18; 102:18;109:9;122:9 conferences (1)</p>	<p>120:10 confident (3) 105:8;114:7;129:16 confidential (4) 10:21;11:2;66:9;69:3 confidentiality (11) 6:6;10:23;64:13; 65:14,20;66:21;68:11; 69:6,8,17;72:7 configuration (1) 59:8 confusion (2) 58:1,8 connecting (1) 83:23 connection (1) 124:8 Conservation (1) 32:18 consider (11) 9:15;21:9;26:2;31:3; 98:1;105:23;111:13,16; 115:1;116:8;119:12 considerably (1) 106:2 consideration (2) 118:23;120:12 considerations (4) 114:19,22;122:15; 131:6 considered (4) 18:19;26:17;70:17; 98:11 considering (4) 61:14;85:21;96:16,18 consistent (4) 57:9;58:10;79:24;96:1 consists (1) 76:21 constantly (1) 85:6 constitutes (3) 124:20;126:19;127:11 construct (2) 96:16,18 constructed (2) 62:19,23 construction (13) 8:19;13:11,22;29:15; 67:8,9,12;72:17;78:24; 79:1;89:11;100:3; 101:23 consult (2) 72:23;112:19 consultant (1) 91:9 consultants (2) 30:4;33:6 consultant's (1) 84:2 consultations (1) 103:11 consultative (1)</p>	<p>101:12 contact (1) 14:14 contacted (1) 84:10 contain (1) 89:8 contained (1) 79:9 contaminate (1) 21:16 contaminated (1) 25:21 contamination (2) 24:2,6 context (2) 102:11;114:23 continue (5) 95:11;103:11;107:6; 130:12,17 continued (1) 119:10 continues (1) 49:5 continuing (2) 73:8;74:22 contrast (1) 128:21 control (5) 63:16;93:5;100:7; 108:4,5 controlling (1) 51:6 convenient (1) 79:12 cooler (1) 16:11 cooling (1) 16:10 Co-Op (4) 77:24;90:17;125:2; 126:2 cooperation (1) 65:18 Cooperative (1) 96:11 Cooperative's (1) 77:21 Co-Op's (2) 100:17;126:3 coordinated (1) 131:6 copies (3) 22:13;55:10;103:14 copy (9) 26:15;31:24;32:22,24; 38:11;55:9,13;69:9,13 corner (2) 33:16;37:17 Corps (24) 81:17,24;84:10;91:10; 101:5,10,12;102:11,13, 18,21;103:4;104:8;</p>	<p>105:9;109:10,12,16; 110:15;112:17,18,22,22, 24,24 Corps' (1) 113:9 corrections (1) 72:1 correctly (9) 20:14;25:12;36:24; 59:13;71:10;74:2;76:13; 96:23;112:20 correlation (1) 29:14 corresponded (1) 59:16 correspondence (1) 56:19 corridor (3) 97:4;98:4;126:3 Couch (1) 7:23 Counsel (18) 35:17;36:4;52:6;54:1; 75:23;76:16;77:13; 108:15;115:19;116:1,4, 6,14,14,15;117:21; 120:11;121:11 Counsel's (2) 54:7,11 count (1) 77:13 couple (10) 35:23;39:17;69:12; 75:18;82:11;90:16,23; 93:24;94:9;105:13 course (7) 26:6;53:16;79:18; 81:7;82:19;83:15;101:8 Court (3) 4:10;58:23;62:1 cover (1) 46:20 covered (4) 13:14,14;126:15; 131:23 covers (1) 13:22 created (1) 7:12 creating (1) 106:19 credits (1) 94:14 criteria (2) 58:19;126:7 cross (2) 6:10;58:22 cross-examination (5) 4:6;5:19;6:19;31:18; 79:23 cross-examining (1) 110:22 cross-section (2)</p>	<p>27:16,19 cross-sections (1) 128:21 Cruise (3) 20:1,2,2 cultural (4) 84:2;103:8;110:5,7 curvy (1) 38:23 customers (1) 40:18</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>dark (1) 23:6 data (18) 52:6;53:5;54:1,7;61:4; 69:2;77:6;93:23;121:6; 124:5,9,12;126:24; 127:8,23;128:6;129:9; 130:10 date (13) 7:14;21:2;47:17;60:5, 9;61:21;92:23;93:3; 97:16;121:12;123:13; 128:5;132:9 dated (2) 83:20;89:14 dates (7) 10:14;59:14,20;60:2, 6;95:4,8 Day (25) 9:21,21;17:18;27:15; 43:18;44:19;50:10;52:5, 18;56:2,2,13,17;59:23; 61:15;62:10,11,15;81:5; 87:1;88:10;93:2;109:13; 110:23;129:13 days (19) 8:7;9:23;10:1,2,16; 56:9,20;59:23;75:18; 79:11;84:19;86:11,16; 93:24;94:9;115:4,6; 118:20;122:17 dB (1) 20:14 dBs (1) 20:15 deal (5) 76:8;80:13;90:12; 113:6;119:10 dealing (2) 50:16;115:5 dealt (2) 91:23;113:19 Dear (1) 56:20 debate (1) 76:7 December (1) 87:1 decibel (1)</p>
---	--	--	--	---

27:4 decibels (1) 59:4 decide (1) 111:16 decided (1) 97:3 deciduous (4) 46:21,22,23,24 decision (7) 78:22,23;93:13;100:8; 113:23;118:14;125:1 decommissioning (8) 88:9,13;95:21;113:17, 20;114:1,4;119:13 decreases (1) 47:1 deem (1) 90:20 deep (3) 25:5,5,8 deeper (1) 14:13 Deerfield (2) 26:12;27:4 deficiencies (1) 84:5 definite (1) 13:16 definitely (2) 11:2;131:24 definition (3) 74:11;99:16;119:24 definitive (1) 120:1 degree (1) 105:19 degrees (1) 34:4 delay (2) 85:19;105:15 delays (5) 13:7;14:2,2,4;54:22 deliberate (2) 117:1;123:15 deliberation (4) 92:9;107:10;111:23; 123:10 deliberations (7) 115:9;116:23,23; 119:1;123:14;124:17; 132:10 delivered (1) 131:1 demonstrate (2) 126:5,10 demonstrates (1) 23:3 denied (3) 83:1,4;100:4 deny (7) 84:20;86:7;115:12; 117:12,17,24;118:24	denying (1) 94:18 Department (5) 17:9;78:18;81:19; 82:1;110:7 depending (2) 76:8;106:17 depends (4) 11:16;12:21;61:13; 125:7 depiction (1) 71:23 DES (11) 25:14;67:14;78:22,23, 23;79:1,6;83:20;101:24; 120:3;122:21 describe (1) 89:4 described (2) 19:17;76:24 description (1) 71:21 descriptive (1) 36:7 design (2) 72:16;92:15 desire (1) 107:5 detail (3) 84:13;127:7,10 details (2) 26:7;97:19 determination (2) 110:8;118:17 determinations (2) 102:4;125:12 determine (5) 78:19;97:7,9;115:8; 122:18 determined (1) 84:8 determining (1) 20:15 developed (3) 88:15,17;90:7 developer (1) 67:24 developing (1) 123:21 development (9) 88:14;89:2;97:8,22; 98:2,7;108:12,24;126:11 devil's (1) 26:6 DHR (46) 84:6,8,9,16;86:14; 88:16;91:7;102:2,3,13; 103:11,14,17,23;104:6, 7,12,22;105:2,4,8,18; 106:1,14;109:6,7,12,16, 18,18;110:1,2,14,21,21; 112:12,17,18,19,21; 113:1,2,4;114:8;122:21;	131:6 DHR's (3) 84:4;104:7,10 diagonally (1) 37:18 dies (1) 52:3 difference (4) 18:14;108:20;124:19; 127:19 differ (10) 16:22;46:10;51:13; 57:4;87:22;90:15; 101:24;102:2;105:3; 108:2 difficult (16) 9:14;12:5;28:13; 29:10;30:6,11;32:24; 39:24,24;53:20;66:2; 80:7;85:11;93:12; 106:19;122:3 difficulties (1) 8:6 difficulty (1) 129:21 digest (1) 79:9 dimensions (1) 124:9 diminished (1) 30:8 diner (4) 19:18,20;36:5;70:11 direct (5) 4:5,12;33:22;38:1; 44:3 direction (1) 12:7 directives (1) 104:18 directly (4) 12:23;35:12;38:16; 40:11 disappear (1) 31:11 disappointing (1) 95:3 disclosure (1) 79:24 discounted (1) 47:13 discovery (3) 87:6;103:7;120:7 discuss (10) 8:24;11:3;14:11; 20:23;21:6;56:21;57:2, 14;102:14,19 discussed (1) 50:1 discussing (2) 67:2;74:13 discussion (9) 28:3;47:11;57:20;	102:21;116:16;117:4; 118:6;119:2;130:23 discussions (1) 131:11 dismiss (2) 93:16;115:12 dismissing (1) 94:17 dispute (3) 47:11,15;124:16 disregard (1) 109:19 disrupt (1) 85:18 disrupting (1) 27:2 disruptive (1) 85:21 distance (6) 36:9;37:8;42:16;43:4, 5;125:15 distinction (2) 98:9,12 distinguish (1) 51:10 distribution (11) 37:16;82:12;86:19; 89:18;95:20;96:11,17, 20;98:14;99:18;126:3 disturbed (1) 83:22 Division (6) 84:6;101:11;102:9,15, 19;131:2 DMR (1) 91:10 Docket (9) 4:5,20;47:6;96:17; 99:23;100:12;105:3; 116:13;121:23 document (9) 32:9;38:5;54:13; 60:13;65:22;66:1;75:14; 131:4,8 documented (1) 83:21 documents (2) 70:2;77:11 done (20) 8:23;24:11;29:10,17, 21,23;67:13;86:4,10,11; 87:11,17;90:4;91:4,5,6; 93:7;103:16;123:11; 125:24 down (30) 12:19;13:1;17:15; 18:3;31:3;36:15,16; 37:3,16,17;39:20;41:4,8; 43:9;46:10;50:18,21; 52:3,15;59:4,23;65:18; 69:18;76:23;77:20,23; 98:15,21;108:16;118:11 downstream (4)	18:15;24:13,15,16 downwards (1) 41:22 Dr (10) 31:7;58:15,16;60:14, 24;102:24;105:1; 114:10;118:3,5 draft (1) 113:18 draw (1) 22:20 drawing (2) 24:5;115:20 drink (1) 17:13 drinking (2) 25:5,21 drives (1) 114:16 dropped (1) 42:23 due (6) 25:22;48:20;83:10; 84:2;94:6;110:24 duly (1) 4:9 Dupee (6) 70:5,6,7;118:7,8; 130:22 during (11) 9:18;16:1;40:9;44:19; 48:5;50:10;52:5;53:15; 58:22;79:17,20 duty (1) 110:4
E				
E1 (5) 42:24;43:18,24;44:1; 131:24 Earlier (12) 5:9;25:19;34:8;50:11; 66:21;71:12,18,24; 81:15;109:19;118:20; 124:19 early (2) 84:12;107:20 earn (1) 10:24 easier (3) 30:2;35:18;54:12 easy (1) 85:7 economic (3) 5:3;14:15,16 Ed (4) 55:22;56:6,20;57:22 edge (3) 19:7;36:16,22 effect (6) 27:23;34:2;97:8; 101:17;104:15;114:12				

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

effectively (2) 116:20;122:6	122:7	12:4;13:17;16:5; 32:24;43:11;46:11,12; 49:16;52:10;53:4;69:22; 73:18;79:6;83:13;86:9; 18:90:1;93:22,22;99:20, 21;102:3,8;108:23; 110:2;112:6	68:14,16;69:1,4,15;71:7, 11,14,21,24;72:7;75:18, 22,22,24;76:7,11,14,21; 77:3,16;79:9,22;82:7; 86:22;89:5;92:13;99:2; 102:17;128:23;129:8	facilities (24) 8:20;80:14;86:19; 95:19;97:17,20;98:6,8; 99:13;100:20;114:21; 119:15;120:4;123:23; 124:1,15;125:2,3,8,13; 126:4,6,10,20
efficient (2) 6:24;85:18	84:21;90:7;114:21	Engineers (5) 81:17;82:1;84:10; 101:5,10	Exhibits (9) 4:2;54:11;71:10;72:2; 77:11,14;78:11;82:9,11	facility (17) 73:16,17;83:15;84:21, 23;89:12;96:19;98:12; 99:17;101:24;124:20, 23;125:5,9,18;127:11,18
effort (1) 77:17	England (4) 99:11;100:14,18; 101:4	England (4) 99:11;100:14,18; 101:4	exist (1) 87:22	fact (13) 15:7;31:1;39:5;42:22; 43:4;46:3;47:6,13;79:2; 80:15;105:23;113:2; 124:11
efforts (1) 102:22	enough (7) 51:19;72:22;78:9; 92:13;94:2;118:12; 119:18	evenings (1) 129:14	existing (3) 83:23;97:4;98:4	factor (1) 48:18
either (3) 73:3,16;121:10	enter (1) 21:20	event (4) 11:20;13:11;40:10; 60:1	expect (6) 11:9,12;13:21;81:1; 120:13;131:8	facts (1) 79:24
ejected (1) 17:5	entire (5) 11:21;25:20;28:8; 42:13;87:15	evergreens (2) 29:7;46:22	expectation (2) 57:20;86:23	fail (1) 117:19
elected (1) 78:1	entities (1) 128:20	everybody (3) 39:12;52:18;123:5	experience (5) 17:22;18:13;93:4; 95:17;103:2	failure (1) 89:23
electric (6) 15:18;39:21;77:21; 90:17;96:11,19	entitled (5) 33:14;69:5;71:14; 111:6,17	everyone (6) 4:4;79:13,22;82:19; 106:12;132:11	experienced (1) 13:2	fair (11) 26:20;42:24;50:9; 54:3,16,18;55:2;95:13; 111:2,6;120:13
electrical (2) 89:17,18	environment (2) 97:11;114:21	everyone's (1) 98:19	experiencing (1) 14:1	fairly (9) 17:12;18:21;64:8; 88:4,14;90:4;93:11; 108:7;109:13
electricity (5) 41:5,8,13,15,16	Environmental (3) 78:18;83:12,13	evidence (3) 76:7;111:7;114:10	expert (5) 34:7;47:3;111:12,15; 112:20	faith (1) 85:2
elevation (1) 18:14	equipment (3) 46:5;62:2;125:18	exact (4) 7:14;29:21;36:9;62:12	experts (1) 93:20	fall (1) 11:22
Eligibility (1) 84:7	equity (1) 31:9	exactly (8) 25:9;53:20;66:3; 99:19;100:19;105:16; 123:24;128:13	explain (4) 29:12;38:7;39:11;75:4	familiar (5) 48:3;53:9,12;64:4; 70:1
eliminate (1) 55:1	Erika (1) 81:17	exam (1) 110:23	explained (1) 69:7	family (1) 95:10
eliminates (1) 48:19	erosion (1) 25:22	EXAMINATION (2) 4:12;79:13	explanation (1) 129:4	far (5) 11:17,19;89:24;94:17; 112:6
else (9) 67:15;69:13;70:4; 72:24;75:8;107:3; 118:18;131:20;132:5	errata (1) 130:7	example (9) 13:5;73:13;87:7;88:1; 91:7;101:5;103:6; 106:11;125:14	express (3) 63:20;65:6;113:10	farm (6) 12:2;37:2,6;66:6; 81:20;83:23
e-mail (17) 5:1,22;55:5,9,15;56:1, 14,19;58:11;71:13,15; 81:16;102:17;109:8,10, 11,17	erred (1) 57:18	exceeded (1) 101:7	expressed (1) 85:2	farms (1) 31:5
e-mailed (2) 21:1;80:19	error (1) 71:19	exceeds (1) 101:2	extend (1) 57:7	fashion (2) 90:5;94:6
emergencies (1) 128:16	essentially (4) 91:24;93:2;118:14; 123:6	exception (1) 97:21	extension (1) 36:23	fast (2) 18:21,23
emergency (3) 82:20;105:14;128:16	established (2) 34:24;107:17	Excerpt (2) 69:5,7	extent (9) 69:19;74:5;75:3;95:6; 105:19;108:15;120:7; 125:7;127:8	fault (3) 91:5,14;107:19
empathize (1) 107:5	estate (2) 106:13,17	exchange (4) 55:5,9,58:11;124:19	extra (2) 16:21;69:13	favor (2) 119:3;131:13
employ (1) 30:16	estimate (2) 9:11;43:7	exclusively (1) 40:14	extras (1) 69:12	FEA (1) 34:5
employment (2) 4:17;85:9	et (2) 97:12,18	Excuse (3) 47:9;111:3;116:2	face (2) 74:10,16	fear (3) 25:24;30:9;63:10
empties (1) 24:14	evaluate (2) 86:1;94:5	excused (2) 71:3,4	F	feasibility (5)
end (18) 9:16;18:14,15,18,20; 33:24;57:16;63:22; 91:17;94:11,12;106:8; 107:21;108:22,22;117:3, 14;120:15	evaluated (3) 83:24;85:13;97:20	executed (1) 113:22	FAA (3) 28:3;33:21;34:5	
endeavored (1) 72:20	Evaluation (2) 4:4;99:24	exercise (1) 85:9	FAA-approved (1) 34:9	
ended (1) 132:12	evaluations (1) 76:22	Exhibit (56) 5:7,12;6:1;7:2;21:19; 22:7,8;31:23;32:5;33:9, 9;35:18,19;38:2,18; 44:5;45:4,5;48:7;50:11; 52:7;54:5,6,8;55:11;	FAA-compliant (2) 30:16;34:21	
ends (1)	evaluative (1) 103:2			
	even (26)			

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

107:17,23;108:1,9; 112:5 featured (1) 34:18 features (1) 89:16 federal (8) 89:10;101:1,22; 112:14,22,23;113:14; 114:8 feel (8) 31:3,6;51:20;65:6; 95:22;109:20;114:7; 118:13 feelings (1) 56:8 feels (1) 90:6 feet (6) 25:12;29:2,6;41:23; 42:9,13 felt (4) 14:19;64:19;103:1; 108:13 festival (1) 46:18 few (14) 5:4;8:7;15:12;19:4; 28:15;39:23;41:3;50:1; 51:18;62:24;64:4;79:11; 86:16;107:11 field (2) 37:3;45:11 fifty-two (1) 10:1 fight (1) 65:5 figure (7) 11:14;32:3,8;46:15; 60:3;91:11;104:11 figures (1) 10:4 figuring (1) 116:18 file (4) 103:22;111:16; 129:24;130:13 filed (8) 4:19;53:16;82:20; 93:3;99:23;102:4; 105:17;113:19 filing (6) 53:11,21;77:1;122:21; 126:14,20 filings (3) 123:16;132:8,10 fill (1) 73:9 filled (1) 10:16 final (9) 29:23;79:2,6;88:10; 100:1;110:23;112:3,5;	113:20 finalized (1) 112:2 finally (3) 106:15;108:23;110:20 finances (1) 66:23 financial (5) 8:20;65:5;72:16; 94:15;128:19 financials (2) 11:5;129:22 find (14) 8:5;14:12;21:12; 29:10;47:10;54:12; 55:22;67:1;80:8;104:13; 105:4;110:4;117:19; 122:9 finding (2) 89:19;101:16 fine (2) 56:18;107:22 finish (2) 93:10;110:2 finished (1) 112:2 first (21) 5:21;8:22;31:22; 33:20;38:8,18;48:10,13; 49:2;52:14;66:15;76:6; 88:7,8;89:16;90:3; 92:24;96:10;101:20; 116:20;117:2 Fish (14) 80:15,18;81:11;82:5, 13;83:16;86:21;87:7,12; 88:19;95:20;111:10,11; 119:14 fit (1) 56:10 fits (1) 81:8 five (4) 17:11;51:15;107:7; 123:1 fix (1) 63:15 fleshing (1) 109:2 flicker (1) 34:10 flights (2) 44:19;46:15 flooded (2) 59:16;61:24 flooding (2) 40:9;60:1 flow (3) 17:21;22:1;61:4 flows (1) 24:19 fluid (1) 103:9	fly-in (1) 46:4 fly-ins (5) 46:2,8,12,14,16 focused (1) 72:15 focusing (1) 90:14 foliage (2) 46:24;47:6 folks (1) 129:23 followed (3) 26:5,7,9 following (3) 66:11;83:21;122:12 follow-up (1) 67:19 food (1) 46:19 footprint (2) 92:16;96:22 force (1) 104:15 forced (1) 131:10 forest (2) 48:18,21 Forests (1) 33:16 forget (1) 18:16 forgot (2) 59:18,19 form (5) 7:4;84:4,13;102:20,23 formal (2) 20:19;55:18 formally (1) 78:19 former (2) 13:17;73:18 forming (1) 116:17 forms (2) 21:24;50:8 formulate (1) 47:21 forth (2) 96:22;98:23 forward (9) 59:5;65:10;86:1;92:2, 4,11;95:11;105:8; 106:18 found (3) 8:8;100:4;114:19 four (9) 11:21,22;45:10;61:20; 75:16;88:4;119:12; 123:22,22 Fourteen (1) 123:1 Fox (3)	49:7,8,12 frame (7) 85:14;95:18;106:5; 109:4;117:14;118:21; 122:19 frames (1) 121:15 frankly (1) 74:9 free (1) 75:9 freeze (1) 19:12 freezes (1) 19:15 frequency (3) 14:2;45:1,8 frequently (1) 63:24 Friday (5) 61:8,9;77:13;122:1,22 friends (4) 11:24;12:1,1;64:9 front (2) 38:8;39:11 full (7) 9:17;15:15;16:21; 65:1;79:24;80:1;85:12 full-scale (1) 45:20 full-size (1) 41:2 fully (6) 29:11;88:15,17;98:18, 18;112:13 further (14) 14:19;18:2;36:11,17; 58:13;65:17;69:7;81:3; 93:18;103:18;104:1; 118:6,23;130:18 future (4) 12:3;30:1;65:8;97:16	Geiger (40) 72:5,8,18;75:11; 76:12,19;80:6,20;81:2; 96:5,8,98:16;99:5,8,19; 101:19;107:12;109:24; 112:8,9;119:17;120:14, 16,22;121:8,16,22; 122:13,24;123:17; 125:6;126:16;127:13, 23;128:1;129:2,6,11,20; 132:2 Geiger's (3) 108:11;109:1;122:7 general (5) 47:21;66:5;87:19; 95:24;127:12 Generally (8) 12:20;15:7;16:18; 38:14;40:2;41:17;46:11; 115:2 generation (1) 96:19 generator (4) 15:19,22;51:11,20 generators (9) 15:5,18;16:2,3,6;51:8, 9,13,16 gets (1) 91:24 GETZ (85) 4:3;5:9,20;6:1,7,12, 15;22:5;31:15;33:18; 43:16;47:20;58:14; 67:18;69:10,14,16;70:4, 23;71:2,8;72:3,9;73:24; 75:3,15;76:5,18;80:4,12, 21;81:1,10,21;82:6,8,16; 86:8,18;87:3,12,18;88:2; 90:8;94:23;95:14;98:9; 99:3,6,15;101:14;107:2; 112:8;114:14;116:12; 118:1,4,18;119:6,8; 120:20;121:3,21; 122:14;123:1,12;124:2, 18;126:12,17;127:6,22; 128:2,10;129:18;130:2, 11,20,23;131:11,13,16, 18;132:5,7 GIS (3) 33:14;49:21,21 Game (16) Gittel (4) 5:2,22,24;14:7 Gittel's (2) 14:7;128:24 given (5) 66:1,12;89:22,22; 117:14 gives (1) 108:5 giving (2) 66:4;131:3 goes (9) 19:10;22:19;23:14;
G				
			gag (6) 5:10;6:3,4;8:24;64:12, 22 gainful (1) 85:8 Game (16) 80:16,18;81:11;82:5, 13;83:16,17;86:21;87:7, 13;88:20;91:18;95:20; 111:10,11;119:14 gap (1) 101:18 gather (2) 10:9;118:17 gear (1) 70:17 geared (1) 16:17	

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>29:6;69:20;79:7;113:9; 119:13;124:15 Goland (1) 129:22 Good (13) 4:3,14;6:21;10:6; 31:20,21;33:2;37:24; 52:20;85:2;91:13;95:22; 119:24 good-size (1) 23:4 Goshen (1) 108:18 Goshen's (1) 96:14 grade (1) 111:2 Granite (6) 81:20;99:22;100:12; 105:3;107:13;108:8 grant (3) 117:3,6,16 graph (6) 59:17;60:1,4,6,7,10 graphs (2) 60:15;61:4 gratified (1) 83:6 gravel (5) 25:1,6;35:24;36:13; 71:23 great (4) 18:13;26:21;76:12; 125:14 greater (2) 17:21;115:17 grid (5) 83:24;98:5,8;99:12,12 Groton (20) 23:16,19;34:2;36:12; 68:7,9;69:6;76:19; 77:23;78:3;84:22;88:9; 12:98:15;102:20;104:1; 114:1;119:13;124:22; 128:16 groundwater (3) 22:1;24:19;32:8 group (10) 17:12;39:9;40:10; 77:14;82:20;86:6;95:3; 96:9;99:22;100:10 groups (2) 17:11;128:17 growing (1) 10:18 grown (1) 12:12 guess (24) 5:21;15:1;29:9,11; 31:7;46:13;49:12;58:5; 59:17;65:21;67:6;73:7; 9:80:13;89:21;95:15; 101:14;108:10;110:20;</p>	<p>111:19;116:19;118:19; 119:3;128:3 guidance (1) 126:9 guidelines (6) 84:9;104:14,15,23,24; 105:6 guinea (1) 31:8</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>half (2) 9:6;12:10 Halls (1) 19:14 Hampshire (12) 33:16,17;77:5,21; 78:18;81:19;83:20;84:8; 90:7,17;96:10;104:21 hand (3) 80:22;119:17,19 handed (1) 81:15 handle (4) 15:8,15;39:17;50:22 handled (1) 86:24 hands (1) 81:11 handy (2) 47:15,18 happen (5) 11:22;25:17;30:5; 94:3;106:14 happened (4) 17:16;25:20;93:4;94:1 happy (7) 47:16,24;55:12;58:18; 97:15;109:3;126:21 hard (7) 10:18;13:24;14:3; 32:22;36:8;87:9;106:13 harm (2) 21:16;25:15 Harrington (1) 27:17 haste (1) 131:10 hastily (1) 89:4 head (3) 10:5;52:15;111:22 headings (1) 96:10 hear (12) 19:3,11,20;20:3,5; 44:19;46:12;51:16,22; 63:17;86:10;95:1 heard (8) 27:9;29:1,13;51:2; 78:2;91:8;110:24; 117:13</p>	<p>hearing (19) 20:20;74:3;78:8; 88:11;92:23;93:3;94:7; 20:96:2;108:17;110:24; 111:3,9;116:11;118:15; 120:6;123:19;132:8,12 hearings (18) 82:21;85:22;93:24; 105:15;110:16;116:22; 117:4,11,16;118:22; 119:1,11;129:13;130:12, 14,17,19;131:21 Heartland (5) 5:13;7:4,5,6,19 heavy (1) 62:9 Hecklau (3) 29:1;48:4,11 held (4) 81:18;102:18;104:21; 109:9 help (7) 17:9;21:20;24:23; 35:2;56:7;57:3;110:7 helped (1) 106:11 helpful (4) 29:24;116:17;123:18; 126:23 helping (1) 106:12 Heritage (1) 77:5 Hi (2) 55:16;56:6 high (1) 18:21 higher (1) 28:17 highlights (1) 105:5 highly (1) 85:21 historic (22) 80:14;81:19;82:2; 87:22;89:2;92:20;95:23; 97:10;101:11,16,17,21; 102:19;103:3,8;110:5; 113:6;114:12;119:14; 120:1;125:20;131:3 historical (6) 83:12;85:20;102:9,15; 110:7;114:9 Historically (1) 110:6 Hmm-hmm (11) 9:8;24:17;28:5,24; 37:13;39:3;44:13;56:16; 62:4;64:14;68:5 hold (3) 14:6;93:17;114:2 holding (1) 80:18</p>	<p>holiday (3) 16:20;121:20;122:6 Hollow (8) 23:16,20;36:12;77:23; 78:3;98:15;124:22; 128:16 home (7) 28:16,16,18;29:5; 30:17;52:10;61:18 homes (1) 41:1 homework (2) 87:11;88:1 honest (5) 11:15;29:9;34:7;49:1; 59:17 honestly (3) 8:5;16:7;22:3 hook-ups (1) 50:2 hope (5) 20:6;25:16;26:9; 34:14;57:2 Hopefully (1) 116:8 hoping (5) 5:3;14:11,17;15:1; 60:2 hop-scotched (1) 92:4 host (2) 83:11;89:1 hot (5) 16:8,9;45:18,22;51:19 hour (1) 15:23 hours (2) 16:1;50:13 housekeeping (1) 75:20 houses (1) 52:16 huge (5) 40:24;42:16;49:14; 59:24;65:22 hundred (1) 10:1 hunt (1) 60:20 husband (6) 31:1;50:18;52:16; 56:21;61:17;62:6 hydraulic (2) 21:24;23:4 hyper (1) 90:4</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>Ii (1) 33:24 IACOPINO (35) 22:7,12;24:23;33:13;</p>	<p>43:24;60:22;61:2;68:15, 19,22;69:11;71:5,9; 76:1;80:17,23;81:11,14, 23;87:2,4;102:17;121:4, 5,9,17;123:3;124:4; 126:22;128:4,13;129:3, 7;130:9,16 Iacopino's (1) 130:6 Iberdrola (5) 5:9,15;7:10,21;84:11 Iberdrola's (1) 8:2 idea (6) 11:15;73:8;74:22; 81:3;93:8;110:2 identical (1) 32:19 identification (2) 6:2;103:7 identified (1) 71:10 identifies (1) 24:24 identify (1) 128:17 ignorance (1) 21:12 ignore (1) 107:24 II (2) 32:2,6 imagine (3) 64:15;67:9,12 immediately (1) 21:3 impact (20) 11:12,16;12:3;13:15; 14:4;20:8,15,24;27:20; 30:17,21;34:16;83:13; 98:2;100:1,5;108:3,9; 110:5;125:19 impacted (1) 13:19 impacts (20) 11:11;13:10;14:20; 21:7;31:12;34:20;65:1, 8;79:7;89:2,3;92:19; 97:9,11;98:22;106:10, 13,15,17;126:5 implicated (1) 119:20 important (11) 96:15;97:1,12;99:20, 21;100:22;104:4,17; 112:13;120:4;122:16 imposed (3) 26:12;103:9;105:11 inclined (2) 115:11;117:23 include (6) 99:4,6,8,16;101:11; 108:21</p>
--	---	--	--	---

<p>included (7) 44:4;45:22;46:14; 47:5;71:22;89:16;131:5</p> <p>includes (1) 48:11</p> <p>including (6) 65:9;66:10,10;73:1; 92:19;124:8</p> <p>incomplete (1) 86:1</p> <p>inconsistency (1) 105:21</p> <p>incorrect (3) 49:3,8;58:24</p> <p>increase (2) 12:14;60:1</p> <p>increases (2) 47:1,7</p> <p>independent (1) 110:4</p> <p>indicated (7) 52:7;53:6;62:18,21; 91:2;113:4;124:10</p> <p>indicates (6) 23:15,18,22;37:4; 84:19;102:18</p> <p>indicating (8) 23:9;35:17;36:4; 49:22,23;77:4;119:5; 131:15</p> <p>indication (1) 44:11</p> <p>individuals (1) 68:8</p> <p>Industrial (2) 99:22;100:9</p> <p>industries (1) 104:24</p> <p>industry (1) 104:21</p> <p>information (67) 10:12,22;30:10;32:2, 13;38:3;44:4,10,24; 53:21;60:18;64:20; 65:12,13;69:20;72:15, 21;73:15;74:13;75:13; 77:9,19;78:9,11,14;79:6, 9,11,19;81:4;82:13; 83:16;87:7,23;89:5,8; 92:3;93:12;94:2,5; 97:14;102:14;105:2; 106:1;112:1;118:13,16; 120:4,6;122:20,20; 123:20;124:7,13,16; 125:21,23;126:1;127:2, 12,14;128:21,22,24; 129:16;130:1,3</p> <p>informs (1) 127:9</p> <p>initially (2) 90:15;99:14</p> <p>inputs (1) 106:14</p>	<p>inquiry (1) 91:13</p> <p>instead (2) 102:6;111:22</p> <p>insufficient (2) 84:3,9</p> <p>intended (2) 72:12,15</p> <p>intent (4) 73:1;75:14;102:8; 115:4</p> <p>interactions (1) 90:16</p> <p>interconnect (2) 99:4;125:3</p> <p>interconnecting (2) 98:5;99:9</p> <p>interconnection (19) 88:24;89:24;90:14; 92:16,20;93:1;97:1,17; 98:2;99:10;100:2,20; 101:4;107:14,16,23; 125:4,23;126:3</p> <p>interconnections (1) 107:17</p> <p>interest (9) 63:20;85:17;114:20, 24;115:1,2,8;117:10,22</p> <p>interested (2) 62:22;79:5</p> <p>interesting (1) 17:8</p> <p>interior (2) 26:17;27:5</p> <p>interjects (2) 58:23;62:1</p> <p>interpret (4) 69:24;70:2;74:12;75:6</p> <p>interpretation (4) 68:3;72:11;73:13;74:9</p> <p>interpreting (1) 67:20</p> <p>interprets (2) 73:17,18</p> <p>INTERROGATORIES (3) 58:16;67:18;70:7</p> <p>interrupting (1) 112:10</p> <p>Interstate (1) 25:20</p> <p>intervene (2) 96:15;108:19</p> <p>intervened (1) 108:18</p> <p>intervenor (3) 77:14;86:6;117:3</p> <p>intervenor's (1) 21:3;30:7;56:22;57:6, 15;82:23;85:1,8;110:16; 117:20;120:11;121:10</p> <p>intervenor's (1) 85:24</p> <p>intervenor's (1)</p>	<p>107:5</p> <p>intervention (1) 7:1</p> <p>into (23) 14:22;15:2;24:2,14; 31:1;40:9;46:15;48:19; 61:9;76:7,14;77:9; 90:22,23;91:7;95:11,15; 104:10;110:11;111:5; 116:3,6;120:12</p> <p>introducing (1) 77:11</p> <p>inverters (1) 51:14</p> <p>investment (2) 94:13,14</p> <p>invitation (1) 57:7</p> <p>invited (1) 57:15</p> <p>invoked (2) 66:21;105:7</p> <p>invoking (1) 85:15</p> <p>involve (1) 89:1</p> <p>involved (3) 85:5;101:6;119:21</p> <p>involving (1) 71:16</p> <p>ISO (9) 99:11;100:7,14,18; 101:3;108:4,4,6,7</p> <p>issue (41) 15:21;16:20;31:23; 47:22;50:15;52:3,24; 63:15;69:18;72:19;74:3; 84:20;86:16,20;87:6; 88:14;90:10;91:7;94:21; 95:20,21,23;101:15; 102:1;108:10,19,20; 109:6,21;110:21;113:15, 17;114:1,13,15;115:23; 117:2;119:3,10;123:10; 128:8</p> <p>issued (4) 78:22,23;102:6; 113:23</p> <p>issues (45) 15:2;25:22;50:24; 52:20;66:19,20;72:4; 75:17;78:10;80:14;81:9; 83:7,7,11,13;84:14,15; 85:20;86:14;87:22;88:5; 89:1,23;90:24;91:23; 95:19;105:23;106:7,9; 111:17;113:7;116:4,7, 19;117:15;119:12,15,18; 120:2,9;123:21,22,22; 126:19;128:19</p> <p>items (1) 76:6</p>	<p style="text-align: center;">J</p> <p>Jane's (3) 36:5,11;70:11</p> <p>join (1) 50:20</p> <p>July (3) 71:15;84:5;107:21</p> <p>June (3) 9:16;92:2;107:21</p> <p>jurisdiction (3) 89:10;101:22;111:22</p> <p>jurisdictional (2) 98:17;110:3</p> <p style="text-align: center;">K</p> <p>kayakers (1) 18:19</p> <p>keep (4) 10:11;15:20;50:22; 117:13</p> <p>keeping (1) 85:2</p> <p>Kent (6) 58:15,16;60:14,24; 118:3,5</p> <p>kept (2) 63:12;128:14</p> <p>key (2) 83:21;88:14</p> <p>kilovolt (1) 89:18</p> <p>kind (14) 10:11;15:10;17:10,22; 18:20,24;23:11;26:22; 32:22;41:1;51:5;94:20; 100:20;109:15</p> <p>knew (6) 33:8;52:22;63:1; 82:23;107:20,22</p> <p>knowing (1) 118:16</p> <p>knowledge (1) 67:14</p> <p>known (1) 107:18</p> <p>knows (3) 82:19;104:14;123:9</p> <p>kV (4) 108:22;124:8;125:3,4</p> <p style="text-align: center;">L</p> <p>labeled (1) 49:9</p> <p>labeling (1) 49:3</p> <p>lack (3) 78:10;107:5;113:24</p> <p>laid (1) 115:3</p>	<p>Lake (7) 27:13,13,14,14,20,23, 24</p> <p>land (1) 5:8</p> <p>landowner (10) 8:14,24;65:22;69:6; 72:13;73:12,17,18;74:1, 12</p> <p>landowners (2) 73:2;74:6</p> <p>Lane (7) 42:7,14;43:9;49:3,7,8, 13</p> <p>lanes (2) 49:17,20</p> <p>language (13) 65:14;66:18;67:1,3; 69:3,17,19;72:7,12,12, 22;73:1,10</p> <p>large (9) 12:11;13:11;16:10; 20:4;21:18;53:19;70:17; 71:22,23</p> <p>largely (1) 119:15</p> <p>larger (4) 40:1;46:17;48:12; 63:19</p> <p>last (18) 8:5,8;12:12;27:12; 28:2;30:13,14,23;33:10; 51:15;64:11;75:18; 77:12;78:8;83:10;88:10; 92:22;103:20</p> <p>lastly (1) 88:24</p> <p>late (3) 52:4;83:16;131:3</p> <p>lately (1) 88:19</p> <p>later (6) 47:17;56:2,4,13,20; 98:19</p> <p>law (10) 67:23;69:22;72:14; 74:6,15;89:10;101:22; 102:3;104:15;116:3</p> <p>lawsuit (1) 68:2</p> <p>lays (1) 114:22</p> <p>LBNL (1) 14:10</p> <p>LCC (1) 84:23</p> <p>lead (1) 112:22</p> <p>learn (1) 47:4</p> <p>learned (1) 31:5</p> <p>learning (1)</p>
--	---	---	--	--

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

46:4 lease (7) 5:8;7:4,5,12,15;69:6,8 leases (2) 5:11;73:2 least (21) 12:10;30:16;37:2; 41:22;43:11;46:1;50:22; 53:24;55:1,4,14;62:10; 77:13,15;86:9;88:4; 89:24;91:15;92:5; 100:10;115:19 leave (7) 73:22;74:24;80:8; 92:9,10;123:18,23 leaves (1) 119:10 leaving (1) 17:15 left (3) 40:5;49:7;118:20 left-hand (1) 33:16 legal (2) 70:2;85:3 legally (1) 125:7 legend (1) 24:24 legislature (2) 114:19;115:5 Lempster (25) 29:22;47:11;68:9; 93:7;96:14,24;97:2; 98:1,10;99:18,20;103:6, 19,20;104:2,2;105:11; 107:13;108:12,21; 113:16,17,18,18;126:9 length (3) 18:11;42:13;119:19 Leo (1) 79:13 letter (18) 80:18;81:12;82:5; 83:20,21;86:21,22; 88:20;89:14;102:6,7,15; 105:18;109:18,19; 111:10,14;119:14 level (17) 11:16,17;14:2;15:20; 18:13,22;20:15;27:2,7; 30:3,9,9,21;47:2,7; 58:19;88:6 levels (2) 17:21;64:10 Lewis (22) 4:6,9,11,16,19;5:19, 23;6:5,9,21;32:4,14,17; 33:4,20;34:24;43:20; 44:1;57:8;68:13,21;74:7 liability (1) 91:3 light (6) 23:6;28:21;34:13,15, 18;102:2 lighting (4) 28:3;30:16;34:10,11 lights (2) 33:21;34:3 likely (1) 30:16 liken (1) 99:17 limits (1) 26:11 line (42) 24:7,11;37:16,16,20; 38:23;53:10;76:23;77:7, 19,23;78:3,10;79:3,7; 82:12,12;86:19,20; 89:18;91:17;95:19,20; 96:11,17,20;97:1,3,5,7, 14,17,21;98:14,14,17, 20;99:9,10;100:17; 125:24;126:2 line-of-sight (1) 128:21 lines (11) 27:17,19;45:10;54:2, 17,19;98:10;99:18; 108:16;115:2;124:21 lines' (1) 98:2 Linowes's (1) 100:11 list (7) 22:8;33:9;57:1;71:11, 22;88:8;130:6 listed (1) 77:5 literally (1) 106:7 little (23) 9:14,19,20;13:24; 14:8,12,13,18;15:1,2; 16:22;18:3;20:12;37:20; 39:8;49:11;56:2,3;73:3; 93:8;98:24;104:10; 121:18 live (3) 24:4;53:3;64:9 lived (1) 64:5 lives (1) 65:23 LLC (3) 5:13;7:4,5 Lloyd-Evans (1) 75:21 located (2) 36:18;98:6 locating (1) 98:8 location (6) 41:20;55:20;79:2; 83:14;100:15;127:19	locations (3) 35:24;39:10;124:9 logging (1) 51:2 long (7) 18:22;44:7;95:22; 106:5,23;123:2;124:15 longer (8) 13:20;37:20;40:8; 43:13,15;86:14;90:20; 106:2 look (35) 11:6;30:2;33:2,7,12; 35:2,18;40:4,7;44:23; 49:9,10,18;50:10;54:5; 55:18;60:4;71:9;79:21; 80:13;89:13;91:5;92:12; 93:20,21;96:3;98:20; 106:16,17;111:15; 115:2;117:8,10,10;118:9 looked (3) 31:1;59:17;104:10 looking (9) 45:9;60:17;61:5; 75:22;98:13;106:1,6,11; 109:8 looks (1) 49:11 Loon (2) 27:13,14 lose (1) 11:9 lost (1) 54:4 lot (14) 14:8;22:16;41:1;50:8; 59:22;63:23;64:18; 84:14;108:14;109:20; 110:12;114:17,18; 129:16 loud (3) 15:22;20:3;50:12 low (2) 19:6;41:5 lower (1) 18:17 lowest (1) 34:5 Luhman (5) 102:24;105:1;109:14; 110:22;114:10	65:3 makes (1) 17:23 making (5) 17:6,10;74:15;118:14; 130:17 management (3) 26:4;66:11;128:15 mandate (1) 100:5 many (20) 9:9,23;10:1,2,16;16:8; 20:15;28:10;31:11,12; 40:22;65:24;84:15,15, 15;117:9;120:24;128:6, 11,12 map (33) 21:12,18,20,21;22:4, 15;23:1,3,11;32:8,15,17, 20,24;33:14;35:2,4,5,7; 36:16,22;38:13,19; 39:11;41:21;42:7;48:18; 49:18;53:15,18,22; 71:22,23 Mapping (1) 33:14 maps (3) 32:19;48:8,8 March (2) 84:12,21 marching (1) 84:24 Mark (3) 81:17;82:5;86:23 marked (17) 4:2;6:2;52:7;68:18,24; 69:5;71:12,14;72:2; 76:2,4;77:3,13,15;81:15; 82:7;102:16 Mass (1) 64:7 Matt (2) 5:1,24 matter (12) 66:12;68:10;73:13,22; 74:5,19;75:20;85:3; 87:20;93:16;110:3; 117:2 matters (3) 73:21;85:18;117:1 maximally (1) 34:19 may (29) 18:3,20;19:4;28:16; 31:2,12;37:2;39:18; 40:2;43:4,20;68:23; 69:5,24;70:2;71:16,17; 74:2;79:5,16,17,19;85:3; 91:8;104:11;106:15; 127:19;129:21;130:24 maybe (8) 35:23;39:10;55:21; 82:2;108:13;111:12;	127:9;131:22 Mazur (1) 31:7 Mazurs (1) 51:3 McCann (3) 11:13;14:11;106:11 McCann's (1) 14:20 mean (29) 16:8;17:20;25:24,24; 26:20;27:6;29:7;33:20; 34:24;35:6;36:8;40:15; 45:19;50:3;53:18;69:20; 74:9;87:5;91:10;92:12, 13;109:1;112:2;121:12; 125:6,9,21;127:20;128:5 meaning (1) 126:4 means (5) 65:5;69:21;74:19; 122:1;123:13 meant (1) 123:24 meantime (1) 132:9 measure (2) 30:20,20 meat (1) 127:5 media (1) 73:16 meet (10) 20:20;21:5;56:9,24; 74:10;84:8;86:4;87:16; 95:5,8 meeting (6) 20:23;21:4;58:5,6; 107:22;115:15 meetings (2) 20:20,22 members (4) 82:1;117:6;119:5; 131:15 memo (2) 77:4;98:22 memoranda (2) 73:23;130:13 Memorial (1) 9:21 memory (1) 20:12 memos (1) 103:12 mention (1) 52:23 mentioned (4) 5:10;33:21;41:19; 107:12 mercy (1) 100:18 merit (1) 118:23
		M	
	magnitude (1) 13:6 Maintain (1) 114:20 major (4) 12:3;61:14;65:6;96:9 majority (9) 12:13;15:7,14;18:4; 24:3;39:19;41:9;54:20;		

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

merits (1) 78:4 met (7) 58:18;84:12;91:18; 93:13;95:4;102:13; 106:24 methods (9) 8:18,18;66:10;67:8,8, 9,12;72:16,17 Michael (1) 14:20 middle (5) 16:19,23;23:12;49:10; 61:9 midnight (3) 50:19,21,23 might (28) 13:6;16:21,22;20:5; 27:19;35:1,18;37:3; 40:19;52:21,23;62:5; 67:10;69:12;70:14; 72:14;74:1,4,12;75:6; 81:23;92:19;95:12; 105:14;115:16;119:20; 120:3;122:3 Mihalik (1) 64:23 Mike (1) 14:10 mile (1) 43:10 miles (3) 37:9;43:8;89:18 mind (6) 25:2;80:5;97:2;104:5; 115:11;117:13 minds (1) 115:15 minimal (2) 34:16;47:13 minimize (1) 34:12 minimized (1) 34:10 minimizing (1) 34:19 minor (2) 78:16,20 minute (3) 34:3;44:3;83:10 minutes (2) 107:7;116:9 mismarked (1) 71:6 miss (1) 85:13 missed (3) 85:7;88:1;131:23 missing (2) 93:11;130:6 mistake (1) 43:21 mistaken (1) 	34:12 misunderstanding (1) 57:22 mitigate (1) 34:2 mitigation (2) 21:6;34:1 mixture (1) 46:22 modeling (3) 29:19,21;47:13 modification (1) 78:20 moment (4) 60:21;85:5;109:5; 114:15 Monday (3) 56:8;57:24;122:9 money (1) 10:24 months (4) 84:15,16;85:20;92:12 Montreal (1) 12:22 more (46) 11:20;12:23;16:17,23; 18:18,22;28:16,19; 30:12;31:5,6,6;37:3,3, 20;45:21,23;46:23,24; 58:3,9;62:9;63:7;64:6; 66:16;75:9,12;77:15,18; 79:9,13;98:24;105:23; 107:6,7;109:4;111:19, 24;116:8;117:15;120:1; 121:19;122:19,19; 123:20;127:8 Moreover (1) 102:2 morning (3) 52:13,15;62:7 most (13) 12:7;16:4,12,16;18:1; 19:4;48:20;50:23;64:21; 65:23;69:24;83:19; 102:14 motion (27) 78:7,8;82:20;83:3; 96:15;99:23;100:11; 105:15,17;116:20,21; 117:3,5,7,11,16,24; 118:7,24,24;119:4,9; 128:3;129:24;130:17; 131:14,18 motor (1) 40:24 mountain (1) 118:12 mountains (1) 16:8 move (10) 48:1;72:4;86:1;93:7; 94:21;102:23;117:23; 119:1;122:16;130:12	moves (1) 15:2 moving (8) 18:21;59:22;60:9; 61:24;62:2;102:7;105:8; 116:22 much (19) 10:24;17:6,13;18:17; 29:13,13;30:2;46:17; 63:14;66:9;84:11; 102:24;103:18;104:1; 110:21;111:5;122:17; 125:21;127:9 muck (2) 23:24;128:15 Multiple (2) 119:5;131:15 municipal (1) 36:21 must (8) 15:19;17:8;49:20; 78:23;85:8;104:19; 125:8,19 mutually (1) 79:12 myself (1) 60:3 <p style="text-align: center;">N</p> N1 (4) 43:1,2,12,21 name (4) 4:14,16;5:24;46:7 Nancy (1) 76:21 Natural (2) 77:5;97:11 nature (2) 15:10;125:20 near (2) 98:6,8 nearest (4) 41:20,23;42:23;43:5 Nearly (1) 27:12 necessarily (2) 73:19;123:13 necessary (4) 74:24;118:16;127:10; 128:11 necessitated (1) 99:11 need (30) 6:8;16:12;31:4;51:20; 66:9;68:23;69:9,13; 75:17;76:6;86:17;87:6; 97:20;98:23;100:21; 105:20;106:16;110:15, 16;114:21;116:17,20; 117:2;119:12,23;120:7; 122:18;126:8;128:7; 130:18	needed (1) 24:10 needs (4) 109:2;125:10,11,12 nefarious (2) 75:5,9 neither (1) 121:24 new (25) 24:7,11;33:15,17; 51:14;77:5,21;78:18; 81:18;83:9,14,20;84:8; 90:7,17;92:2;96:10; 99:4,11;100:14,18; 101:4;104:21;112:1; 114:21 Newburyport (1) 64:7 newer (2) 15:11;16:3 newly (2) 124:7;128:23 Newport (1) 97:4 news (1) 73:16 next (15) 30:14,23;55:22;56:19; 58:5;65:19;81:6;115:22; 116:18;120:15;121:19; 128:9;129:17;130:3,19 Nice (3) 22:4;127:4,21 night (17) 8:6,8;11:23;15:20; 16:11,13;20:1,2,2;28:23; 34:13;45:15;52:4,5,20; 61:9;63:12 nights (5) 11:21,22;12:4;16:8; 51:18 nobody's (1) 59:5 noise (16) 15:2,20;16:15;17:6, 10,19,20,22;18:6;50:5,8; 51:2;52:8,10;53:3;64:10 noises (4) 19:18,20;51:5,6 noisier (3) 16:6;18:9;51:17 noisy (1) 17:3 non-Applicant (1) 130:10 None (3) 6:14;119:8;131:18 non-lawyers (1) 69:24 non-quiet (1) 51:11 nor (4) 80:24,24;108:4; 121:24 normal (2) 51:8;111:18 north (3) 22:2,20;35:13 Northeast (1) 99:11 Northwest (1) 7:23 note (6) 96:15;101:20;109:9; 118:9,19;119:9 noted (3) 96:13,23;131:2 notice (3) 7:18;52:11;53:4 notified (1) 83:20 noting (1) 116:23 November (3) 77:17;82:21;130:13 number (22) 8:1,2;10:14,15;12:6, 11;13:15;28:19;45:23; 46:9,9,15,17;51:11; 52:12,17;54:22;59:3; 87:22;114:22;121:6; 127:1 numbered (1) 39:5 numbers (3) 10:9;58:24;59:5 <p style="text-align: center;">O</p> objection (2) 76:16,17 obligated (1) 125:22 obligation (2) 86:3;118:9 observe (1) 115:5 obviously (13) 41:21;44:21;48:12; 50:4;79:14;80:10;99:9; 120:17,20;125:15,24; 129:14,24 occasional (2) 19:8;50:15 Occasionally (4) 19:22;20:4,5;40:2 occupancy (2) 9:11;10:2 occur (2) 31:13;46:16 occurrences (1) 45:8 o'clock (1) 61:20 October (14) 5:1;53:17;61:6;77:1;
--	--	--	---

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

78:23;82:19;83:2;84:7; 102:5,6;105:17;126:1; 131:4,5 off (9) 10:4;15:17;16:11; 22:18;38:16;49:13;59:8; 76:6;114:5 offer (3) 72:10;79:10;113:2 offered (1) 47:5 offhand (1) 46:8 office (2) 91:15;121:23 officers (1) 94:10 officials (1) 80:7 offset (1) 129:5 often (2) 16:4;44:19 old (2) 37:22;59:8 older (2) 16:6;51:16 old-fashioned (2) 15:10;19:24 once (1) 83:16 one (52) 5:2,10,11;15:11,22; 17:12;20:13;28:14; 30:12;31:23;33:21; 34:15;35:4;37:2;39:19; 47:18;48:10,13,13,14; 53:1,24;54:16;55:4; 60:12;61:5;64:7;66:16; 70:8,10;71:13;72:3; 74:3;75:20;78:21;90:16, 17;91:20;92:22,24;94:9; 95:15;96:10,20;98:21; 104:9;115:5,13;119:16; 121:10,10;123:22 O'Neal (1) 59:11 one-mile (1) 77:6 ones (3) 12:22,23;51:14 online (1) 21:13 only (11) 7:5;16:16;29:12; 85:12,16;98:1;108:11, 23,24;109:22;129:21 Ontario (1) 12:24 onto (1) 77:21 open (10) 9:19,20,23;10:14; 19:2;49:11;76:5;88:15; 92:9;121:24 opened (1) 44:12 operates (1) 45:15 operation (7) 8:18;66:10;67:8,10; 72:17;89:11;101:23 operational (2) 73:15;74:13 operations (2) 45:11,17 opinion (6) 16:5;26:3;103:2; 114:11;118:17;124:20 opportunity (15) 14:18;20:18;76:17; 79:23;80:10;87:16; 88:22;93:20;94:5;98:20; 111:7,7;115:14,21; 120:10 opposed (4) 119:6,8;131:16,18 opposite (1) 126:18 optimism (1) 115:18 option (2) 92:7;118:21 options (5) 91:19,21;116:1,5,16 order (23) 5:10;6:3,4;8:24;26:15; 64:12,22;65:6;78:10; 79:8;84:12;85:9;88:8; 89:14,14;90:4;92:1; 96:14;100:11;108:13; 126:9;128:14;129:24 ordered (1) 103:20 orderly (11) 6:23;85:18;88:14; 89:2;97:8,21;98:2,7; 108:12,24;126:10 Oregon (3) 7:20,23;129:23 original (2) 43:11;83:5 originally (3) 37:15;44:12;92:8 others (3) 18:8;64:6;106:10 otherwise (4) 21:16;40:3;44:14; 74:15 ought (6) 26:16;74:17,24;88:18; 105:24;121:11 out (48) 14:12;16:10;17:11; 27:12;29:22;33:3,4,10, 21;38:10;60:3;61:15,16, 24;64:19,21;67:14; 73:11;75:4,23;80:22; 81:11,15;91:11;94:8; 95:23;103:4;104:9,11; 105:5,16;106:3;107:8, 15,19;109:2;110:11; 112:18;113:2;114:22; 115:3;116:18;120:19; 121:6;124:5,11;126:22; 127:2 outdoors (1) 26:22 outside (5) 20:19,22;25:17;50:19; 57:1 outstanding (11) 82:13;86:17;105:20, 23;106:9;121:7,10; 124:6;128:12,14;129:9 over (25) 9:12;12:12;19:15; 20:14,15;23:21;24:8; 25:12;33:6;36:21;37:3, 6;63:17;64:2;76:7;88:9, 12;90:20;91:18;92:4; 100:7;108:4,5;109:7; 121:14 overall (4) 18:11;19:9;24:6;65:1 overhead (1) 44:20 own (3) 42:15;78:1;107:19 owned (7) 5:15;13:3,8;44:16; 96:21;125:2,5 owner (4) 13:17;35:1;63:13; 99:12	25:9;64:1 Paragraph (4) 8:9;73:14;89:7,16 paranoid (1) 26:1 pardon (1) 21:11 part (24) 12:21;16:4,12;18:1; 23:19;48:7;49:14,15; 50:23;53:14;55:1;62:10; 65:17,17;73:14;95:15; 97:20;99:10;105:22; 108:17;109:22;126:14, 20;132:2 participate (2) 85:9;108:19 participated (1) 95:5 participating (1) 102:3 participation (2) 6:22;109:3 particular (10) 9:15;12:6;44:10;64:6; 68:7;70:16;73:20;79:3; 88:7;125:18 particularly (8) 10:13;15:20;19:22; 44:20;85:7,21;107:14; 130:3 parties (36) 57:19;74:20;75:1; 77:10,18;78:13;79:5,8, 10,21;80:10;81:22;83:4; 85:11;93:20;94:4;98:24; 104:18;108:14;109:3; 110:16;111:6;115:1,14; 119:21;120:5,21;121:13, 23;123:4;126:17; 127:14;128:7;130:13; 132:8,10 party (2) 17:14;51:7 past (2) 10:9;101:20 Patch (26) 31:15,16,19,22;32:6, 12,16,21;33:8,19;34:18, 22,23;35:9,11;37:5; 43:22;44:2;45:4,7; 47:10,14,23;48:2;68:17; 121:24 Patch's (1) 122:7 Pause (1) 81:13 pay (1) 53:7 payments (2) 8:21;129:1 Pemigewasset (1) 18:8	pending (1) 124:12 people (31) 10:24;15:16;16:10; 17:13;18:24;20:3;27:9; 38:13;46:3,9,10,17; 50:16,20;51:7,19;52:12, 17;63:9,11,17,19;64:20; 65:2,3,15;66:2,18;67:2; 70:1;75:5 per (4) 11:1;34:3;45:9,24 percent (5) 9:7;11:13;19:9;29:22; 40:18 percentage (3) 9:4;11:6,12 percentages (1) 13:16 perfect (1) 18:23 perform (1) 82:24 perhaps (12) 7:5;49:23;56:7;57:18; 58:6;81:5,6;83:13; 86:14;94:15;105:22; 122:11 period (10) 9:16;101:2,2,3,4,5,7; 113:8,10;115:7 permit (6) 26:5;78:22,22;79:13; 100:13;101:1 permits (1) 102:1 permitted (4) 16:1;67:22;69:21; 116:3 permitting (7) 101:13;102:11,23; 112:23;113:9,14;114:8 person (1) 53:1 personally (8) 20:21;31:8;55:19; 56:24;85:4;114:15; 115:11;119:16 personnel (2) 91:10,10 perspective (3) 41:21;85:3;125:16 pertinent (1) 82:1 Peter (2) 57:7;76:1 Phase (6) 103:13,16,21,24,24; 124:17 phone (1) 8:2 photograph (6) 42:4,5,8,12,22;43:5
	P	
	packet (1) 38:3 Page (13) 6:5;7:16;33:23;38:16, 16,18;40:7;45:2,3,9,10; 65:19,19 pages (1) 44:10 paid (1) 108:14 pain (1) 66:16 panel (2) 76:9;79:14 panic (1) 60:9 panoramic (1) 27:22 paper (1) 110:23 paperwork (2)	

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>photographs (1) 57:3</p> <p>physically (1) 72:21</p> <p>picture (3) 14:5;32:11;42:17</p> <p>pictures (1) 22:9</p> <p>piece (4) 98:20;99:4;125:18; 129:21</p> <p>pieces (3) 93:11;115:10;124:23</p> <p>pig (1) 31:8</p> <p>pile (2) 38:12;128:15</p> <p>piles (1) 24:1</p> <p>pink (1) 24:24</p> <p>pinpoint (2) 35:3,23</p> <p>pit (2) 35:24;36:13</p> <p>pits (1) 62:2</p> <p>place (8) 4:17;12:2;16:22; 23:23;50:9;66:15; 111:24;116:24</p> <p>placed (4) 85:10,12;95:7;100:21</p> <p>places (6) 19:4;28:8,9,10;30:17; 114:18</p> <p>Plain (3) 36:5,11;70:11</p> <p>plan (3) 57:5,14;83:9</p> <p>planes (1) 45:21</p> <p>plans (6) 78:17;79:1;83:8,14; 100:2,14</p> <p>plant (1) 97:10</p> <p>play (2) 103:4;120:19</p> <p>plays (1) 101:12</p> <p>Please (5) 76:18;82:6;110:2; 119:4;126:20</p> <p>plus (1) 123:1</p> <p>Plymouth (2) 44:5,17</p> <p>pm (5) 15:24;50:14;116:10, 11;132:13</p> <p>point (31) 7:9;10:17,19;33:3,4,</p>	<p>20;47:11;51:19;73:21; 74:21;79:21;82:22;88:4, 13;90:1;91:15;92:21; 94:8,22;104:9;105:16; 106:3;107:1,15,19; 118:12;121:5;124:5,11; 127:1;131:1</p> <p>pointed (1) 53:15</p> <p>pointing (1) 33:10</p> <p>points (4) 14:11;83:22;105:13; 126:22</p> <p>Polar (2) 35:13;36:10</p> <p>pole (1) 93:7</p> <p>poles (3) 54:21,23;77:22</p> <p>Police (1) 17:9</p> <p>policy (2) 74:5,18</p> <p>politely (1) 57:20</p> <p>pop-up (3) 39:17;40:3;41:6</p> <p>pop-ups (2) 39:18;40:19</p> <p>porch (1) 27:10</p> <p>Portland (4) 7:20,23;9:2;129:23</p> <p>position (21) 69:23;76:10;78:4; 82:9,15,18;85:12,24; 86:5,9,12;91:16;95:9; 100:16;105:14,24; 106:19,22;116:24; 125:1;126:2</p> <p>positions (1) 57:5</p> <p>possible (10) 15:21;30:19,20;31:12; 56:10;122:16;124:9; 127:15,24;129:18</p> <p>possibly (2) 50:17;61:16</p> <p>post (1) 29:15</p> <p>posted (1) 15:23</p> <p>post-hearing (2) 73:23;75:2</p> <p>potential (8) 23:24;24:2;25:23; 27:16;34:2;48:19,23; 106:13</p> <p>potentially (4) 24:12;83:22;85:19; 117:17</p> <p>power (12)</p>	<p>8:19,20;54:2,17,19; 76:23;77:19,20,23;78:3, 9;107:13</p> <p>PPM (5) 5:14;7:8,9,9,19</p> <p>practices (2) 26:4;66:11</p> <p>precise (1) 97:19</p> <p>precluded (1) 72:13</p> <p>pre-construction (1) 29:14</p> <p>predicted (1) 25:18</p> <p>prefer (2) 11:3;73:2</p> <p>prefiled (2) 4:19;51:21</p> <p>prehearing (3) 33:1;77:12;120:9</p> <p>premarked (1) 77:12</p> <p>preparation (1) 63:23</p> <p>prepare (3) 111:8;120:6,11</p> <p>prepared (7) 7:5;57:3;69:1;77:16; 78:12;89:4;94:6</p> <p>prescribed (1) 126:7</p> <p>present (2) 78:5;79:18</p> <p>presented (4) 44:11;83:11;86:2; 102:14</p> <p>preserved (1) 91:22</p> <p>pretty (7) 10:6;22:4,16;52:4; 73:10;77:9;102:24</p> <p>prevents (2) 66:18;67:1</p> <p>previous (2) 74:3;106:22</p> <p>previously (3) 47:6;51:18;120:8</p> <p>primarily (2) 46:21;88:21</p> <p>prior (5) 13:13;59:21,23;78:24; 100:2</p> <p>private (1) 20:23</p> <p>probably (11) 17:12;32:23;46:23; 49:12,51;14:56;9:58;18; 111:15;121:11;129:8,13</p> <p>problem (1) 109:7</p> <p>problems (1) 107:23</p>	<p>procedural (10) 115:15;116:1,4,16; 117:2;119:23,24; 120:15;122:23;123:21</p> <p>procedure (1) 111:18</p> <p>procedures (2) 116:7;128:16</p> <p>proceed (4) 4:7;76:10;83:5;115:18</p> <p>proceeding (7) 6:23;53:16;55:1; 71:13,18;77:11;130:15</p> <p>proceedings (1) 81:13</p> <p>process (38) 6:24;57:1;84:12,13; 85:2,10;87:15;90:4,12, 21;91:24;92:10,11;94:6; 101:2,7,13;102:11,23; 103:2,9;104:17;106:6; 107:6;108:21;110:10; 111:24;112:15,20,23; 113:9;114:2,8;117:19; 120:19;123:20;129:12, 15</p> <p>processes (1) 104:10</p> <p>produced (5) 14:22;16:15;17:19; 60:18;94:2</p> <p>product (1) 72:16</p> <p>production (1) 8:19</p> <p>products (1) 84:3</p> <p>professional (2) 103:1;114:11</p> <p>Professor (4) 14:6,7,14;128:24</p> <p>program (2) 29:22;93:9</p> <p>programs (1) 29:19</p> <p>progress (1) 89:23</p> <p>progressed (1) 84:1</p> <p>prohibit (1) 105:7</p> <p>prohibited (1) 8:14</p> <p>prohibiting (1) 65:15</p> <p>prohibition (1) 74:12</p> <p>project (38) 11:11;13:12,22,22; 20:14,16;21:15;23:16, 20;26:12;29:5;48:20; 57:4;62:23;63:21;71:17; 76:23;77:20;80:2;81:20;</p>	<p>84:4,13;93:9;96:22; 97:10;98:21;102:13,20, 20,22;103:19,19;105:7, 11;107:13;113:5; 114:11;125:10</p> <p>projections (1) 28:12</p> <p>projects (6) 13:5;90:4,7;92:22; 107:16;128:18</p> <p>project's (2) 62:19;78:17</p> <p>promised (1) 6:24</p> <p>promptly (1) 123:11</p> <p>promulgated (2) 104:16;105:6</p> <p>prong (1) 20:13</p> <p>proof (4) 72:10;86:4;106:24; 113:3</p> <p>proper (2) 87:6;97:10</p> <p>properly (3) 8:23;67:13;87:6</p> <p>property (5) 14:13,19;53:7;57:5; 127:18</p> <p>proposal (6) 24:7;82:9;86:9;95:24; 115:16;119:17</p> <p>propose (2) 55:10;94:17</p> <p>Proposed (15) 41:24;43:15;53:11; 54:24;55:7;89:11;90:15; 99:14;101:23;112:4,7; 120:15;124:7,22;128:23</p> <p>proposing (1) 130:13</p> <p>proprietary (5) 10:21;66:20;67:10; 69:20;72:15</p> <p>Protection (1) 33:15</p> <p>protective (2) 26:8;129:24</p> <p>prove (1) 108:3</p> <p>provide (16) 25:10;47:16;55:12; 60:2;73:5;77:18;80:1; 89:5;93:18;103:14; 115:22;121:14;124:11, 14;125:23;130:7</p> <p>provided (17) 7:3;26:15;31:24; 32:21;48:5,9;69:1;81:4, 22;93:19;97:14;121:12; 126:1;127:3;128:7; 129:8,10</p>
--	---	---	--	--

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>provides (1) 115:7</p> <p>providing (1) 123:20</p> <p>provision (3) 6:4;7:18;113:10</p> <p>Provisions (2) 69:7;74:4</p> <p>prudent (1) 94:22</p> <p>PSNH (4) 90:16;125:3,5;127:18</p> <p>PSNH's (1) 127:20</p> <p>public (30) 20:20,22;52:6;54:1,6, 11;64:21;65:1;67:14,22; 74:5,15,18;75:23;76:16; 77:13;85:17;107:21; 114:20;115:1,8,19; 116:14,15;117:9,20,22; 120:11;121:11;123:15</p> <p>publication (1) 130:19</p> <p>publicly (2) 8:14;116:24</p> <p>pull (1) 59:14</p> <p>pulse (1) 34:3</p> <p>purple (2) 23:6,6</p> <p>purpose (2) 114:17;115:4</p> <p>push (2) 10:18;95:11</p> <p>put (13) 16:22;24:11;41:15,17; 53:24;59:5;78:11;93:17; 110:11,21;111:20,24; 127:5</p> <p>putting (2) 54:2,17</p>	<p>17:15;18:5;50:13,15; 51:9,10,15;52:5</p> <p>Quincy (5) 37:14;54:2,17,20,22</p> <p>quit (1) 62:5</p> <p>Quite (13) 8:5;10:5;13:20;16:7; 22:3;29:9;42:14;52:5; 53:19;65:22;74:9;85:4;</p> <p>quote (3) 57:16,16;103:8</p> <p>quoted (1) 81:24</p>	<p>8;73:19,21;74:19;90:1; 95:21;97:1,12;99:20,21; 100:17,18;102:8;105:6; 106:18;110:3;112:18; 119:23;128:10,11,19</p> <p>reason (4) 44:14;77:8;83:18; 105:7</p> <p>reasonable (4) 94:6;109:4;111:6,20</p> <p>reasons (3) 85:23;105:5;123:8</p> <p>recall (5) 25:9;47:10;71:16; 74:2;78:20</p> <p>receipt (1) 84:22</p> <p>receive (1) 5:5</p> <p>received (6) 53:13;81:16;104:3; 109:8;131:4,8</p> <p>recent (1) 102:15</p> <p>recently (3) 68:12;83:19;102:13</p> <p>recess (4) 79:21;82:10;116:5,10</p> <p>recognition (1) 100:10</p> <p>recognize (3) 79:4;95:4;122:19</p> <p>recognized (2) 83:7;103:7</p> <p>recognizing (1) 105:14</p> <p>recollection (1) 56:11</p> <p>recommendation (2) 119:22;120:17</p> <p>recommendations (4) 58:19;65:11;121:1; 122:22</p> <p>recommended (2) 26:10;77:24</p> <p>recommending (1) 96:2</p> <p>reconnect (1) 95:10</p> <p>reconstruction (1) 13:4</p> <p>reconvening (1) 79:22</p> <p>record (26) 4:4,15;5:6;33:3,5,10, 14;36:7;55:13;71:7; 73:4,8;74:23;76:15; 77:9;88:15,17;91:22; 92:9,10;102:8;114:13; 116:13;118:13;119:9; 123:22</p> <p>Redirect (1) 70:24</p>	<p>redone (1) 13:13</p> <p>re-drawn (1) 128:20</p> <p>redrew (1) 27:18</p> <p>reduce (2) 22:13;30:21</p> <p>refer (1) 89:6</p> <p>reference (2) 47:10,15</p> <p>referenced (1) 128:22</p> <p>referencing (1) 81:18</p> <p>referred (2) 61:22;71:17</p> <p>referring (1) 67:3</p> <p>refers (2) 6:6;73:14</p> <p>reflect (1) 121:18</p> <p>refresh (1) 20:12</p> <p>regard (11) 46:20;54:2,16;55:6; 72:2;90:19;91:2;101:24; 106:17;115:17;119:11</p> <p>regarding (8) 5:4;14:10,19;63:10; 88:20;124:7;128:24; 130:24</p> <p>regards (2) 55:22;114:18</p> <p>region (9) 88:15;89:3;97:8,22; 98:3,8;108:13,24;126:11</p> <p>regroup (1) 95:9</p> <p>regulate (2) 89:10;101:22</p> <p>regulated (1) 104:17</p> <p>rehearing (2) 99:23;100:11</p> <p>related (1) 125:9</p> <p>relatively (1) 18:12</p> <p>release (1) 5:18</p> <p>released (2) 64:15,17</p> <p>relevant (3) 74:1;128:19;130:3</p> <p>Reliable (5) 99:22;100:12;105:3; 107:13;108:8</p> <p>relief (1) 82:24</p> <p>remains (1)</p>	<p>125:16</p> <p>remarked (1) 68:24</p> <p>remarks (2) 74:22;91:2</p> <p>remember (16) 20:14;25:11;26:13; 27:17;34:6;52:24;55:23; 59:3,13;60:11;62:12; 76:13;97:12;99:21; 100:23;130:9</p> <p>remind (4) 66:20;103:5;113:8; 125:4</p> <p>reminded (3) 84:18;85:6;86:3</p> <p>reminds (1) 112:3</p> <p>removed (4) 59:6,6,10,22</p> <p>Rendall (4) 77:4,17;79:13;98:22</p> <p>Rendall's (1) 76:21</p> <p>renewable (1) 84:21</p> <p>Renewables (1) 7:10</p> <p>repair (1) 13:4</p> <p>repeat (2) 54:4;62:20</p> <p>replaced (2) 54:21,23</p> <p>report (1) 102:5</p> <p>reportedly (1) 131:3</p> <p>Reporter (4) 4:10;58:23;62:1;82:5</p> <p>representations (1) 113:3</p> <p>representative (1) 82:2</p> <p>representatives (1) 81:20</p> <p>representing (1) 34:18</p> <p>represents (1) 48:22</p> <p>request (16) 52:6;53:5;54:1,7; 57:21;73:5;76:14,15; 100:4;124:5,10,12; 127:1,8,23;130:10</p> <p>requested (6) 69:3;76:13;92:8; 100:9;107:10;128:8</p> <p>requests (7) 69:2;72:21;73:8; 93:23;121:6;128:6; 129:10</p> <p>require (2)</p>
<p style="text-align: center;">Q</p> <p>qualify (1) 94:14</p> <p>quality (1) 97:11</p> <p>quantified (1) 29:11</p> <p>quantifying (1) 12:5</p> <p>quarter (1) 75:16</p> <p>quick (3) 60:5;70:8;94:20</p> <p>quickly (7) 50:17,24;72:20; 115:18;122:16;127:9,14</p> <p>quiet (14) 15:19,20,23;16:1,3,4;</p>	<p style="text-align: center;">R</p> <p>radios (2) 50:7,12</p> <p>radius (1) 77:6</p> <p>railroad (1) 37:22</p> <p>raining (1) 62:9</p> <p>raise (1) 83:19</p> <p>raised (3) 21:10;74:3;84:16</p> <p>ran (1) 97:3</p> <p>random (1) 11:20</p> <p>ranging (1) 88:5</p> <p>rarely (1) 44:22</p> <p>rate (1) 9:12</p> <p>rather (4) 9:2;63:14;110:9; 118:11</p> <p>reach (3) 120:23;121:1;122:2</p> <p>reached (4) 88:12;112:17;113:2, 18</p> <p>reaching (1) 118:14</p> <p>reaction (1) 96:6</p> <p>read (6) 6:18;8:10;50:11; 65:14;67:21;72:12</p> <p>ready (2) 4:7;52:18</p> <p>real (3) 60:4;106:13,17</p> <p>really (33) 16:21;19:6,6;26:20, 22;29:19;35:5;45:24; 46:6;47:17;51:20;58:2,</p>	<p>receipt (1) 84:22</p> <p>receive (1) 5:5</p> <p>received (6) 53:13;81:16;104:3; 109:8;131:4,8</p> <p>recent (1) 102:15</p> <p>recently (3) 68:12;83:19;102:13</p> <p>recess (4) 79:21;82:10;116:5,10</p> <p>recognition (1) 100:10</p> <p>recognize (3) 79:4;95:4;122:19</p> <p>recognized (2) 83:7;103:7</p> <p>recognizing (1) 105:14</p> <p>recollection (1) 56:11</p> <p>recommendation (2) 119:22;120:17</p> <p>recommendations (4) 58:19;65:11;121:1; 122:22</p> <p>recommended (2) 26:10;77:24</p> <p>recommending (1) 96:2</p> <p>reconnect (1) 95:10</p> <p>reconstruction (1) 13:4</p> <p>reconvening (1) 79:22</p> <p>record (26) 4:4,15;5:6;33:3,5,10, 14;36:7;55:13;71:7; 73:4,8;74:23;76:15; 77:9;88:15,17;91:22; 92:9,10;102:8;114:13; 116:13;118:13;119:9; 123:22</p> <p>Redirect (1) 70:24</p>	<p>remains (1)</p>	

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>99:24;100:9 required (5) 74:6;85:15;95:5; 99:13;101:1 requirement (1) 103:10 requirements (4) 84:11;89:9;101:10; 113:14 requires (3) 85:16;113:13;114:24 reserved (3) 21:19;124:6;128:22 residence (1) 26:23 resident (1) 30:22 residents (2) 24:3;78:3 resolution (5) 85:18;93:15,17; 102:24;117:15 resolve (5) 25:14;84:16;106:2; 109:21;126:13 resolved (3) 108:1,9,18 resolves (1) 109:23 resolving (1) 123:21 resort (1) 70:17 resorts (1) 15:11 Resource (2) 82:2;84:2 resources (24) 32:8;33:14;81:19; 84:1;89:2;91:13;95:23; 101:11,16,21;102:9,15, 19;103:3,8;110:5,7; 113:7;114:9,12;119:14; 120:1;125:20;131:3 respect (13) 72:11;83:3,8,11; 85:20;97:3;105:24; 106:10,14;107:14; 110:1;115:23;124:15 respectfully (3) 76:20;77:2;78:15 respects (1) 90:5 respond (5) 72:21,22;76:17;94:24; 107:11 responded (5) 56:1,17;57:11,24;58:4 response (17) 5:5;40:16;50:1;52:6,9; 53:5;54:1,6;55:4,11; 69:2;73:5;119:7;131:4, 12,17;132:6</p>	<p>responsibility (4) 87:24;91:14;97:7; 130:7 responsive (1) 75:12 rest (2) 15:14;120:18 restaurant (1) 63:13 resubmit (1) 91:22 result (3) 29:23;83:12;117:14 results (5) 100:5,14,19;101:1; 103:22 resumed (1) 116:11 return (1) 62:18 returned (1) 84:9 reveal (1) 69:22 revenue (2) 12:4;13:10 review (14) 14:7;26:11;32:1; 71:15;78:24;79:11;81:4; 84:1;99:13;111:13; 112:1;120:5;131:7,10 reviewed (5) 20:6,7;78:17;84:6; 89:15 reviewing (1) 113:5 reviews (4) 32:9;38:5;54:13;60:13 revised (3) 71:11;84:6;91:23 revisions (1) 71:13 ride (1) 13:20 ridges (1) 28:6 right (43) 8:9;9:1;11:6;12:13; 16:19;19:5,17;20:18; 22:2;23:14,17;24:8,9,9, 18;28:18;33:24;35:20; 36:3,5,8,16,23;37:11,12; 40:5,7;42:20;47:15; 49:13;52:22;53:18; 54:14;59:6,24;61:22; 68:6;71:2;88:2;98:16; 106:23;116:3,18 right-hand (1) 37:17 rights (2) 66:3;85:9 rise (1) 60:7</p>	<p>rising (2) 60:8,10 risk (1) 25:15 River (49) 4:18;14:17;16:10; 17:17,18,20,21,23;18:7, 11,17,21;19:3,6,10,12; 21:23;22:2,19,21;23:4, 11,13;24:14,20;35:16, 20;38:22;40:6,9;42:20; 43:9;48:12;49:4,6; 52:23;53:10;60:7,8,10; 61:3;70:10;89:19;92:17; 96:12,21;97:6;98:5; 118:11 river's (1) 18:23 road (19) 13:3;23:16,20;31:3; 36:11,12;37:14,14;49:5; 52:4;54:3,17,20,22; 77:23;78:3;98:15; 108:16;128:17 roads (3) 39:23;49:22,23 Rob (1) 59:11 rock (3) 12:11,13;19:6 rockier (1) 18:9 rocks (1) 19:5 rocky (1) 18:3 role (2) 101:12;111:22 roll (1) 110:11 room (2) 19:1;90:21 Ross (3) 5:22,23,24 Roth (41) 6:16,17,20;22:14; 23:10;24:23;25:2,4; 32:10;34:17;35:7;40:17; 45:3,6;47:9;50:2;55:5, 12;57:7,15;64:11;73:7; 74:8;75:8,19;76:3; 80:24;88:2,3;91:12; 96:1,7;107:2,4;110:1; 112:10;119:12;122:5; 126:21;127:16;130:5 Roth's (1) 119:20 rough (1) 38:19 Roughly (5) 9:6,7;40:16;61:21; 62:7 Route (33)</p>	<p>12:9,17,21;13:1,6; 35:12,13;36:8,10,15,20; 51:22;53:9;76:24;77:7, 19,21,22,23;78:16,16; 92:20;93:1;96:12,20; 97:6;98:21;99:14;112:4, 7;118:10,10,11 routes (2) 92:18;107:18 RSA (7) 79:24;84:18;85:14; 89:6;104:16;116:2; 118:9 rule-making (2) 104:12,17 rules (9) 15:16;38:15;85:15; 97:13;104:13,13,18; 105:6;125:22 Rumney (12) 9:3;17:9;18:2,3,12,17, 20;21:17;22:18;30:18; 32:18;33:17 run (9) 15:5,17,22;16:1;24:9; 37:15;49:7,8,12 running (3) 18:23;77:22;97:5 runs (6) 18:1;23:13;37:17,22; 96:11,20 runway (1) 36:23 rural (1) 65:23 RV (4) 15:11;16:23;51:16; 70:17 RVs (12) 15:15;16:15,19;17:2; 39:9;40:18,24;50:2,6,7; 51:13;70:18</p>	<p>94:9 saying (11) 30:4;32:14;42:9,10; 53:1;68:7;73:24;107:18; 109:18;119:4;131:14 say-so (1) 109:1 schedule (17) 80:5;82:23,24;83:5; 85:1,6;87:10,16;119:23, 24;120:15;122:7,23; 123:7,8,13;130:14 scheduled (1) 82:21 schedules (3) 80:9,11;115:16 scheduling (1) 81:9 score (1) 98:3 Scott (4) 117:7,8;131:22;132:4 Scott's (2) 118:6;119:3 season (4) 9:12;10:10;11:22; 13:23 seasonal (1) 15:13 seasons (1) 13:3 SEC (10) 55:18;57:1,16,19; 58:5;79:5;84:22;97:13; 101:2;116:13 second (16) 5:6;38:16;43:17; 48:14,18;68:3;73:14; 77:16;81:11;90:9;92:7; 118:2,3,4;130:21,22 secretary (1) 122:8 section (5) 6:3;18:11;33:24; 64:16;83:24 seeing (2) 12:14;34:6 seem (1) 95:12 seems (4) 74:7;90:16;95:18,24 segments (1) 117:9 select (1) 58:6 self-evident (1) 108:8 send (2) 57:1;60:20 sense (3) 89:21;91:20;122:12 sensitive (1) 103:22</p>
S				
			<p>same (17) 4:19;29:15;32:2,11, 12;36:9;51:2;56:2;60:9; 65:19;69:4;92:10;95:23; 97:24;100:16;105:1; 126:18 sand (1) 18:6 sandy (1) 18:4 satisfied (2) 20:10,17 satisfy (4) 89:8;101:9;110:17; 113:13 satisfying (1) 101:11 saw (1)</p>	

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>sent (4) 5:1;55:15;56:14; 102:17</p> <p>sentences (1) 8:22</p> <p>separate (3) 104:22,22,23</p> <p>serious (2) 13:4;83:7</p> <p>serve (1) 85:17</p> <p>Services (1) 78:19</p> <p>session (9) 33:5;48:5;93:21,23; 111:8,24;116:3,6,14</p> <p>set (13) 6:11;21:2;39:23; 54:11;75:4;92:11;96:22; 110:15,18;121:11; 128:5;130:19;132:9</p> <p>settings (1) 20:19</p> <p>seven (4) 28:15,19;51:15;92:23</p> <p>several (3) 25:22;80:7;128:5</p> <p>shading (1) 48:22</p> <p>shadow (1) 34:10</p> <p>shall (2) 84:20;89:8</p> <p>shared (2) 39:22;73:15</p> <p>sheets (2) 128:21;130:7</p> <p>shielded (1) 67:11</p> <p>shocked (1) 45:24</p> <p>short (1) 122:10</p> <p>show (5) 23:1;29:20;38:13; 56:23;125:19</p> <p>showed (3) 28:14;60:7;105:19</p> <p>showing (2) 8:22;108:24</p> <p>shows (5) 42:6;48:10;49:7; 50:12;60:11</p> <p>shut (1) 65:7</p> <p>shy (1) 13:21</p> <p>side (12) 22:2,20;35:13;36:9, 10,20;37:18;38:15;40:5, 7;51:17;70:10</p> <p>sides (1) 22:22</p>	<p>sight (2) 27:17,19</p> <p>sign (1) 114:5</p> <p>signed (6) 67:21;68:8;69:21; 88:10;113:21,24</p> <p>significance (1) 88:6</p> <p>significant (6) 14:4;27:23;59:12; 88:5;93:10,11</p> <p>significantly (3) 12:12;28:16;52:4</p> <p>signify (2) 119:4;131:14</p> <p>signing (1) 66:3</p> <p>signs (1) 74:2</p> <p>similar (6) 46:6;63:12;69:18; 101:4;105:10;118:19</p> <p>simulate (1) 57:4</p> <p>Simultaneously (1) 86:2</p> <p>Sinclair (4) 6:12,14;82:8,14</p> <p>Site (20) 4:4;21:16;23:16,20; 38:17;40:8,11,12,13,14, 21;41:4;48:21;57:16; 76:23;77:20;84:23; 98:21;99:24;118:11</p> <p>sited (1) 31:4</p> <p>sites (28) 9:9,13;10:3,15,16; 11:9;15:12,13,14;19:5; 39:16,19;40:4,6,8,23; 41:9,11,17,18,19;43:8,9; 80:14;97:10;101:17; 103:8;132:1</p> <p>sits (1) 23:11</p> <p>sitting (1) 91:16</p> <p>situated (1) 96:22</p> <p>situation (7) 20:23;25:19;52:21; 97:5;104:20;105:4; 131:9</p> <p>six (1) 92:22</p> <p>size (1) 124:9</p> <p>sleep (6) 11:24;12:2;27:2,9; 52:2,19</p> <p>sleeping (1) 27:1</p>	<p>slight (1) 4:24</p> <p>small (4) 22:11;41:3;45:21; 75:20</p> <p>smaller (1) 35:19</p> <p>Smith (1) 13:14</p> <p>so-called (1) 6:3</p> <p>Society (2) 33:15;90:6</p> <p>solar (1) 31:1</p> <p>solid (3) 19:12;29:2;120:14</p> <p>somebody (5) 52:22;63:14;64:8; 66:13;75:8</p> <p>similar (4) 21:16;22:19;81:8; 114:1</p> <p>someone (2) 67:21;69:21</p> <p>something's (1) 63:14</p> <p>sometime (3) 93:24;115:22;123:14</p> <p>sometimes (2) 39:18;41:15</p> <p>somewhat (3) 11:20;64:4;125:9</p> <p>somewhere (3) 9:24;19:2;42:10</p> <p>son (1) 62:6</p> <p>soon (2) 120:2;127:23</p> <p>sooner (1) 95:18</p> <p>sorry (26) 5:8,23;9:22;12:18,20; 14:24;22:18;30:13;32:4; 34:5,12;39:2;43:2;45:3; 54:4;57:21;58:1,4,8; 59:9;60:17;61:7;62:20; 87:14;89:14;109:11</p> <p>sort (23) 14:5;18:10;19:8;21:6; 34:19;36:23;37:17; 38:22;39:8;41:22;51:6, 8,11;67:6;74:22;89:23; 90:3;92:1,3;93:7,17; 110:9;111:3</p> <p>sorted (1) 95:23</p> <p>sound (17) 11:17,19;20:13,16; 21:6;26:1,11;27:6,7; 29:17;38:12;47:1,3,7; 57:8;58:19;75:9</p> <p>sounded (1) 115:17</p>	<p>sounds (2) 37:11,12</p> <p>sources (1) 50:5</p> <p>south (2) 36:10,20</p> <p>speak (7) 16:24;66:13;72:10; 74:6;112:23;115:24; 116:4</p> <p>speaker (1) 20:3</p> <p>speaking (9) 8:14;16:19;40:2; 41:18;46:11;72:13; 87:20;91:15;95:16</p> <p>speaks (1) 109:9</p> <p>species (3) 77:5;88:20;111:12</p> <p>specific (3) 64:24;80:5;101:15</p> <p>specifically (3) 15:16;53:1;83:9</p> <p>specificity (1) 100:20</p> <p>speed-read (1) 88:22</p> <p>speed-reading (1) 87:8</p> <p>spell (1) 16:9</p> <p>spent (2) 14:8;117:20</p> <p>spigots (1) 39:21</p> <p>spoke (3) 75:21;112:14,24</p> <p>spoken (1) 70:19</p> <p>sporadic (1) 12:4</p> <p>spot (1) 85:11</p> <p>spread (1) 34:4</p> <p>spring (2) 95:12,15</p> <p>springtime (1) 94:1</p> <p>stage (1) 88:18</p> <p>stand (1) 106:22</p> <p>stand-alone (2) 60:24;61:3</p> <p>standard (5) 27:4;91:1,11;97:24; 104:22</p> <p>standards (2) 25:13;114:4</p> <p>start (7) 55:14;76:9;90:12,20; 92:4;93:10;114:16</p>	<p>started (3) 61:20;96:2;106:4</p> <p>starting (4) 61:8,12;84:23;117:18</p> <p>starts (2) 23:19;92:23</p> <p>state (15) 4:14,17;15:16;65:21; 79:20;80:7;81:4;89:9, 10;101:1,21,22;114:13; 121:20;122:6</p> <p>stated (2) 34:9;59:12</p> <p>statement (2) 64:13;67:5</p> <p>statements (1) 128:20</p> <p>states (3) 50:13;67:7;81:17</p> <p>stating (1) 112:19</p> <p>station (2) 124:8;128:24</p> <p>statute (5) 108:5;113:10;114:17; 115:7,11</p> <p>statutorily (1) 126:6</p> <p>statutory (1) 118:21</p> <p>stay (1) 94:4</p> <p>staying (1) 98:4</p> <p>step (1) 90:3</p> <p>steps (2) 116:17,18</p> <p>step-up (4) 97:18;108:21;124:7; 128:23</p> <p>sticking (1) 19:7</p> <p>still (22) 45:23;59:8;62:6;69:5; 86:10,16;88:9;91:23; 94:12,13;106:9;107:7; 109:17;110:4,24;112:5; 114:5;115:6;118:16,20; 121:6;124:5</p> <p>Stinson (4) 27:13,14,20,23</p> <p>stone's (1) 42:17</p> <p>stop (4) 20:4;43:16;57:18;90:8</p> <p>stopped (2) 62:8,12</p> <p>store (2) 61:16;64:3</p> <p>story (1)</p>
---	---	---	--	--

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>94:12 straight (3) 37:21,22;49:10 strict (1) 91:3 strike (1) 102:7 strong (1) 56:8 strongly (1) 97:23 student (1) 111:1 studied (2) 72:19,22 studies (10) 29:10,13,16,20,24; 92:19;99:11;100:19; 101:2;128:18 study (22) 5:2,3,4;14:7,10,15,16, 23;27:6;38:12;42:4; 59:22;100:1,5;101:2,4,5; 103:17;108:3,9;112:5; 113:8 stuff (1) 22:16 Subcommittee (7) 20:10;58:15;84:20; 100:6,6;115:24;117:6 subject (1) 121:14 submission (1) 84:2 submit (9) 55:10;76:21;78:15; 92:15;94:16;98:3;100:1; 119:22;129:4 submitted (9) 14:15,16;68:12;84:4; 98:22;103:17;105:1; 113:22;129:2 submitting (1) 121:1 subsidiary (3) 5:14,14;7:6 substantial (1) 131:9 substantive (3) 78:4;83:19;84:5 Substation (10) 53:10;89:19;96:12; 97:4,6;98:6;100:2,15; 125:14;127:18 successful (2) 102:24;103:4 successfully (1) 104:6 sufficient (4) 83:18;89:8,20;131:7 suggest (7) 73:10,22;74:18;80:3; 81:6;113:24;119:21</p>	<p>suggested (6) 11:13;74:8;93:16; 94:18;109:5;123:7 suggesting (4) 93:22;105:22;109:14; 110:9 suggestion (3) 79:10;90:18;119:20 suggests (2) 8:12;45:1 Suite (1) 7:23 summary (1) 129:9 summer (6) 9:15,15;16:9;46:2; 63:23;85:1 summertime (3) 27:10;44:21;50:4 super (1) 18:23 superimposed (2) 49:18,20 supplemental (6) 53:11,14;59:1,11; 60:16;77:1 supplementing (1) 74:23 supply (2) 15:18;25:21 support (2) 82:14;118:24 supports (1) 81:3 suppose (1) 26:6 supposed (3) 26:21;66:14;102:4 Sure (17) 4:8;12:15;56:24; 57:14;67:3;68:18;71:8; 73:21;74:20;75:8;88:21; 100:23;118:15;121:22; 124:24;127:9;131:7 surface (1) 27:20 surprise (1) 47:4 surrounding (1) 30:22 survey (4) 103:14,21,23;104:1 surveyed (1) 92:18 surveys (1) 92:18 suspend (6) 82:20;92:8;107:9; 115:9;118:21;122:18 suspension (1) 111:23 sustained (1) 83:3</p>	<p>sworn (2) 4:10,11 system (5) 89:17;100:1,4;108:3,9 T table (1) 59:1 tail (1) 106:8 talk (13) 14:14,18;17:17;29:1; 63:5,9,11;65:4;66:22; 67:7;90:9;114:15;117:9 talked (10) 24:1;39:8;55:5;62:24; 63:1;65:18;70:14;78:8, 8;110:22 talking (18) 51:5;58:21;60:15; 64:3;65:15;66:19;75:17; 87:19,19,21;98:11; 105:16,18;116:14,15; 118:10;126:23;127:4 talks (2) 8:18;72:16 tardy (1) 111:1 task (1) 130:3 tax (2) 53:7;94:14 teacher (2) 111:2,3 tech (2) 93:21,23 technical (5) 8:6;33:5;48:5;111:8, 24 telephone (1) 8:1 televisions (1) 50:7 tend (3) 12:22;50:20;51:17 tent (14) 9:9;10:3;11:9;16:14, 16,18;26:22;39:16;40:6, 12,14,21;43:8,9 tenters (10) 9:5;11:23;12:7;17:2; 26:16;39:8,10;40:3; 41:15,18 tenting (3) 26:21,24;40:11 tents (1) 27:5 term (1) 110:23 terms (9) 8:20;37:8;69:8;72:16; 74:17;75:1;80:5;88:17;</p>	<p>112:11 terrible (1) 38:11 test (2) 111:7;114:18 testified (8) 11:19;25:18;51:3,18; 58:17;66:8;103:1;105:1 testifying (2) 58:22;107:21 testimony (27) 4:6,20,22;11:8;19:17; 20:7;21:11,17;26:10; 27:16;34:8;43:17;47:5; 51:21;59:1,11;60:16; 64:18;66:22;76:9;91:8; 94:9;109:11,12,14; 111:17;130:8 Thanks (2) 58:1,7 theirs (1) 127:20 therefore (3) 52:10;97:19;100:7 there'll (1) 117:15 thickness (1) 29:1 thinking (1) 114:16 third (1) 38:16 Thirty (1) 9:10 though (8) 26:23;38:19;42:9; 79:5,6;97:14;102:8; 123:5 thought (10) 23:4;26:16,21;41:10; 43:21;57:12;63:7;67:6; 68:1;74:2 thoughts (1) 14:12 threat (1) 68:2 three (4) 17:11;44:10;56:20; 77:14 three-page (1) 38:3 throughout (7) 19:9;39:21;46:10; 59:23;85:1;87:15;93:6 throw (2) 42:17;107:8 thrown (1) 17:11 Thursday (2) 121:19;122:5 timely (1) 90:5 times (5)</p>	<p>10:15;34:3;51:22; 59:15;60:3 timing (1) 80:5 tiny (2) 45:19;53:3 Tocci (1) 58:21 Tocci's (7) 20:7,8,11;58:19; 59:16;60:15;130:7 today (16) 40:24;58:17;71:22; 81:18;91:17;109:8,9; 113:4;116:22;117:1; 122:22;123:18,24; 125:1;126:13;131:21 together (5) 59:14;78:11;80:7; 86:15;115:20 told (4) 13:18;17:14;21:2; 122:8 toll (1) 85:4 top (7) 10:4;15:12;24:4; 33:16;37:17;42:6,7 topography (1) 28:14 totally (3) 11:16;12:15;49:8 toward (2) 36:16;45:9 towards (6) 12:24;16:18;18:2; 40:7;63:22;70:17 Town (15) 21:17;23:7;32:18,19; 33:17;44:16;88:9,12; 96:14;108:18;113:18,21, 24;114:5;119:13 town's (1) 25:20 Town-supplied (1) 32:20 track (2) 109:20;113:5 traffic (9) 13:5,7;36:15,17; 51:22;52:3,8,24;61:14 trailer (1) 41:7 trailers (1) 40:1 train (1) 78:21 trained (1) 46:5 transformer (4) 83:14;97:18;124:8; 128:23 transmission (7)</p>
---	---	--	---	---

SEC 2010-01 DAY 5 AFTERNOON SESSION - November 5, 2010
GROTON WIND, LLC

<p>21:24;24:7;82:12; 83:9;86:19;95:19;98:6 travel (3) 12:8;40:1;41:7 tree (1) 46:20 trees (6) 29:2,2,6;46:24;49:23, 24 tried (3) 14:6;31:9;39:9 trouble (1) 73:8 trucks (1) 20:4 true (5) 40:21;43:8;50:10; 55:3;79:23 truly (3) 12:6;29:14,18 try (19) 15:19;36:7;47:16; 50:21,24;63:15;66:16; 72:20;75:4;80:8;96:3; 104:10;111:20;117:10, 12;120:21,22;127:13,23 trying (9) 6:18;10:18;12:16; 67:2;75:12;104:24; 105:4;109:15;112:21 tubing (1) 18:24 Tuesday (3) 56:9,15,17 turbine (16) 34:20;41:20,23,24; 42:23;43:6,11,11,19; 59:5,6,10;63:16;66:19; 74:14;131:24 turbines (13) 8:13;27:22;28:4,11, 19;63:10;64:5;65:3,24, 24;70:12;125:13,15 turn (5) 7:16;9:1,3;112:24; 120:13 turning (4) 4:5;8:9;14:5;21:10 turns (1) 111:21 two (27) 4:24;5:21;8:22;12:12; 14:11;32:19;38:8;39:19; 46:2,8;48:8,8;59:23; 61:15,17;71:12;77:15; 81:6;91:3,19;92:12; 94:1,4;109:5;115:13; 122:21;128:9 two-prong (2) 20:8,11 type (7) 34:14;46:5,18,19; 66:1;105:2;124:16</p>	<p>types (2) 29:24;74:4 typical (1) 9:12 typically (2) 10:11;127:3</p> <p style="text-align: center;">U</p> <p>ultimately (2) 78:17;117:11 Ultralight (2) 46:6,7 Ultralights (2) 45:19,21 unable (1) 21:12 unanimous (2) 119:9;131:19 unbelievable (1) 122:10 uncontroverted (1) 114:10 undefined (1) 96:3 under (16) 8:24;13:4;22:19; 43:10;86:9;89:10;96:9; 99:16;100:24;101:22; 102:3;104:16;111:18; 116:1;118:9;125:22 underlying (1) 123:8 underneath (2) 24:20;35:4 understands (1) 123:5 understood (3) 21:23;43:18;47:12 undertake (1) 103:21 underway (2) 85:22;110:10 unfair (1) 85:11 unfortunate (2) 33:11;114:2 unhappy (1) 64:10 unit (1) 26:18 United (1) 81:17 units (1) 15:5 unknown (2) 30:10;83:15 unknowns (2) 31:6,12 unless (2) 10:23;104:15 unquote (1) 103:8</p>	<p>unreasonable (2) 101:17;114:12 unresolved (2) 88:5;91:23 untimely (1) 102:8 up (39) 10:17;12:9,19;15:12; 16:7;18:2;19:5,7;21:2; 25:21;28:17;36:5,8,11; 39:23;42:10;43:8;45:10; 46:10;50:16;52:14,15, 21;55:11;59:22;63:12; 64:22;65:7,10;66:13; 79:10;80:8;85:2;92:4, 11,17;112:18;114:2; 129:15 updates (1) 4:22 upgrade (1) 96:17 upon (6) 26:12;83:10;92:1; 95:8;118:14;125:11 upstream (2) 18:14;24:13 urgency (2) 90:6;94:15 use (5) 34:3;38:13;45:1;46:5; 91:13 used (4) 34:15;50:7;52:9;110:6 useful (3) 57:15;116:7;127:7 usually (7) 16:10,12,17,20;38:8; 52:13,16 Utilities (1) 99:12 utility (2) 97:4;98:4 utterly (1) 47:13</p> <p style="text-align: center;">V</p> <p>vacancy (1) 9:12 Valley (1) 14:17 value (1) 14:13 values (1) 14:19 variability (1) 10:8 variables (1) 93:5 varies (1) 10:5 various (4) 39:21;50:5;95:4;</p>	<p>128:20 vegetation (3) 28:14;48:13,19 vehemently (1) 82:22 vehicular (1) 52:10 verbal (4) 119:7;131:12,17; 132:6 version (1) 35:19 versus (2) 29:15;39:9 vertical (1) 34:4 vet (1) 87:6 view (14) 14:12;27:22;28:6; 29:6;53:7;57:4;70:12; 73:20;76:16;89:2;102:2; 107:1;117:15,17 Viewing (1) 29:5 viewpoints (1) 14:20 viewshed (4) 29:21;48:3;49:15; 57:12 VII (1) 100:24 Vinalhaven (1) 71:17 violation (3) 67:23;69:22;74:15 violations (2) 72:14;74:6 visibility (2) 48:20,23 visible (1) 28:11 visit (5) 55:7;56:7,21;57:16,21 visiting (1) 15:4 visual (6) 29:17;30:17;34:2,20; 42:3;92:20 void (1) 74:4 volition (1) 78:2 volume (5) 17:18,19,20;32:2,6 vote (1) 118:15 vouch (1) 32:2</p> <p style="text-align: center;">W</p> <p>Wait (1)</p>	<p>68:3 waiting (4) 108:8;114:5;128:15, 17 waiver (3) 85:15,16,17 Wal*Mart (1) 36:18 Walker (2) 25:18;79:14 wall (1) 29:3 wants (3) 75:4,9;104:5 warned (1) 17:14 Warren (1) 71:15 water (7) 25:5,21;27:13;33:14; 39:20;97:11;107:8 way (25) 12:24;23:7,8;29:12; 32:1;39:23;40:24;42:13; 47:21;49:18;69:24;70:2; 73:21;81:24;85:12; 86:10;87:8,10;90:5; 93:10;94:4;109:18; 116:19;120:8;124:15 ways (1) 91:3 weather (2) 10:6,6 Web (1) 38:17 Wednesday (7) 55:16;56:1,13;122:2, 8,11;129:19 week (26) 5:9;9:18;24:1;25:19; 33:10;34:9;45:9,24; 55:22;59:18,19;61:23; 64:19;66:8;77:10;78:8; 79:18;96:2;115:22; 120:15;121:19;122:7,10, 12;123:2;129:17 weekend (5) 11:23;16:20;27:1; 46:11;59:21 weekends (6) 9:18,19;40:17;50:18; 52:15;63:24 weeks (7) 9:18;81:6;82:11; 92:12;109:5;122:22; 128:9 weigh (1) 80:11 welcome (2) 56:6;67:17 wells (2) 24:4;25:5 Wentworth (2)</p>
---	---	---	---	---

<p>18:2,18 weren't (3) 32:21;87:18;98:11 west (1) 36:8 wetland (1) 32:7 wetlands (6) 78:22;83:12;89:1; 94:21;98:23;110:14 What's (15) 17:21;42:2;50:22; 69:19;70:8,16;74:1; 77:3;91:1,11;94:3; 106:13;109:16;122:20; 128:14 whenever (1) 95:12 whereas (2) 10:7;18:20 whereby (1) 85:12 WHEREUPON (3) 4:9;71:4;132:12 whistles (1) 15:12 whole (8) 19:9;39:20;83:11; 86:15;87:9;89:1;106:6; 117:19 whose (1) 101:2 wildlife (2) 83:13;89:3 willing (5) 21:5,7;56:23;79:14; 99:1 Wind (37) 5:13;7:4,5,19;8:20; 12:1;31:5;34:2;62:19, 22;63:10,16,20;65:23, 24;66:6,19;67:24;68:7; 69:6;71:17;76:19;81:20; 83:23;84:23;96:14; 97:10;99:22;100:9; 102:20,20;104:1,3,21, 22;113:18;125:13 windows (1) 19:2 wind-powered (1) 96:19 wintertime (2) 19:12,15 wire (1) 83:9 withdraw (3) 47:24;57:20;91:21 within (10) 51:14;77:6;84:19; 86:11;98:4;100:5;115:6; 122:16;127:18;128:9 without (5) 14:1;30:5,10;48:13;</p>	<p>123:24 WITNESS (22) 5:23;6:5;22:10;23:9, 15,18,22;32:4,9,14,17; 33:4;37:4;38:5;43:20; 44:1;54:13;60:13;68:13, 21;71:3,4 witness's (1) 47:18 work (15) 22:10;61:18;63:23; 84:3;90:22;102:9;104:6, 7;105:4,8;112:16,21; 114:8;120:21;129:15 work-around (1) 109:15 worked (4) 31:10;62:10;92:22; 128:18 working (10) 56:22;57:6;59:8,15; 61:14;62:6;64:2;84:14; 106:7;113:6 worry (2) 30:11;63:13 worthy (1) 106:3 wound (1) 25:21 wrap (1) 86:15 writing (3) 22:11;115:22;119:22 written (1) 73:5 wrong (2) 8:13;81:23 wrote (1) 53:2</p>			
	Y			
	<p>year (6) 10:5,5,6,7;11:1;94:11 years (6) 12:12;17:11;25:23; 51:15;92:23;106:8 yesterday (3) 51:3;71:12;75:21 young (1) 17:13</p>			