

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

**APPLICATION OF GROTON WIND, LLC
NO. 2010-01**

**PARTIALLY-ASSENTED-TO PETION OF THE
TOWN OF HOLDERNESS TO INTERVENE**

NOW COMES the Town of Holderness (the “Town”), New Hampshire, by and through its attorneys, Donahue, Tucker & Ciandella PLLC, and respectfully requests that the Site Evaluation Committee (the “Committee”) allow the Town to intervene in the above-referenced matter, per Site 202.11, for the following reasons:

1. The Town’s Petition To Intervene is submitted in light of the Committee’s “Order And Notice To Town Of Holderness” (the “Order”) issued January 18, 2011, setting a deadline of February 1, 2011 for the Town to enter an appearance and intervene in this matter.
2. The rights, duties and substantial interests of the Town and its residents may be affected by the proceedings in the above-captioned matter due to the proposed location and nature of the voltage step-up facilities as described in the Order.
3. The interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention. See Site 202.11(b)(3).
4. Per Site 202.14(d), the Town has sought the concurrence with the relief sought from all parties via electronic mail sent on Thursday, January 20, 2011 at 2:00 p.m.
5. As of the present filing date/time, the conditional assent of the Applicant was obtained as follows (excerpt from e-mail correspondence):

The Applicant does not object to the Town’s intervention so long as such intervention is limited to consideration of the issues relating solely to the facilities that are proposed to be located in the Town of Holderness.

6. The Town disagrees with such a limitation in light of the plain language of the Order:

The Subcommittee will accept all data, views and comments with respect to these proceedings from the Town of Holderness throughout the pendency of these proceedings.

7. “These proceedings,” as used in the Order, is not itself defined or limited to proceedings relating only to the step-up facilities. This is reflective of the relationship of the proposed step-up facilities to the broader project being proposed and the SEC proceedings on the matter.

8. The New Hampshire Attorney General (Public Counsel) assents.
9. The Town of Groton assents.
10. The Buttolph/Spring/Lewis Intervenor group stated its assent is dependent on the nature of the Town's concerns, but same cannot be disclosed. Such a request is overly broad and could impinge on attorney/client confidentiality. It would not be proper to condition an intervention on such grounds.
11. All other parties have not responded to the Town's request for assent.

WHEREFORE the Town of Holderness respectfully requests that the Committee:

- A. Grant the Town's Petition To Intervene without condition or reservation;
- B. Copy the undersigned attorneys on all notices and proceedings of the Committee in this case; and
- C. Grant such other relief as the Committee deems just and equitable.

Respectfully submitted,

**TOWN OF HOLDERNESS,
NEW HAMPSHIRE**

By and through its attorneys,

DONAHUE, TUCKER & CIANDELLA, PLLC

January 21, 2011

By: s/ John L. McGowan

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Certificate of Service

I hereby certify that per Site 202.07(a) and (c) a copy of the foregoing PARTIALLY-ASSENTED-TO PETITION OF THE TOWN OF HOLDERNESS TO INTERVENE has this 21st day of January 2011 been served upon all parties/interested parties and committee staff on the Service List (updated January 20, 2011) via electronic mail.

s/ John L. McGowan

John L. McGowan

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