

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

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

**PARTIALLY-ASSENTED-TO JOINT MOTION OF THE APPLICANT AND TOWN OF
HOLDERNESS FOR A MODIFIED PROCEDURAL SCHEDULE**

NOW COMES Groton Wind, LLC (the “Applicant”) and the Town of Holderness, New Hampshire (the “Town” or “Holderness”), by and through their undersigned attorneys, and respectfully move that the Site Evaluation Committee (the “SEC” or the “Committee”) issue an order modifying the existing procedural schedule to enable Holderness to participate in the above-captioned docket. In support of this Joint Motion, the Applicant and Holderness state as follows:

1. Holderness received formal notice of this proceeding on January 18, 2011, and on January 21, 2011 filed a petition to intervene. An order on the petition has not been issued as of the time of the filing of the within Joint Motion.

2. The most recent procedural schedule, adopted by the Presiding Officer on December 22, 2010, contains discovery deadlines which had passed prior to the time that Holderness received formal notice of this docket. Thus, the existing procedural schedule does not provide Holderness with an opportunity to conduct discovery or submit prefiled testimony.

3. In order to provide Holderness with an opportunity to meaningfully participate in this docket without causing undue delay in the existing procedural schedule, the Applicant and Holderness have agreed upon the following schedule:

- February 11, 2011: Town submits no more than 25 data requests to Applicant.
- February 16, 2011: Applicant submits responses to Town.

- February 23, 2011: Previously scheduled Technical Session at which all parties can ask the Applicant follow-up questions on Data Request responses.
- March 2, 2011: Town submits prefiled testimony.
- March 7-11, 2011: Applicant reserves right to hold a technical session in lieu of written data requests on Town's prefiled testimony.

In addition to the foregoing, the Applicant's representatives agree to attend a meeting with the Holderness Selectmen on February 17, 2011 at 7:30 p.m. to explain the elements of the project to be constructed in Holderness and to answer questions. The Applicant will attend up to two (2) additional meetings in Holderness, at the request of the Selectmen, to answer further questions.

4. Pursuant to SEC Rule Site 202.14(d), the undersigned counsel for the Town of Holderness sought concurrence with the relief sought herein from all parties via electronic mail on Tuesday, February 8, 2011 at 3:00 p.m.

5. As of the time of the filing of this Joint Motion, assent to this Joint Motion was obtained from Counsel for the Public, Michael Marino and Lee Ann Moulder, the Buttolph/Lewis/Spring group, the Town of Groton and the Town of Rumney. All other parties/interested parties provided no response to the above-referenced e-mail.

WHEREFORE, the Applicant and Holderness respectfully request that this Committee:

- A. Issue an order modifying the procedural schedule as requested above; and
- B. Grant such further relief as it deems appropriate.

Respectfully Submitted,

GROTON WIND, LLC

By and through its attorneys,

ORR & RENO, P.A.

Dated: February 9, 2011

By: s/ Susan S. Geiger

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**TOWN OF HOLDERNESS,
NEW HAMPSHIRE**

By and through its attorneys,

DONAHUE, TUCKER & CIANDELLA, PLLC

Dated: February 9, 2011

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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 Joint Motion Of The Applicant And Town Of Holderness For A Modified Procedural Schedule has this 9th day of February 2011 been served upon all parties/interested parties and committee staff on the Service List via electronic mail.

s/ John L. McGowan

John L. McGowan