

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

<i>In re</i> Proceeding to Suspend the Certificate of Site and Facility of Groton Wind, LLC.)))))	No. 2010-01
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**WITHDRAWAL OF COUNSEL FOR THE PUBLIC
OF ENFORCEMENT CLAIMS**

Counsel for the Public, by his attorneys, the Office of the Attorney General, and pursuant to and subject to the terms and conditions of the Settlement Agreement dated July 9, 2014, between Counsel for the Public and Groton Wind, LLC (the “Settlement Agreement”), withdraws his Enforcement Claims as such are defined in the Settlement Agreement. In support hereof, Counsel for the Public represents as follows:

1. On July 9, 2014, Counsel for the Public and Groton Wind LLC entered into the Settlement Agreement.

2. Pursuant to the Settlement Agreement, the parties defined Counsel for the Public’s Enforcement Claims as follows:

That Groton Wind constructed its Wind Project not in accordance with its SEC certificate in violation of RSA 162-H:5, I; that the SEC should order Groton Wind to terminate the violation and move the Wind Project’s operations and maintenance building to its originally certificated location; and that Groton Wind’s Environmental, Health and Safety Plan (filed October 11, 2013) is deficient.

3. Pursuant to the Settlement Agreement, Counsel for the Public settled the Enforcement Claims and agreed to conditionally withdraw the Enforcement Claims and provide a release of the Enforcement Claims to Groton Wind.

4. The withdrawal is to be made within five days of the execution of the Settlement Agreement. The withdrawal is to become permanent and the release is to become effective upon payment of a certain sum of money to Counsel for the Public on or before May 1, 2015.

5. The Settlement Agreement is subject to approval by the Committee and a motion seeking such will be filed by the parties on or before July 19, 2014.

6. Counsel for the Public reserved to himself the right to participate in any adjudicative proceeding with respect to Groton Wind's requests to amend its certificate of site and facility but not to demand that the operations and maintenance building be removed or relocated, nor to assist others with seeking a determination that Groton Wind has violated the terms of its certificate of site and facility, or any provision of law.

7. In consideration of the foregoing, Counsel for the Public therefore withdraws his Enforcement Claims in this case as such may be expressed in the various claims, protests and objections lodged with and made before the Committee, including the following pleadings: Response to Intervenors' Request to Reopen the Record (2/13/13); Response to Environmental, Health and Safety

Plan (10/18/13); Memorandum (12/4/13); Objection to Motion to Amend Certificate (12/16/13); Reply Memorandum (1/6/14); and Objection to Motion for Approval of Amendment to Town of Groton Agreement (4/21/14), to the maximum extent necessary to withdraw his Enforcement Claims, and requests that the Committee take no further action with respect to the Enforcement Claims.

Wherefore, Counsel for the Public prays that the Committee allow him to withdraw conditionally his Enforcement Claims and that the Committee take no further action with respect to such claims, and grant such other and further relief as may be just.

Respectfully submitted,

COUNSEL FOR THE PUBLIC

ANN M. RICE
DEPUTY ATTORNEY GENERAL



Dated: July 16, 2014

Peter C.L. Roth
Senior Assistant Attorney General
33 Capitol Street
Concord, New Hampshire 03301

CERTIFICATE OF SERVICE

I, Peter C.L. Roth, do hereby certify that I served the foregoing upon the parties by email.

July 16, 2014

/s/ Peter C.L. Roth
Peter C.L. Roth