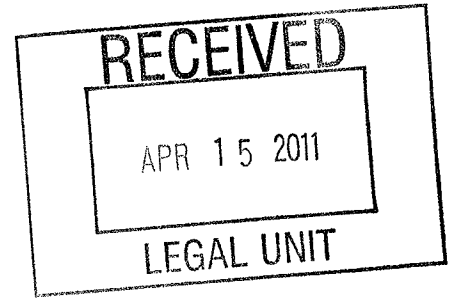


MARY ALLEN
21 Summer Street
Antrim, NH 03440



April 15, 2011

Thomas S. Burack, Chairman
State of New Hampshire, Site Evaluation Committee
c/o New Hampshire Department of Environmental Services
P.O. Box 95
29 Hazen Drive
Concord, NH 03302-0095

Re: Docket No. 2011-2

Dear Chairman Burack:

I respectfully petition the State of New Hampshire Site Evaluation Committee to grant me general intervention status in the proceedings in Docket No. 2011-2, Re: Antrim Wind Energy LLC, pursuant to New Hampshire Code of Administrative Rules, Site 202.11 and RSA 541-A:32, and I state as follows:

I am a signatory to the Petition, which I filed with your office today on behalf of 131 registered voters in the Town of Antrim, by means of which those registered voters request that the State of New Hampshire Site Evaluation Committee rule against the Petition for Jurisdiction Over Renewable Energy Facility filed by Antrim Wind Energy LLC, for reasons set forth in the petition, the text being attached to this letter and incorporated by reference herein.

I have continuously maintained my primary residence and have been a registered voter in the Town of Antrim since 1975. In those 36 years, I have been privileged to serve my community for 12 years on the Antrim Board of Adjustment (2 years as its chair), for 3 years as an alternate to the Antrim Planning Board, 12 years as a Supervisor of the Checklist, and am currently in my 5th year of service as an Antrim school board member on the Contoocook Valley Regional School District.

I have also served on two Master Plan committees, on my town's Capital Improvement Committee and authored the sign regulations for the Antrim Zoning Ordinance. Outside local government, I've participated in a number of local events and organizations, including such diverse groups as the Antrim Players community theater group and our town-wide Daffodil Day celebration.

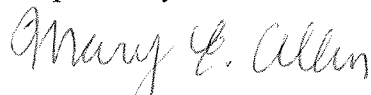
I trust in my community to handle its challenges. Within our town we have many fierce and eloquent debaters, but we have always found ways to work together. Specifically to the issue before the Site Evaluation Committee in the above-referenced matter, I believe that this town can and will effectively use planning and zoning tools to create opportunities for new projects. Antrim has done in the past, including adding provisions to the Antrim Zoning Ordinance for housing for the elderly, and to using the planning and zoning processes to evaluate, and eventually reject, a plan to convert a college campus into a private prison.

I respectfully request the Site Evaluation Committee continue to allow our citizens to craft effective planning and zoning tools that will deal with emerging alternate energy projects and to continue to work with Antrim Wind Energy LLC on the local level. The Antrim Planning Board is poised to begin this important work and I support the intent of the voters who signed the attached Petition in their wish to see our town to guide its future.

My rights, duties, privileges, immunities, or substantial interests as a resident, registered voter, Town Meeting attendee, property owner and citizen may be affected by the proceeding. Allowing intervention will not impair the interests of justice and the orderly and prompt conduct of the proceedings.

I have today delivered a copy of this petition for intervention electronically to Richard Uchida, Orr & Reno Professional Association, attorney for Antrim Wind Energy LLC, and to the Antrim Board of Selectmen.

Respectfully,



Mary E. Allen

(603) 588-2742

mallen65@hotmail.com

PETITION

We, the undersigned registered voters in the Town of Antrim, New Hampshire, request that the State of New Hampshire Site Evaluation Committee rule against the Petition for Jurisdiction Over Renewable Energy Facility requested by Antrim Wind Energy LLC.

We request this ruling for the following reasons:

1. We assert the timing for this Petition for Jurisdiction is not ripe.

- a. The first request to the NH Site Evaluation Committee for jurisdiction oversight came from the Antrim Board of Selectmen, in a letter received in your office Feb. 10, 2011. It requests State oversight “if and when an application is made to construct this facility.”

Antrim Wind Energy LLC has not submitted an application (as defined under 162-H:7, Application for Certificate) or even a preliminary site plan for this project to the Town of Antrim, the Antrim Planning Board, or the NH Site Evaluation Committee. This project is not fully developed. Antrim Wind Energy LLC’s own Petition reveals plans to conduct further studies and discussions before an application will be ready, by current estimate at the end of 2011.

Thus, Antrim’s Wind Energy LLC’s petition for immediate jurisdiction determination is clearly not within the terms of the original Antrim Board of Selectmen’s request. For this reason alone, appropriateness of exercise, and perhaps further, the manner of any exercise of discretionary jurisdiction is not ripe for determination.

- b. In addition, the membership of the Antrim Board of Selectmen and the Antrim Planning Board changed significantly after town elections on March 8, 2011. As a result, the majority of the Antrim Planning Board no longer supports the Town’s request for State oversight, and only one Selectman who supported the vote to request NH Site Evaluation Committee jurisdiction, if and/or when a site plan for this project is submitted, is currently in office.
- c. Given both of the points above, we are asking the NH Site Evaluation Committee to either deny the Antrim Wind Energy LLC’s petition without prejudice to resubmit or that the issue be subject to continuance under SEC procedural rule Site 202.17 until ripe.

2. We assert that jurisdiction over the Antrim Wind Energy LLC project is a matter for local control.

- a. The Town of Antrim has a fully developed Zoning Ordinance plus Subdivision Regulations, including Site Plan Review. Planning and zoning regulations have been in effect in Antrim since 1974. As the land use landscape changed over the decades, the Town’s lawfully elected or appointed land use boards have properly and diligently overseen the development of new regulations, ordinances and master plans in a timely and productive manner.
- b. The Antrim Planning Board is currently developing local procedures, including possible zoning ordinances or overlays, for wind energy projects consistent with RSA 672:1, III-a. That work, to be assisted by an ad hoc advisory committee, is expected to be completed within six months and should be ready for a Special Town Election vote in Fall 2011 or, at the latest, by March 2012. That schedule will not cause undue delay to this developer. This important work will be rendered moot if jurisdiction over Antrim Wind Energy LLC’s project is considered and ruled upon before the Antrim voters have the opportunity to vote on any fully developed planning instruments proposed.

3. We assert that premature jurisdiction by the State of New Hampshire over this project might invite litigation and unnecessary expense for the Town of Antrim, the State of New Hampshire, and/or the project developer.

- a. Allowing this local renewable energy project, the extent of which is contained solely within the borders of the Town of Antrim, to be subject to siting oversight from the State is not warranted.

Acceptance of State jurisdiction is discretionary, and this project is undersized and not clearly defined for the burdens of the NH Site Evaluation Committee, especially when local controls and procedures are in place.

- b. Numerous Antrim voters have clearly indicated at public meetings that they wish this matter to be handled by the local boards and by the local ordinances they have supported over the Town's 37-year history with planning and zoning. Premature assertion of control by the State will invite litigation against the Town, Antrim Wind Energy LLC, and the State from stakeholders who would be excluded from the local process they have enjoyed for decades. Exemption consideration under RSA 162-H:4, IV would be improperly foreclosed.
- c. In addition, future litigants may construe such a request for State oversight as an effort to avoid local control over a locally controllable land use dispute. If the State accepts jurisdiction here, and most especially if done precipitously, it sets a bad precedent for other small renewable energy projects which could be subject to State siting simply because the developer wants to avoid local control.

Signature

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