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PATRICK H. TAYLOR  
Direct Dial: (603) 628-1266  
Email: patrick.taylor@mclane.com  
Licensed in NH and MA

December 30, 2012

Thomas S. Burack, Chairman  
New Hampshire Site Evaluation Committee  
Department of Environmental Services  
29 Hazen Drive  
Concord, NH 03302

Re: Berlin Station, LLC – SEC Docket No. 2011-01

Dear Chairman Burack:

Pursuant to Committee's Order dated December 10, 2012, I enclose an Affidavit of Barry Needleman documenting publication of the Order in the *Union Leader* and *Berlin Daily Sun* newspapers, as well as the publication of a display ad in the *Berlin Daily Sun* regarding the January 10, 2013 public hearing in the above-referenced docket.

If you have any questions, please contact me.

Sincerely,



Patrick H. Taylor

Enclosure

cc: Service List

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

**SEC DOCKET NO. 2011-01**

**MOTION OF BERLIN STATION, LLC FOR  
AMENDMENT OF THE CERTIFICATE OF SITE AND FACILITY**

**AFFIDAVIT OF BARRY NEEDLEMAN**

I, Barry Needleman, being duly sworn, do under oath depose and state as follows:

1. I am a director at the McLane Law Firm and I am counsel for Berlin Station, LLC (“Berlin Station”).

2. On December 10, 2012, the Chairman of the Site Evaluation Committee issued an Order and Notice of Public Meeting (“Order”).

3. That Order required Berlin Station to: (1) publish the Order on or before December 19, 2012 in a newspaper of regular statewide circulation; (2) publish the Order in at least one newspaper of general circulation in Coos County; and (3) publish a display ad in said newspaper advising the public of the date, time, place, and subject matter of the of the public meeting.

4. The Order also required Berlin Station to file an affidavit attesting to said publications of notice with the Chairman of the Committee on or before January 3, 2013.

5. The Order was published in the Union Leader, a newspaper of general statewide circulation, on Friday, December 14, 2012. A copy of the published notice, as well as an affidavit of publication from the Union Leader is attached to this Affidavit.

6. The Order was also published in the Berlin Daily Sun, a paper of general circulation in Coos County, on Thursday, December 13, 2012. A copy of the published notice from the Berlin Daily Sun is attached to this Affidavit.

7. A display ad was also published in the Berlin Daily Sun, a paper of circulation in Coos County, on December 13, 2012. A copy of the display ad from the Berlin Daily Sun is attached to this Affidavit.

12/28/12  
Date

Barry Needleman  
Barry Needleman

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Personally appeared before me this 28<sup>TH</sup> day of December, 2012, the above-described Barry Needleman, and made oath that the statements contained in the within Affidavit are true and accurate to the best of his knowledge and belief.

Patrick H. Taylor  
Notary Public/Justice of the Peace  
My Commission Expires: 11/9/2016

PATRICK H. TAYLOR  
Notary Public - New Hampshire  
My Commission Expires November 9, 2016

**UNION LEADER CORPORATION**

**P O BOX 9513  
MANCHESTER, NH 03108**

**0000147983  
MCLANE  
900 ELM STREET  
PO BOX 326  
MANCHESTER NH 03102-0326**

I hereby certify that the legal notice: (0000357130) DOCKET# 2011-01/BERLIN STATION  
was published in the New Hampshire Union Leader  
printed at Manchester, NH by the Union Leader Corp.

On:  
12/14/2012.

**State of New Hampshire  
Hillsborough County**

**Subscribed and sworn to before me this**

14 day of December 2012

Phyllis E Manning  
Notary Public



## Legal Notice

### STATE OF NEW HAMPSHIRE SITE EVALUATION COMMITTEE ORDER AND NOTICE OF PUBLIC MEETING

December 10, 2012

**PLEASE TAKE NOTICE** that the Site Evaluation Committee for the State of New Hampshire will conduct a public meeting on January 10, 2013 at 9 AM. The meeting shall be held at the Berlin City Hall, 168 Main Street, Berlin, New Hampshire.

The business of the Site Evaluation Committee at said meeting shall include the following dockets and any other business that is lawfully before the Committee:

#### Docket Number 2011-01

#### Motion of Berlin Station, LLC for Amendment

#### of the Certificate of Site and Facility Background

On November 8, 2010, the New Hampshire Site Evaluation Committee (Committee) issued a Certificate of Site Facility (Certificate) to Laidlaw Berlin BioPower, LLC, for the siting, construction, and operation of a 70 MW biomass fueled power facility located in Berlin, Coos County, New Hampshire (Facility). On July 12, 2011, the Committee granted a Motion to Amend the Certificate and to Transfer the Certificate to Berlin Station, LLC. Further information regarding the Certificate, the Amended Certificate and the Facility is available at the Office of the Chairman of the Committee located at:

New Hampshire Department of  
Environmental Services,  
29 Hazen Drive,  
Concord, N.H. 03301

or at the Committee's website:  
[www.nhsec.nh.gov](http://www.nhsec.nh.gov).

On November 6, 2012, Berlin Station LLC (Applicant) filed a Motion to further amend the Certificate (Motion). The Motion seeks to further amend the Certificate in four (4) areas: (1) the Applicant seeks to reconfigure the wood yard area of the facility including (i) the use of an A-frame overhead stack-out conveyor and an under-pile reclaim conveyor system and (ii) a shift of the processing building approximately 250 feet to the south with the installment of a set of two conveyors to be used to handle incoming woodchips and stack out to piles; (2) the Applicant proposes to eliminate the development of an area referred to as the "River Walk"; (3) the Applicant seeks to eliminate some of the fencing requirements due to the elimination of the "River Walk"; and (4) the Applicant seeks to modify the landscaping

## Notices

plan as a result of closer on-site inspection of the Site.

The Motion and attachments, including Testimony of Dammon M. Frecker on behalf of Berlin Station, LLC and an updated wood yard plan, are available for review at the office of the Chairman of the Committee (set out above) and on the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov).

#### Authority for Hearing

Amendments to the Certificates are required to be approved by the Committee pursuant to RSA 162-H. The Committee's authority to approve or deny the proposed amendments is set forth in RSA 162-H: 4, RSA 172-H: 5, I, and N.H. CODE OF ADMINISTRATIVE RULES, SITE 203.

#### Intervention and Public Comment

Any person wishing to intervene in this matter shall file a motion to intervene on or before January 3, 2013. Motions to intervene should comply with the requirements of N.H. CODE OF ADMINISTRATIVE RULES, SITE 202.11. Objections to motions to intervene shall be filed by January 10, 2013. Written public comment on the Motion will be accepted through the conclusion of the proceedings.

At the Public Meeting, the Committee will consider motions to intervene, if any are filed, and in the absence of intervention, may deliberate on the merits of the Motion or may determine that further proceedings are necessary.

#### Docket Number 2012-03

#### Motion for Declaratory Ruling by Atlantic Design Engineers, Inc on behalf of Jericho Power, LLC

#### Background

On October 3, 2012, Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC (Applicant), filed a Motion for Declaratory Ruling pursuant to N.H. CODE OF ADMINISTRATIVE RULES, SITE 203.1 with the New Hampshire Site Evaluation Committee (Committee). The Applicant seeks to construct a wind energy facility (Facility) consisting of up to three (3) turbines on the western slope of Jericho Mountain in Berlin, NH. The Applicant anticipates that the Project will have a rated capacity between 4.95 and 8.55 megawatts. The Applicant requests the Committee to issue an Order stating that the Committee's review of the Project would not be required. Further information regarding the Motion, together with the aerial site plan and USGS map of the Project's location, are available for review at the office of the Chairman of the Committee (set out above) and on the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov).

#### Authority for Hearing

Pursuant to RSA-H: 2, VII (g) and XII, the Committee shall determine whether the Project requires a Certificate and Facility consistent with the findings and purposes set forth in RSA 162-H: 1.

#### Intervention and Public Comment

Any person wishing to intervene in this matter shall file a motion to intervene on or before January 3, 2013. Motions to Intervene should comply with the requirements of N.H. CODE OF ADMINISTRATIVE RULES, SITE 202.11. Objections to motions to intervene shall be filed by January 10, 2013. Written public comment on the Motion will be accepted through the conclusion of the proceedings.

At the Public Meeting, the Committee will consider motions to intervene, if any are filed, and in the absence of intervention, may deliberate on the issue if whether the Project should require a Certificate or may take other action consistent with its statutory mandate and administrative regulations.

## ORDER AND NOTICE

It is hereby ordered, that the Site Evaluation Committee for the State of New Hampshire, will meet in public session for consideration of matters pending in the above referenced dockets on January 10, 2013 at 9 AM at the Berlin City Hall, 168 Main Street, Berlin, New Hampshire; and,

It is hereby further ordered, that Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall cause a copy of this order and notice of public meeting to be published no later than December 19, 2012, in the New Hampshire Union Leader or New Hampshire Sunday News which are newspapers of regular statewide circulation. Berlin Station, LLC, and Atlantic Design Engineers, Inc on behalf of Jericho Power, LLC may share the cost of said publication; and,

It is hereby further ordered, that Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. of behalf of Jericho Power, LLC, shall cause a copy of this order and notice of public meeting to be published in an additional newspaper of regular circulation in Coos County on or before December 19, 2012. In addition, Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall publish display ads in said newspaper advising the public of the date, time, place, and subject matter of the public meeting in Docket Number 2011-01 and in Docket Number 2012-03. Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC may share the cost of said publication and advertisement; and,

It is hereby further ordered, that Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall file affidavits documenting the required publications of this order and notice on or before January 3, 2013.

**By Order of the Site Evaluation Committee, this 10th day of December, 2012.**

Thomas A. Burack  
New Hampshire Site Evaluation  
Committee

Thomas S. Burack, Chairman  
(UL - Dec. 14)

# The Conway Daily Sun

P.O. Box 1940, Seavey Street  
North Conway, N.H. 03860  
603-356-2999

I hereby certify that McLane Law Offices' ads for Docket No. 2011-01, Docket No. 2012-03 and the 12/0 Meeting were published in The Berlin Daily Sun, a newspaper of general distribution in Berlin, NH, the County of Coos and that it was last published on -  
-December 13<sup>th</sup>, 2012.

Dated the 20<sup>th</sup> of December 2012

  
-----  
Jamie Brothers  
Sales

**STATE OF NEW HAMPSHIRE, CARROLL, ss.**

Subscribed and sworn to by Joyce Brothers,  
this 20<sup>th</sup> day of November 2012. Before me,

  
-----  
Notary Public  
My Commission Expires April 9, 2013

**Services**

LOOKING for some housecleaning? Call Helene at 603-326-3325.

**North Country Angel**

Registered through the state. Quality comfort care 24/7 hrs. avail. Adheres to all clients needs, dependable & honest 723-6257 Call for an appt.

RESIDENTIAL plowing for the Berlin, Gorham area call for free estimates and other services we offer 723-9699 or Email us at Plowmanplus@yahoo.com 24 hrs 7 days a week.

**TECHPROS- COMPUTER SALES & SERVICE**

19+ years experience! On-site computer repair, upgrades, wireless setup, virus removal, & more! (603)723-0918 www.TechProsNH.com

**Thagouras Construction**

All aspects of carpentry and masonry, specializing in drywall/sheetrock, free estimates, 603-915-6730 ask for James.

ZIMMER Snowplowing. Shovel-ing decks/ walkways. Also light sanding. Free estimates, 723-1252.

**Wanted**

BOOKS WANTED; AMC guides journals, White Mountains, regional history, Arkham House, estates purchased cash. (603)348-7766.

**BUYING JUNK CARS**

and trucks. Paying in cash. Highest prices! No gimmicks. Kelley's Towing (603)723-9216.

**BUYING JUNK CARS**

Cash for your unwanted or junk vehicle. Best local prices! Roy's towing 603-348-3403.

**Wanted To Buy**

ANTIQUES, individual pieces and complete estates. Call Ted and Wanda Lacasse, 752-3515.

**BUYING JUNK CARS AND TRUCKS**

Paying in cash  
Highest Prices!  
No gimmicks  
**Kelley's Towing**  
(603)723-9216.

**BUYING JUNK CARS**

Cash for your unwanted or junk vehicle. Best local prices! Roy's towing 603-348-3403.

**ATTENTION**

The town office in Dummer will be closed Monday, December 17th from 8-4. The office will be open from 5-7 p.m.

**PUBLIC HEARING  
TOWN OF MILAN**

The Milan Board of Selectmen will hear public comments at its meeting Monday December 17, 2012 at 7pm for the purpose of adopting the latest "Flood Insurance Study of Coos County" completed by the Federal Emergency Management Agency (FEMA).

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

**Docket No. 2011-01**

**Motion of Berlin Station, LLC  
for Amendment of the  
Certificate of Site and Facility**

The New Hampshire Site Evaluation Committee will hold a public meeting for consideration of the Motion of Berlin Station, LLC for Amendment of the Certificate of Site and Facility issued to Laidlaw Berlin Biopower, LLC and transferred to Berlin Station, LLC. At the Public Meeting, the Committee will consider motions to intervene, if any are filed, and in the absence of intervention, may deliberate on the merits of the Motion or may determine that further proceedings are necessary. The public meeting will take place on **January 10, 2013**, at 9 AM at Berlin City Hall, 168 Main Street, Berlin NH.

STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE  
ORDER AND NOTICE OF PUBLIC MEETING  
December 10, 2012

PLEASE TAKE NOTICE that the Site Evaluation Committee for the State of New Hampshire will conduct a public meeting on January 10, 2013 at 9 AM. The meeting shall be held at the Berlin City Hall, 168 Main Street, Berlin, New Hampshire.

The business of the Site Evaluation Committee at said meeting shall include the following dockets and any other business that is lawfully before the Committee:

**Docket Number 2011- 01**  
**Motion of Berlin Station, LLC for Amendment**  
**of the Certificate of Site and Facility**  
**Background**

On November 8, 2010, the New Hampshire Site Evaluation Committee (Committee) issued a Certificate of Site and Facility (Certificate) to Laidlaw Berlin BioPower, LLC, for the siting, construction, and operation of a 70 MW biomass fueled power facility located in Berlin, Coos County, New Hampshire (Facility). On July 12, 2011, the Committee granted a Motion to Amend the Certificate and to Transfer the Certificate to Berlin Station, LLC. Further information regarding the Certificate, the Amended Certificate and the Facility is available at the Office of the Chairman of the Committee located at:

New Hampshire Department of Environmental Services  
29 Hazen Drive  
Concord N.H. 03301

or at the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov).

On November 6, 2012, Berlin Station LLC (Applicant) filed a Motion to further amend the Certificate (Motion). The Motion seeks to further amend the Certificate in four (4) areas: (1) the Applicant seeks to reconfigure the wood yard area of the facility including (i) the use of an A-frame overhead stack-out conveyor and an under-pile reclaim conveyor system and (ii) a shift of the processing building approximately 250 feet to the south with the installation of a set of two conveyors to be used to handle incoming woodchips and stack out to piles; (2) the Applicant proposes to eliminate the development of an area referred to as the "River Walk"; (3) the Applicant seeks to eliminate some of the fencing requirements due to the elimination of the "River Walk"; and (4) the Applicant seeks to modify the landscaping plan as a result of closer on-site inspection of the Site.

The Motion and attachments, including Testimony of Dammon M. Frecker on behalf of Berlin Station, LLC and an updated wood yard plan, are available for review at the office of the Chairman of the Committee (set out above) and on the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov).

Authority for Hearing

Amendments to the Certificates are required to be approved by the Committee pursuant to RSA 162-H. The Committee's authority to approve or deny the proposed amendments is set forth in RSA 162-H; 4, RSA 162-H: 5, I, and N.H. CODE OF ADMINISTRATIVE RULES, SITE 203.

Intervention and Public Comment

Any person wishing to intervene in this matter shall file a motion to intervene on or before January 3, 2013. Motions to intervene should comply with the requirements of N.H. CODE OF ADMINISTRATIVE RULES, SITE 202.11. Objections to motions to intervene shall be filed by January 10, 2013. Written public comment on the Motion will be accepted through the conclusion of the proceedings.

At the Public Meeting, the Committee will consider motions to intervene, if any are filed, and in the absence of intervention, may deliberate on the merits of the Motion or may determine that further proceedings are necessary.

Docket Number 2012- 03

Motion for Declaratory Ruling by Atlantic Design Engineers, Inc on behalf of Jericho Power, LLC

Background

On October 3, 2012, Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC (Applicant), filed a Motion for Declaratory Ruling pursuant to N.H. CODE OF ADMINISTRATIVE RULES, SITE 203.1 with the New Hampshire Site Evaluation Committee (Committee). The Applicant seeks to construct a wind energy facility (Facility) consisting of up to three-(3) turbines on the western slope of Jericho Mountain in Berlin, NH. The Applicant anticipates that the Project will have a rated capacity between 4.95 and 8.55 megawatts. The Applicant requests the Committee to issue an Order stating that the Committee's review of the Project would not be required. Further information regarding the Motion, together with the aerial site plan and USGS map of the Project's location, are available for review at the office of the Chairman of the Committee (set out above) and on the Committee's website: [www.nhsec.nh.gov](http://www.nhsec.nh.gov).



**Looking for an outgoing, energetic individual to support a 22 year old young man in the Berlin community.** This is a part time flexible position up to 12 hours a week. Please send resume to Denise Davis 87 Washington St. Conway, NH 03818, by fax 447-8893 or E-mail to [ddavis@northernhs.org](mailto:ddavis@northernhs.org) (601-030)

*All positions require a valid driver's license, proof of adequate auto insurance, completion of driver's and criminal background checks. This agency is an equal opportunity provider, and employer. (10208)*

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- RN - Emergency Dept, FT, PT & Per Diem.
- RN - OR & Surgical Services,
- Coder/Transcription - Full-time.
- ED Registration Clerk - FT
- Clerk - Registration Per Diem
- Med Tech - Lab, Per Diem
- Clinical Applications Coordinator, IT - Full-time
- Office RN - Primary Care, Part-time 0.8 and Per Diem

*A completed Application is required to apply for all positions*

Website: [www.memorialhospitalnh.org](http://www.memorialhospitalnh.org)

Contact: Human Resources, Memorial Hospital, an EOE  
PO Box 5001, No. Conway, NH 03860.

Phone: (603)356-5461 • Fax: (603)356-9121

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## STATE OF NEW HAMPSHIRE SITE EVALUATION COMMITTEE

### Docket No. 2012-03

### Motion for Declaratory Ruling by Atlantic Design Engineers, Inc. on Behalf of Jericho Power, LLC

The New Hampshire Site Evaluation Committee will hold a public meeting for consideration of the Motion for Declaratory Ruling by Atlantic Design Engineers, Inc. on Behalf of Jericho Power, LLC. Jericho Power, LLC seeks to construct a wind energy facility consisting of up to three (3) turbines on the western slope of Jericho Mountain in Berlin, NH and requests the Committee to issue an Order stating that the Committee's review of the project would not be required. At the Public Meeting, the Committee will consider motions to intervene, if any are filed, and in the absence of intervention, may deliberate on the issue of whether the Project should require a certificate of may take other action consistent with its statutory mandate and administrative regulations. The public meeting will take place on **January 10, 2013**, at 9 AM at Berlin City Hall, 168 Main Street, Berlin NH.

#### Authority for Hearing

Pursuant to RSA-H: 2, VII (g) and XII, the Committee shall determine whether the Project requires a Certificate and Facility consistent with the findings and purposes set forth in RSA 162-H: 1.

#### Intervention and Public Comment

Any person wishing to intervene in this matter shall file a motion to intervene on or before January 3, 2013. Motions to intervene should comply with the requirements of N.H. CODE OF ADMINISTRATIVE RULES, SITE 202.11. Objections to motions to intervene shall be filed by January 10, 2013. Written public comment on the Motion will be accepted through the conclusion of the proceedings.

At the Public Meeting, the Committee will consider motions to intervene, if any are filed, and in the absence of intervention, may deliberate on the issue if whether the Project should require a Certificate or may take other action consistent with its statutory mandate and administrative regulations.

#### ORDER AND NOTICE

It is hereby ordered, that the Site Evaluation Committee for the state of New Hampshire, will meet in public session for consideration of matters pending in the above referenced dockets on January 10, 2013 at 9 AM at the Berlin City Hall, 168 Main Street, Berlin, New Hampshire; and,

It is hereby further ordered, that Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall cause a copy of this order and notice of public meeting to be published no later than December 19, 2012, in the New Hampshire Union Leader or New Hampshire Sunday News which are newspapers of regular statewide circulation. Berlirt Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC may share the cost of said publication; and,

It is hereby further ordered, that Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall cause a copy of this order and notice of public meeting to be published in an additional newspaper of regular circulation in Coos County on or before December 19, 2012. In addition, Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall publish display ads in said newspaper advising the public of the date, time, place, and subject matter of the public meeting in Docket Number 2011-01 and in Docket Number 2012-03. Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC may share the cost of said publication and advertisement; and,

It is hereby further ordered, that Laidlaw Berlin Station, LLC, and Atlantic Design Engineers, Inc. on behalf of Jericho Power, LLC, shall file affidavits documenting the required publications of this order and notice on or before January 3, 2012.

By Order of the Site Evaluation Committee, this 10th day of December, 2012.  
Thomas S. Burack, Chairman  
New Hampshire Site Evaluation Committee