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September 18, 2015

Mr. David K. Wiesner  
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N.H. Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301

**Subject: New Hampshire Site Evaluation Committee Rulemaking, Rulemaking Notice  
2015-12  
Site 205 and Site 300 - Explanation of Proposed Rule and Certificates of Site  
and Facility Rules of the Site Evaluation Committee  
SEC Docket No. 2014-04**

Mr. Wiesner:

RENEW Northeast, Inc., (“RENEW”)<sup>1</sup> submits this letter concerning the Site Evaluation Committee’s (“SEC”) Draft Final Proposed Rules referenced in the above-captioned matter that were submitted to the Office of Legislative Services on September 1, 2015. RENEW urges the SEC to amend the Draft Final Proposed Rules by making the most restrictive sound limit (day or night) be no lower than 45 dBA. While RENEW’s comments address only the sections of the Draft Final Proposed Rules relating to sound, RENEW also supports the comments filed by EDP Renewables and Wagner Forest Management on numerous other issues.

RENEW urges the SEC to reconsider the Draft Final Proposed Rules in the sections on sound. The lack of noise complaints from the three New Hampshire projects operating under the current

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<sup>1</sup> The comments expressed herein represent the views of RENEW and not necessarily those of any particular member of RENEW.

regulatory approach does not support the restrictive limits in the Draft Final Proposed Rules. RENEW is concerned that the proposed noise rules could effectively prohibit wind facility development in the state. The state’s existing projects, operating under less complex and restrictive acoustical requirements as described in Figure 1, are free of complaints.

SEC Noise Limits by Project	
Lempster Wind	<ul style="list-style-type: none"> <li>• Town agreement differed from the SEC standard. Measured 300 feet from existing, occupied buildings. Different standard for the Goshen/Lempster school.</li> <li>• SEC standard triggered mitigation measures including installing Energy Star air-conditioners in bedrooms of non-participating homeowners if in-door noise levels exceeded the greater of 30 dBA or 5dBA above ambient.</li> </ul>
Granite Reliable	<ul style="list-style-type: none"> <li>• No noise standards</li> </ul>
Groton Wind	<ul style="list-style-type: none"> <li>• Daytime: Not to exceed 55 dBA or 5 dBA above ambient, whichever is greater.</li> <li>• Nighttime: Not to exceed 45 dBA or 5 dBA above ambient, whichever is greater.</li> <li>• Campground: Not to exceed 40 dBA or 5 dBA above ambient, whichever is greater.</li> </ul>

**Figure 1. Sound Limits Set by the SEC for Operating Wind Projects.**

Given’s New Hampshire success at siting wind energy facilities that are free of sound complaints, the SEC should consider simplifying the Draft Final Proposed Rules and making the most restrictive sound limit (day or night) be no lower than 45 dBA. Measurements should be taken at least 7.5 meters from the existing wall of any existing permanently occupied building on a non-participating landowner’s property, or at the non-participating landowner’s property line if it is less than 300 feet from an existing occupied building.

The Sound Study Methodology in Site 301.18 is also complex and potentially costly. It could severely restrict wind development in New Hampshire. Its methodology and application is seemingly untested on wind facilities. The referenced ANSI/ASA standards were not developed with complexities associated with measurements in a windy environment necessary for wind turbine operations and the rules preclude the use of best practices such as oversize or double wind screens. This results in unknown potential complications and additional regulatory uncertainty for all parties which is counter to the intent of the rule making.

As the SEC has not performed a field trials of the suggested methodology and the Draft Final Proposed Rules do not provide reasoning behind the various requirements, it is unclear how these novel sound requirements will be implemented in practice. It is also unclear how developers can account for the uncertainty or potential regulatory risk to ensure they design facilities that will be found to comply with the sound rules. RENEW is concerned that the cost, complexity and lack of certainty will needlessly stifle wind development in New Hampshire. RENEW requests the SEC conduct a field trial of the Sound Study Methodology to demonstrate

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that it is reasonable, feasible and an efficient use of funds. If the time available prior to adoption of these rules precludes such a field trial, RENEW requests that the rule reference a technical sound guidance document to be finalized after such testing has been completed and evaluated by appropriate stakeholders.

Thank you for your work in helping the SEC to produce these Draft Final Proposed Rules. RENEW would appreciate posting of this letter on the SEC's Docket No. 2014-04 webpage.

Respectfully submitted,



Francis Pullaro  
Executive Director