

September 24, 2015

Dear Governor Hassan,

I have spent a year involved with the Rulemaking at the SEC, and it is painfully clear to me, and the other public participants with whom I have spoken, that the members of the SEC are captured by industry (google “regulatory capture” if you are unfamiliar with this process) and incompetent to assess the considerable technical issues involved in siting energy projects in this state.

With wind, there are complicated issues concerning shadow-flicker, visual impacts, setbacks for ice throw, sound measurements and efficiency, which the SEC has chosen generally to ignore in favor of the simple and lax standards provided by the lawyers representing the Industrial Wind corporations.

The SEC has resolutely refused to consider meteorology and topography as they pertain to industrial wind turbine siting, despite seven submissions on these issues by Dr. Fred Ward:

<http://www.nhsec.nh.gov/projects/2014-04/documents/09-14-15-sec-2014-04-letter-fred-ward.pdf> (most recent)

I would say the SEC needs expert technical advice, but they were given quite a bit of it during the Rulemaking process, and it has had very little effect. They consistently averted their gaze when fundamental issues and crucial information were presented. Anything they could place outside their purview and cite as someone else’s responsibility (ISO’s, the legislature’s) they dropped from discussion. For example, it appears that no one but ISO-NE and the industrial wind corporations know how much energy from the wind turbines actually makes it into the grid. The SEC considers that ISO’s purview, ISO doesn’t care about efficiency, and the wind corporations consider it confidential data. So the wind projects’ actual energy input to the grid is completely ignored when these projects are being evaluated by the SEC, and their continued operation after permitting is not contingent upon any standard of efficiency.

No issue too big to ignore, seems to be the SEC’s motto.

An ombudsman or oversight committee, unassociated with industry or government, needs to be appointed to oversee the Rulemaking.

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