

March 4, 2015

SEC Chairman Honigberg
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, NH 03301

For the record I am Mark Watson and I reside in Groton. NH.

My comments today will center on NH RSA 162-H:16.IV(e) which states:
"Issuance of a certificate will serve the public interest".

And NH RSA 162-H:16.IV(b) "The site and facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies."

The Site Evaluation Committee's draft of proposed rules dated January 30, 2015 has neglected to adequately address municipal input. Local governing bodies must be given "due consideration" in the SEC hearing process for siting an energy facility. Planning Boards across the state have assembled area specific Master Plans. NH RSA 674:2 "The purpose of the master plan is to set down as clearly and practically as possible the best and most appropriate future development of the area under the jurisdiction of the planning board, to aid the board in designing ordinances that result in preserving and enhancing the unique quality of life and culture of New Hampshire". The SEC's omission of any reference of Master Plans is a direct attempt to circumvent local input and is direct violation of serving the public interest.

Town zoning ordinances must also be adhered to while siting an energy facility. If a town has ordinances that identify specific siting guidelines, the SEC should in the public interest honor the intent of the ordinance. The currently proposed SEC rules do not cover all possible siting guidelines. Guidelines that are not covered by SEC rules, but have been enacted by a municipality should be given "due consideration" by the SEC to assure the public interest is being served. I will name just a few town specific siting guidelines:

- 01) Steep slopes
- 02) Impacts on public infrastructure
- 03) Communication interference
- 04) Administration and associated costs

Sections that must be rewritten to specifically state that Master Plans and Zoning Ordinances of the host and abutting municipalities are included :

- 01) Site 301.09 Effects on Orderly Development of Region.
- 02) Site 301.15 Criteria Relative to a Finding of Undue Interference
- 03) Site 301.03(h)(6) application shall include information describing how the proposed facility will be consistent with the public interest

The current wording is as follows with recommended addition in parentheses:
“ views of municipal and regional planning commissions and municipal governing bodies regarding the proposed facility, if such views have been expressed in writing” (including but not limited to Master Plans and Zoning Ordinances of host and abutting municipalities)

Other sites that need to be revised in the public interest are:

- 01) Site 201.01 Public Information Sessions Prior to Application
- 02) Site 201.02 Informational Meetings. Public Information Sessions After Application

Both sections take a direct quote from NH RSA 162-H:10 “shall present information regarding the project and receive comments from the public”

This sentence needs a definitive narrative. Let me break it down. “Present information” this vague term allows the applicant to provide the public with only an abstract description of the project. The applicant avoids supplying the public any specific technical, environmental, financial or siting information.

The second part of the sentence “receive comments from the public”
Shouldn't the rule read: receive and answer questions from the public?

I have participated in Public Informational Sessions. The applicant's over use of the following phrases: “I don't know” or “I'm not an engineer, I can't answer that” do not serve the public interest.

Public information session rules must be explicit. The applicant shall be required to provide the public complete unrestricted details of a project. The applicant shall also be required to answer all questions relative to the project.

Another disappointment is: Site 301.03(f) “If the application is for an electric generating facility, the application shall include the following information:

- (3)c Whether the unit will serve base, intermediate or peaking loads;
- (3)e Impact on system stability and reliability”

Why were items 3c and 3e deleted? How can the SEC possibly approve an electrical facility if you don't know the impact on system stability and reliability? Have you completely forgotten the public interest and the ratepayers of the state? Any facility in New Hampshire must prove they will enhance stability and reliability not diminish it. Will the unit serve base, intermediate or peaking loads? Once again, if a community is hosting an electrical energy facility it would be in the public interest to know if the power produced is base load, intermediate load, or peak load.

Site 301.03(f) must also require that parasitic power consumption be documented. Without parasitic consumption knowledge, the net value of a project cannot be determined.

I will close by directing this committee back to NH RSA 162-H:16.IV sections (b) and (e). "The site and facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies." and "Issuance of a certificate will serve the public interest".
Please remember these two statements when you resume your rule making.

Thank you,

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