

3/23/2015

Dear Chairman Honigberg and SEC Members,

As a follow up to my testimony provided at the public hearing before the SEC on Rulemaking, I wish to emphasize my concern regarding the rules for shadow flicker. The work group listened to the experience of Mason County, Michigan resident Cary Shineldecker. Five 476 foot turbines, with a 100 meter rotor diameter are located within 1/2 mile from Shineldecker's home. Thirteen turbines are located within one mile and 26 turbines are within 1 1/2 miles.

The developer, Consumers Energy, conducted a pre-construction analysis for shadow flicker, resulting in an astronomical worst case of 48.8 hours of flicker per year on Shineldecker's home. The figure was reduced to 6.8 hours per year to reflect a more realistic number, with consideration provided for cloud cover and weather patterns.

Within four weeks of the project going on line, Mr. Shineldecker's home exceeded the projected flicker of 6.8 hours per year and proceeded to exceed ten hours per year, despite a Mason County ordinance limiting flicker to this number.

Why did this happen? Modeling for shadow flicker is commonly based on a German standard using shorter blades. The modeling assumes shadows will not cast beyond 10 - rotor diameter widths. Today's turbines are composed of longer and wider blades, which reach beyond the German standard. In fact, Shineldecker's home was impacted with flicker by a turbine located 5,400 feet away. This is a distance of greater than one mile! In addition, the Mason County Zoning and Building department measured shadow flicker greater than 6,000 feet (1.14 miles) in distance. This equates to 18+ rotor diameters.

At the March 4th testimony, legal council representing EDPR stated shadow flicker should only be subject to occupied buildings. NH constitutional rights protect the property of citizens, as well as their enjoyment and well being of life. It is an injustice to allow the taking of one's property by another for their gain. The rules should uphold the constitutional rights of citizens by requiring shadow flicker be completely eliminated by project layout, setback distances and curtailment technology. The technology indeed exists and citizens deserve protection under the current law.

Thank you for your consideration.

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