

April 12, 2015

New Hampshire Site Evaluation Committee  
c/o David K. Wiesner, Staff Attorney  
N.H. Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301

Dear David,

Thank you for all your efforts in consolidating the SEC Rulemaking comments into a single format. We recognize this was a herculean task given the amount of feedback from many stakeholders.

There are a few items of concern we would like to point out regarding the "SEC Rulemaking Public Comment Issues List" document:

- We concur with the email from Kris Pastoriza requesting the rationales be included in the document.

I appreciate your efforts to verbally share some of the rationale with the Committee members during the deliberation process, however there is a risk that important and relevant evidence may be overlooked due to the filtering process. A significant amount of time was spent researching siting recommendations from wind turbine vendors as well as rules/regulations adopted in other states and countries, which was then condensed and incorporated into our overall comments document. We are concerned the SEC Committee Members will be unable to make properly informed decisions without this essential and highly germane information.

- These sections are missing the comments and/or reference to comments that have been submitted by NHWW/WA:
  1. Site Access and Control
  2. Electric Generating Facility Application Requirements
  7. VIA Scope and Area of Potential Visual Effect
  8. Photosimulation
  15. Orderly Development
  18. Site Visits

The absence of our supporting evidence could limit the committee's ability to fully assess our recommendations. While our comments may be similar to some of others in these areas, there are meaningful differences. For example:

- Site Access and Control – we recommended the language:  
Site 301.03 Contents of Application.  
(c) Each application shall contain the following information with respect to the site *and other necessary infrastructure* of the proposed energy facility.

The rationale section contained the following: *“Using Wild Meadows as an example, the Applicant did NOT have control of the entire site and therefore was unable to complete all required studies. They may not have been able to take control at any point. Unless the Applicant can legally show control of the land, there is no point in moving forward with the adjudicative process.”* This is critical information that was missing from the deliberation. A portion of the transmission route was evidently not under legal control for Wild Meadows.

I would be glad to provide a full account for all the NHWW/WAG changes that were overlooked/excluded for these sections and the reasons we believe they require consideration and incorporation. Please let me know if you would like me to provide you with those details.

While the intent of the Legislature may have been ambiguous in some areas, they were very clear in stating, *“the committee shall rely upon the **best available evidence**”*.

Sincerely,

Lori Lerner  
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