



November 17, 2015

Martin Honigberg, Chairman
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301

Dear Chairman Honigberg:

We write concerning the proposed administrative rules the Site Evaluation Committee recently presented to the Joint Legislative Committee on Administrative Rules. We have reviewed the JLCAR staff recommendation and the JLCAR decision of record to file a preliminary objection to Site 301.16 and Site 301.14(g). We encourage the SEC to report back to JLCAR that it stands by its original proposals for these two proposed rules.

Unquestionably, the siting of energy facilities in New Hampshire has both immediate and long-term implications for our economy as well as our natural environment and historic character. Therefore, the regulatory system must assure that the appropriate balance is achieved between the need for a large-scale energy facility and the need to protect our natural environment. The essence of RSA 162-H --- as you eloquently testified at the October 15, 2015 JLCAR hearing --- is to empower the SEC to attain this balance when reviewing individual applications from developers.

The two proposed rules referred to above reflect the Legislature's intent to make it clear to all stakeholders what considerations should be taken into account when reaching the determination that a project serves the public interest. Legislators who co-sponsored SB 245 were interested in making the SEC process more accessible and understandable to the public, with the primary goal of expanding public trust and confidence in the entire process.

In their October 27 letter to you, all the original cosponsors of SB 245 urged the SEC to stand by its original proposals for these two rules. We appreciate this support and agree with their views regarding the intent and legislative discussions surrounding the public interest determination. We also believe the SEC can strengthen its position by explaining more fully how and why these rules are consistent with the statute itself and therefore worthy of a JLCAR decision to withdraw its Preliminary Objections. Thank you.

Will Abbott, Society for the Protection of NH Forests
Susan Arnold, Appalachian Mountain Club
Jim O'Brien, The Nature Conservancy
Carol Foss, Audubon Society of New Hampshire