

**STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE**

Docket No. 2015-01

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In re: )  
SEA-3, INC., )  
Request for Exemption )

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**ASSENTED TO AND EXPEDITED  
MOTION OF COUNSEL FOR THE PUBLIC  
TO AMEND PROCEDURAL SCHEDULE**

Counsel for the Public, by his attorneys, the Office of the Attorney General, hereby moves the Committee for entry of an order, pursuant to RSA 162-H:4 and 10 amending the Procedural Schedule entered in this case to provide for additional time for Counsel for the Public's expert to conduct necessary investigation and write a report and testimony. In support hereof, Counsel for the Public represents as follows:

1. On January 8, 2015, Sea-3, Inc. moved the Committee to exempt it from the certification process.
2. On June 18, 2015, the Presiding Officer entered the Procedural Order.
3. Among the deadlines scheduled was the date for the testimony of Counsel for the Public's expert, a technical session, data requests and the like, all more or less sequenced.
4. The procedural Order also established July 6, 2015, as the date by which he could seek the approval of the engagement of an expert.
5. On July 6, 2015, Counsel for the Public filed a motion seeking to retain Sebago Technics. Counsel for the Public sought the assent of Sea-3 but it declined. Other parties responded favorably, the Town did not respond.

6. On July 15, 2015, Sea-3 filed an objection to Counsel for the Public's motion.

7. The Committee entered an order on August 10, 2015, granting Counsel for the Public's motion but this grant falls only one week before the previously set deadline for filing testimony. Sebago could not begin its work until its hire had been approved by the Committee.

8. On July 17, 2015, Counsel for the Public met with counsel to Sea-3 and discussed the procedural schedule. As a result of that meeting the parties agreed to modify the procedural schedule as follows:

|                    |  |
|--------------------|--|
| September 9, 2015  | Counsel for the Public to pre-file testimony   |
| September 16, 2015 | Deadline for Petitioner to submit data requests to Counsel for the Public                        |
| September 26, 2015 | Deadline for Counsel for the Public's answers to data requests submitted by the Petitioner       |
| October 6, 2015    | Technical session (depending on party and room availability) <sup>1</sup> for <u>all</u> parties |

9. Other parties were consulted on this schedule. Newington, Dover, and Portsmouth assented. Other intervenors (DePimenta and The Stewards) did not respond but Counsel for the Public has reason to believe that they assent as well.

WHEREFORE, Counsel for the Public respectfully requests that the Committee enter an order adjusting the procedural schedule as set forth above, and to include a site visit, and granting such other and further relief as may be just.

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<sup>1</sup> Counsel for the Public has a conflict with this day.

Respectfully submitted,

COUNSEL FOR THE PUBLIC

By his attorneys

JOSEPH A. FOSTER  
ATTORNEY GENERAL



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