

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2015-01

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

**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. On September 4, 2015, the Committee amended the procedural order and set the date for Counsel for the Public's testimony at September 9, 2015, and set corresponding dates for data requests and responses. This order has not, as of September 10, 2015, been served on Counsel to the Public.
4. Due to unforeseen complications, and despite ample cooperation from the Applicant and the railroad, Sebago could not complete its investigation and finalize its report before the September 9, 2015 date.

5. Counsel for the Public seeks to move the date for the Sebago report to September 16, 2015, and the dates for data requests and responses to September 23, 2015, and October 5, 2015, respectively.

6. Other parties were consulted on this request. The Applicant, Dover, Portsmouth, the Stewards of the Great Bay, and the Portsmouth intervenors assented. Newington did not reply.

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

Respectfully submitted,

COUNSEL FOR THE PUBLIC

By his attorneys

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Certificate of Service

I, Peter C.L. Roth, do hereby certify that I caused the foregoing to be served by email upon each of the parties on the email Service List.

Dated: September 11, 2014

/s/ Peter C.L. Roth
Peter C.L. Roth