

**NEW HAMPSHIRE SITE EVALUATION COMMITTEE  
OF THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**



IN THE MATTER OF THE APPLICATION OF SEA 3, INC.

**SEC Docket No. 2015-01**

**MOTION TO INTERVENE**

NOW COME John and Jane Sutherland of 8 Dunlin Way, Portsmouth, New Hampshire 03801 (“Proposed Intervenors”), and respectfully submit this Motion to Intervene in the above-captioned proceeding.

**Background**

1. This is an application by the Applicant Sea 3, Inc. (“Sea 3”) for a waiver from the approval and certification provisions of RSA Chapter 162-H, relating to energy facility evaluation, siting, construction and operation.
2. The undersigned Intervenors are residents of the City of Portsmouth, residing at 8 Dunlin Way, Portsmouth, New Hampshire 03801. The Intervenors are directly affected, including affects to safety, welfare, health and property value, by the dramatic expansion of operations contemplated by the Applicant Sea 3’s projected “improvements,” described at pages 7 through 9 of the Sea 3 application for waiver.

**Interests of the Proposed Intervenors**

3. The Intervenors strongly oppose the waiver and exemption request made by the Applicant for the reasons set forth in the letter dated February 17, 2015 to the SEC from Richard DiPentima, which is incorporated by reference in this Motion to Intervene, as if fully set forth herein. The proposed Intervenors live in a municipality directly adjacent to the municipality in which the Sea 3 expansion project is to be carried out. The project has already been declared to be of sufficient size and importance as to be a project of

regional impact. The proposed Intervenor's home is located in the neighboring community and is directly along the rail tracks which are intended to service the expansion, with substantial intensification of the use of those tracks and the carrying of materials to the Sea 3 facility.

4. The undersigned Intervenor respectfully state that the potential damage of their property, and their and others' health, safety and welfare are directly implicated by the Sea 3 expansion, and by the current application before the Site Evaluation Committee of the New Hampshire Public Utilities Commission, warranting status as intervenors and parties before the SEC and in this proceeding. The Intervenor respectfully request an Order by the SEC allowing them to proceed as Intervenor and parties, and to receive copies of the all of the relevant filings by the Applicant, and other parties and interested persons.

Respectfully submitted,

**Jane Sutherland and John Sutherland**

Date: April 20, 2015

By:  \_\_\_\_\_  
John Sutherland

By:  \_\_\_\_\_  
Jane Sutherland

**CERTIFICATION**

I hereby certify that on this 20th day of April 2015, I served a copy of the foregoing via U.S. First Class Mail to:

Hon. Martin P. Honigberg, Chairman  
Site Evaluation Committee  
c/o NH Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429