



July 15, 2016

Pamela G. Monroe, Administrator  
New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301

**Re: NH Site Evaluation Committee Docket No. 2015-02**

Dear Ms. Monroe:

Enclosed please find a motion by The Wind Action Group (“Windaction”) seeking access to certain confidential documents belonging to Antrim Wind LLC. This motion is respectfully filed in accordance with the Site Evaluation Committee’s July 6, 2016 Order. Original signed copies of this motion and the completed Exhibit A were sent via US Mail to the Committee and the Applicant. The other parties to this proceeding each received a copy via electronic mail. Please let me know if you have any questions pertaining to the enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lisa Linowes'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Lisa Linowes

cc: Service List for Docket No. 2015-02

**STATE OF NEW HAMPSHIRE**  
**SITE EVALUATION COMMITTEE**

**Docket No. 2015-02**

RE: Application of Antrim Wind, LLC for Certificate of site and )  
facility to construct a wind electric generation in the town of Antrim, )  
Hillsborough County, New Hampshire and operate the same )

**MOTION OF THE WIND ACTION GROUP TO OBTAIN ACCESS TO CERTAIN**  
**CONFIDENTIAL DOCUMENTS BELONGING TO ANTRIM WIND LLC**

The NH Site Evaluation Committee's ("SEC" or "Committee") July 6, 2016 Order on Motion For Protective Order And Confidential Treatment ("Order") granted, in part, and denied, in part, Antrim Wind LLC's Partially Assented-To Motion for Protective Order and Confidential Treatment. Pursuant to the Committee's Order, the Windaction Group respectfully moves to obtain access to the following protected information belonging to Antrim Wind LLC ("Applicant" or "AWE"):

- a) copy of Applicant's pro forma financial statements;
- b) copy of Balance of Plant Contract with Reed & Reed and the Preconstruction Service Agreement;
- c) copy of Reed & Reed's cost estimates;
- d) copy of the Turbine Supply Agreement and Service and Maintenance Agreement with Siemens;
- e) copy of all letters of intent, or other agreements or contracts with financing institutions including any memorandum of understanding (MOU); and
- f) Information about Power Purchase Agreements<sup>1</sup>.

The reasons for such access are set forth as follows:

- 1) RSA 162-H:16 IV (a) requires the Committee find that the Applicant has adequate financial capability to "assure construction and operation of the facility in continuing compliance with the

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<sup>1</sup> The Committee denied the Applicant's request to protect "information about" Power Purchase Agreements (s).

terms and conditions of the certificate.” The protected documents contain relevant financial information that is necessary to assess the Applicant’s financial ability to meet this condition.

Windaction seeks this information in order to test assertions made by the Applicant.

2) RSA 162-H:16 IV (a) also requires the Committee find that the Applicant has adequate technical and managerial capability to ensure the project will be constructed and operated in full and continuing compliance with the certificate. The protected documents include contracts and other information pertaining to the Applicant and contractors it is relying on to ensure the Certificate conditions are met.

Windaction seeks this information in order to test assertions made by the Applicant and the contractors it will be working with.

3) The Committee has denied the Applicant’s request to protect information pertaining to Power Purchase Agreement(s). Nonetheless, Windaction seeks access to this information in order to assess the Applicant’s ability to secure long-term revenue and thus ensure the project’s financial viability.

In accordance with the Committee’s Order, Windaction has executed and attached the Confidentiality Agreement included as Exhibit A with the Order. Original signed copies of this motion and Exhibit A have also been sent via U.S. Mail to the Committee and the Applicant.

The following parties have informed Windaction that they *support this motion*: Counsel for the Public, NH Audubon, The Berwicks and Janice Longgood on behalf of the abutting intervenor group, Dr. Fred Ward on behalf of the Meteorologists, The Blocks on behalf of the non-abutting intervenor group, and The Stoddard Conservation Commission. The following parties have informed Windaction that they *take no position on this motion*: The Antrim Board of Selectmen, and The Harris Center. The following parties have informed Windaction that they *oppose this motion*: John Griffin. Windaction did not receive a response from the Applicant or the other intervenors not included in the above list.

WHEREFORE, in view of the foregoing, Windaction respectfully requests that the Committee grant this motion.

Dated this day of July 15, 2016

THE WIND ACTION GROUP



By: Lisa Linowes  
286 Parker Hill Road  
Lyman, NH 03585  
603-838-6588

cc: Parties to Docket 2015-02

EXHIBIT A

THE STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE

Docket No. 2015-02

**Re: Application of Antrim Wind Energy, LLC  
For a Certificate of Site and Facility**

CONFIDENTIALITY AGREEMENT

I, LISA KNOWLES, hereby certify that I am a Party to the above-captioned proceeding and in connection with my interests therein, I request to be given access to the following Confidential Information maintained by the Site Evaluation Committee: SEE ATTACHED LIST.

I further certify that I have read the Site Evaluation Committee's protective order issued in the above-captioned matter, understand it and agree to be bound by it. I understand that this Exhibit A does not authorize my access to the above Confidential Information until I have signed and delivered it to counsel for Antrim Wind Energy, LLC, and until it has been provided to the Site Evaluation Committee by said counsel.

Date: 7/15/14

  
Signature of Party to Docket No. 2015-02

<sup>1</sup> A "Party" or "Parties" to the SEC Proceeding include any individual or organization, and their attorney, who have been granted intervenor status in the SEC Proceeding by the presiding officer or chairman, pursuant to Site 202.11.

I request to be given access to the following Confidential Information:

- a) copy of Applicant's pro forma financial statements;
- b) copy of Balance of Plant Contract with Reed & Reed and the Preconstruction Service Agreement;
- c) copy of Reed & Reed's cost estimates;
- d) copy of the Turbine Supply Agreement and Service and Maintenance Agreement with Siemens;
- e) copy of all letters of intent, or other agreements or contracts with financing institutions including any memorandum of understanding (MOU); and
- f) Information about Power Purchase Agreements