

# STATE OF NEW HAMPSHIRE SITE EVALUATION COMMITTEE

## Concerning Antrim Wind Energy LLC Docket No.2015-02

### OBJECTION BY BARBARA BERWICK TO THE APPLICANT'S MOTION TO STRIKE BARBARA BERWICK'S SUPPLEMENTAL PREFILED TESTIMONY

#### Background

1. On March 25<sup>th</sup> the Committee issue the procedural schedule for this docket stating that supplemental pre-filed testimony was due on August 15<sup>th</sup>. The Committee issued a 2<sup>nd</sup> order on August 15<sup>th</sup> granting an extension until August 18<sup>th</sup>.
2. This Intervenor submitted all supplemental pre-filed testimony before the August 18<sup>th</sup> deadline in accordance with the Committee's requirements. This Intervenor filed 3 reports and one personal calendar.
3. During the July 12,13, 2016 technical sessions the non-abutting intervenors were asked by Attorney Justin Richardson, representing the town of Antrim, to state how construction of the project would impact their lives. Implicit in this directive is the disbelief that there would be any true impact on the non-abutting intervenors lives. The report titled, "Adverse Health Effects of Wind Turbines, by Roy Jaffrey directly addresses this marginalization of the effects of industrial wind turbines, " family physicians should be aware that patients reporting adverse effects from industrial wind turbines might experience symptoms that are intense and pervasive and might feel further victimized by lack of caregiver understanding." The author describes the very real health effects created by wind turbines which directly relates to Attorney Richardson's question. In addition the article by the Environmental Protection Agency and the literature review of the toxicological evaluation of Rare Earths ( metals) shows the personal effects related to wind turbines.
4. The applicants state:

"That supplemental testimony should therefore be struck as it is inconsistent with the purpose for supplemental pre-filed testimony. **Moreover, if parties are permitted to contravene SEC practice and use supplemental testimony to introduce new arguments and documents that plainly could have been included in their initial testimony, it creates substantial risk of unfairness"**

The applicant states that allowing the introduction of this intervenor's supplemental testimony creates a substantial risk of unfairness.

This intervenor is a registered nurse with no previous experience in court proceedings. In addition, this intervenor had no legal council, or any type of

assistance in the writing of her pre-filed testimony, or her supplemental pre-filed testimony. This intervenor would state that is not a “risk of unfairness” but a true unfairness that novices in legal matters, such as herself are up against teams of lawyers.

As an intervenor, the supplemental material was filed in a timely manner and it’s intent was to answer questions raised in the technical sessions. It is correct that my addressing the issue as a response to Jack Kenworthy’s statement was not the correct fashion. However, this Intervenor respectfully requests that the Committee deny the Applicant’s motion to strike and permit her supplemental testimony to remain in the record.