

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

October 18, 2016 - 9:03 p.m.
49 Donovan Street
Concord, New Hampshire

DAY 9
MORNING SESSION ONLY

IN RE: SEC DOCKET NO. 2015-02
ANTRIM WIND ENERGY, LLC:
Application of Antrim Wind
Energy, LLC for a Certificate
of Site and Facility.
(Hearing on the Merits)

PRESENT FOR SITE EVALUATION SUBCOMMITTEE:

- Cmsr. Robert R. Scott Public Utilities Commission
(Presiding as Presiding Officer)
- Cmsr. Jeffrey Rose Dept. of Resources &
Economic Development
- Dr. Richard Boisvert Dept. of Cultural Resources/
(Designee) Div. of Historical Resources
- John S. Clifford Public Utilities Commission/
(Designee) Legal Division
- Dir. Eugene Forbes Dept. of Environ. Services/
(Designee) Water Division
- Patricia Weathersby Public Member

Also Present for the SEC:
Michael J. Iacopino, Esq. (Brennan...)
Marissa Schuetz, SEC Program Specialist

COURT REPORTER: Susan J. Robidas, NH LCR No. 44

1 APPEARANCES: (as noted by the court reporter)

2 Reptg. Antrim Wind Energy (Applicant):
3 Barry Needleman, Esq. (McLane...)
4 Rebecca S. Walkley, Esq. (McLane...)
5 Henry Weitzner (Antrim Wind Energy)
6 Jack Kenworthy (Antrim Wind Energy)

7 Reptg. Counsel for the Public:
8 Mary E. Maloney, Esq.
9 Asst. Atty. General
10 N.H. Attorney General's Office

11 Reptg. the Town of Antrim:
12 Justin C. Richardson, Esq. (Upton...)
13 John Robertson, Chairman
14 Robert Edwards, Selectman

15 Reptg. Harris Ctr. for Conservation Ed.:
16 James Newsom, Esq.

17 Reptg. Audubon Society:
18 Jason Reimers, Esq.
19 Francie Von Mertens
20 Carol Foss

21 Reptg.Reptg. Abutting Landowners Group:
22 Barbara Berwick, pro se
23 Bruce Berwick, pro se
24 Janice Duley Longgood, pro se
Brenda Schaefer, pro se
Mark Schaefer, pro so

Reptg. Allen/Levesque Group:
Charles Levesque, pro se
Mary Allen, pro se

Reptg. Meteorologists Group:
Dr. Fred Ward

Reptg. the Wind Action Group:
Lisa Linowes

Reptg. the Giffin/Pratt Group:
Benjamin Pratt

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

APPEARANCES (cont'd)

Reptg. Stoddard Conservation Commission:
Geoffrey T. Jones

Wesley Enman, Intervenor

Reptg. Non-Abutting Landowners Group:
Richard Block, pro se
Annie Law, pro se
Robert Cleland, pro se
Kenneth Henninger, pro se

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

I N D E X

WITNESS: WESLEY ENMAN	PAGE
Direct Examination by Mr. Iacopino	13
Cross-examination by Mr. Reimers	14
Cross-examination by Mr. Block	21
Cross-examination by Ms. Berwick	23
Cross-examination by Mr. Richarson	27
Cross-examination by Ms. Maloney	44
QUESTIONS FROM SUBCOMMITTEE MEMBERS AND SEC COUNSEL:	
Mr. Boisvert	46
Cmsr. Rose	50
Ms. Weathersby	53
Mr. Clifford	58
Presiding Officer Scott	60
Mr. Iacopino	61
DISCUSSION RE: ORAL ARGUMENTS V. WRITTEN BRIEFS	63

I N D E X (cont'd)

1			
2	WITNESS PANEL:	MARK SCHAEFER	
3		BRENDA SCHAEFER	
4		JANICE DULEY LONGGOOD	
5		BRUCE BERWICK	
6		BARBARA BERWICK	
			PAGE
7	Direct Examination by Mr. Iacopino		76
8	Cross-examination by Ms. Linowes		83
9	Cross-examination by Dr. Ward		119
10	Cross-examination by Mr. Levesque		143
11	Cross-examination by Mr. Block		148

12	EXHIBITS		PAGE
----	----------	--	------

13	Antrim 4	DES Environmental Fact Sheet, "NH Fish Consumption Guidelines"	27
14	Antrim 5	NH 2012 Section 305(b)and 303(d) Surface Water Quality Report	27
15	Data Request by Subcommittee for survey sent to Lempster residents by Mr. Enman		TBD
16	MI-18	Response to Data Request re: Jaffrey weather data and the source for the data	138
17	MI-19	Attachment 6, Table 4-2, Shadow Flicker Analysis Epsilon Associates (Page 4-3)	138
18	MI-20	Drawing of wind turbine, "Photos-Google Photos" (10/12/16)	138
19			
20			
21			
22			
23	WA-35x (renumbered to WA-41X) thru WA-39x		PREMARKED
24			

1 P R O C E E D I N G S

2 PRESIDING OFFICER SCOTT: Good
3 morning, everybody. This is Day 9 of the
4 Antrim SEC hearings. We have Mr. Enman on --
5 we're starting with Mr. Enman on the panel.

6 Couple of housekeeping things.
7 I want to remind everybody that tomorrow the
8 hearing will be at the PUC in Hearing Room A,
9 and then the following day will be back here
10 again. So, again, we'll start at 9:00
11 tomorrow, Hearing Room A at the PUC. And
12 tomorrow will be a shorter day. We'll end
13 approximately around 3:00, maybe 3:15.

14 You had a question, Ms. Linowes?

15 MS. LINOWES: Yes, Mr. Chairman.
16 Thank you. I wanted to just follow up on a
17 letter I sent on Friday and some confusion
18 regarding attachments to that letter. And I'm
19 not sure if you were apprised of the
20 communications that were happening.

21 PRESIDING OFFICER SCOTT: I know the
22 Committee was copied, I think, which I'm not
23 sure we should have been. But what's the
24 question?

1 MS. LINOWES: Well, the purpose of
2 the letter was to communicate that back on
3 Day 1 of the hearings, there was some confusion
4 as to whether or not there was confidential
5 information discussed in a public session. And
6 I wanted to clarify the record, that the
7 information that I did say was, in fact, not
8 confidential, and it was acquired entirely
9 through public resources, including one of the
10 attached documents that I sent was the public
11 pro forma that the Applicant had made available
12 to all of the parties through the discovery
13 process. And also, I included that and
14 referenced that during Day 1 of the hearings.
15 It turns out that on one of the -- on several
16 of the pages, not the cover page, but several
17 of the pages of that public pro forma, it does
18 state "Proprietary and Confidential," something
19 I never noticed or paid attention to. But that
20 document was distributed to all of the
21 intervenors by the Applicant through the
22 discovery process. And I wanted to get some
23 clarification today that that document, in
24 fact, was a public document. In fact, that's

1 my first question, if I can.

2 PRESIDING OFFICER SCOTT: So you're
3 asking the Applicant if that's a public
4 document that you attached?

5 MS. LINOWES: Yes. Ms. Monroe, Pam
6 Monroe, had e-mailed me expressing concern that
7 I had distributed a proprietary and
8 confidential document. And history I believe
9 shows that it was not intended to be
10 confidential and proprietary. There was a
11 separate pro forma document supplied to me in
12 hard copy form, and it's never been made
13 available electronically. So that was the
14 first thing. And I wanted to -- before this
15 Committee will consider I believe the letter
16 that I sent on Friday, that point has to be
17 clarified about the treatment of that document
18 that was attached.

19 PRESIDING OFFICER SCOTT: Unless the
20 Applicant wants to make a motion, your
21 document's in the record. So, unless Mr.
22 Needleman would like to add anything at this
23 point, I'm not sure there's any additional
24 action required.

1 MS. LINOWES: Well, the reason I'm
2 bringing it up is I am highly sensitive to
3 being accused of distributing confidential and
4 proprietary documentation, and I want the
5 record to be clear, yes, it's in the record,
6 absolutely it's in the record, but it was
7 submitted into the record as a public document.
8 And I'm sensitive about being accused of
9 violating my obligations in terms of treating
10 confidential documentation.

11 PRESIDING OFFICER SCOTT: Well,
12 you're in the transcript now. Unless Attorney
13 Needleman would like to add something, we'll
14 move on.

15 MR. NEEDLEMAN: Just one thing.
16 We're not going to make a motion at this point.
17 We continue to be concerned about this issue.
18 And I'm concerned, as well, that if Ms. Linowes
19 wanted to clarify the record, we think it would
20 have been appropriate to do so by filing a
21 letter more narrowly on this issue and not to
22 the entire service list. That continues to be
23 an issue of concern to us. And at this point I
24 don't feel the need to address it any further.

1 PRESIDING OFFICER SCOTT: Okay.

2 MS. LINOWES: I'm not sure I
3 understand that. Is it -- I don't understand
4 that. Is it the letter that was submitted to
5 the Committee and to the service list
6 clarifying what happened on Day 1? Is that a
7 violation -- I was trying to clarify the record
8 that the information that I was referencing on
9 Day 1 was public information. I'm not sure why
10 that's -- what the concern is.

11 PRESIDING OFFICER SCOTT: I know as
12 Presiding Officer my concern would be if you,
13 as an intervenor, have a question on
14 information that may be confidential from the
15 Applicant's point of view, rather than
16 broadcasting that information, you perhaps have
17 a discussion about it and then move on. But I
18 think we're ready to move on with this issue
19 and start the proceeding here.

20 MS. LINOWES: Okay. Then there's
21 just one other issue. We were informed that --
22 Attorney Maloney and I were informed on Friday
23 that the turbine supply agreement and the
24 maintenance agreements have been signed with

1 Siemens, and the Applicant has -- we discussed
2 this as being confidential information. And
3 back in August, we had come to an agreement
4 with the Applicant that I would be given access
5 to the confidential documents that were
6 available at the time -- this was in August --
7 and that we would -- when those documents
8 became available, that we would discuss how I
9 would have access to them. The Applicant is
10 now insisting -- at that time, in August,
11 the Applicant was insisting that they be
12 available, but only -- they wanted me to only
13 be able to go to the Applicant's attorney's
14 offices to view any of those documents. We've
15 passed that impasse on the confidential
16 documents and I did have access to. And the
17 others were deemed to be voluminous and
18 difficult to send, and so we said we'll pass
19 that bridge when they're available. They're
20 now available. The Applicant is now saying I
21 have to go to the attorney's office to view the
22 documents and not -- and be able to take notes.
23 But beyond that, I cannot do anything more with
24 them. And I'm willing to file a motion to get

1 access to those documents, but I just wanted
2 the Committee to know that that is going on
3 right now, that those documents are available
4 and apparently I can't seem to get a hold of
5 them unless I go to their office, a stipulation
6 that you did not impose on me at the time when
7 you gave me access to confidential documents.

8 PRESIDING OFFICER SCOTT: So why
9 don't you go ahead and formulate a motion and
10 submit it to us, you know, what you're asking
11 for.

12 MS. LINOWES: I will do that. Thank
13 you, Mr. Chairman.

14 PRESIDING OFFICER SCOTT: Thank you.

15 All right. I think we're ready
16 for Mr. Enman now, at long last.

17 (WHEREUPON, WESLEY ENMAN was duly sworn
18 and cautioned by the Court Reporter.)

19 PRESIDING OFFICER SCOTT: And again,
20 thank you for your patience. I know about
21 three hearings ago you were supposed to be up.
22 And you've been good about that --

23 MR. ENMAN: I'm not sure this is
24 real, but we'll go from here.

1 PRESIDING OFFICER SCOTT: You were
2 good about allowing others with more time
3 constraints to go first. So I think the
4 agreed-upon order of inquiry was to start with
5 the Audubon Society.

6 MR. IACOPINO: Before we do that, we
7 need to get his testimony --

8 PRESIDING OFFICER SCOTT: I
9 apologize.

10 DIRECT EXAMINATION

11 BY MR. IACOPINO:

12 Q. Do you have your prefiled testimony with you?

13 A. I do have my prefiled testimony.

14 Q. And is it sitting in front of you?

15 A. It is.

16 Q. Do you adopt that testimony here today under
17 oath?

18 A. I do.

19 Q. Are there any changes or additions you wish to
20 make to it?

21 A. I do not.

22 MR. IACOPINO: With that, the witness
23 is ready for cross-examination.

24 PRESIDING OFFICER SCOTT: Thank you.

1 Does the Audubon Society have
2 any questions?

3 MR. REIMERS: Yes. Jason Reimers
4 representing the Audubon Society.

5 CROSS-EXAMINATION

6 BY MR. REIMERS:

7 Q. Mr. Enman, is your microphone on?

8 A. Yes.

9 Q. Okay. Thank you.

10 According to your supplemental testimony,
11 you and Mr. Pratt interviewed 26 individual
12 visitors at Willard Pond?

13 A. Correct.

14 Q. And you interviewed the majority of them?

15 A. Correct.

16 Q. Twenty people?

17 A. Yes, I believe so.

18 Q. And you were there on the Fourth of July from
19 10:30 in the morning until 12:50 in the
20 afternoon?

21 A. Yes.

22 Q. Would you agree that's about 2 hours and 20
23 minutes?

24 A. Yup.

1 Q. You submitted supplemental testimony to respond
2 to statements made by Michael Bartlett, who was
3 until recently the President of New Hampshire
4 Audubon; is that right?

5 A. Yes.

6 Q. And you began your supplemental testimony as
7 follows: "Mr. Bartlett stated that in 2012 and
8 2016, cars from numerous states were observed
9 in the parking area by resident caretakers."
10 Is that right?

11 A. Yes.

12 Q. Of the 20 people you spoke with, two were from
13 Rhode Island, two from Vermont, and one was
14 from Cambridge; is that right?

15 A. Yes.

16 Q. And of the six parties that Mr. Pratt spoke
17 with, one was a family from Massachusetts, and
18 one was a man from Maine?

19 A. I believe so.

20 Q. Okay. So you don't dispute Mr. Bartlett's
21 statement that cars from numerous states visit
22 Willard Pond, do you?

23 A. Absolutely not.

24 Q. How many times have you been to Willard Pond,

1 roughly?

2 A. Thirty, 35 maybe.

3 Q. Okay. And when did you first learn that there
4 is a year-round residential caretaker there?

5 A. During the tech sessions.

6 Q. In the beginning of your supplemental
7 testimony, you also state, "Mr. Bartlett also
8 stated that constant movement of turbine blades
9 would be distracting to visitors scanning for
10 birds or simply enjoying natural surroundings."

11 So you and Mr. Pratt spoke with 26 people.
12 Of the people you spoke with, you stated that,
13 quote, Most supporters had experience or
14 knowledge with some sort of alternative energy;
15 is that right?

16 A. Yes.

17 Q. Did the people you spoke with who were open to
18 the Project tell you that they had no
19 experience or knowledge of alternative energy?

20 A. No.

21 Q. With regard to the people who were opposed to
22 the Project, you state, quote, The opponents
23 from my survey were from Temple and were close
24 to [sic] the natural [sic] gas pipeline. They

1 were against any type of development.

2 Did these people actually say to you, "We
3 are against any type of development"?

4 A. At the Willard Pond Sanctuary, yes.

5 Q. Those three people said that to you?

6 A. There were a husband and wife from Temple and
7 their daughter from Baltimore visiting. They
8 were the first couple that I spoke to. They
9 were -- that husband and wife were against any
10 kind of development. And the third person, I'm
11 not sure where -- I can go back and look and
12 see. But that wasn't -- the three people that
13 you were mentioning were from different groups.
14 So the first -- the couple from Temple was
15 against any development at Willard Pond.

16 Q. Oh, at Willard Pond.

17 A. At Willard Pond. I'm sorry.

18 Q. Oh, okay. I read your statement as they were
19 against any type of development.

20 A. No, at Willard Pond.

21 Q. Okay. And those weren't the only people that
22 told you and Mr. Pratt that they were opposed
23 to turbines overlooking Willard Pond, were
24 they?

1 A. There was one other in mind, and Mr. Pratt
2 provided me with that information that said
3 that he had, you know, other people that
4 were -- a person that was opposed.

5 Q. So Mr. Pratt also had someone who was opposed.
6 And didn't Mr. Pratt also have someone who was
7 also undecided?

8 A. Yes.

9 Q. And you worked for Antrim Energy. I believe it
10 was brought up earlier in this hearing.

11 A. Yes.

12 Q. Correct? And you collected wind data and
13 maintained and moved the LIDAR equipment?

14 A. Correct.

15 Q. You were in favor of the 2012 version of the
16 Project?

17 A. Yes.

18 Q. And you're obviously in favor of the current
19 version.

20 A. Yes.

21 Q. Now, your handwritten survey notes attached to
22 your supplemental testimony indicate that you
23 asked the interviewees if the blades or
24 turbines would affect the environment; is that

1 correct?

2 A. Their enjoyment of the environment, I believe.

3 Q. Okay. There's a discrepancy between your
4 handwritten notes and what you said in your
5 supplemental testimony, but --

6 A. Yeah, my handwritten notes say -- if you'll
7 look at them, they are pretty much scribbled.
8 But what I do is I take notes while I'm talking
9 to people so that I can gather general
10 awareness of the conversation that we had.

11 Q. Did you show any of the interviewees any photo
12 simulations that have been done?

13 A. No. I didn't have those.

14 Q. You had access to them, though.

15 A. I did.

16 Q. Do you think, or do you know whether Mike
17 Bartlett or other Audubon witnesses have viewed
18 those photo simulations?

19 A. I would hope so.

20 Q. Did you ask any of the interviewees whether
21 they were aware that in 2012 the SEC decided
22 that that proposed project would have an
23 unreasonably adverse affect on aesthetics?

24 A. No.

1 Q. Did you discuss the SEC process with the
2 interviewees?

3 A. Not the process. I explained that I was an
4 intervenor and that I was collecting data to
5 bring forth to the SEC.

6 Q. Did you ask them whether the proposed project
7 would have an unreasonable adverse affect on
8 aesthetics?

9 A. Not in that exact verbiage.

10 MR. REIMERS: No further questions.
11 Thank you.

12 PRESIDING OFFICER SCOTT: Thank you.
13 Ms. Linowes.

14 MS. LINOWES: No questions.

15 PRESIDING OFFICER SCOTT: Mr. Ward.

16 DR. WARD: No questions.

17 PRESIDING OFFICER SCOTT: Mr.
18 Levesque or Ms. Allen?

19 MR. LEVESQUE: No questions.

20 PRESIDING OFFICER SCOTT: Mr. Jones.
21 I don't think I see Mr. Jones.

22 Okay. Mr. Block.

23 MR. BLOCK: Yes, just a few
24 questions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CROSS-EXAMINATION

BY MR. BLOCK:

Q. Regarding your employment with Antrim Wind, can you describe what your duties were?

A. Absolutely. And I'll even give you a little bit more. Antrim Wind had LIDAR equipment that was being moved across the ridge line to collect data from the north to the south end of the projected wind site. And because they were located outside of Antrim, they came to me and asked me if I would be interested in assisting them move that equipment and maintaining it. So we moved the LIDAR in all seasons from the north to the south side, and one in the center to collect that data.

Q. So, how frequent were your trips up to the ridge?

A. I would have to go back to my notebook. But we... frequent. I mean, we moved the system, I can't remember if it was every couple -- I think it was every three months. But actually, it had to be more than that because we were moving it summer/winter from the north to the south. So it tended to be every couple months.

1 Q. Did you travel up there to the ridge by
2 yourself at times just to check on things?

3 A. I did make more trips than just to move the
4 equipment, maintain and move the equipment,
5 yes.

6 Q. Do you know, offhand, what the entire period of
7 employment was from roughly when you started
8 and when that ended?

9 A. It was 12 months, and I believe it was 2014. I
10 would have to check the exact year. But I
11 believe it was 2014. I believe so.

12 Q. During that time, or any time since then, has
13 there been any discussion between you and
14 Antrim Wind about any future possibilities of
15 any kind of employment?

16 A. No.

17 Q. Can you tell me how much you were paid for your
18 services?

19 A. It is in my testimony. I would have to dig it
20 up. I think it was -- I don't remember if it
21 was \$4,000 or \$6,000. I can't remember. But I
22 mean, I can find it. It is in the testimony.

23 Q. No, that's okay.

24 MR. BLOCK: No further questions.

1 Thank you.

2 PRESIDING OFFICER SCOTT: Thank you.

3 Ms. Berwick, any questions?

4 MS. BERWICK: Yes.

5 CROSS-EXAMINATION

6 BY MS. BERWICK:

7 Q. Mr. Enman, you and Mr. Pratt completed the
8 informal survey to get people's opinions on the
9 possibilities of turbines. Were the survey
10 questions written down on paper, or did you do
11 the survey in a conversational format?

12 A. In my testimony, you'll see my handwritten
13 notes. I had questions, specific questions
14 that I did ask, but it was done informally.

15 Q. Isn't it very possible, just by the tone of
16 your voice and your body language and the way
17 that you ask questions, that you can lead a
18 person towards the answer that you want?

19 A. I took that very much into consideration. And
20 because I really wanted to not impart my
21 views -- and in fact, one of the respondents
22 asked whether I was a reporter or not because
23 they were just trying to figure out, you know,
24 why I was there and asking those questions.

1 But I tried to remain -- I think I remained
2 completely impartial.

3 Q. Do you know that on Labor Day, Monday, I and
4 three of my friends went to Willard Pond
5 kayaking, and I talked to only two people --
6 actually, I talked to three, but one I just
7 said hello to. One was a man from Connecticut
8 that was fly fishing, and the other was a lady
9 from Massachusetts. I asked them if they knew
10 about the wind turbines and what their opinion
11 was. And I will honestly swear on a bible that
12 I tried to be absolutely non-leading in the way
13 I asked my question. Both of them said they
14 did not want the wind turbines to come. The
15 lady from Massachusetts asked me for the
16 address because she wanted to see if she could
17 contact the SEC. She thought this issue had
18 been settled. Does that informal survey prove
19 anything to you?

20 A. Yours?

21 Q. Yes.

22 A. I wouldn't know because I wasn't there.

23 Q. All right. Mr. Block asked if you had been
24 promised future compensation. But has there

1 been -- alluding to any type of compensation in
2 the future --

3 A. No.

4 Q. -- or future employment?

5 A. Never.

6 Q. Do you attend all the selectmen meetings?

7 A. No.

8 Q. Can I ask how many meetings you have attended
9 in the past four months?

10 A. I believe two.

11 Q. On September 12th, a group of us met with the
12 Antrim Selectmen to ask them to consider making
13 an addendum to their contract, basically asking
14 for Antrim Wind to consider a buyout agreement
15 for us. We know that a reporter called up the
16 selectmen before the meeting to ask their
17 opinion about this. You were the only resident
18 that was there that was not in favor of this
19 proposal. How did you know about that meeting?

20 A. I was not the only resident that was there.
21 And I was... oh, gosh. I'm trying to think.
22 Prior, I want to say it was two weeks before
23 that meeting, or at least a week before that
24 meeting, I was informed that the Stoddard

1 Select Board was going to be at that meeting,
2 from a select board member. And when I heard
3 that, I thought it was important that I show up
4 to that meeting.

5 Q. There was no Stoddard Selectmen.

6 A. There was no Stoddard Select Board. I was
7 shocked when I got there to find the Antrim
8 group that was there and no Stoddard Select
9 Board.

10 MS. BERWICK: All right. No further
11 questions.

12 PRESIDING OFFICER SCOTT: Anybody
13 from the Harris Center?

14 MR. NEWSOM: No questions.

15 PRESIDING OFFICER SCOTT: Thank you.
16 Anybody from the Giffin Pratt intervenors have
17 any questions?

18 MR. PRATT: None.

19 PRESIDING OFFICER SCOTT: The Town,
20 Mr. Richardson?

21 MR. RICHARDSON: Thank you. I have a
22 couple, two exhibits to hand out if I may. I
23 have seven copies for submission.

24

1 CROSS-EXAMINATION

2 BY MR. RICHARDSON:

3 Q. While those are being handed out, let me ask
4 you some questions about your testimony --

5 PRESIDING OFFICER SCOTT: Do you have
6 any idea what numbers these would be if you
7 want to mark --

8 MR. RICHARDSON: Oh, sure. There are
9 two documents there. I gave the witness my
10 copy. One is the NHDES Advisory Fact Sheet.
11 And why don't we call that -- Antrim only has
12 three exhibits. So we'll call that Antrim 4.

13 And then I believe it's the
14 305(b) or (d) report. It's just two pages from
15 the report because it's a rather large
16 document. And we'll call that Antrim 5.

17 (Antrim Exhibits 4, and 5 marked for
18 identification.)

19 BY MR. RICHARDSON:

20 Q. So, Mr. Enman, you state in your prefiled
21 testimony on Page 1, and I'll read it to you,
22 "I've spent hours in Lempster interviewing past
23 and current town officials. I've also spent
24 many hours at the wind site observing the wind

1 turbines and assessing the concerns brought by
2 the impacted citizens of Antrim. I've been
3 granted unlimited access to the site and have
4 taken advantage of that privilege. I have
5 witnessed variations in sound levels and shadow
6 flicker." And that's in reference to the
7 Lempster project I believe; is that right?

8 A. Yes.

9 Q. How much time did you spend in total evaluating
10 the Lempster project?

11 A. My visiting the Lempster project from Day 1 was
12 to assess the impacts of wind turbines. When I
13 first became aware that Antrim Wind had a
14 project proposed for Antrim, I immediately was
15 onboard. And I had no experience with wind
16 energy at all. And so when I heard of the
17 potential impacts, I became painfully aware
18 that I was ignorant to those concerns. And so
19 the first trip that I made to Lempster was with
20 the planning board. They had a field trip.
21 And every subsequent trip that I've ever made
22 to Lempster was to observe and assess the
23 impacts that the wind turbines provide.

24 Q. So how many trips are we talking about? You

1 say in your testimony "many hours." I'm trying
2 to get a sense. Is that 4 hours or is that 50
3 or --

4 A. I spend anywhere from one to three hours every
5 time I go to Lempster. I literally hit every
6 turbine, all 12 turbines, when I go there. And
7 since February of this year, I believe that
8 I've made eight trips. So, since January,
9 we're talking somewhere up to 20 hours.

10 Q. And that's just this year. So how many, just a
11 rough estimate, in the past? Have you been 50
12 times, 10 times?

13 A. I haven't been 50 times. I've probably been 20
14 times.

15 Q. Okay. So, with that understanding, you're
16 aware that with the Antrim Wind Project, the
17 nearest resident is approximately 2800 feet?

18 A. Correct.

19 Q. And have you ever observed anything at that
20 distance at the Lempster project that was
21 unreasonable, in terms of sound levels or
22 shadow flicker events?

23 A. To be fair, I would say that's subjective. But
24 at 2,000 feet, I don't have issues.

1 Q. Okay. But -- yeah, I guess there is a
2 subjective element to it. But something like
3 sound, either you can hear it or not. I'm
4 wondering if you ever experienced a sound
5 level, where you were like, Gosh, that's
6 disproportionately loud and that really jumps
7 out at me.

8 A. At 2800 feet, no. To give an example, I was
9 there, I want to say three weeks ago, and it
10 was a very windy day. I was at tower -- I
11 guess I call it Tower 2, but I guess it's
12 really Tower 9. And I could hear the turbines,
13 and I could hear a diesel engine down in the
14 valley that was actually louder than the wind
15 turbines. And I was standing right underneath
16 the wind turbine. So, at 2800 feet it sounds
17 like light wind at best.

18 Q. Okay. You weren't present when Mr. Thurber
19 testified, I assume?

20 A. I may have been. I'm not sure. I don't
21 remember.

22 Q. I had it in my notes here. Although, it said
23 yesterday you weren't present. But that's
24 three weeks ago.

1 So, Mr. Thurber, in his testimony, said,
2 "As far as noise, the Lempster Wind Project has
3 not had a significant adverse effect.
4 Residents do not hear or notice the project at
5 all under normal circumstances." And then he
6 describes a situation. "For example, my
7 daughter lives 3600 feet from three turbines,
8 and [sic] the project can only be heard on
9 occasion by standing perfectly still. If you
10 move, you cannot hear the turbines at all."
11 And then he says, "My residence is located
12 around 2 miles away [sic] from the project, and
13 it can only faintly be heard on rare
14 occasions."

15 A. Yeah, I believe that was written testimony that
16 he provided?

17 Q. Yes.

18 A. Yeah, I'm aware of that testimony.

19 Q. And is that testimony consistent with your
20 observations?

21 A. Absolutely.

22 Q. Okay. Now, are you aware that the Lempster
23 project is built to a 45-dBA permit condition?

24 A. I was not aware of the actual dBA, but I knew

1 that it was -- I believe that it was higher
2 than Antrim's.

3 Q. And the nighttime sound level for Antrim Wind
4 is 40 dBA, which is even quieter than the
5 design --

6 A. Correct.

7 Q. Okay. Thank you.

8 How long have you been a town resident?

9 A. Thirty-four years I've owned property.

10 Q. Okay. And would you agree with the board of
11 selectmen's testimony that a majority of Antrim
12 residents continue to support the project?

13 A. I believe that, yes.

14 Q. And how do you know that to be true?

15 A. I talk to a lot of people. I have provided a
16 hundred-plus signatures to the SEC. And I
17 believe that the straw polls that were taken
18 show that.

19 Q. Okay. You heard Mr. Levesque question Mr.
20 Kenworthy? Were you here for that?

21 A. Yes.

22 Q. And that was about the votes taken in 2011 and
23 2014. So I want to ask you. In your opinion,
24 was the failure of the 2011 ordinance a

1 determination that town residents believed that
2 wind energy should not be allowed?

3 A. No.

4 Q. Why do you say that?

5 A. The ordinance -- there were several ordinances
6 that were written. The early ordinance we
7 believed was too restrictive. Site, sound and
8 setback, that was where I -- were my concerns,
9 and I believe everyone's concerns. There were
10 residents that if the -- and bear with me
11 because even I get confused with the ordinances
12 that were done. But it was believed that if
13 the ordinances were passed, that Antrim Wind
14 would -- the first ordinance -- that they would
15 not be able to construct a wind facility.

16 Q. Let me ask the question a different way. I
17 believe I gave you BOS Attachment 3 to Antrim
18 Wind -- excuse me -- Town of Antrim Exhibit 3,
19 which is the Town's supplemental testimony.
20 That should be a copy of the warrant with some
21 votes from 2011 on it.

22 A. Yeah.

23 Q. And do you see on that document the proposed
24 ordinance in November of 2011?

1 A. Yes.

2 Q. That failed, I think by a margin of 309 to 501.

3 A. Correct.

4 Q. And that would be the regulation you just
5 referred to that people believed to be too
6 stringent?

7 A. Yes.

8 Q. I want to focus your attention to the article
9 below, I believe the second zoning article on
10 BOS Attachment 3 to Antrim Exhibit 3. And you
11 see that the planning board actually
12 recommended a zoning amendment that would
13 prohibit wind entirely in the rural
14 conservation district?

15 A. Yes.

16 Q. So was that known to be something that the
17 planning board had proposed that would just
18 prohibit this project?

19 A. I believe so.

20 Q. Yeah. And that failed by a margin of -- an
21 even greater margin of 584 to 225?

22 A. Yes.

23 Q. I note that the planning board recommended that
24 article. Was it generally known or believed

1 that the planning board was recommending
2 articles that would prohibit Antrim Wind at the
3 time?

4 A. I can't say what the planning board's intent
5 was. But I believe when you look at those
6 numbers, the residents were well aware and are
7 still aware that the Antrim Wind Project is
8 still viable. And that was a pretty resounding
9 vote to allow wind to be allowed in that zone.

10 Q. Now, you say -- or I guess when you read that
11 document, BOS Attachment 3, in both of those
12 articles you see that it says "recommended by
13 the planning board."

14 A. Correct.

15 Q. Were people aware that there was a motion made
16 in 2011 to show that that article was a 4 to 3
17 split?

18 A. I don't believe so.

19 Q. Okay. But that article there just says
20 "recommended." It gives no statement or gives
21 the voter no information to say that this is
22 not a unanimous decision.

23 A. It's true.

24 Q. Why do you think that is?

1 A. I can't speak to the planning board's rules.

2 Q. So you --

3 A. I believe when the boards come up with a
4 majority, that the rest of the board is asked
5 to recommend.

6 Q. Would it surprise you that there was a motion
7 to show the vote result and that that motion
8 was denied by a vote of 4 to 3 as well?

9 MS. MALONEY: I think I'm going to
10 object to this line of questioning. It sounds
11 like Attorney Richardson is asking Mr. Enman a
12 lot of questions that he doesn't have any basis
13 of knowledge. It's complete speculation at
14 this point. It's been going on for a few
15 minutes now. But unless he can lay some kind
16 of foundation as to where Mr. Enman gets this
17 information, this is all pure speculation.

18 PRESIDING OFFICER SCOTT: Mr.
19 Richardson.

20 MR. RICHARDSON: I'm just only asking
21 questions to find out what he knows. And this
22 is not rehearsed, so I'm -- obviously, asking
23 the question, that one was leading because I
24 wanted to know if he knew that the votes to --

1 the planning board each time had voted on an
2 ordinance and it was split.

3 MS. MALONEY: Well, he just told
4 me -- he just led him through that. But
5 there's questions about what the planning board
6 intended, there's questions about what the
7 voters intended. There's no basis -- he's not
8 asked him for any foundation as to why Mr.
9 Enman would have any of this information. So I
10 would object to this whole line of questioning.

11 MR. RICHARDSON: I think his
12 testimony concerns support for the Project, so
13 I'm asking him questions about that.

14 MS. MALONEY: He's given a lot of
15 opinions, but he has no basis in fact for this.

16 MR. RICHARDSON: That's counsel's
17 opinion. We should ask the witness that
18 question. I don't intend on pursuing this line
19 any further, so --

20 PRESIDING OFFICER SCOTT: Why don't
21 you move on.

22 MR. RICHARDSON: Thank you.

23 BY MR. RICHARDSON:

24 Q. Do you have your data in front of you? What

1 was the percentage, again, of the visitors that
2 were generally supportive of wind energy when
3 you were at Willard Pond?

4 A. The percentage was very high. If it was 26
5 people and three were against, I don't know
6 what the numbers are, but it's way up there.

7 Q. Okay. Well, I want to ask you a question
8 because you spoke to these residents. I wasn't
9 there. I didn't know anything about it. But I
10 want to first turn to your attention to the
11 document we marked as Antrim Exhibit 4. And
12 you see on the bottom of the first page there,
13 this is the DES fact sheet.

14 A. Yes.

15 Q. It says "New Hampshire Fish Consumption
16 Guidelines."

17 A. Yes.

18 Q. And I'll read it to you. You can follow along.
19 It says, "Fish from several water bodies in New
20 Hampshire have been shown to have higher than
21 average mercury concentrations. For the water
22 bodies identified below," and then it says in
23 italics or bold, "women of childbearing age and
24 young children should not" -- and then the

1 "not" is in bold -- "consume any fish; others
2 may consume two meals per month." So I'm --

3 MS. MALONEY: I'm going to object
4 again. First of all, they're not really
5 impeachment documents. And I don't know if the
6 witness has any information about any of these
7 documents whatsoever. So what -- they also,
8 based on relevance --

9 PRESIDING OFFICER SCOTT: Well, I'd
10 like to hear the question first before I rule.

11 MR. RICHARDSON: Sure.

12 BY MR. RICHARDSON:

13 Q. So, I guess let me start by this: What
14 percentage of the people that you observed were
15 there to fish?

16 A. I'm not sure how many were actually fishing. A
17 small percentage.

18 Q. A small, okay. And you got to interview those
19 people?

20 A. Yes.

21 Q. What do you think the reaction of those people
22 would be if they knew -- and let's complete the
23 foundation for this. I'm looking at the list
24 of ponds. And you see Ashuelot Pond in

1 Washington?

2 MS. MALONEY: Objection. He's asking
3 for speculation.

4 MR. RICHARDSON: No, I'm not. I'm
5 trying to show him the ponds that DES has said
6 contain high levels of mercury are all in the
7 vicinity of Willard Pond. I'm not asking him
8 to verify whether Willard Pond is or not. But
9 I want to get his sense of how people would
10 react if they were aware of this issue and this
11 concern.

12 MS. MALONEY: I think that calls for
13 speculation.

14 PRESIDING OFFICER SCOTT: And is this
15 part of his testimony anywhere? Did I miss
16 that?

17 MR. RICHARDSON: Well, his testimony
18 was surveys of residents. So I want to ask him
19 how residents might have responded if they knew
20 that in fact the Antrim Wind Project was
21 intended to address, among other things, other
22 forms of contaminants for fossil fuel, not
23 merely carbon dioxide.

24 MS. MALONEY: Same objection.

1 PRESIDING OFFICER SCOTT: I'm going
2 to sustain the objection.

3 MR. RICHARDSON: If I may, I'd like
4 to try to rephrase the question then.

5 BY MR. RICHARDSON:

6 Q. Did you speak to people about their concerns
7 about global warming?

8 A. Not particularly.

9 Q. Okay. Did that ever come up? I thought that
10 in your testimony you said people were
11 supportive of renewable energy that were
12 visiting the sanctuary.

13 A. Yes. It was not necessarily, once again, the
14 verbiage about global warming.

15 Q. Okay. What was their basis for their support
16 of renewable energy then?

17 A. I believe, once again, I didn't ask the
18 question specifically about climate change.

19 Q. Okay. All right. Thank you.

20 So, then, a concern about obviously
21 mercury levels would be consistent with
22 something that people would also have wanted to
23 see renewable energy address --

24 MS. MALONEY: Same objection.

1 Q. -- is that fair?

2 MS. MALONEY: I'm going to object
3 again. This is the same -- Mr. Enman has
4 already testified that he didn't speak with
5 them. He doesn't even know if people were
6 fishing. I don't think there is any prefiled
7 testimony or supplemental testimony that
8 indicates anything about mercury.

9 MR. RICHARDSON: No, but he spoke
10 with residents. I was just trying to find out
11 how, in his view, people might have reacted. I
12 didn't get to write his testimony. So this is
13 my only chance to ask about it. The answers
14 are whatever weight this Committee wants to
15 give them. It's not a basis for objection
16 merely because the witness might not be a
17 hundred percent certain.

18 MS. MALONEY: Well, I think that Mr.
19 Richardson had an opportunity to participate in
20 the technical session. He could have done some
21 discovery on this issue. No pun intended, but
22 this is just a "fishing expedition."

23 MS. LINOWES: And if I may add, the
24 same line of or similar line of questioning

1 came up when Audubon was on the stand. There
2 was information in the record to demonstrate
3 that building this project will have a material
4 effect on mercury levels, either way.

5 PRESIDING OFFICER SCOTT: So I'm
6 going to let Mr. Enman answer the question, and
7 then I'm going to ask you to move on. Again, I
8 didn't see this anywhere in his testimony. I
9 understand your assertion that he asked
10 questions of people there. But I don't want to
11 extrapolate --

12 MR. RICHARDSON: Sure. And that's my
13 last question on this exhibit.

14 A. Can you ask that question one more time,
15 please?

16 BY MR. RICHARDSON:

17 Q. I'm sorry. So my question was simply this: Is
18 a concern about mercury levels and impairment
19 in the water quality consistent with the
20 reasons that people supported renewable energy
21 when you spoke to them?

22 A. Yes.

23 MR. RICHARDSON: Okay. Thank you.
24 That's all I've got. I really have the last

1 exhibit is just the -- it's simply for the
2 record to note the source of the information
3 related to the state's water quality impairment
4 for mercury, and that's Antrim Exhibit 5. But
5 I think I've covered the ground already, so
6 I'll just end my questioning there.

7 PRESIDING OFFICER SCOTT: Does the
8 Applicant have any questions?

9 MR. NEEDLEMAN: No, thank you.

10 PRESIDING OFFICER SCOTT: Mr. Enman,
11 thank you --

12 MS. MALONEY: Well, you didn't ask me
13 if I had any questions. I might just have a
14 few.

15 CROSS-EXAMINATION

16 BY MS. MALONEY:

17 Q. I just wanted to ask, Mr. Enman, you didn't
18 show any of these people that you interviewed
19 simulations.

20 A. No, I did not.

21 Q. And did you indicate to them how many turbines
22 would be visible from Willard Pond?

23 A. I did.

24 Q. And did you tell them where they would be

1 visible?

2 A. I did.

3 Q. And what did you tell them?

4 A. I believe my exact words were, "Are you aware
5 that there's a wind project proposed?" Most
6 people said no. Then I asked if they could see
7 turbines and blades from the pond, if that
8 would detract from their enjoyment of the pond,
9 and they overwhelmingly said no.

10 Q. And did you ask them if they had any experience
11 with wind turbines before?

12 A. I didn't ask specifically, but some people
13 volunteered information that said they did, and
14 some didn't say anything.

15 Q. Okay. With respect to -- you had some opinions
16 about some of the votes in the town. Is it
17 fair to say that you didn't interview everybody
18 who voted on various ordinances in the town?

19 A. I did not interview everyone, no.

20 Q. Not in 2011 or 2013.

21 A. No, I didn't interview them.

22 Q. And not in 2014.

23 A. No.

24 Q. I think you said -- and correct me if I'm

1 wrong -- that when you first heard about Antrim
2 Wind, the Project, that you were onboard?

3 A. Yes.

4 Q. And that's before you were aware of any of its
5 impacts; correct?

6 A. Yes.

7 MS. MALONEY: Okay. Thank you.

8 PRESIDING OFFICER SCOTT: Okay.

9 You're all set, Counsel for the Public?

10 MS. MALONEY: Yup.

11 PRESIDING OFFICER SCOTT: Okay.

12 Thank you.

13 Mr. Enman, you're good to go.

14 WITNESS ENMAN: You guys don't have
15 any questions?

16 PRESIDING OFFICER SCOTT: Any
17 questions of the panel from the SEC? Go ahead.

18 Mr. Boisvert, I'll start down the line here.

19 QUESTIONS BY MR. BOISVERT:

20 Q. Mr. Enman, first question. You were asked how
21 long you had been a resident in Antrim. You
22 said you owned land for 34 years. Is that also
23 the time of your residency for voting and
24 paying taxes and so forth?

1 A. I first moved to Antrim in 1976 and rented.
2 But I did vote and I did pay and I registered
3 my car in the town, and then I subsequently
4 moved and then moved back to Antrim. But I've
5 been in my residence for 34 years.

6 Q. I see. What motivated you to do the survey at
7 Willard Pond?

8 A. Realistically, in the tech sessions, New
9 Hampshire Audubon had no information, which I
10 was shocked that they had no information of the
11 users of the facility. And quite frankly, I
12 took that as an opportunity to go to the pond
13 and find out why people used it and how they
14 found it because it is not a place that you
15 just drive down the road and know that it's
16 there. It is an obscure location. And I
17 wanted to know why people used it and if they
18 thought the turbines would have an effect on
19 their enjoyment, because that's what New
20 Hampshire Audubon's testimony is, like this
21 will ruin their enjoyment of Willard Pond. And
22 once again, without any information, I wanted
23 to prove or disapprove.

24 Q. I see. You did the survey on the Fourth of

1 July?

2 A. I did.

3 Q. And that was the one time you did it?

4 A. Yes.

5 Q. And I gather there's 26 people that were
6 interviewed, or 26 sets of interviews? Some
7 might have been with one person, some might
8 have been multiple.

9 A. With groups, yes. Mr. Pratt went subsequently.
10 I can't remember the date. I believe it was
11 the 20-something. But he went on a weekend and
12 did the same as I did, and he interviewed six
13 people.

14 Q. And between these two surveys, how do you
15 interpret the responses? What conclusion do
16 you draw from the combined surveys?

17 A. That the overall effect of people that use
18 Willard Pond really wouldn't care that the wind
19 turbines would be visible. The people that I
20 interviewed that went to Willard to use the
21 water at Willard overwhelmingly were there
22 because there were no motor boats. They wanted
23 to kayak, swim, paddle board without motor
24 boats. That's overwhelmingly why they went

1 there. They did not want motorized boats.

2 Bottom line.

3 Q. Are you familiar with the concepts of "sample
4 size" and "representative sampling" for
5 surveys?

6 A. Vaguely, yes. I tried to get as many people as
7 I could in the amount of time that I had to
8 respond to the questions. I understand that if
9 I went 25 times I would have much better data.

10 Q. Do you think that these 26 interviews are
11 adequate to represent the public's perception
12 of use and attitudes?

13 A. As I stated, I wish that I had more time and
14 more -- I wish I had more time to gather more
15 data. I think it would be better to have more
16 data. But I believe when you take the numbers
17 that I have and you plug them in, I think it
18 would be representative.

19 Q. When you interviewed people, did you tell them
20 why you were interviewing them?

21 A. Specifically that I was an intervenor and I was
22 collecting data to provide to the SEC.

23 Q. Thank you.

24 A. You're welcome.

1 PRESIDING OFFICER SCOTT: And
2 Commissioner Rose.

3 QUESTIONS BY CMSR. ROSE:

4 Q. Good morning. I just had two questions. One
5 is earlier in your remarks and during some of
6 the questioning, you had used the phrase that
7 you were "painfully negligent" to the impacts
8 of wind turbines prior to your experience. I
9 guess I was wondering exactly what you mean by
10 that. I don't understand what you mean. Could
11 you just expound on that?

12 A. Yeah. I had never been to a wind facility, so
13 I truly had no personal experience of the
14 effects of wind. I didn't -- the stories were
15 "whomp, whomp, whomp," that's what you're going
16 to hear when you're near them; they chop birds
17 up. The shadow flicker I don't really believe.
18 But it was going to be super loud and were
19 going to chop up birds. And I was, like, oh,
20 my God, if this is true, then I need to witness
21 this. And so when the Antrim Planning Board
22 put together a field trip to go to Lempster, I
23 was there.

24 And let me also state that I sat through

1 almost all of the planning board's
2 deliberations when they were drafting the wind
3 ordinance. I was there -- once I was aware
4 that Antrim was putting together a wind
5 ordinance, I spent virtually -- I was at
6 virtually every planning board meeting. So I
7 was well aware of what the ordinance stated.
8 And that's why I said site, sound and setback
9 for me was important because I really wanted to
10 know what those ramifications were.

11 Q. In your prefiled testimony, you made reference
12 to Lempster and impacts on Lempster in the
13 general vicinity. And you did reference in
14 there the interview with the park ranger at
15 Pillsbury State Park.

16 A. Yes.

17 Q. I was wondering if you could give me a
18 perspective as to who it was that you spoke
19 with and/or even what year. I wasn't sure what
20 year it even was you had that conversation.

21 A. It was this year. I can't say the exact date.
22 But I went to Lempster. I interviewed several
23 people. And on my way out, I came down 31 and
24 stopped at the park. And I didn't get -- it

1 was wasn't a head ranger. It was one of the
2 employees that works there, and we just had a
3 brief conversation. It was late in the
4 afternoon, and I think they wanted to close the
5 park early. And I gathered just quick
6 information when I was at the gate.

7 Q. Well, I'm not sure I like the idea of closing
8 the park early, but...

9 A. They did, though.

10 Q. But did you ask whether or not -- what was the
11 question that you asked them to get their
12 perspectives as to the impact at the park as a
13 result of the Lempster Wind Project?

14 A. I'm well aware that the turbines are visible
15 from the water -- from several of the water
16 bodies, and I just asked whether or not anyone
17 had positively or negatively commented on the
18 view of the turbines. And he stated that they
19 had never gotten any negative response to the
20 visual impact of the turbines, which is really
21 what I was after.

22 Q. Okay. Fair enough.

23 CMSR. ROSE: Thank you.

24 PRESIDING OFFICER SCOTT: Ms.

1 Weathersby.

2 MS. WEATHERSBY: Thank you.

3 QUESTIONS BY MS. WEATHERSBY:

4 Q. Mr. Enman, when you conducted the surveys at
5 Willard Pond, did you stop everyone that you
6 saw, or did you just select certain people?

7 A. It was July 4th. There were a lot of people at
8 Willard. So what I tried to do was talk to as
9 many people as I could completely randomly. I
10 did not select -- you know, I didn't go, Oh,
11 that looks like a person I want to talk to. I
12 literally talked to every person that was
13 available at the time that I was available. So
14 if I was conducting an interview, if I was
15 talking to some people, three other groups of
16 individuals may have entered or exited the pond
17 that I didn't get a chance to interview. But
18 when those people were gone, the next available
19 group that I would -- that was there I would
20 interview. There were some down times. And
21 the nice woman from Hancock and New York was
22 looking at me. She was an older woman, and she
23 was, like, you know, what are you doing here?
24 And because she'd seen me conduct many

1 interviews, she volunteered. The same thing
2 with the Antioch kids. They were -- they
3 obviously saw what I was doing and then came
4 over and volunteered.

5 But to get to where you're going, it was
6 not selected. It was literally anytime I was
7 available, if there was a group that was coming
8 by, I would ask the questions.

9 Q. Okay. And when you told people you were an
10 intervenor, that you were gathering this
11 information for the SEC, did you tell them you
12 were an intervenor opposed to the Project, or
13 did you tell them your stance concerning the
14 Project?

15 A. At no time was anyone aware of whether I was a
16 supporter or in opposition of the Project. I
17 really tried to write my questions so that it
18 was neutral. And I never asked or never tried
19 to imply where I stood on the Project. I
20 wanted honest opinions. That was my goal is I
21 wanted honest opinions. And that's why I say
22 positive or negative, it wasn't -- I could have
23 gone there and talked to 26 people that were
24 opposed. That didn't happen.

1 Q. Okay. And concerning Pillsbury State Park, you
2 spoke with the ranger. But did you do any
3 surveys there of visitors?

4 A. I did not.

5 Q. I still haven't been to Pillsbury State Park.

6 A. Got to go.

7 Q. But could you tell me roughly how the water
8 bodies at Pillsbury compare with Willard Pond?

9 A. There are several. They're all connected, but
10 they're kind of several individual water
11 bodies. Very secluded, other than when you
12 drive by you can see some of the water bodies
13 from Route 31, and the dam right there. So
14 there is access to some of the water bodies
15 from Route 31 so you don't have to go into the
16 park. But they are -- it's a secluded park.
17 They do have campsites at Pillsbury. They are
18 unimproved. So there is a box on the ground
19 with no enclosure, and that's where, you
20 know -- that's your facilities. But there's,
21 you know, running water at the park
22 headquarters. But once you're away from the
23 headquarters, it is a -- boy, unimproved. It
24 is unimproved. It's very rural.

1 Q. So would you say that a visitor's experience is
2 similar at Pillsbury to Willard? Or how would
3 you describe the visitor's experience
4 comparatively?

5 A. I mean, personally, I think it's very similar.
6 You go to Pillsbury to use the water, to camp.
7 I think you go to Willard to use the water, to
8 hike. But the user experience, I believe, I
9 believe, is very similar. When I go, I go to
10 fish; I go to paddle; I go to use the
11 facilities that's there.

12 Q. And Pillsbury is also non-motorized?

13 A. Pillsbury is non-motorized.

14 Q. Okay. As part of your testimony today, you
15 said you've been onboard with this project
16 since you heard of it. Do you think that that
17 initial inclination has biased your
18 observations of the Lempster project or of your
19 interviews, or do you think that you've been
20 biased in any way with your observations?

21 A. No. And with my mailed questionnaire to the
22 Lempster residents, to the questions that I
23 asked going to the town offices in Lempster, my
24 entire reason for being here -- and it's stated

1 right with my initial letter for the
2 application for intervenor, to be an
3 intervenor -- was to show real-world impacts of
4 this project.

5 You know, you go to the Lempster Town
6 Offices and you talk to the people that are
7 there and they go, Mr. Thurber, we haven't --
8 you know, they gave two abatements, okay. One
9 of them was for Kevin Onella. I would have
10 never given him an abatement. I'm sorry.
11 That's my personal opinion. And I haven't yet
12 confronted him about it because I haven't had
13 the opportunity. But believe me, I will.

14 But the bottom line is: I drove around.
15 I saw these houses that are way closer than
16 anybody lives in Antrim. I didn't get every
17 response. And because I did it completely
18 anonymously, I can't tell you which ones I
19 didn't receive back. But if you read those,
20 there are -- and you've got it in their own
21 handwriting. Some people didn't, like -- you
22 know, it's like, nah, they're not so great,
23 they're not so bad. Some people loved them.
24 But that's real world. Does shadow flicker

1 affect you? No. Can you hear them? Yes.
2 Does it affect you? No. Everything I -- I
3 tried to be as objective as I can. That's why
4 I'm here, because I don't believe that the
5 overall impact is as devastating as may be
6 projected.

7 Q. Thank you.

8 MS. WEATHERSBY: I have nothing
9 further.

10 PRESIDING OFFICER SCOTT: Mr.
11 Clifford.

12 QUESTIONS BY MR. CLIFFORD:

13 Q. Can you hear me?

14 A. I can.

15 Q. I have a question on Page 1 of your prefiled
16 testimony. You say the maximum measured
17 sound -- I'm assuming this was Lempster -- was
18 52 decibels late this winter, with sustained
19 winds of 30 miles per hour at the base of
20 several towers. So, how far were you from the
21 turbines when the 52-decibel measurement was
22 taken, or was that at the base, if you recall?

23 A. Bear with -- my son downloaded -- my younger
24 son had never been to the facility and so I

1 took the opportunity to take him up. It was a
2 nasty day. And he downloaded the decibel meter
3 app for his phone, for his iPhone. So we took
4 readings from various locations at, once again,
5 every cell tower, or every turbine. And the
6 highest reading that he got from either at the
7 base or outside the gate was 52 on his iPhone.
8 And that's -- as I say, it's not the best
9 indicator, but it's an iPhone.

10 Q. So your testimony is you're not sure whether
11 the 52 was at the base or some distance
12 further?

13 A. I believe the 52 was, once again, at Tower 9,
14 which I generally call Tower 2. It's the
15 second tower in from Mountain Road. And I'm
16 pretty sure that was where we got that. And I
17 believe that we were really close to the base.
18 I believe that we were maybe, well, certainly
19 within the parking area, the base area that's
20 excavated.

21 Q. So that measurement was with a 30-mile-an hour
22 sustained wind present.

23 A. Correct. And that's, as I stated before, when
24 I was up three weeks ago at the base, it was a

1 breezy day. It was a beautiful day, but a
2 breezy day. And standing at that same tower, I
3 could hear a diesel engine -- I don't know what
4 it was -- in the valley at that tower. And I
5 would have assumed that I shouldn't have heard
6 the diesel engine, but wind conditions or
7 whatever...

8 MR. CLIFFORD: All right. No further
9 questions.

10 PRESIDING OFFICER SCOTT: Director
11 Forbes.

12 DIR. FORBES: I have no questions.

13 QUESTIONS BY PRESIDING OFFICER SCOTT:

14 Q. I have just one question. Can you remind the
15 Committee of your location, where you reside?
16 Where is that in relationship to the proposed
17 project?

18 A. As the crow flies, I believe I'm about 3 miles
19 east of the Project. Don't have a view. Wish
20 I did. But, yeah, I'm east of the Project.

21 Q. Thank you.

22 PRESIDING OFFICER SCOTT: Mr.
23 Iacopino, do you have any questions?

24 MR. IACOPINO: I just have one

1 question.

2 QUESTIONS BY MR. IACOPINO:

3 Q. You mentioned this survey of Lempster
4 residents --

5 A. Yeah.

6 Q. -- something that you mailed out. Which
7 exhibit is that attached to? Or is it not?

8 A. It was a data request from Ms. Linowes during
9 the tech sessions. And I would be more than
10 happy to -- I believed when that information
11 was asked for that it would be in the record,
12 because I -- but if you don't have that
13 information, I would be more than happy to
14 share that.

15 MR. IACOPINO: Do you know if that's
16 something the Committee wants?

17 A. It's all electronic at this point. I can send
18 it to Pam and she can --

19 PRESIDING OFFICER SCOTT: Why don't
20 you go ahead and do that. We'll make that a
21 data request.

22 (Data Request by Subcommittee for survey
23 sent to Lempster residents by Mr. Enman)

24 WITNESS ENMAN: My pleasure.

1 PRESIDING OFFICER SCOTT: Thank you.

2 MR. IACOPINO: I have no other
3 questions.

4 PRESIDING OFFICER SCOTT: Again,
5 thank you for your patience. We'll swap the
6 panels now. Our next panel is with the
7 Abutting Landowners.

8 As you're swapping out, some
9 housekeeping. So, Ms. Berwick, you had a
10 motion to adopt Stephen Berwick's testimony.
11 That's granted. We'll issue a written order
12 also.

13 While I'm on housekeeping,
14 Ms. Longgood also had a motion for Mr. James to
15 present electronically to the Committee.
16 That's granted also. That will be...
17 tentatively, that will be tomorrow at 1:00.
18 We'll try to accommodate Mr. James for tomorrow
19 at 1:00. Again, we'll be at the PUC. And in
20 theory, we'll have our functioning audio and
21 everything there. So in theory, that may be
22 actually a better way to accommodate that.

23 So with that, why don't we go
24 off the record while we get the next panel set

1 up.

2 (Pause in proceedings)

3 PRESIDING OFFICER SCOTT: Back on the
4 record.

5 So I've been reminded that at
6 the last session I asked the group -- warned
7 the group that I'd be asking for input on
8 whether we should do oral closings or arguments
9 or written briefs. I wanted to get the flavor
10 from both the Committee and the Intervenors and
11 the Applicant on that. So if anybody would
12 like to start, I'd like to hear if anybody --
13 first of all, I'd like to hear if there's any
14 objections that people have to written briefs.
15 If we're going to do briefs, I would like to
16 stress the word "brief."

17 MR. NEEDLEMAN: If I could?

18 DR. WARD: This would be in place of
19 oral arguments.

20 PRESIDING OFFICER SCOTT: Go ahead.

21 MR. NEEDLEMAN: We would strongly
22 favor closing arguments over briefs for a
23 couple reasons. First of all, certainly
24 closing arguments are much more efficient in

1 terms of time. Second of all, I think that
2 having the opportunity to sum up the evidence
3 in a closing argument can frequently be much
4 more efficient. And third, I think it's
5 just -- my view is, based on the experience
6 that I've had, that summing up the evidence in
7 a closing argument can frequently be more
8 helpful for the Committee. I'm not trying to
9 put myself in the shoes of the Committee. But
10 over the time that I've done this, it seems
11 like that has worked better. I just worry
12 about losing time waiting for transcripts,
13 knowing that we're under a time crunch now and
14 then having -- despite the urging of the Chair
15 that these be brief, that rarely tends to be
16 the case. And I think the Committee would then
17 be inundated with a lot of additional paper
18 that would consume even more time. So we would
19 strongly favor arguments over briefs.

20 PRESIDING OFFICER SCOTT: To quibble
21 with you a little bit, you just said that we'd
22 have -- there's a concern about waiting for
23 transcripts. Wouldn't that be the case if we
24 did oral arguments?

1 MR. NEEDLEMAN: No. Actually, I
2 think it's the opposite. I think if you're
3 just going to ask the parties to make their
4 closing arguments, we don't need to wait for
5 the transcripts. My concern is that if people
6 want to write briefs, they're going to ask to
7 have all the transcripts first, and that will
8 add additional delay.

9 PRESIDING OFFICER SCOTT: Understood.
10 Thank you.

11 Counsel for the Public.

12 MS. MALONEY: I would prefer to do
13 briefs. And one of the main reasons I'd prefer
14 to do briefs is because I have a number of
15 legal issues that I would like to raise, and I
16 would like to get that law in front of the
17 Committee. When the jurisdictional order was
18 issued, the chair at the time indicated that,
19 with regard to specific issues related to res
20 judicata, that they'd be taken up at this
21 session -- at the adjudicatory hearing. And
22 heretofore, there hasn't been an opportunity
23 for us to raise that. So, anticipating that we
24 would do this in closing, that's why I reserved

1 for that purpose. I think it's imperative to
2 make that record.

3 And I also do think that from a
4 time point of view, you know, they certainly
5 did briefs last time in Antrim 1. And I think
6 that they gave the parties like two weeks to do
7 the briefs, and they managed to do that. I
8 think that it's important for the record. I
9 think that it's also important to just marshal
10 all the various testimony that's been given.
11 And we've been getting pretty timely copies of
12 the transcripts, so that shouldn't be a
13 problem. I understand what Attorney Needleman
14 is saying about being time-efficient. But I
15 think it's important to make the record. It's
16 important to make the legal arguments. And I
17 don't have -- up until this point, we really
18 haven't had any structure for us to do that.
19 So we've always anticipated doing that in a
20 final memorandum, and I would ask the Committee
21 to allow Counsel for the Public to do that.

22 PRESIDING OFFICER SCOTT: Attorney
23 Richardson.

24 MR. RICHARDSON: Thank you, Mr.

1 Chairman. The only thing I would be concerned
2 about with memoranda is, A), it is an
3 additional cost. And then, also, I mean, at
4 some point we kind of need to close the record.
5 And my concern is that -- and this came to my
6 mind hearing Counsel for Public's argument
7 about potentially res judicata or other issues
8 we haven't seen yet. If those come in the
9 memoranda, then we almost need an opportunity
10 to respond to them. And that's kind of the
11 problem with memoranda sometimes is that things
12 come up in the memoranda after the hearings are
13 closed, and no one has an opportunity to
14 address them unless there's an additional
15 rebuttal opportunity, and then all of a sudden,
16 you know, you really do extend this out.

17 For that reason, I do like the
18 idea of having a date certain where we do close
19 the record during the hearings when everyone's
20 in the room. If people want to bring a
21 memoranda on that day and submit it, they
22 certainly can. But at least at that point we
23 would all be here at that moment and could
24 decide what to do. If we decide a date, you

1 know, a month after the last hearing or two
2 weeks after the last hearing, there's a
3 potential for things to come in, and so then we
4 have to have the reply memoranda. And that's
5 an additional layer, and it does become a lot
6 of paper, as Attorney Needleman suggested.

7 MR. NEEDLEMAN: May I add one thing
8 to that?

9 PRESIDING OFFICER SCOTT: Go ahead.

10 MR. NEEDLEMAN: I'm concerned about
11 Counsel for the Public's point about raising
12 additional legal arguments now, because if we
13 are going to see new legal arguments that we
14 have not seen at all during the course of this
15 docket and we don't have any opportunity to
16 assess and respond to those arguments as the
17 party with the burden of proof, I have concerns
18 about due process issues there. So that means
19 that we would need an opportunity to respond,
20 which is just going to lengthen this process
21 further.

22 MS. MALONEY: I've made no secret
23 about my intent to raise those issues. And
24 they were raised in the jurisdictional phase.

1 And they were not considered in the
2 jurisdictional phase, and the chair at that
3 time said they would be considered in this
4 phase.

5 So I know that both Attorney
6 Richardson and Attorney Needleman are very
7 capable and aware that these issues could be
8 raised. The law is the law, and we just
9 marshal the facts and submit the law. So
10 they're perfectly capable of addressing those.
11 There's no additional issues. There's no
12 additional legal issues. But I certainly
13 intend to raise them in this particular docket.
14 We were told we could raise them, and I've made
15 no secret about that throughout the
16 proceedings. This is not coming out of left
17 field. So they've been aware throughout the
18 course of the docket that I was raising these
19 issues.

20 MR. NEEDLEMAN: Well, except, to be
21 clear, first of all, I don't know whether
22 you're going to raise res judicata, which is
23 claim preclusion; I don't know whether you're
24 going to raise collateral estoppel, which is

1 issue preclusion. If you're going to raise
2 either one of those, I'm not sure which issues
3 you're going to raise them to or which ones you
4 might acknowledge cut the other way and would
5 be precluded. And I understand your point, and
6 I'm not claiming that we're surprised by it. I
7 recognize that it was raised in a prior docket.
8 What I'm saying is it's not reasonable to
9 expect that we should guess on the context in
10 which these are raised in and file simultaneous
11 briefs hoping we got it right. That's my
12 point.

13 MS. MALONEY: Well, what I would just
14 suggest, then, is that if a response is
15 required, that the Committee afford other
16 parties the ability to respond. I mean, I
17 think that's only fair. And I think that
18 beyond that, you know, there's always something
19 that can be raised by motion if the Committee
20 sets out a schedule for filing final briefs.
21 You know, if something comes out of left field,
22 it's always -- you know, any adjudicatory body
23 has the ability to accept additional documents
24 by motion.

1 PRESIDING OFFICER SCOTT: Any other
2 intervenors have concerns?

3 DR. WARD: I just have a quick
4 comment. As far as meteorologists are
5 concerned, by submitting a brief I could be
6 sure that all five of us are on the same page.
7 I think that might hold true for other groups
8 that have to do it.

9 PRESIDING OFFICER SCOTT: Mr. Block.

10 MR. BLOCK: Speaking personally, I
11 would welcome an opportunity to just put in
12 writing a summation of what I see as the
13 arguments. This hearing has been scattered
14 across the calendar with a lot of gaps in
15 there. I see a summation as exactly that, in
16 my viewpoint, that it would be presenting
17 information that's already been put forth here.
18 But since it's been scattered so much, in my
19 mind it would organize it nicely to be able to
20 just A, B, C, put it down what I see, at least
21 my prime arguments. And that makes sense. I
22 don't personally see bringing or the need to
23 bring anything new up. But it would just, I
24 think, make it easier for the Committee and

1 anybody reading this to see this is what I saw
2 as the arguments. And it makes sense to me.

3 PRESIDING OFFICER SCOTT: Mr.
4 Levesque.

5 MR. LEVESQUE: Thank you, Mr.
6 Chairman. First, I'd just like to thank you
7 and the Committee and Mr. Iacopino for all the
8 help and the patience you've given us
9 non-attorneys in this process. And when it
10 comes to oral arguments, I know I'm probably
11 speaking for others of the non-attorney variety
12 in the Intervenor sector here; we don't really
13 know how to do that. But we have learned how
14 to file briefs, and I think we're comfortable
15 filing materials in writing. And so it really
16 would facilitate this part of this process to
17 sort of participate in that final part. So we
18 would hope you would allow us to do that.
19 Thank you.

20 PRESIDING OFFICER SCOTT: Audubon.

21 MS. VON MERTENS: Thank you.
22 Attorney Reimers isn't here. But throughout
23 the proceedings we've had our discussions with
24 our lawyer, and he said, yes, that's a point

1 that goes into the post-hearing brief. And my
2 point, as someone who's been trying to absorb
3 all of the Application from all the
4 consultants, all the intervenors' prefiled
5 supplemental, technical session, my brain is a
6 mess. And I can't imagine what it's for you
7 all that have full-time jobs and you're up
8 there 9:00 to 5:00, a little bit later than
9 that. And Jason has said, "Calm down, calm
10 down, calm down. Post-hearing briefs. We will
11 be brief. We will be succinct. They will read
12 them with great care." And so that's what has
13 been our -- similar to the 2012 docket, that's
14 been our sense, that give us a short deadline,
15 a deadline to be efficient. But to Audubon, I
16 would say it's essential. Thank you.

17 PRESIDING OFFICER SCOTT: Thank you.
18 Anybody else?

19 MS. LONGGOOD: I would prefer a
20 post-hearing brief as well to kind of sum up
21 the point that I would like to make since I've
22 been unable to attend as regularly as I did the
23 last docket.

24 PRESIDING OFFICER SCOTT: Thank you.

1 Mr. Jones, thank you for finding a microphone.

2 MR. JONES: Thank you, Mr. Chairman.

3 The Stoddard Conservation Commission would
4 welcome the opportunity to have a written
5 summation just because it's been kind of a
6 long, laborious point -- process. And during
7 it, you know, I've kind of distilled some of my
8 thoughts, and I think it would be most
9 effective for us to be able to have a one- or
10 two-page summary of the salient points that we
11 really want to get across and we think are
12 important to make this decision. Thank you.

13 PRESIDING OFFICER SCOTT: Thank you.
14 Seeing no one else, so what I'm going to do is
15 I'm going to -- I'll let you speak in a second
16 here. What I'm going to do is I'm going to
17 consult with Attorney Iacopino probably over
18 lunch break, and we'll readdress this. I
19 definitely want to hear from the Committee, to
20 the extent that what we're here for is to help
21 the Committee make a decision. So I'm going to
22 want to hear from them also.

23 But Mr. Needleman, before I move
24 on to the panel --

1 MR. NEEDLEMAN: If the Committee does
2 decide it would like to get briefs, we would
3 request that we get the opportunity to file
4 ours some period of time after we see the
5 others since we do have the burden of proof
6 here. Seven days, something like that.

7 PRESIDING OFFICER SCOTT: All right.
8 Thank you.

9 Ms. Linowes, I haven't heard
10 from you yet, I guess.

11 MS. LINOWES: And I agree with those
12 who are recommending a brief, although I would
13 not agree to the Applicant having an
14 opportunity to write a rebuttal. If I just
15 heard, he would -- we would all file our
16 briefs, and then they would write their brief.
17 I would object to that. Write his brief. We
18 all write our briefs. And then if he insists
19 on a reply, fine. But we're not writing to the
20 Applicant right now. We're writing to the
21 Committee. And I think we're all on the same
22 level at that point.

23 PRESIDING OFFICER SCOTT: Okay. So,
24 again, I will readdress this issue after the

1 lunch break.

2 We're going to move on to the
3 Abutters panel now. So I'm looking to Ms.
4 Berwick as the leader of the panel, I guess.
5 So after you're sworn in -- so you have nobody
6 who's going to -- should we use Attorney
7 Iacopino to have you adopt your testimony?

8 WITNESS BERWICK: Yes.

9 PRESIDING OFFICER SCOTT: Please
10 swear them in.

11 (WHEREUPON, BARBARA BERWICK, BRUCE
12 BERWICK, JANICE DULEY LONGGOOD, BRENDA
13 SCHAEFER, MARK SCHAEFER were duly sworn
14 and cautioned by the Court Reporter.)

15 DIRECT EXAMINATION

16 BY MR. IACOPINO:

17 Q. Why don't you each tell us your name so that
18 that's in the record. Let's start with Mr.
19 Schaefer on the left-hand side.

20 A. (Mr. Schaefer) Mark Schaefer, abutting
21 landowner.

22 Q. Mrs. Schaefer.

23 A. (Ms. Schaefer) Brenda Schaefer, abutting
24 landowner.

1 Q. Ms. Longgood.

2 A. (Longgood) Janice Duley Longgood, abutting
3 landowner.

4 Q. Mr. Berwick.

5 A. (Mr. Berwick) Bruce Berwick, abutting
6 landowner.

7 A. (Ms. Berwick) And Barbara Berwick, abutting
8 landowner.

9 Q. Let me go back to the left side again. Mr.
10 Schaefer, did you file prefiled testimony in
11 this matter?

12 A. (Mr. Schaefer) I did.

13 Q. And did you join in that prefiled testimony,
14 Mrs. Schaefer?

15 A. (Ms. Schaefer) Yes.

16 Q. And do the both of you adopt that as your
17 testimony here today?

18 A. (Mr. Schaefer) Yes.

19 Q. Are there changes or additions that you wish to
20 make to that testimony?

21 A. (Mr. Schaefer) Plenty, but not today.

22 Q. Okay. Thank you.

23 Do you know if that testimony was actually
24 marked as an exhibit?

1 A. (Mr. Schaefer) No, it was not. It's
2 just anecdotal --

3 Q. We will have to --

4 WITNESS BARBARA BERWICK: Marked as
5 an exhibit --

6 (Court Reporter interrupts.)

7 Q. When it was marked as an exhibit, was it given
8 a number?

9 A. (Mr. Schaefer) I don't know.

10 Q. All right. We will have to straighten that out
11 at a break, okay.

12 Ms. Longgood, did you file prefiled -- I'm
13 sorry. Let me back up to the Schaefer's.

14 Did you file any supplemental prefiled
15 testimony?

16 A. (Ms. Schaefer) No.

17 Q. Okay. Ms. Longgood, did you file prefiled
18 testimony in this case?

19 A. (Longgood) I did.

20 Q. And does that have an exhibit number?

21 A. (Longgood) I'm not certain I've seen it on
22 the --

23 WITNESS BARBARA BERWICK: Yes, yes.

24 MR. IACOPINO: Is it Abutter No. 1?

1 WITNESS BARBARA BERWICK: Hold on.

2 MR. IACOPINO: That's okay, Mrs.
3 Berwick. I'm pretty sure it's Abutter No. 1,
4 and there were attachments that were attached
5 to it as Abutter Exhibit No. 2.

6 BY MR. IACOPINO:

7 Q. Is that correct, Ms. Longgood?

8 A. (Longgood) Yes.

9 Q. And do you adopt that as your testimony here
10 today?

11 A. (Longgood) I do.

12 Q. Do you have any changes or additions to make to
13 it?

14 A. (Longgood) No, I don't.

15 Q. Okay. And did you file any supplemental
16 testimony?

17 A. (Longgood) No, I did not.

18 Q. Okay. Mr. Berwick, did you file testimony
19 which has been marked as Abutter No. 9 in this
20 matter?

21 A. (Mr. Berwick) Yes, I did.

22 Q. And do you adopt that as your testimony in this
23 proceeding?

24 A. (Mr. Berwick) Yes, I do.

1 Q. Are there any changes or additions you wish to
2 make to that?

3 A. (Mr. Berwick) No.

4 Q. Did you file any supplemental testimony?

5 A. (Mr. Berwick) No.

6 Q. Mrs. Berwick, did you file testimony which has
7 been marked as Abutter No. 8?

8 A. (Ms. Berwick) Yes.

9 Q. And did you also adopt the testimony of your
10 son, Stephen Berwick, which has been marked as
11 Abutter No. 10?

12 A. (Ms. Berwick) Yes.

13 Q. And did you file any supplemental testimony?

14 A. (Ms. Berwick) Yes.

15 Q. And what was the exhibit number for that?

16 A. (Ms. Berwick) Actually, I have Abutter 8 as
17 supplemental testimony.

18 Q. That's correct.

19 A. (Ms. Berwick) And Abutter 7 is my addendum,
20 which is also supplemental testimony.

21 Q. So, Abutter 7 and 8.

22 A. (Ms. Berwick) Yes.

23 Q. And with respect to all of those exhibits, do
24 you adopt them as your testimony here today?

1 A. (Ms. Berwick) Yes.

2 Q. Do you have any changes or additions to make?

3 A. (Ms. Berwick) Yes. On my prefiled testimony, I
4 have the wrong distance from the Monadnock
5 Paper Mill.

6 Q. Okay. Let's take that one step at a time. So
7 that's Abutter No. 9 -- Abutter No. 8. Is it
8 your prefiled or your --

9 A. (Ms. Berwick) My prefiled testimony.

10 Q. Okay. So that would be Abutter No. 6. And do
11 you know what page that is that you want to --

12 A. (Ms. Berwick) I tried to find it while I was
13 sitting there. When I was at home and going
14 through it, it was like, why did I write -- I
15 think I wrote 14 miles, and it's actually
16 5.81 miles.

17 Q. And this is the distance between what?

18 A. (Ms. Berwick) Between our house and the
19 Monadnock Paper Mill.

20 Q. Any other changes to your testimony?

21 A. (Ms. Berwick) No.

22 MR. IACOPINO: They're available for
23 cross-examination.

24 PRESIDING OFFICER SCOTT: So, before

1 we start, I know you're not all professionals
2 at this. So, again, we have to get everything
3 on the transcript. So when you do wish to
4 talk, pull the microphone close to you, please,
5 and make sure it's on. And you probably
6 followed this. One at a time when you're
7 speaking, and if you could speak clearly and
8 relatively slowly for the transcriptionist.
9 But the big thing is the audio. I think we're
10 much better with the audio today than we were
11 the last time we were here. So hopefully
12 that'll be fine.

13 So, with that, we'll start with
14 the Audubon Society.

15 MS. VON MERTENS: No questions.

16 PRESIDING OFFICER SCOTT: Thank you.
17 I'm blocked by -- there you are -- by a post in
18 this room. It's a good room, but not ideal.
19 Ms. Linowes.

20 MS. LINOWES: Thank you, Mr.
21 Chairman. Good morning. I actually wanted to
22 reference Mr. Craig's testimony, but I do not
23 believe he has an exhibit number at this point
24 either. And I'm wondering, can the Committee

1 get access to that? Clark Craig.

2 WITNESS BARBARA BERWICK: I think I
3 might have him in mine.

4 MS. LINOWES: And also, is he
5 available today?

6 WITNESS MARK SCHAEFER: No, he is
7 not.

8 MS. LINOWES: If we can't get access,
9 he attached to his testimony a document that is
10 also part of the wetlands permit. So I can
11 bring you to the wetlands permit, if that... it
12 would be -- should I go that route then?

13 PRESIDING OFFICER SCOTT: That's
14 fine.

15 CROSS-EXAMINATION

16 BY MS. LINOWES:

17 Q. All right. So if we can look at APP 33, which
18 is Application Appendix 2A, and Page 3, PDF
19 Page 3, I believe that brings you to a map of
20 all of the properties that are surrounding --
21 the property lines of parcels that are adjacent
22 to the Project --

23 A. (Ms. Berwick) Lisa, could you say that again
24 where we find it?

1 Q. Yes. Do you have Clark Craig's testimony in
2 front of you?

3 A. (Ms. Berwick) Oh, I can find it.

4 Q. It would be the attached map. It would be the
5 second -- it would be the attached map. Do you
6 have that?

7 A. (Ms. Berwick) I found it. I'll share this with
8 everybody. Oh, attached map. It's not
9 attached.

10 Q. It would be this file.

11 A. (Ms. Berwick) Did you give us it in here?

12 Q. It's not in there.

13 PRESIDING OFFICER SCOTT: Why don't
14 we go off the record while we're looking for
15 it.

16 (Discussion off the record.)

17 PRESIDING OFFICER SCOTT: Back on the
18 record.

19 BY MS. LINOWES:

20 Q. I'm going to -- many of my questions are
21 directed at Ms. Berwick. But anyone who wants
22 to pipe in, I'd really appreciate it if you
23 can.

24 Now, all of you -- or Antrim Wind has

1 stated many times in this proceeding that the
2 Project turbines will be at least a half-mile
3 from nearby residences. Do you recall hearing
4 that?

5 A. (Ms. Berwick) Yes.

6 Q. And I want to -- if you would look at that map
7 that was attached to Mr. Craig's prefiled
8 testimony and also part of the Applicant's
9 wetlands permit, you can see where your
10 properties are relative to the Project.

11 A. (Ms. Berwick) Yes.

12 Q. Ms. Berwick, yours is marked -- your property
13 is 221-9; is that correct?

14 A. (Ms. Berwick) That is correct.

15 Q. Mr. Clark is not clear here. Can you confirm
16 that he is 226-10, according to his
17 testimony --

18 A. That's correct.

19 (Court Reporter interrupts.)

20 Q. And Mr. Schaefer, are you 224-1?

21 A. (Mr. Schaefer) Yes.

22 Q. Okay. And Ms. Longgood, you're 224-2?

23 A. (Longgood) Correct.

24 Q. Okay. I got everyone, right, that's up there?

1 Okay. Good.

2 Now, if you can look at Exhibit WA-35X
3 [renumbered as WA-41x], that's one of the
4 exhibits I handed out this morning. There are
5 four pages to this exhibit. This is taken
6 directly from the Applicant's project plans.
7 And those who want to view and validate those,
8 these would be Appendix 7a, Plan Profile of the
9 Application, APP 33, Appendix 7a, Plan Profile,
10 Pages 1 through 9. The first two pages are
11 from there. And then the second two pages are
12 from Appendix 7a, Plan Profile, sheets Pages 10
13 through 18. So this first page that we're
14 looking at is Page C-2 out of the Project Plan.

15 And Ms. Berwick, what I wanted to point
16 out to you is do you see the property line? It
17 goes from the left-hand side of the page. You
18 can see it as a stone wall marked there --

19 A. (Ms. Berwick) Yes.

20 Q. -- marked "property line." And then it dips in
21 and comes out and then proceeds going south.
22 And that's actually south on the plan. Do you
23 see that?

24 A. (Ms. Berwick) Yes.

1 Q. Okay. Your property, actually, 221-9, is
2 directly east of --

3 A. (Ms. Berwick) I see it marked on there. I see
4 somebody wrote it on there.

5 Q. Yes. Okay. Now, the project road -- what
6 we're looking at is the project road. And then
7 there is infrastructure associated with the
8 road. Do you see that? There's --

9 A. (Ms. Berwick) Yes.

10 Q. Okay. And if you measured that -- actually, if
11 you go to measure using the scale, that
12 distance from the eastern-most part of the
13 infrastructure of the road to your property
14 line -- this is near where it says "CDWG-C3"
15 --- that infrastructure right there, it's about
16 150 feet.

17 A. Okay. I'll believe you.

18 Q. Okay. Were you aware that the road is that
19 close to you? Have you been --

20 A. Actually, I --

21 Q. -- able to get a measurement on your own?

22 (Court Reporter interrupts.)

23 MR. NEEDLEMAN: Mr. Chair, I'm going
24 to object at this point. There's no scale on

1 the map. And what we're hearing from Ms.
2 Linowes is inconsistent with everything that
3 we've heard thus far about the scale.

4 MS. LINOWES: Okay. Mr. Chairman,
5 we'll go to the original scale -- the original
6 map, then, instead looking at this.

7 A. (Ms. Berwick) I think I could answer the point
8 because we have tried to find out distances
9 using the Application. And until we had the
10 site visit, I did not even know how far our
11 house was from a turbine. And I've wondered
12 since then, looking at how close the road goes
13 to our property, exactly how far the road is
14 from our property line, because there are
15 zoning regulations in Antrim that require a
16 24-foot setback. Like if I want to put a shed
17 on my property, it's supposed to be 24 feet
18 back from the property line. And I wondered if
19 they were meeting them, but I had no way, no
20 way at all of telling. That's my opinion.

21 WITNESS BARBARA BERWICK: Anyone
22 else?

23 [No verbal response]

24 MS. LINOWES: Okay. Mr. Chairman --

1 thank you for that, Ms. Berwick.

2 In reference to the objection, I
3 would like to then go to the original plan. I
4 thought for convenience we could look at these
5 slides. But if we can, let's look at Appendix
6 7a, Plan Profile, Pages 1-9 of the original
7 Application.

8 PRESIDING OFFICER SCOTT: Give us a
9 minute to get there.

10 A. (Ms. Berwick) Say it again, Lisa, please.

11 Q. It is at APP 33, Appendix 7a, Plan Profile,
12 Pages 1-9, and PDF Page 3 is the one I'm
13 talking about.

14 A. (Ms. Berwick) There's 57-A. Which one did you
15 say it was?

16 Q. The ones that are reduced in size.

17 A. (Ms. Berwick) Okay.

18 Q. Pages 1 through 9.

19 A. (Ms. Berwick) Okay. Thank you.

20 MS. LINOWES: Has the Committee found
21 it yet?

22 PRESIDING OFFICER SCOTT: Give us
23 another minute.

24 (Pause in proceedings)

1 PRESIDING OFFICER SCOTT: Why don't
2 you go ahead.

3 MS. LINOWES: Go ahead? Okay.

4 BY MS. LINOWES:

5 Q. Ms. Berwick and the rest of the members on the
6 panel, before we look at the actual scales, I
7 do want to ask you what is the scale of that
8 document that was attached to Mr. Craig's
9 prefiled testimony? Do you see that in the
10 lower left corner of the legend, the scale?

11 A. (Ms. Berwick) I couldn't find --

12 DR. BOISVERT: Excuse me, Mr.
13 Chairman. I'm having difficulty catching up
14 here. Could we have a moment, please?

15 PRESIDING OFFICER SCOTT: Yeah, why
16 don't you hold on.

17 DR. BOISVERT: Where again are you
18 referring?

19 MS. LINOWES: In the Plan documents,
20 there's a document called "Appendix 7a," and
21 it's titled, "Plan Profile," Pages 1 through 9.
22 Should be in a reduced file size.

23 DR. BOISVERT: Thank you.

24 MS. LINOWES: And there's another one

1 that's 10 through 18 that we'll be looking at.

2 PRESIDING OFFICER SCOTT: You all
3 set? Go ahead.

4 MS. LINOWES: Thank you, Mr.
5 Chairman.

6 BY MS. LINOWES:

7 Q. Do you see -- before we look more closely at
8 the plans, I just want to ask you. That scale
9 that's on the document that was attached to
10 Mr. Clark's -- Mr. Craig's testimony and also
11 Page 3 of the wetlands permit, do you see that
12 the scale is small, like a quarter-mile?

13 A. (Ms. Berwick) Can I say I believe you, because
14 I can't find that document.

15 Q. This document right here (indicating).

16 A. (Ms. Berwick) Oh, that one. Okay.

17 (Witness reviews document.)

18 A. (Ms. Berwick) Yes.

19 Q. Okay. So, a quarter-mile. So you see that.
20 So that is the smallest you can measure on that
21 scale.

22 A. (Ms. Berwick) Are you talking about this one?

23 Q. I am.

24 A. (Ms. Berwick) Is it a half-mile?

1 Q. Yes, it's --

2 A. (Ms. Berwick) Oh, the smallest is a
3 quarter-mile. Yes. I'm sorry.

4 Q. Now, if you look at the plan -- and I don't
5 know if you have it -- you have 7a, Appendix 7a
6 in front of you, Pages 1 through 9?

7 A. (Ms. Berwick) Yes.

8 Q. Look at PDF Page 3, which is actually Page C-2.
9 There's a scale now of 1 inch equals 50.

10 A. (Ms. Berwick) Yes.

11 Q. See that?

12 A. (Ms. Berwick) Yes.

13 Q. Now, obviously we're looking at screens, so
14 measuring an inch is not easy to do. But using
15 that, if you look at that -- I don't know how
16 zoomed up you are -- can you guesstimate that
17 the distance from the infrastructure I was
18 mentioning to your property line is about
19 150 feet?

20 MR. NEEDLEMAN: Mr. Chairman, I'm
21 going to object again. Ms. Linowes is right;
22 it's not only not easy to do, it's not
23 accurate, because the scales are meant to be
24 used on the 24-by-36-inch sheet. And I think

1 if the Committee remembers, when Mr. Martin was
2 testifying and people were asking him to make
3 these judgments, he said he couldn't do it
4 because he didn't have the proper scalable
5 document. So it will not be accurate to do
6 this on the computer screen.

7 MS. LINOWES: Well, obviously it
8 would have to have -- if you're going to look
9 at it with a certain scale. But it does not
10 mean that you can't look at what's here and
11 measure using your fingers to get a rough
12 estimate. I may be off by 25 feet, but it's
13 certainly measurable.

14 PRESIDING OFFICER SCOTT: Why don't
15 you try and let me -- give me an idea where
16 you're going with this. What would be the
17 question if I let you ask --

18 MS. LINOWES: The question I'm asking
19 is was she aware that the road or
20 infrastructure was within 150 feet of her
21 property line.

22 PRESIDING OFFICER SCOTT: Well,
23 again, I think we've established the exact
24 measurements are not something we're going to

1 be able to do off this. So if you want to
2 rephrase that, that's fine.

3 MS. LINOWES: Okay.

4 BY MS. LINOWES:

5 Q. We can't know with certainty by looking at this
6 that it's 150 feet. But can you get a sense of
7 how close the road will be to your property
8 line?

9 A. (Ms. Berwick) Yes. I could tell by looking at
10 the plans that it came quite close. I did not
11 know how far.

12 Q. Okay. Thank you.

13 MS. LINOWES: Thank you, Mr.
14 Chairman.

15 BY MS. LINOWES:

16 Q. Okay. And then if you look at the next page of
17 the handout, WA-35X, this is actually Page C-5
18 of the appendix if you're looking at this. And
19 that would be PDF Page 6. Now, that
20 property -- do you see the infrastructure near
21 the road going around a property line? And the
22 property there is 211-4? Do you see that?

23 A. (Ms. Berwick) Yes.

24 Q. Okay. And that is a property that we've

1 discussed before. Do you recall in this
2 hearing, that the turbine will be closest to
3 that property line, that one of -- that Turbine
4 will be closest to that property line? Do
5 you remember that?

6 A. (Ms. Berwick) Yes, I do remember that.

7 Q. Do you see how close the road is to that
8 property line?

9 A. (Ms. Berwick) It looks extremely close.

10 Q. Okay. Thank you.

11 So would you agree that the Project,
12 including roads and turbines, is actually much
13 closer than a half-mile to adjacent properties?

14 A. (Ms. Berwick) Absolutely. It's also been one
15 of my concerns that they only consider our
16 house as being our property, where we own that
17 land that goes back from our house quite a long
18 ways, and the impacts on that land and our use
19 of that land is not considered at all.

20 WITNESS BARBARA BERWICK: Anyone else
21 want to say anything?

22 WITNESS MARK SCHAEFER: I concur.

23 WITNESS LONGGOOD: I concur as well.

24 With 50 acres, there's a lot of land up closer

1 to the Project.

2 BY MS. LINOWES:

3 Q. Now, so I think you established already that in
4 reading the Application materials you have not
5 been able to identify the distance of the
6 Project to your property lines; correct?

7 A. (Ms. Berwick) Truthfully, until the question
8 that you asked, and you asked I believe it was
9 Mr. Kenworthy, to show the property lines, I
10 had never found a document that showed our
11 property lines in relationship to the Project.
12 So I had their boundary lines, and I knew what
13 the back of our property looked like. And I
14 was kind of thinking that this must be us, but
15 I wasn't sure. So, does that answer that
16 question?

17 Q. Yes. Okay. Thank you.

18 Okay, now, also, do you recall when Mr.
19 Cavanagh was on the stand -- this is when he
20 was telephonically available -- and he had
21 stated -- there was discussion about the amount
22 of cubic yards and material that would be
23 blasted? Do you recall that?

24 A. (Ms. Berwick) Yes.

1 Q. And it will be somewhere more than 5,000 cubic
2 yards. Do you recall that?

3 A. (No response)

4 Q. Okay. And he also said that the blasting would
5 be going on -- this is an exact quote out of
6 the September 20th morning transcript. "The
7 blasting is going to be over -- over a few
8 months, three to four months." Do you recall
9 hearing that?

10 A. (Ms. Berwick) Yes.

11 Q. Okay. And so what I would like to do now is
12 have you look at Appendix 7a, Plan Profile
13 Sheets 10 through 18. I have provided those,
14 the two sheets I wanted you to look at. But if
15 you're looking at the plan itself, it would be
16 Appendix 7a, Plan Profile Sheets 10 through 18.
17 And this would be page C-14, which is PDF
18 Page 6.

19 (Pause in proceedings)

20 Q. Now, Ms. Berwick, your property -- the road
21 there, if you look on the page I just handed
22 out, you see station numbers along the bottom,
23 23+00, 24+00? This would be on the third page
24 of the handout from Exhibit 35X?

1 A. (Ms. Berwick) Yes.

2 Q. That's approximately the location where the
3 road will be at your property -- near your
4 property line. And it continues on at the top
5 of the sheet. If you're looking at C-14 on the
6 screen, or it continues to 30+00. Do you see
7 that at the end of the page?

8 A. (Ms. Berwick) Yes.

9 Q. Now, what I wanted to point out to you -- and I
10 don't know if you've ever read a project plan
11 before --

12 A. (Ms. Berwick) No.

13 Q. Are you familiar -- okay. What I want to show
14 you is when you see that 12 percent number on
15 the slope --

16 A. (Ms. Berwick) Yes.

17 Q. -- and you see a dash line and solid line --

18 A. (Ms. Berwick) Yes.

19 Q. -- okay. Now, if you look down, down below,
20 let's say right where the percent sign is, the
21 line immediately to the right of the percent
22 sign, you see numbers 1305 and then 1318. See
23 those?

24 A. (Ms. Berwick) Yes.

1 Q. What that is telling you is that the road --
2 the contour of the original land, which is the
3 dashed line, will be raised by 13 feet.

4 So are you aware that the actual land --
5 the actual road is going to be filled and built
6 up 13 feet above your current grade? Are you
7 aware -- right by your property line. Are you
8 aware of that?

9 A. (Ms. Berwick) I hadn't thought of it until you
10 just said -- I was aware that they were going
11 to do cut and fill. I hadn't thought that that
12 means we're going to be, like -- yeah.

13 Q. And then let's go to the next page, because
14 this portion from 30+00 to about 33 or more,
15 that's also part of your land, in the vicinity
16 of your property line.

17 And look at 34+, that station 34. Do you
18 see that?

19 A. (Ms. Berwick) Yes.

20 MR. NEEDLEMAN: I'm going to object
21 for a moment. Could you please explain how
22 you're relating those particular data points to
23 her property line? It's not clear to me.

24 MS. LINOWES: Sure.

1 MR. RICHARDSON: And Mr. Chairman,
2 I'd also like to just object because what we're
3 doing is Ms. Linowes is telling the witness
4 something that she doesn't know. So she's
5 effectively testifying. I mean, if there were
6 issues about the grading, I mean, that's all
7 stuff we put in prefiled testimony so that we
8 can prepare for these hearings. But I'm --

9 WITNESS BARBARA BERWICK: Can I say
10 something? I thought that Antrim's lawyer, not
11 "we," had put it in as testimony. I thought
12 Antrim's lawyer here was to represent Antrim
13 and not Antrim Wind.

14 PRESIDING OFFICER SCOTT: Well, first
15 of all, Ms. Linowes, yes, so if you can ask
16 questions, that would be helpful.

17 MS. LINOWES: Absolutely. I am. And
18 I have only one last question on this exhibit,
19 and it was regarding -- I'm trying -- I was
20 trying to get a sense from the witness of
21 whether they were aware how much land moving
22 and blasting was going to happen with their
23 property line. So the last question here had
24 to do with this one last piece, the 34+00

1 station.

2 But to Attorney Needleman's
3 question, he was asking how did this relate to
4 their property line. If we could go back to
5 the first page, you can see the station numbers
6 on that first page.

7 Mr. Needleman, do you see where
8 it says 29+00 on the road? This would be if
9 you draw a straight line down from the 221-9
10 and look at the station numbers that are on the
11 road themselves.

12 MR. NEEDLEMAN: Okay. I see what
13 you're saying. Thank you.

14 MS. LINOWES: Okay.

15 BY MS. LINOWES:

16 Q. So the last question I have regarding this,
17 this would be at Station 34+00. Do you see
18 that and the road, the change in grade would be
19 1393 to 1378? In this case, are you aware that
20 will be blasting 15 feet off the original
21 line -- contour of the land?

22 A. (Ms. Berwick) Now I am.

23 Q. Okay. So are you aware that that much activity
24 will be happening at your property, near your

1 property line?

2 A. (Ms. Berwick) I was aware, and I wondered how
3 it was -- how it met with the zoning
4 regulations of Antrim.

5 Q. Okay.

6 MR. NEEDLEMAN: Lisa, could you also
7 clarify how you know that they'll be blasting
8 in those locations as opposed to another method
9 to do that?

10 MS. LINOWES: Yes. I had asked Mr.
11 Cavanagh when he was on the phone whether or
12 not he was going -- the question had come up,
13 "Are you going to be blasting, or are you going
14 to use some other means?"

15 And he said, "Well, you can
16 remove this type of material through other
17 means, but it's much more efficient through
18 blasting." I don't -- that's 15 feet. I didn't
19 ask him about this specific location.

20 MR. NEEDLEMAN: That was my question.
21 So he didn't testify that there would be
22 blasting in these locations. I don't remember.

23 MS. LINOWES: Right. No.

24 MR. NEEDLEMAN: All right.

1 MS. LINOWES: The specific location
2 we talked about at that time was near Route 9.

3 BY MS. LINOWES:

4 Q. Okay. So now I want to talk to you about the
5 sound assessment. If you could bring up the
6 actual sound assessment, and this would be a
7 APP 33, Attachment 9. Do you have that?

8 A. (Ms. Berwick) I have the paper.

9 PRESIDING OFFICER SCOTT: One more
10 time for the group, please.

11 MS. LINOWES: I'm sorry.

12 PRESIDING OFFICER SCOTT: One more
13 time.

14 MS. LINOWES: Sure. It's APP 33,
15 Attachment 9, PDF Page 6.

16 A. (Ms. Berwick) Is that Page 6 in the paper copy,
17 too?

18 MS. LINOWES: No. No, it's
19 Figure 1-1.

20 DR. BOISVERT: Excuse me. I
21 apologize. I'm having trouble finding which
22 folder this attachment is in. We have many
23 folders.

24 MS. LINOWES: This would be the

1 updated -- oh, I don't know what your folders
2 are.

3 A. (Ms. Berwick) I believe that I submitted this
4 as an attachment, but I'm not --

5 PRESIDING OFFICER SCOTT: Dr.
6 Boisvert, I'm showing it under the Supplemental
7 folder, at least for my files here
8 electronically --

9 A. (Ms. Berwick) Oh, no, I didn't because --

10 PRESIDING OFFICER SCOTT: One at a
11 time, please.

12 I don't know if you can find it.
13 Then going to Attachment 9, it says "Updated
14 Noise Report." Does that help? Yes, I'm in
15 the Application, Supplemental. If not, maybe
16 Ms. Berwick could direct you to the same thing
17 but in a different place here.

18 WITNESS BARBARA BERWICK: No, no. I
19 thought maybe I had attached -- I attached
20 almost anything anybody ever did because I
21 thought I had to in order to do any
22 questioning. But I didn't put the Application
23 in, so I apologize.

24 PRESIDING OFFICER SCOTT: So let's go

1 off the record while the Committee is finding
2 this.

3 (Pause in proceedings)

4 PRESIDING OFFICER SCOTT: So, for the
5 record, Ms. Linowes, tell us what page --

6 MS. LINOWES: PDF Page 6.

7 PRESIDING OFFICER SCOTT: All right.
8 We're on the record.

9 BY MS. LINOWES:

10 Q. Do you have that?

11 A. (Ms. Berwick) Yes.

12 Q. Now, so there you can see the project outline,
13 the parcels that represent the Project. But
14 you don't see your property lines; correct?

15 A. (Ms. Berwick) No.

16 Q. Okay. Now, I just wanted to read from New
17 Hampshire Site Rule 301.18(b)(1). This has to
18 do with the pre-construction sound report,
19 which would be -- this report is. And it says
20 under the rule, "Preconstruction sound reports
21 shall include a map or diagram clearly showing
22 the following..." And it says one of those
23 items is the layout of the Project area,
24 including topography, project boundary lines

1 and property lines. So it appears they're
2 property lines for the Project, but not your
3 property lines; correct?

4 A. (Ms. Berwick) Absolutely correct.

5 Q. Now, you had asked -- this would be WA-36X.
6 You had asked the Applicant in a data request,
7 and I'll read the question.

8 "Abutting Landowner Intervenors Group
9 would like the Applicant to identify all
10 abutting properties with specific property
11 owners, showing the property lines for shadow
12 flicker studies and noise studies." Do you
13 remember asking that question?

14 A. (Ms. Berwick) Yes.

15 Q. And what did the Applicant say?

16 A. (Ms. Berwick) Well, it says they object to the
17 question, as it requires the Applicant to
18 develop additional data that is not presently
19 in the possession of the Applicant and is
20 outside the scope of the Applicant's
21 responsibility in this docket.

22 Q. Okay. Thank you.

23 And then, but they did provide you with
24 three files; is that correct? Three maps? Do

1 you recall?

2 A. (Ms. Berwick) Actually, I don't recall. I
3 never recall seeing a map that showed our
4 property lines until it was during questioning
5 here that after a break they found this file.

6 Q. Okay. They did -- if you look at WA-37X,
7 that's one of the maps they provided you.

8 A. (Ms. Berwick) Oh, yes, I have seen this one.
9 I'm sorry.

10 Q. They also provided a map that Ms. Longgood has
11 attached to her prefiled testimony, which would
12 be Abutter 1. I did not make an extra copy of
13 that. But that would be the shadow flicker
14 map. Do you see that?

15 A. (Ms. Berwick) Yes.

16 Q. Okay. And they also provided that document
17 that is attached to Mr. Clark's -- Mr. Craig's
18 testimony, those three documents.

19 A. (Ms. Berwick) Okay.

20 Q. Okay. All right. So what I wanted -- now, in
21 those documents, in WA-37X, which is one that
22 they had provided, again your property lines
23 are not shown; correct?

24 A. (Ms. Berwick) Correct.

1 Q. Okay. So what I wanted you to now look at is
2 Exhibit WA-38X.

3 A. (Ms. Berwick) Okay.

4 Q. Now, can you tell me what you see there, how it
5 differs from 37X?

6 A. (Ms. Berwick) I see our property lines.

7 Q. Is your property line correctly denoted there?

8 A. (Ms. Berwick) It looks like it's correct.

9 Q. Okay. And Mr. Schaefer and Ms. Longgood, does
10 it appear that your properties are properly
11 denoted there?

12 A. (Mr. Schaefer) Yes.

13 A. (Mrs. Schaefer) Yes.

14 Q. So if we can focus on WA-38. Those contours,
15 those are the sound -- noise contours that came
16 out of the noise study. And in the legend it
17 says the green -- the blue line that you see is
18 the point where noise will be 35 decibels, and
19 as you move towards the green line it's going
20 up to 40 decibels. Do you agree with that
21 representation?

22 A. (Mr. Berwick) No. The green line is 40.

23 A. (Ms. Berwick) Yes, I understand what you're
24 saying. Between the blue and the green it's

1 going from 35 to 40, yes.

2 Q. Okay. And all of the blue dots or structures
3 that are located near the Project do fall
4 outside of the 40 decibel line. Do you agree
5 with that?

6 PRESIDING OFFICER SCOTT: Ms.
7 Linowes, what blue dots are you talking about?

8 MS. LINOWES: Oh, it's hard -- it's a
9 little bit difficult to --

10 A. (Ms. Berwick) Well, outside --

11 PRESIDING OFFICER SCOTT: Hold on a
12 second, Ms. Berwick.

13 MS. LINOWES: Mr. Chairman, I will
14 tell you. If you go to Attachment 9, the
15 actual map that we're working from -- I'm
16 sorry -- this map would be actually PDF Page 36
17 in Attachment 9, but it has the properties --
18 property lines added.

19 PRESIDING OFFICER SCOTT: So where
20 did this come from? Is this their exhibit that
21 you then overlaid something on it?

22 MS. LINOWES: Correct. This is their
23 exhibit. I'm sorry. This is a document --
24 WA-37X is a document that was produced by the

1 Applicant in response to a data request. And
2 those blue dots -- those blue rectangles that
3 are faint in the printout, those all represent
4 buildings and structures, receptors. And
5 they're more clearly denoted on the screen. So
6 WA-37 was created by the Applicant.

7 PRESIDING OFFICER SCOTT: So, again,
8 help me. So WA-38, is this the first time
9 we've seen this document?

10 MS. LINOWES: Yes. This document,
11 38X, is 37X with the parties up here, their
12 parcels imposed on it. And they validated that
13 these appear to be their lots.

14 PRESIDING OFFICER SCOTT: All right.
15 Proceed.

16 BY MS. LINOWES:

17 Q. Okay. Now what I wanted to point out -- and
18 the whole purpose of this is to look at that
19 green line which is 40 decibels.

20 Ms. Berwick, where is the green line on
21 your property?

22 A. (Ms. Berwick) It appears at about halfway, a
23 little bit less -- I mean a little bit more is
24 in the louder zone than in the less loud zone

1 because our property gets very narrow at the
2 end.

3 Q. So -- go head.

4 A. (Ms. Berwick) I should say most of our property
5 it appears is getting at least 40 decibels, and
6 then some is getting 45 decibels by the looks
7 of this. And then the part where our house is
8 listed at 35 decibels or -- no, plus 35
9 decibels.

10 Q. And Ms. Longgood and Mr. Schaefer, would you
11 say the same thing for your property?

12 A. (Mr. Schaefer) Hmm-hmm.

13 A. (Ms. Longgood) Yes.

14 Q. Now I want to read Site 301.14 -- this is from
15 the New Hampshire SEC Rules -- (f)(2)(a). And
16 I'm going to slightly paraphrase the rule
17 because there's only one part that actual words
18 matter. And the rule says that the facility
19 shall not exceed 45 decibels during the daytime
20 hours, 8 a.m. to 8 p.m., or 40 decibels at all
21 other times during each day, quote, on property
22 that is used in whole or in part for permanent
23 or temporary residential purposes at a location
24 between the nearest building on the property

1 used for such purposes and the closest wind
2 turbine.

3 So as it stands right now, you're saying
4 that your home will not have noise levels that
5 exceed 40 decibels. But if you were to park a
6 camper towards the back end of your property,
7 that would be in an area potentially that will
8 get noise levels that exceed 40 decibels. Is
9 that your understanding?

10 A. (Ms. Berwick) Absolutely. And in fact, I have
11 a neighbor that hunts, and he actually sets up
12 a tent right near the very edge of our
13 property. I suppose the hunting won't be so
14 good with the turbines there. But that's where
15 he sets up his tent is near the actual road
16 that they'll be -- that the Project would be
17 built in.

18 Q. So you're saying today. But let's say in the
19 future you choose to build a guest house,
20 construct a new home, park a camper in the
21 woods. Would it be your expectation that the
22 Project would have to take steps to be in
23 compliance with the rule?

24 A. (Ms. Berwick) I do believe so, based on the

1 questioning that I believe Mr. Rose asked, but
2 not based on what the Applicant's Application
3 said. Mr. Rose asked if there was new --

4 WITNESS BARBARA BERWICK: And Mr.
5 Rose, if it was not you, I apologize.

6 A. (Ms. Berwick) -- but asked if there was new
7 residences coming in, would it not be that they
8 have to meet the shadow flicker and noise
9 requirements for those new residents, too, and
10 so that they would have to do some sort of
11 noise suppression.

12 But this is definitely a good question
13 because all of us have a lot of land here. And
14 the idea that we can no longer subdivide our
15 land to give a parcel to our children because
16 it will not be land that would be really fit to
17 live in with decibels that high -- and already
18 I feel our land is probably not going to be fit
19 to live in, so definitely back there would not
20 be.

21 Q. All right. Thank you.

22 So then, your understanding -- or your
23 expectation is that the rule would have -- the
24 rule applies as changes happen with regard to

1 properties around it.

2 A. (Ms. Berwick) My expectation -- my expectation
3 is that I didn't really understand how that
4 rule applied, myself. And I believe that
5 Antrim Wind did not expect it to apply to
6 anything except for existing structures. My
7 hope is that if -- my hope is that this project
8 will not be approved. But if it is approved,
9 that the Committee would make some sort of
10 requirement that they do meet these
11 expectations for any new structures that are
12 put up.

13 Q. Thank you. I just have a couple more questions
14 and then we can be done. This is to do with
15 the safety.

16 Are you aware that since 2008 there have
17 been eight separate catastrophic failures of
18 turbines in the northeast?

19 A. (Ms. Berwick) No. I was aware that in 2013
20 there were two Siemens turbines that had blades
21 that fell off of them. One was in Ocotillo,
22 California. The other, I can't remember. I
23 think it was Ohio or something like that. Iowa
24 maybe. And then I was aware that in 2015, that

1 there was a fire in one of the Siemens
2 Ocotillo's turbines. And in 2015, there was a
3 complete failure of the nacelle, and all the
4 blades fell off a turbine someplace. And
5 actually, I was aware just this month there was
6 a Siemens turbine failure where the nacelle and
7 all the blades fell off, and that project was
8 only two years old. But I wasn't aware of the
9 ones in New England.

10 Q. Okay. Thank you. So it has happened here
11 in --

12 A. (Ms. Berwick) I had to get that in.

13 Q. So it has happened here in New England as well.

14 I'm just reading from my own testimony.
15 And this would be WA-01, Page 12 of 20. There
16 were --

17 PRESIDING OFFICER SCOTT: Ms.
18 Linowes, you're not going to testify yourself;
19 right?

20 MS. LINOWES: No, no, no. I don't
21 have to give the examples. It's just enough to
22 say there were eight.

23 BY MS. LINOWES:

24 Q. Okay. So, then, also during the Granite

1 Reliable Wind Energy facility, which is
2 operating in Coos County, there is testimony of
3 lightning strikes as well, quite a few. Are
4 you aware of that testimony?

5 A. (Ms. Berwick) Yes. I've also read that because
6 I thought that if you had a lightning protector
7 that wouldn't be a problem. But I read
8 something about -- I think it was Barron's --
9 problems, and they believed that it was caused
10 by excessive lightning strikes, which I don't
11 really understand, to tell you the truth.

12 Q. Okay. And then in terms of ISO, I know there's
13 been a lot of discussion about ISO. You raised
14 some concerns about that, as I recall your
15 questions.

16 A. (Ms. Berwick) Yes.

17 Q. And Antrim Wind has stated that, anecdotally,
18 the furthest that they are aware of ice being
19 thrown is 250 meters, which is about, I
20 believe, 820 feet. Do you recall that?

21 A. (Ms. Berwick) Yes. I actually thought it was
22 less. I thought that they really minimized it.

23 Q. They said a number other than 820 meters?

24 A. (Ms. Berwick) I can't remember what they said

1 exactly. Did you say 800 feet?

2 Q. Eight hundred and twenty feet.

3 A. (Ms. Berwick) Okay.

4 Q. So what I would like you to do is look at
5 WA-39X. And go to the -- these pages are not
6 numbered, but it is the third page. Let's see.
7 I'm sorry. Maybe the fourth page. Let me...
8 yes, it's the fourth page, the first full
9 paragraph there. This is testimony that a
10 biologist from New Hampshire Fish & Game had
11 given to the State of Vermont in regards to an
12 operating wind project that he was working
13 with. I believe -- it doesn't say here, so I
14 won't say which project it was, but...

15 The only point or statement I wanted to
16 say is towards the bottom, the fourth line from
17 the bottom. It says that one operator of a
18 wind installation told me these machines would
19 throw a 400-pound chunk of ice 1,000 feet. Do
20 you see that?

21 A. (Ms. Berwick) Yes. You know, I believe that.
22 My son Stephen is an engineer. He majored in
23 metallurgical engineering. I asked him to
24 calculate the ice throw. And I wish he was

1 here so he could, like, take out his calculator
2 and just wow you. But he wowed me.

3 He said, oh, it's a simple formula. And
4 he figured it out for on flat land. But there
5 was some restrictions. There was -- like he
6 was not considering certain things. And he
7 came out with a number like 1,600 feet. And I
8 do feel like Antrim Wind's response was
9 anecdotally, however you say that, this is what
10 we found, that it won't go further than
11 800 feet.

12 I work as a nurse, and I tell you that
13 anecdotal stuff is just totally disregarded.
14 You have to have research that supports it. If
15 it's a simple formula that you can use to
16 figure out -- and my son could whip out his
17 calculator and just give me a number just like
18 that. And we had the blade tip speed. When I
19 went home that day that they gave us the blade
20 tip speed, and I said, "Steve, can you tell me
21 how far is it possible? And he drew this
22 little figure and said, you know -- because it
23 depends on the size of the thing. But
24 basically their answer is based on, "Well, this

1 is what we found, and there's never been any
2 issues that we know of." That doesn't mean
3 that the ice throw won't be much further.

4 Q. Thank you for that then. It continues to be
5 a -- it will continue to be a concern for you
6 then?

7 A. Absolutely.

8 MS. LINOWES: Thank you, Mr.
9 Chairman.

10 PRESIDING OFFICER SCOTT: Thank you.
11 Mr. Ward.

12 CROSS-EXAMINATION

13 BY DR. WARD:

14 Q. I handed out an exhibit before we started,
15 which is your answers to Antrim Wind for a data
16 request. You have data -- this is data from
17 the Jaffrey Airport. And the question is what
18 was the point you were trying to make with
19 getting this.

20 A. (Ms. Berwick) Yes. Well, this was in reply to
21 a data request from Antrim Wind Energy in
22 response to my, I don't know if it was my
23 application or my supplemental application. I
24 believe it was my application.

1 But I have a calendar here. And when they
2 were -- I have written on here the day that
3 they came to set up the equipment was
4 January 7th. The day that they removed the
5 equipment was January 22nd. And during that
6 time, because I was suspicious that the answer
7 that we had received for the previous sound
8 study was not correct, I wanted to keep track
9 of what I thought were loud sounds. So, like,
10 for instance, the day that I spent all day
11 breaking up the ice and shoveling off the deck,
12 I wrote that down. That was the 10th. And
13 when it was very, very windy, I wrote it down.
14 And I based it on what I was hearing inside my
15 house because I wondered how that corresponded
16 to their noise study. Did they take that into
17 effect? At the time that they set up this
18 equipment -- and this is the second time I
19 still had not seen a single report. I didn't
20 know how to get up to the site. I'd never seen
21 any of Antrim Wind's assessments at all. And
22 so I was suspicious, and I kept records myself.
23 When we were going to go to the technical
24 sessions, I realized that my writing "major

1 wind all day" would mean absolutely nothing
2 because it's not a measurement. It's only my
3 assessment of what I heard. So I went online
4 and I put in to find out the Antrim weather,
5 and what came up was the Jaffrey Airport. And
6 when I looked, what corresponded to what I
7 found -- to what I wrote on my calendar
8 corresponded to what I was finding on the
9 Jaffrey Airport data.

10 And I was really shocked at the technical
11 session. I read that, according to their sound
12 level study, Mr. O'Neal's sound level study, he
13 wrote that at our location, which was L4, that
14 the winds were generally light at less than
15 2 meters per second. He didn't say anything
16 about all these extremely windy days. And if
17 you look at the data from the Jaffrey Airport,
18 you'll see that there's lots of days that had
19 over -- I mean, like on the 19th, the wind was
20 gusting over 37 or something like miles per
21 hour. It was gusting every hour that they
22 recorded. There was these major wind gusts;
23 yet, these were not taken out. And according
24 to the SEC rules, winds over 4 miles an hour

1 are -- they're not supposed to count the noise
2 levels during times that the wind is over
3 4 miles an hour; yet, according to Mr. O'Neal's
4 own testimony, this these times were not taken
5 out. So the gusts that I recorded were not
6 taken out, and I was really quite shocked at
7 that.

8 So I guess the point I'm trying to make is
9 that wind assessment was -- that sound
10 assessment couldn't be right if that's what
11 they used was this -- they didn't use the
12 gusts. He said he trusts his equipment. But I
13 trust my ears. I only know that I heard the
14 wind and saw the wind and felt the windows. I
15 mean, I couldn't even sleep because of the
16 wind. I knew it was windy all night. So, I
17 mean, when you look at the data, it
18 corresponds.

19 And I will say this, too, that they used
20 the same Jaffrey Airport data when they did
21 their sound study for 2011. If you look at it,
22 they didn't have anemometers [sic] at every
23 location. But they did have an anemometer in
24 one location and then they used Jaffrey Airport

1 wind data --

2 Q. Anemometer it's pronounced --

3 A. (Ms. Berwick) Okay. I'm not a meteorologist.
4 I do have a nephew that's one.

5 Q. Were there any other issues with the wind or
6 the wind gusts? Any other inconsistencies that
7 you found with their sound study?

8 A. (Ms. Berwick) Yes. I found quite a few
9 inconsistencies. For one thing, when they came
10 to put up the equipment, I asked that they set
11 up the sound-level measuring equipment as far
12 back as they could towards the stone wall, the
13 first stone wall. We have several on our
14 property. But I did that because I did not
15 want the sound-level assessment to include
16 every time the furnace came on and every time
17 the door shut and all that kind of stuff. So I
18 asked that. And after they set it up, it was
19 very hard for them to do that because we had
20 had snow and then rain. And it had frozen, so
21 the ground was solid ice. It was just solid
22 ice. And I felt a little bad. Only a little.
23 I actually wanted to ask them to go further
24 because we have a clearing past those trees.

1 But I didn't do that, so I was nice. Then they
2 asked me if they could set up the anemometer --

3 Q. Anemometer.

4 A. (Ms. Berwick) -- up by the top of the hill by
5 the garden bed, and I put that -- I said yes,
6 they could. I did not know that there was a
7 ruling that the anemometer has to be close to
8 the sound-level assessment. So it was actually
9 about 70 feet away, and it was elevated about
10 12 feet high. Because you could see we have
11 that huge hill there in our yard. So the
12 sound-level equipment was 12-foot down from
13 where the anemometer was and about 70 feet
14 away. So that's the first thing is -- that, to
15 me, that's not close proximity. But I don't
16 know what the rules -- you know, whether that
17 qualifies or not by the rules.

18 But then the frozen ground, it also says
19 in the SEC rules that it has to be 7-1/2 meters
20 away from any reflective surface. So I would
21 think that frozen snow -- hard, frozen ice
22 would qualify as a reflective surface. And
23 that stayed that way.

24 I wrote down here that the midday sound

1 guy was coming on the 12th. They came on that
2 day, actually, because it was so windy the day
3 before they wanted to check on their equipment.
4 And on that day I offered -- my husband has
5 these clamping things that I thought were for
6 his shoes. I offered them to Mr. O'Neal's
7 person that came out. It was not Mr. O'Neal,
8 it was another man. I offered them to him, and
9 he took them because it was so pure, solid ice
10 still. You know, he tried to use them. And it
11 turned out they were for my husband's crutches
12 and not for his shoes. So they didn't work.
13 But it was solid ice. At least from the time
14 they set it up, which was the 7th, at least
15 through to the 12th, and probably even
16 longer -- I don't know when we had a little bit
17 of melting that it became not solid ice. And
18 that did happen sometime during that sound
19 study. But there was no mention of that. So,
20 the fact that --

21 Q. Let me interrupt with a question which I think
22 will clarify this.

23 You've walked around on your property a
24 lot.

1 A. (Ms. Berwick) Yes.

2 Q. And have you observed substantial changes in
3 wind between up and down and side and in trees
4 and over hills and everything?

5 A. (Ms. Berwick) Yes.

6 Q. Substantial changes in wind speeds.

7 A. (Ms. Berwick) Well, yes and no. I mean, yes,
8 if you're near the trees, it blocks it some.
9 And if you're up on the hill, it doesn't block
10 it as much. But you still get a lot of noise
11 no matter where you are from the wind. You can
12 walk on the road and you think there's a car
13 coming because of the wind. We're getting to
14 that season right now where we get these
15 really, really windy days in October. And
16 that's what it was like during that time.

17 Q. And the other question is: Do you have any
18 understanding of why that restriction about a
19 reflective surface, why that's in there, what
20 the reason is that they say you shouldn't do
21 that?

22 A. (Ms. Berwick) I imagine it reflects the sound
23 more and so it increases the sound.

24 Q. Would you suggest that it reflects sound?

1 A. (Ms. Berwick) I would think so.

2 Q. I have another handout, and then I want to ask
3 you a question about were there differences
4 between the data in the 2012 report and the
5 current flicker shadow report. Were there
6 differences?

7 A. (Ms. Berwick) Absolutely there was differences.
8 In my --

9 Q. Hold on. Just answer yes or no. And would you
10 then tell us --

11 A. (Ms. Berwick) Okay.

12 DR. WARD: And we'd like to have this
13 handed out.

14 PRESIDING OFFICER SCOTT: Why don't
15 we go off the record while Mr. Ward hands out
16 documents.

17 (Pause in proceedings)

18 PRESIDING OFFICER SCOTT: Mr. Ward,
19 before we continue, do you have a feel for what
20 exhibit numbers these are for you?

21 DR. WARD: I don't.

22 A. (Ms. Berwick) Yes, there was quite a few
23 differences in the flicker study report. And
24 this is one of them that you show here, and

1 that is that one of the points that they have
2 to input is the wind direction. So if you
3 have -- on one side you have the 2011 wind
4 directions that were inputted into their wind
5 program, and on the other side you have your
6 2016 or whatever this was. Maybe '15 that it
7 was done. And there's huge differences. And I
8 looked at this and I tried to see, well, okay,
9 they eliminated one turbine and they reduced
10 the size of others by 3 meters. Would that be
11 enough? Does it statistically stay the same?
12 But some of them hardly go down at all, and
13 others of them increase greatly. I mean,
14 others of them -- there's almost, like, double
15 that thing. So I'm not a meteorologist, and I
16 won't pretend that I am one, but that's one
17 difference.

18 Another difference was that Jan Longgood's
19 house, in the 2011 report, had expected shadow
20 flicker of between 20 and 30 hours. In the
21 current report, her shadow flicker is 12
22 hours --

23 A. (Longgood) Twelve hours --

24 A. (Ms. Berwick) -- 12 hours and 5 minutes, I

1 believe. Our expected shadow flicker in the
2 2011 report was 8 hours and something. I can't
3 remember exactly. But now -- oh, no, I'm
4 sorry, 9 hours and something, and now it's 8
5 hours and 21 minutes. It's almost exactly an
6 hour difference, but not quite. So there was
7 that.

8 There was some other differences. Let me
9 think --

10 BY DR. WARD:

11 Q. Well, you're aware, aren't you, that there is a
12 correction of the computation of the hours of
13 shadow flicker depending on the wind rows, the
14 hours here --

15 A. (Ms. Berwick) Yes.

16 MR. NEEDLEMAN: Mr. Chair, I'd like
17 to object at this point for two reasons: First
18 of all, I don't believe any of these witnesses
19 have any expertise in these issues; and second
20 of all, Mr. O'Neal was questioned extensively
21 about these issues. I think he answered some
22 of these questions. And to the extent that
23 there were questions that people had that he
24 didn't answer, I think they should have been

1 directed to him.

2 DR. WARD: But the issue with this
3 exhibit is that there were two sets of wind
4 rows data. And the only point I'm trying to
5 make is I don't know which one is right. I
6 haven't checked it. But there's a big
7 correction put in the calculation from the
8 astronomical calculation to the actual one,
9 which has to do with the number of hours of
10 which the windmill would actually face in a
11 certain direction. So, two different sets of
12 things would lead you to obviously seeing two
13 different conclusions.

14 PRESIDING OFFICER SCOTT: Well, I
15 heard what you just said, but I don't think
16 this panel, first of all, is able to answer
17 that question. Correct?

18 WITNESS BARBARA BERWICK: I think one
19 point that he was trying to bring out was the
20 fact that in this shadow flicker program, that
21 one of the data points that Mr. O'Neal used was
22 94 percent of the flicker -- of the windmills
23 running. I did ask him that question. I think
24 you heard me ask that of multiple people: What

1 was the percentage of time that you used? And
2 by using 94 percent, that automatically cuts
3 the amount of shadow flicker. Because I find
4 it hard to believe that at 24 different
5 locations that the windmills might not be
6 running at a 100 percent per year at some
7 location. So, by using 94 percent, which they
8 keep on telling us everything is conservative,
9 conservative, conservative, well, conservative
10 would be to figure out what it would be with a
11 100 percent of the windmills running, not just
12 94 percent. I don't know if that's the point
13 you were trying to get to or not.

14 BY DR. WARD:

15 Q. Well, let me move on to another question.

16 You've read Mr. O'Neal's report?

17 A. (Ms. Berwick) Yes.

18 Q. He gives some numbers for shadow flicker.

19 A. (Ms. Berwick) Yes.

20 Q. What do you read out of that as to how much
21 shadow flicker you would get?

22 MR. NEEDLEMAN: Mr. Chairman, same
23 objection.

24 DR. WARD: I'm just asking what she

1 would get out of reading the report. Simple
2 question.

3 PRESIDING OFFICER SCOTT: All right.
4 We'll allow a little bit. Again, you got the
5 wrong panel for this. But go ahead.

6 A. (Ms. Berwick) At my house, his projected amount
7 of shadow flicker is 8 hours and 21 minutes.
8 But what that really equates to is that, in
9 January, on January 13th, we'll start getting
10 shadow flicker of almost 20 minutes a day. I
11 think it's 16 minutes according to his report.
12 It will continue every day for 35 days. We'll
13 have 13 days off, then it will start up again,
14 I believe it's March 2nd, and go to March 15th.
15 Then we have a break until September and it
16 starts up again. And pretty much every day
17 except for 13 days in that time from September
18 to December 2nd or 3rd or something like that
19 we have flicker. And it's in the evening. In
20 September, I believe it's 5:30 or something
21 like that. It's all in there. It's in his
22 flicker study thing. I think that's called
23 Attachment 6. Every evening. So, instead of
24 having dinner on the deck, we'll be hiding our

1 heads or doing something to prevent seeing this
2 flicker.

3 So it doesn't sound like much. Eight
4 hours doesn't sound like that much. But when
5 you live it every day from January through
6 March 13th, I think it is, January 2nd to March
7 13th, and then September 28th through December
8 2nd, somewhere around there, having flicker, 13
9 days' break in both of those, that is a
10 significant impact on our life. And according
11 to Mr. O'Neal, our expected amount of flicker
12 is 8 hours and 21 minutes. So all he has to do
13 with their never-before-used-or-tried-or-tested
14 Siemens control flicker program is reduce it by
15 21 minutes. You still can see that our
16 scenario of our lives will be significant.

17 MR. NEEDLEMAN: Mr. Chairman, I'm
18 going to object again. With all due respect to
19 Ms. Longgood, the way she was representing
20 flicker is not correct --

21 WITNESS BARBARA BERWICK: I'm Ms.
22 Berwick.

23 MR. NEEDLEMAN: I'm sorry, Ms.
24 Berwick. I apologize.

1 WITNESS BARBARA BERWICK: And
2 actually I can show it to you --

3 MR. NEEDLEMAN: My point --

4 (Court Reporter interrupts.)

5 PRESIDING OFFICER SCOTT: One at a
6 time.

7 MR. NEEDLEMAN: My point being, Mr.
8 Chair, that we now have a group of people in
9 the room debating the nuances of shadow
10 flicker, and the expert who was here and can
11 answer these questions and address these issues
12 isn't here.

13 WITNESS BARBARA BERWICK: Can I say
14 that in the shadow flicker analysis on -- we're
15 at No. 56. And if you take this piece of
16 paper -- you can all look at it -- it's
17 Attachment 6. It's Page 7, but it's like in
18 the first attachment. It's got these little
19 colored circles that show you. And then on
20 Page 9 of his Attachment C, I think it is, it
21 gives the actual hours and times. That's why I
22 can tell you exactly what day. Because I can't
23 tell by this little circle that it starts on
24 January whatever or stops on that day, but on

1 his Page 9 it does. And I mean, I am not Mr.
2 O'Neal. But I also am able to read a chart and
3 able to say that this is how it affects us.
4 This is our lives being affected.

5 MS. LINOWES: And Mr. Chairman, if I
6 could add to that. The point is the document
7 has to stand on its own. It doesn't have to
8 have to have a Mr. O'Neal attached to it. The
9 expectation is that a layperson can read it.
10 What Ms. Berwick is reading is very
11 straightforward if you look at it.

12 PRESIDING OFFICER SCOTT: Mr. Ward,
13 do you have more questions?

14 DR. WARD: Yeah, I just have one last
15 question on this and then one question on
16 another thing.

17 BY DR. WARD:

18 Q. Ms. Berwick, you are aware that -- and you were
19 here when I questioned Mr. O'Neal on shadow
20 flicker.

21 A. (Ms. Berwick) Yes.

22 Q. And his answer to almost everything was that
23 there was a model which is proprietary. And
24 I've tried to ask questions about it. But

1 there is a model, and it yields a shadow
2 flicker wherever, your house or anything else.
3 You are aware of that?

4 A. (Ms. Berwick) Yes.

5 Q. Is that the thing that you're referring to,
6 that number from that model?

7 A. (Ms. Berwick) Yes, that model from -- that
8 number from that model. And I will say that
9 that model is a WindPRO, is made for the wind
10 industry to measure shadow. So they already
11 have that bias. But according to everything
12 that I have read, their definition of shadow
13 flicker is within a structure. And they can
14 say they use a "greenhouse mode," and Mr.
15 O'Neal says that in his report, a "greenhouse
16 mode." And the greenhouse mode, from
17 everything that I've read, and I've done a bit
18 of research on it, is they consider it a
19 structure to be 1 meter by 1 meter square with
20 windows on all sides of 1 meter by 1 meter and
21 that the I-height is at -- it ends up being
22 5 feet. They gave it in meters. I can't
23 remember. But basically it's at 5 feet. But I
24 cannot find where they consider the roof to be

1 made of glass. It says a 1-meter-by-1-meter on
2 all sides. So the very way that this shadow
3 flicker program calculates their numbers is
4 based on their definition of shadow flicker,
5 which has to do with inside a structure. And
6 it has to do with 20 percent of the blade
7 blocks the sun. But certainly there's going to
8 be shadow flicker, or at least changes in light
9 intensity that my eye will detect at 10 percent
10 or 15 percent of blade blockages. They might
11 not be major shadows on the ground, but there
12 certainly will be changes in light intensity.
13 But even if you just want to consider the
14 shadow -- if they use a model that does not
15 use -- if they consider that there's a roof on
16 it, then their definition of shadow flicker is
17 not the same as New Hampshire's rules, which
18 now, thank goodness, you see that being outside
19 and having these shadow flickers would be just
20 as annoying or probably more annoying than
21 being inside the house. So I have issues with
22 just even the program that's used.

23 And I think you make a good point, that
24 everything's proprietary. Everything is

1 proprietary. You can't get information.
2 You've asked many questions about getting
3 information. And basically, it's like "you
4 just have to trust us." But we're trusting
5 them for our lives.

6 Q. Thank you. I have one more set of questions
7 and I have another handout.

8 PRESIDING OFFICER SCOTT: Okay.
9 We'll go off the record while he's handing that
10 out.

11 MR. IACOPINO: Actually, Mr.
12 Chairman, want to stay on the record and we
13 will --

14 PRESIDING OFFICER SCOTT: Yeah, so
15 we'll go back on the record. So the first
16 handout that Mr. Ward did, which was -- the top
17 line was "Antrim Energy Docket 2015-2" and then
18 says "Data Request," we believe that's MI-18.

19 The second handout he had which
20 was labeled at the top "Attachment 6, Table
21 4-2," we believe that's MI-19.

22 And the one that you're just
23 handing out now, Mr. Ward, we believe is MI-20.

24 (Exhibits MI-18, 19, 20 marked for

1 identification.)

2 DR. WARD: Okay. This exhibit, which
3 is what?

4 PRESIDING OFFICER SCOTT: This will
5 be 20. Are you going to ask them about your
6 calculation? Is that what I'm --

7 DR. WARD: No.

8 PRESIDING OFFICER SCOTT: Okay.

9 BY DR. WARD:

10 Q. This is an exhibit which is from, I believe,
11 Ms. Berwick, your son --

12 A. (Ms. Berwick) Yes, it is.

13 Q. -- who's an engineer, related to ice throw.

14 A. (Ms. Berwick) This is a --

15 Q. Let me finish.

16 A. (Ms. Berwick) Okay.

17 Q. Can you explain it, please?

18 A. (Ms. Berwick) I really can't explain it because
19 I never took physics. But this was his --

20 MR. NEEDLEMAN: Mr. Chair, I'm sorry
21 to interrupt. If Ms. Berwick can't explain
22 this exhibit --

23 WITNESS BARBARA BERWICK: Okay. I
24 can explain it a little --

1 (Court Reporter interrupts.)

2 MR. NEEDLEMAN: If the exhibit can't
3 be explained, I don't believe that it should be
4 considered.

5 WITNESS BARBARA BERWICK: I can
6 explain it a little.

7 PRESIDING OFFICER SCOTT: Okay.

8 WITNESS BARBARA BERWICK: "G" is for
9 gravity, "D" is for distance, "T" is for time.
10 This is what he did, just jotted down quickly
11 to figure out the potential of ice throw
12 with -- on flat ground with no air resistance.
13 He said that there was other factors, but that
14 putting it up on a hill would increase the
15 distance, the size of the ice itself. But this
16 was the figures that he did. And I asked
17 Mr. Ward if he would introduce this
18 specifically because this is something that we
19 have not seen from Antrim Wind and -- this is
20 evidently easy for people that are engineers or
21 in physics to figure out what the potential of
22 ice throw is, and we have not received that
23 other than this is what my son figured out.
24 And I wish he was here. We wanted him to be

1 able to testify. He could have explained it
2 much better, and he could have showed you the
3 dynamics of it. I actually -- this is one
4 piece of paper that I took pictures of to send
5 to him when he was in Tennessee and he was
6 going to be testifying by phone, and I said,
7 just in case you need this. And I have not had
8 a chance to question him since because he was
9 home for one day and then he went to Guam and
10 then Japan.

11 PRESIDING OFFICER SCOTT: So the
12 problem with this, again, is he's not here. I
13 know you're adopting his testimony, and I
14 allowed that.

15 WITNESS BARBARA BERWICK: Right.

16 PRESIDING OFFICER SCOTT: There's no
17 way for anybody to question the voracity. And
18 I'm not saying he's not a good engineer. Don't
19 misunderstand me. But there's no way for the
20 Applicant or anybody else to question is this
21 correct and is the methodology correct.

22 WITNESS BARBARA BERWICK: And I would
23 state that I would not swear this is totally
24 correct. But I would swear there is a way to

1 calculate it and that it should be done.

2 DR. WARD: Mr. Chairman, may I just
3 add one quick -- basically what it does is
4 construct a parabola, which would be the
5 parts -- part of the thing thrown. It
6 calculates the initial thing. We know how much
7 gravity is, and so it goes a certain
8 distance -- it's basically a parabola, and it's
9 pretty straightforward.

10 MR. NEEDLEMAN: Mr. Chair, it's
11 actually not straightforward. And as Ms.
12 Berwick said, this does not account for air
13 resistance. And my limited understanding is
14 that air resistance is a very major component
15 of a calculation like this, which is why not
16 being able to examine the person who did this
17 is a significant problem.

18 WITNESS BARBARA BERWICK: It's okay.
19 You can not have it as an exhibit.

20 PRESIDING OFFICER SCOTT: Then
21 we'll --

22 DR. WARD: I have no more questions.

23 PRESIDING OFFICER SCOTT: All right.
24 So we'll move on to -- who's next here? Mr.

1 Levesque or Ms. Allen?

2 MR. LEVESQUE: Thank you. Sorry.

3 Just took me a few seconds here.

4 CROSS-EXAMINATION

5 BY MR. LEVESQUE:

6 Q. So these questions are really for you, Barbara.

7 So, if I remember right, you were not
8 involved in what we'll call "Antrim 1," the
9 previous docket on this proposed project; is
10 that correct?

11 A. (Ms. Berwick) That's correct.

12 Q. And why was that?

13 A. (Ms. Berwick) We were not involved because we
14 really believed that the Town of Antrim -- the
15 people of Antrim wanted the wind turbines. And
16 we're kind of the type of people that if you
17 want to run over us, just tell us where to lie
18 down in the road. And truthfully, I didn't
19 know anything about flicker or the sounds, and
20 so we were only really thinking that we're
21 going to have this big turbine in our back
22 yard. We didn't want it, but we weren't going
23 to fight it, because if it's going to help the
24 majority of people in Antrim and it's going to

1 reduce their taxes, who are we to say no.
2 We're really not the "not in your back yard"
3 type of people. So that's why we didn't,
4 because it did seem that the first two votes
5 that were done were -- and then that survey
6 that we heard about, it just seemed that the
7 people of Antrim wanted it at that time.

8 Q. So you're here now. So, obviously you changed
9 your mind about what you just described. So,
10 why do you participate in this one?

11 A. The 2014 vote was overwhelmingly obvious that
12 the people of Antrim had changed their mind.
13 Because it was clear -- you know, the selectmen
14 can say it wasn't clear. It was clear to
15 everybody what we were voting on and that
16 Antrim Wind needed that zoning change in order
17 to build their project.

18 It was also known -- and I was not a part
19 of any of these people. None of these people
20 had anything to do with us because they thought
21 we were for Antrim Wind. But it was known at
22 that time that Antrim Wind had written that
23 zoning proposal and submitted it through
24 citizens petitioning, kind of pretending that

1 it was citizen-written instead of theirs. And
2 the feeling among all the people in town -- and
3 I don't know -- no, I have not interviewed all
4 the people in town. I'm just one person. But
5 we get our feeling by the local papers and by
6 talking to people. People were really
7 disgusted with Antrim Wind and they felt like
8 they couldn't be trusted. And they didn't want
9 them anymore because they didn't want to have a
10 big company that was dealing in shady-type
11 behavior. So they had a lot of people change
12 their mind. So now, instead of -- I don't feel
13 like we're going against the majority of people
14 of Antrim. I feel like we're supporting the
15 majority of people of Antrim. They voted in
16 2014, and it was an overwhelming defeat for
17 Antrim Wind. They did not get their proposal,
18 their zoning change. They wanted it. It was
19 definitely -- there was people standing outside
20 with their signs. Everyone understood what
21 they were voting for and what it meant. And
22 they were defeated.

23 So we're no longer being the one person
24 standing up and making life difficult for the

1 rest of the residents of Antrim. We're
2 actually standing for Antrim. But also, now
3 that I know what shadow flicker is and the
4 noise, maybe we should have been involved last
5 time.

6 Q. Thank you for that. Just one final question.
7 I don't know if you were here when the
8 selectmen were on the stand. Were you?

9 A. (Ms. Berwick) Yes, I was.

10 Q. During that part of the proceeding, I'm not
11 sure who asked the question, but I know that
12 Mr. Robertson, Selectman Robertson answered a
13 question that was something to the effect of,
14 you know, would you support a wind project
15 downtown in Antrim. And he answered, if I
16 remember right, something to the effect that,
17 no, he couldn't support that because that would
18 affect a lot of people. And so this panel here
19 is a group of folks that will certainly be
20 affected by the Project if it's built. So I'm
21 wondering if you have a reaction to Selectman
22 Robertson's question back then.

23 A. (Ms. Berwick) That actually was my question. I
24 asked him. And I asked him if he would be

1 willing to put a turbine downtown, and he
2 immediately answered "No." And I asked him
3 why, and he said "increased population
4 density." And to me, that was just like slap
5 you in the face, because why would you not be
6 willing as a selectmen to put a wind turbine
7 downtown, which is zoned a business zone
8 already, already has an increased sound level
9 over what we have, but you're willing to put it
10 in a place that's zoned rural and rural
11 conservation. I mean, why could you easily say
12 yes to rural and rural conservation which is
13 not business. This is a business that we're
14 talking about going in, industrial wind
15 turbines. And also to say that downtown people
16 obviously are more important to him than the
17 people on the outskirts of town. Because I
18 asked all of them, was there a magic number of
19 people you are willing to sacrifice their lives
20 in order to bring this project in, and they
21 answered -- I mean, I think it was Mr.
22 Robertson himself who answered "No." But with
23 that answer to me, that said to me, yes, there
24 is a magic number. And we all up here are the

1 sacrificial lambs.

2 Q. Thank you.

3 MR. LEVESQUE: No further questions,
4 Mr. Chairman.

5 PRESIDING OFFICER SCOTT: Mr. Jones,
6 do you have any questions?

7 MR. JONES: All set.

8 PRESIDING OFFICER SCOTT: Okay.
9 Mr. Block?

10 MR. BLOCK: Yes, I have a few.

11 CROSS-EXAMINATION

12 BY MR. BLOCK:

13 Q. Ms. Berwick, there's been a lot of talk about
14 shadow flicker. Do you have worries about any
15 actual health issues resulting from shadow
16 flicker?

17 A. (Ms. Berwick) Absolutely. There's definitely
18 health issues associated with shadow flicker.
19 There's migraines, vertigo, nausea. And I
20 think one of the things, as I said before,
21 according to the definition of shadow flicker,
22 for the WindPRO program, you have to block --
23 the blade has to block 20 percent of the sun,
24 or something like that, the solar disc. I

1 could talk better if I was Fred. He's shaking
2 his head there. But certainly at 15 percent,
3 at 10 percent, at 5 percent, you're still going
4 to have changes in light intensity if you have
5 it going through the solar disc that's coming,
6 and even at 20 percent.

7 The fact is that I myself, I put in my
8 testimony how we had a fan in our house, one of
9 those fans on the ceiling, and it had lights
10 underneath it. And there was no visible
11 movement and there was no visible shadows, and
12 yet I got sick in that room. No one else did.
13 Bruce used to think that I was being difficult.
14 I just got sick. I don't know why it affected
15 me and no one else. But it did affect me, and
16 I couldn't be in the room if both the fan and
17 the lights were on. And same way when I was in
18 college. I didn't need to wear glasses. I
19 have these stupid which are progressives, which
20 really drive me nuts. But I didn't need to
21 wear glasses until I was in my 50s because I've
22 always been farsighted. But for two years when
23 I was in college I had to wear reading glasses
24 because they had these types of fluorescent

1 lights. And these type of fluorescent lights
2 have a little bit of a flicker. And the
3 optometrist explained to me that your eye is
4 constantly making adjustments for that amount
5 of flicker. And because I was farsighted and
6 reading under those fluorescent lights, my eyes
7 were already having to work harder than a
8 person that was nearsighted or 20/20, because
9 when you're farsighted and you're reading close
10 up, your muscles are working harder, and then
11 to have that in addition was giving me
12 headaches. That was just from a fluorescent
13 light.

14 Having cycles of light, they know that
15 changes in light intensity can cause seizures.
16 That's a known fact. And, you know, Antrim
17 Wind, as a lot of the wind people like to say,
18 "only at these frequencies." But if you look
19 at the epilepsy association's page, it will say
20 the frequency varies per individual. There is
21 a frequency where it happens more, but there's
22 a lot of people that it happens at a lot less.
23 And we actually have a nephew that has
24 light-induced seizures. So if you change the

1 intensity and you have changes back and forth,
2 he will have seizures. So if we have this come
3 in, I have to say to my brother, "Don't come up
4 during this time," because during January
5 through March and September through December,
6 please don't visit us, you know, because I
7 don't want my nephew Craig to have a seizure
8 simply because of the windmill flicker.

9 But on that same web page -- and I
10 challenge all the Committee to go to that web
11 page, the Epilepsy Association of America --
12 the Epilepsy Foundation, I'm sorry -- they said
13 that there are some people who will not have a
14 seizure, but they will get headaches, nausea,
15 vertigo. It's not true epilepsy, but it is
16 related to the changes in light intensity,
17 changing back and forth. Yes, your eyes change
18 back and forth all the time. But having it be
19 so cyclic and so much of a change really can
20 cause health effects. Absolutely it can cause
21 health effects.

22 Q. Just as an aside, you seem to know a lot about
23 this. Are you a healthcare professional?

24 A. (Ms. Berwick) I'm a registered nurse, and I

1 worked for six years at Crotched Mountain with
2 brain-injured young adults and children. And I
3 have taken care of -- I mean, we took care of
4 seizures every single day with multiple people.
5 And I can tell you that for some people, just
6 one change of light intensity -- we had to
7 cover up the lights that flash when you have a
8 fire alarm because those would definitely do
9 it. We had to be very careful about changes
10 with our patients because they would trigger
11 seizures easily.

12 Q. Couple minutes ago you talked about downtown
13 has a higher noise level, you assumed, than out
14 where you're living and all that. So a lot of
15 people do live with sound levels that exceed
16 what Antrim Wind is anticipating for your
17 house. Why do you feel it should matter to the
18 Committee that your sound levels will increase
19 from what they currently are?

20 A. (Ms. Berwick) Well, people make decisions when
21 they buy their property of what's important to
22 them and what was -- you know, some people,
23 it's do you have water and sewer and are you
24 close to the stores and are you close to things

1 that are convenient and do you have services.
2 And for people like us up here on the panel, it
3 was the rural area, the quietness, the peace
4 and the seclusion. Those were important to us.
5 So, to increase our sound levels -- and I
6 believe that -- even though I believe that the
7 sound assessment that was done by Mr. O'Neal is
8 flawed, I do believe, if you look at the lowest
9 levels, you'll get a good idea of what our
10 sound really is.

11 So we're about 14 decibels at night.
12 Every three decibels you increase is double in
13 the sound. So you go from 14 to 17, you've
14 doubled the sound that we have. You go from 17
15 to 20, you've doubled that sound. You go from
16 20 to 23, you've doubled that sound. You go --
17 I'm not going to continue and make you upset.
18 But the point is you're not increasing our
19 levels a little bit; you're increasing our
20 levels a lot. You're changing our entire life.
21 And even the deaf Lempster selectman described
22 the sound as a "low drum beat" or a "plane
23 flying overhead." So, whether or not we'll be
24 able to continue to enjoy our places is really

1 very much in doubt.

2 And can I say another thing? I was away
3 for a month at my daughter's in Bellevue,
4 Washington. It's a suburban area, not that
5 noisy. I came home, it was 2 a.m. Bruce was
6 asleep. The windows were open and the frogs
7 were going like "rip," "rip," just that -- if
8 anyone lives near a pond, you know exactly what
9 I'm talking about. I was just filled -- my
10 heart was just filled with light. I'm so glad
11 that we live here in such a peaceful, wonderful
12 environment, and I really hope it doesn't get
13 ruined.

14 Q. Do you know what the required maximum limit is
15 for sound decibels at night?

16 A. (Ms. Berwick) Well, my understanding from -- I
17 keep on hearing 40 here. But when I look at
18 those SEC rules, I actually see that it says 40
19 or -- the greater of 40 or 5 decibels over the
20 something residual, the L90 sound. So if those
21 assessments that he does is wrong, then they
22 can actually be higher than 40, or they could
23 be 45. But that's my assessment.

24 Q. Well, according to -- I think we saw in the

1 maps we were looking at earlier that your
2 property looks like it would be just under 40
3 at night. Does that sound correct?

4 A. (Ms. Berwick) According to his estimated
5 decibels, it's 38.5.

6 Q. Do you have any concerns that this is fine when
7 the turbines first go up, but as the bearings
8 wear down and parts get older, harmonics or
9 heavy winds or so, do you have any concerns
10 that the decibel level, that the actual decibel
11 level might increase in the future?

12 A. (Ms. Berwick) Absolutely. I actually have
13 concerns it won't be 38.5 in the present. But
14 let's say per chance that it was. We heard
15 testimony that it would be in Antrim Wind's
16 best interest to keep -- financial interest to
17 keep everything running smoothly. But let's
18 face it, when you have a car that's reaching
19 the end of its life, you don't fix every
20 problem. And it would not be financially in
21 their best interest to be spending money to fix
22 a turbine that they know is near the end of its
23 life if the amount that they have to invest is
24 more than they're going to get out of it. And

1 then, so how do we as homeowners prove that
2 it's higher than the 38 or 40? How do we prove
3 that? If we complain, how long will it take?
4 I'm sure with their lawyers and with everything
5 that we would have to go through, that it would
6 be years, if anything, before we could get any
7 type of resolution so that the sound would be
8 reduced. And by that time, the turbines would
9 probably be at the end of their life, so they
10 would have won that war.

11 Q. When we visited your property, we saw you had a
12 very nice deck out in the back. If you sit out
13 there at night, is there any light pollution
14 currently that blocks your view of the stars?

15 A. (Ms. Berwick) No. And it's actually one of my
16 favorite activities. I actually invite people
17 over to our house, especially with the meteor
18 showers. It's like everyone is welcome to come
19 and sit out on the rocking chairs and watch the
20 meteor showers together. We turn off all the
21 lights in the house. There's absolutely no
22 lights that we see anywhere.

23 Q. Do you think that flashing lights right over on
24 the ridge behind your house might affect that?

1 A. (Ms. Berwick) Absolutely.

2 Q. You've adopted your son's testimony; is that
3 correct?

4 A. (Ms. Berwick) Yes.

5 Q. I just looked at that, and it talked about
6 members of his class who all were training to
7 be engineers were assigned to look at different
8 aspects relating to wind turbines. Can you
9 give us some samples of what it is they looked
10 at?

11 A. (Ms. Berwick) I can because he did explain this
12 more to me. They divided -- the teacher -- and
13 as I said, these are all engineers. They
14 divided them into groups, and they each had to
15 study an aspect, like mining, manufacturing,
16 the capacity factors, the actual production.
17 And they all came away saying that it's not the
18 promised, you know, environmental, friendly,
19 wonderful thing that everybody thinks it is.
20 Because if you look at the whole process, and
21 even the production, that it just isn't. It
22 isn't that great. Even the fact -- he told me
23 that places that have a lot of wind turbines
24 still have to have what they call "hard energy

1 production." And there's, like, two kinds of
2 that. One is the type that's on all the time,
3 and that type is they're burning fossil fuels
4 or natural gas. The type that's on all the
5 time uses the least amount of fuel. The type
6 that they have to back up, that have to be able
7 to come on quickly, because when wind is not
8 available, they still need to be able to
9 provide that same amount of electricity that
10 they're providing to the people. That type
11 uses more fuel than the hard type of things.
12 He was telling me about Hawaii was one place
13 that they have this issue, that even though
14 they have a lot of windmills, they still have
15 to have the traditional production of
16 electricity as a backup source.

17 Q. So do you have any sense of what the general
18 consensus was and whether or not --

19 A. (Ms. Berwick) The general consensus --

20 (Court Reporter interrupts.)

21 Q. Do you have any sense of what the general
22 consensus was and whether or not in the end
23 there was any significant overall benefit?

24 A. (Ms. Berwick) The general consensus was that

1 windmills were not very good, that they were
2 not the source that we should be looking to for
3 renewable energy, and that they were
4 destructive to the environment if you look at
5 the overall process from the mining of the rare
6 earth minerals through to trucking these things
7 from overseas. They're mostly manufactured
8 overseas. Getting them over here and getting
9 them down to where they get put up, and even
10 the destruction of the environment when they're
11 putting them up.

12 Q. Is there something about Antrim Wind that you
13 think the Committee should particularly note?

14 A. (Ms. Berwick) Yes, I think they should note
15 that there is a pattern of deception. They had
16 these meetings with the selectmen where they
17 weren't public, and I know that resulted in a
18 lawsuit. In these meetings, it was very much
19 not wanting to come out that this Siemens
20 flicker or shadow flicker program was not even
21 created yet. That only came out because the
22 Committee members asked a Siemens person
23 directly, and he answered honestly that it
24 wasn't even created yet.

1 When they did the site tour and they gave
2 a map that showed the distance from our houses
3 to the turbines and also the expected amount of
4 flicker for both Janice's house and my house,
5 it said 8 hours, even though Janice's expected
6 amount of flicker is 12 hours and minutes and
7 my -- and our house is 8 hours and 21 minutes.
8 And it wasn't until I said that's not right,
9 and then Mr. Kenworthy said, "Oh, oh, yeah,
10 yeah, that's with our shadow flicker control
11 program. It will be controlled to be no more
12 than 8 hours."

13 You know, I asked Mr. Kenworthy if he knew
14 of any failures of Siemens, problems with
15 Siemens, and he said no. And I really find
16 that hard to believe if he's been in the
17 industry and there's been these turbines fail.
18 As I said, you know, even this month, one just
19 failed. The whole nacelle and everything fell
20 down. But there's been blade failures.
21 There's been problems with bearings. There was
22 a technician that was killed I think in 2015.
23 To not know those things or to try to hide them
24 is deception.

1 I actually saw Mr. Kenworthy on Channel 9.
2 He was on a business thing on Sunday morning.
3 And behind him there was a chart, and it had
4 all these facts about Antrim Wind Energy. And
5 the chart said that the information was
6 provided by Walden Green Energy. Well, nowhere
7 in the report does it tell you that Walden
8 Green Energy 100 percent owns Antrim Wind
9 Energy. So, to a person looking at that,
10 that's deceptive because it seems like some
11 third party has provided you these wonderful
12 facts, one of the facts being that it would
13 provide 12 permanent full-time jobs, which I
14 see they have that on their economic forecasts.
15 I haven't actually really heard of where those
16 12 permanent full-time jobs are going to be.

17 But, you know, I just think that there's a
18 pattern of deception. And you don't need to be
19 deceptive if you're telling the truth.

20 Q. Is it your opinion that the presence of this
21 project would affect the value of your
22 property?

23 A. (Ms. Berwick) Absolutely.

24 Q. How?

1 A. (Ms. Berwick) It will definitely decrease the
2 value of our property. The people who buy
3 property like us are looking for the peace and
4 the quiet and the tranquility. And having
5 flicker every day from January through March,
6 September through December, and having the
7 noise levels will definitely decrease the value
8 of our property. I think anyone who thinks
9 that our property that's out back, that's going
10 to be right near those roads or right near the
11 turbine is still going to be worth as much as
12 it is now, I mean, I don't think there's a
13 single person that could believe that.

14 Q. So if this project is approved, what do you
15 think you'll do?

16 A. (Ms. Berwick) That's a really hard question.
17 We don't want to move. We've invested our life
18 here, our heart and our soul. You know, my son
19 and I dug out one wall. We didn't have a
20 basement. We dug out underneath the house,
21 supported up one wall, dug it all out, and then
22 realized we were in over our heads and called
23 in reinforcements. But, you know, we've -- I
24 was looking -- we have so much construction

1 pictures because we're constantly building and
2 changing. And I'm still working on that yard.
3 You saw how I have a lot of brush there. I
4 plan to make that a nice, gentle slope, put in
5 fill. I have an apple tree that my daughter
6 gave me when she was young. How do you replace
7 those things?

8 And so I don't want to move. But I fear
9 that if it's our health that's in jeopardy,
10 then we'll have to move. It will all depend.
11 I mean, if I get sick, as I get sick from quite
12 a few things, then we'll have to move. If we
13 can stand it, we'll put up with a lot. But I
14 don't know.

15 Q. Mr. Berwick, I remember when we visited your
16 property. At that point you were a little
17 unclear about how much of the met tower that
18 you were able to see when it was standing. Do
19 you have any clearer idea about that now?

20 A. (Mr. Berwick) I think that we could see almost
21 half of it, which would be a 125 feet.

22 A. (Ms. Berwick) We actually have pictures.

23 Q. Okay. Is there any compensation -- I know
24 you've put a lot of work into your property.

1 Is there any compensation that would make up
2 for the years of love and work that you've put
3 into your place that you can think of?

4 A. (Mr. Berwick) No. No.

5 Q. Ms. Longgood, how long has your Salmon Brook
6 property been in the Longgood family?

7 A. (Longgood) Over 40 years. Peggy and Bill
8 Longgood owned it prior to our owning it.

9 Q. When your family acquired that, were there any
10 covenants or anything like that that went along
11 with the property deeds?

12 A. (Longgood) Yes, there were covenants,
13 restrictions. All kinds of restriction and
14 covenants that ran with the land, all of the
15 land on Salmon Brook Road at that time.
16 They're over. They're not currently on the
17 deed. But that is now covered by the rural
18 conservation district.

19 Q. Do you know how many turbines would be within a
20 mile of your home?

21 A. (Longgood) From the last docket I recall, and I
22 understand this has a similar footprint, four
23 turbines will be within a mile. And one of the
24 turbines would be 1 mile and 280 feet, if I'm

1 remembering correctly.

2 Q. I remember when we drove down as a group and
3 visited your property, we came up to the front
4 there. Do you have a cleared area anyplace
5 else in the back?

6 A. (Longgood) I do. I actually consider where you
7 drive into my home the back because all of the
8 windows, the decks, the recreational area is on
9 the other side of the house facing east over
10 the beaver pond and up to the ridge. There's a
11 big, cleared area. I have a deck, you know,
12 several large windows, first and second floor,
13 looking out over the beaver pond, a big garden.
14 I have a field that has peach trees, apple
15 trees, raspberries. And they were all
16 purposefully cleared for the view. And we look
17 over the beaver pond at pines which are about,
18 I would say a white pine is probably what,
19 about 120 to 140 feet. But I can imagine -- I
20 cannot imagine not being able to have a visual
21 of these massive turbines that will be on top
22 of the ridge line at close to 500 feet. I know
23 I've been told I might not see anything, but I
24 have a very difficult time believing that to be

1 true.

2 Q. I believe the Applicant's documents show that
3 there would not be any visible turbines from
4 your home. Do you agree with that?

5 A. (Longgood) No, I don't.

6 Q. Why not?

7 A. (Longgood) I can't imagine being on the ridge
8 looking from my home and not being able to see
9 a 400-whatever-foot structure on the top of the
10 hill with flashing lights and spinning blades
11 when I will be getting the noise pollution, the
12 shadow flicker. It seems untenable to me.

13 Q. Do you ever sit outside your house at night?

14 A. (Longgood) All the time. I have a hot tub
15 outside and a shower outside.

16 Q. Is there any light pollution right now that
17 affects your view of the stars?

18 A. (Longgood) Absolutely none.

19 Q. Do you have concerns that flashing lights would
20 change that?

21 A. (Longgood) It would ruin it for me. It would
22 be horrible. I have a lot of hardship that
23 we've endured living out there. I recall --
24 and the Schaefers probably recall this. We

1 were in The Boston Globe, "No joy in Antrim's
2 Mudville." The road was impassible. That was
3 about 30 years ago. I was pregnant with my
4 oldest child. We had to hike up from Route 9
5 with groceries and backpacks up a mile through
6 the mud. Roads have been much improved. But
7 we chose to stay there despite having to drive
8 everywhere, despite having to make sure I had
9 an all-wheel-drive vehicle, always having to
10 commute at least 40 minutes to work. It was a
11 purposeful decision that would totally be
12 obliterated by having an industrial project in
13 such close proximity, with such major impacts
14 on my enjoyment of the land.

15 Q. Have you been given any explanation that tells
16 you why the 2012 application, in their shadow
17 flicker documentation, stated that you might be
18 subject to 20 to 30 hours of shadow flicker,
19 but the current one states that your expected
20 shadow flicker would be 12 hours and 5 minutes?

21 A. (Longgood) I don't understand the discrepancy,
22 nor do I have much faith in the 12 hours
23 mitigated down to 8.

24 Q. The Applicant states that you would receive

1 37.5 decibels at your home. Your land
2 continues up behind there, doesn't it?

3 A. (Longgood) Yes, it goes out quite a bit further
4 behind.

5 Q. So if you hiked up to that back land, you
6 expect that that sound level might increase?

7 A. (Ms.Longgood) Most assuredly it would increase.

8 Q. If you had complaints about the wind turbines
9 in any form, such as sound or flicker, do you
10 have any confidence that if you were to call on
11 the selectmen, that they would respond fairly
12 and quickly to any complaints?

13 A. (Ms.Longgood) Based upon their past concerns
14 for us, I would certainly hope, moving forward,
15 we have selectmen that might care a bit more
16 about the people who don't live downtown. But
17 to this point, the selectmen have not seemed to
18 take into account any of the impacts on the
19 North Branch residents.

20 Q. Is it your opinion that the presence of this
21 project would affect the value of your
22 property?

23 A. (Ms.Longgood) Yes, indeed. It would ruin it
24 for me.

1 Q. Is there any compensation that anybody could
2 come up with that would make up for the years
3 of work that you've put into your place?

4 A. (Ms.Longgood) There would be no compensation.
5 But I would plead, if this project is accepted
6 by the SEC, that they would put in and have AWE
7 have a property value guaranty for those
8 impacted individuals since they've overly
9 stated that it's not going to impact the
10 property value. Because I would not want to
11 live in such close proximity to a project like
12 that. This is my -- I'm a year away from
13 retirement. And to have to go and start
14 someplace new would be very difficult. But it
15 imposes a very big burden on the property
16 owners who have invested their entire adult
17 lives in their property fixing their homes,
18 fixing their land and improving. And I can't
19 imagine any compensation -- the only thing that
20 would make it minimally bearable would be that
21 I would have a property value guaranty, that I
22 could get out of there without losing my life's
23 investment.

24 Q. So if this project is approved, do you have any

1 idea what you would do?

2 A. (Mr. Schaefer) Sue.

3 A. (Longgood) I don't want to live there. I don't
4 know if I could sell my home. I have no idea.
5 But I really, with the sacrifice -- I have to
6 plow an 800-foot driveway all winter long. You
7 went there. It's a long driveway. I keep an
8 old Ford Explorer -- there's a lot of things I
9 endure because I like living there so much.
10 And I will not like living in an environ such
11 as that with an enormous industrial facility
12 surrounding my house, having four turbines
13 within a mile. And they'll be right up to
14 Willard Pond. We can hike up -- I'm at the end
15 of the dirt road. You can kind of hike over to
16 Gregg Lake, hike up to Willard Pond. All of
17 that will be gone.

18 Q. Couple of questions for Mr. and Mrs. Schaefer.
19 Either of you can answer these. Do you have
20 experience with Willard Pond?

21 A. (Mr. Schaefer) Yes.

22 Q. Would the presence of wind turbines around that
23 pond change that experience you think?

24 A. (Mr. Schaefer) Absolutely. A hundred percent.

1 It would change everything about the
2 experience.

3 Q. Do you feel this project, in essence, takes
4 away any of your rights to use any of your
5 personal property?

6 A. (Mr. Schaefer) Oh, absolutely it does. My
7 children each have a vested interest in our
8 40 acres up there. My son recently came back
9 to New Hampshire, after you ruled against their
10 first project, to put his little cabin on the
11 back side of my land. My son has passed but...
12 and if you approve this project and go against
13 the SEC's first decision, go against every
14 zoning regulation in Antrim, I mean, outrage
15 would be a modest assessment of how I take
16 this. This is -- you've gone through this
17 once. These people have, knowing that was
18 voted down, put it against your Committee
19 again. I don't know why you even took it.
20 There's no substantial difference. One tower
21 missing is 90 percent. That's still an A in my
22 book. I'm sorry. This is -- for seven years
23 I've been dealing with this, you know, and the
24 process. You know, my son is gone. Now I'm

1 dealing with this again. And the fact that
2 these people can waltz in here with their
3 high-paid lawyers and give it to somebody who
4 has no interest in our land, our property --
5 yes, I mean -- I'm sorry. You cannot approve
6 this project. And read my testimony. It will
7 sum up...

8 Q. How close is your home to any turbines, and how
9 many do you think you'll be able to see?

10 A. (Mr. Schaefer) Well, once the leaves are off
11 the trees I'll be able to see most of the tops
12 of all of them. I don't know exact distance.
13 But Lisa Linowes, I think I had sent pictures
14 of the ridge looking from our house. It's the
15 whole ridge. I mean, we have a setback far
16 enough, but...

17 Q. I'll ask you the same question I asked others:
18 When you sit outside at night, is there any
19 light pollution currently that blocks your view
20 of the stars?

21 A. (Mr. Schaefer) Not at the moment, unless
22 there's a light in the house. But not at the
23 moment. Only caveat to that is when Crotched
24 Mountain is operating, you can see in the

1 distance from Crotched Mountain Ski Area. But
2 that's...

3 Q. Do you think lighting on the turbines would
4 affect that?

5 A. (Mr. Schaefer) Pardon?

6 Q. Do you think the lighting on the turbines would
7 affect that?

8 A. (Mr. Schaefer) Oh, the visual, yes. Night
9 light, yeah.

10 Q. What's your opinion of the height of these
11 turbines in relationship to the size of the
12 ridge over your house?

13 A. (Mr. Schaefer) Totally out of proportion.
14 Totally against every Antrim zoning reg.
15 Thirty-five feet above the tree line is a
16 regulation in Antrim. They can put turbines up
17 as long as they're not 35 feet above the top of
18 the tree line. They can go for that. They
19 could clear all the land and put solar panels
20 in. But to put something that is out of
21 proportion, 500 feet above a ridge line, that
22 basically goes 500 feet from the sub, I mean --
23 it's rural conservation zoning. The town has
24 kept that into affect how long, you know. And

1 to just wipe that off the map with one swoop of
2 a pen for somebody's profit motive, forget it.
3 Yeah, it'll -- totally out of proportion.

4 Q. Is it your opinion that the presence of this
5 project would affect the value of your
6 property?

7 A. (Mr. Schaefer) Oh, absolutely. No doubt in my
8 mind. And I agree with Jan. You know, there's
9 no taking back the 32 years of taxes and toil
10 to build, you know, what we have, modest as it
11 is. But take that away, 32 years, combined
12 with the 32 years of property taxes that we've
13 paid, you know, it's just -- yeah, it
14 absolutely will affect.

15 Q. So how long have you lived in that home?

16 A. Thirty-two years.

17 Q. Would you have purchased that house if there
18 had been a wind turbine project present on the
19 ridge over there?

20 A. (Mr. Schaefer) Absolutely not. Moved up there
21 to get away from industrialization, not bring
22 it into my back yard.

23 Q. If this project is approved, what do you two
24 think you would do?

1 A. (Mr. Schaefer) No comment. I would start with
2 a lawsuit, for one, against the town selectmen.

3 A. (Mrs. Schaefer) I think we'd probably try to
4 find somewhere -- somewhere further away, too.

5 A. (Mr. Schaefer) No, I... sorry.

6 Q. All right. No further questions. Thank you.

7 A. (Mr. Schaefer) I apologize for the...

8 PRESIDING OFFICER SCOTT: Does the
9 Harris Center have any questions?

10 MR. NEWSOM: No questions.

11 PRESIDING OFFICER SCOTT: What I
12 think we'll do is take a 45-minute lunch and
13 come back, and we'll start with Counsel for the
14 Public. Does that work for you, Ms. Maloney?

15 MS. MALONEY: Absolutely.

16 PRESIDING OFFICER SCOTT: All right.
17 So we'll be back in 45 minutes, please.

18 (Lunch recess taken at 12:30 p.m.

19 Day 9 Morning Session concluded.

20 Hearing to be continued under separate
21 cover in transcript noted as "Day 9.

22 Afternoon Session ONLY".)

23

24

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

	access (10) 11:4,9,16;12:1,7; 19:14;28:3;55:14; 83:1,8	25:13;80:19	59:4,13;62:4,19; 75:24;77:9;82:2; 83:23;89:10;90:17; 92:21;93:23;107:22; 110:7;132:4,13,16; 133:18;141:12; 171:19;172:1	always (5) 66:19;70:18,22; 149:22;167:9
\$		addition (1) 150:11		amendment (1) 34:12
\$4,000 (1) 22:21	accommodate (2) 62:18,22	additional (11) 8:23;64:17;65:8; 67:3,14;68:5,12; 69:11,12;70:23; 106:18		America (1) 151:11
\$6,000 (1) 22:21	According (11) 14:10;85:16; 121:11,23;122:3; 132:11;133:10; 136:11;148:21; 154:24;155:4	additions (5) 13:19;77:19;79:12; 80:1;81:2	against (13) 17:1,3,9,15,19; 38:5;145:13;171:9, 12,13,18;173:14; 175:2	among (2) 40:21;145:2
[address (6) 9:24;24:16;40:21; 41:23;67:14;134:11	age (1) 38:23	amount (11) 49:7;96:21;131:3; 132:6;133:11;150:4; 155:23;158:5,9; 160:3,6
[No (1) 88:23	account (2) 142:12;168:18	addressing (1) 69:10	ago (6) 12:21;30:9,24; 59:24;152:12;167:3	analysis (1) 134:14
[renumbered (1) 86:3	accurate (2) 92:23;93:5	adequate (1) 49:11	agree (9) 14:22;32:10;75:11, 13;95:11;108:20; 109:4;166:4;174:8	and/or (1) 51:19
[sic] (5) 16:24,24;31:8,12; 122:22	accused (2) 9:3,8	adjacent (2) 83:21;95:13	agreed-upon (1) 13:4	anecdotal (2) 78:2;118:13
A	acknowledge (1) 70:4	adjoining (2) 65:21;70:22	agreements (1) 10:24	anecdotally (2) 116:17;118:9
abatement (1) 57:10	acquired (2) 7:8;164:9	adjustments (1) 150:4	agreement (3) 10:23;11:3;25:14	Anemometer (2) 123:2;124:3
abatements (1) 57:8	acres (2) 95:24;171:8	adopt (8) 13:16;62:10;76:7; 77:16;79:9,22;80:9, 24	ahead (9) 12:9;46:17;61:20; 63:20;68:9;90:2,3; 91:3;132:5	anemometer (4) 122:23;124:2,7,13
ability (2) 70:16,23	across (3) 21:7;71:14;74:11	adult (1) 169:16	air (3) 140:12;142:12,14	anemometers (1) 122:22
able (21) 11:13,22;33:15; 71:19;74:9;87:21; 94:1;96:5;130:16; 135:2,3;141:1; 142:16;153:24; 158:6,8;163:18; 165:20;166:8;172:9, 11	action (1) 8:24	adults (1) 152:2	Airport (6) 119:17;121:5,9,17; 122:20,24	annoying (2) 137:20,20
above (4) 99:6;173:15,17,21	activities (1) 156:16	advantage (1) 28:4	alarm (1) 152:8	anonymously (1) 57:18
absolutely (25) 9:6;15:23;21:5; 24:12;31:21;95:14; 100:17;106:4; 112:10;119:7;121:1; 127:7;148:17; 151:20;155:12; 156:21;157:1; 161:23;166:18; 170:24;171:6;174:7, 14,20;175:15	activity (1) 101:23	adverse (3) 19:23;20:7;31:3	Allen (2) 20:18;143:1	answered (7) 129:21;146:12,15; 147:2,21,22;159:23
absorb (1) 73:2	actual (13) 31:24;90:6;99:4,5; 103:6;109:15; 111:17;112:15; 130:8;134:21; 148:15;155:10; 157:16	Advisory (1) 27:10	allow (4) 35:9;66:21;72:18; 132:4	anticipated (1) 66:19
Abutter (13) 78:24;79:3,5,19; 80:7,11,16,19,21; 81:7,7,10;107:12	actually (44) 17:2;21:21;24:6; 30:14;34:11;39:16; 62:22;65:1;77:23; 80:16;81:15;82:21; 86:22;87:1,10,20; 92:8;94:17;95:12; 107:2;109:16; 112:11;115:5; 116:21;123:23; 124:8;125:2;130:10; 134:2;138:11;141:3; 142:11;146:2,23; 150:23;154:18,22; 155:12;156:15,16; 161:1,15;163:22; 165:6	aesthetics (2) 19:23;20:8	allowed (3) 33:2;35:9;141:14	anticipating (2) 65:23;152:16
Abutters (1) 76:3	add (7) 8:22;9:13;42:23; 65:8;68:7;135:6; 142:3	affect (15) 18:24;19:23;20:7; 58:1,2;146:18; 149:15;156:24; 161:21;168:21; 173:4,7,24;174:5,14	allowing (1) 13:2	Antioch (1) 54:2
Abutting (8) 62:7;76:20,23; 77:2,5,7;106:8,10	added (1) 109:18	affected (3) 135:4;146:20; 149:14	alluding (1) 25:1	Antrim (75) 6:4;18:9;21:3,6,10; 22:14;25:12,14;26:7; 27:11,12,16,17;28:2, 13,14;29:16;32:3,11; 33:13,17,18;34:10; 35:2,7;38:11;40:20; 44:4;46:1,21;47:1,4; 50:21;51:4;57:16; 66:5;84:24;88:15; 100:12,13;102:4; 114:5;116:17;118:8; 119:15,21;120:21; 121:4;138:17; 140:19;143:8,14,15, 24;144:7,12,16,21, 22;145:7,14,15,17; 146:1,2,15;150:16; 152:16;155:15; 159:12;161:4,8; 171:14;173:14,16
accept (1) 70:23	addendum (2)	afford (1) 70:15	all-wheel-drive (1) 167:9	Antrim's (4)
accepted (1) 169:5		afternoon (3) 14:20;52:4;175:22	almost (8) 51:1;67:9;104:20; 128:14;129:5; 132:10;135:22; 163:20	
		again (31) 6:10,10;12:19; 38:1;39:4;41:13,17; 42:3;43:7;47:22;	along (3) 38:18;97:22; 164:10	
		agains (2) 135:3;166:17	alternative (2) 16:14,19	
		agains (2) 135:3;166:17	Although (2) 30:22;75:12	

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

32:2;100:10,12; 167:1 anymore (1) 145:9 anyplace (1) 165:4 apologize (6) 13:9;103:21; 104:23;113:5; 133:24;175:7 app (6) 59:3;83:17;86:9; 89:11;103:7,14 apparently (1) 12:4 appear (2) 108:10;110:13 appears (3) 106:1;110:22; 111:5 Appendix (11) 83:18;86:8,9,12; 89:5,11;90:20;92:5; 94:18;97:12,16 apple (2) 163:5;165:14 Applicant (22) 7:11,21;8:3,20; 11:1,4,9,11,20;44:8; 63:11;75:13,20; 106:6,9,15,17,19; 110:1,6;141:20; 167:24 Applicant's (7) 10:15;11:13;85:8; 86:6;106:20;113:2; 166:2 application (14) 57:2;73:3;83:18; 86:9;88:9;89:7;96:4; 104:15,22;113:2; 119:23,23,24;167:16 applied (1) 114:4 applies (1) 113:24 apply (1) 114:5 appreciate (1) 84:22 apprised (1) 6:19 appropriate (1) 9:20 approve (2) 171:12;172:5 approved (5) 114:8,8;162:14; 169:24;174:23 approximately (3) 6:13;29:17;98:2 area (11) 15:9;59:19,19;	105:23;112:7;153:3; 154:4;165:4,8,11; 173:1 argument (3) 64:3,7;67:6 arguments (15) 63:8,19,22,24; 64:19,24;65:4;66:16; 68:12,13,16;71:13, 21;72:2,10 around (8) 6:13;31:12;57:14; 94:21;114:1;125:23; 133:8;170:22 article (5) 34:8,9,24;35:16,19 articles (2) 35:2,12 Ashuelot (1) 39:24 aside (1) 151:22 asleep (1) 154:6 aspect (1) 157:15 aspects (1) 157:8 assertion (1) 43:9 assess (3) 28:12,22;68:16 assessing (1) 28:1 assessment (10) 103:5,6;121:3; 122:9,10;123:15; 124:8;153:7;154:23; 171:15 assessments (2) 120:21;154:21 assigned (1) 157:7 assisting (1) 21:11 associated (2) 87:7;148:18 Association (1) 151:11 association's (1) 150:19 assume (1) 30:19 assumed (2) 60:5;152:13 assuming (1) 58:17 assuredly (1) 168:7 astronomical (1) 130:8 attached (19) 7:10;8:4,18;18:21;	61:7;79:4;83:9;84:4, 5,8,9;85:7;90:8;91:9; 104:19,19;107:11,17; 135:8 Attachment (15) 33:17;34:10;35:11; 103:7,15,22;104:4, 13;109:14,17; 132:23;134:17,18,20; 138:20 attachments (2) 6:18;79:4 attend (2) 25:6;73:22 attended (1) 25:8 attention (3) 7:19;34:8;38:10 attitudes (1) 49:12 Attorney (12) 9:12;10:22;36:11; 66:13,22;68:6;69:5, 6;72:22;74:17;76:6; 101:2 attorney's (2) 11:13,21 audio (3) 62:20;82:9,10 Audubon (10) 13:5;14:1,4;15:4; 19:17;43:1,47:9; 72:20;73:15;82:14 Audubon's (1) 47:20 August (3) 11:3,6,10 automatically (1) 131:2 available (16) 7:11;8:13;11:6,8, 12,19,20;12:3,53;13, 13,18;54:7;81:22; 83:5;96:20;158:8 average (1) 38:21 aware (39) 19:21;28:13,17; 29:16;31:18,22,24; 35:6,7,15;40:10; 45:4;46:4;51:3,7; 52:14;54:15;69:7,17; 87:18;93:19;99:4,7,8, 10;100:21;101:19, 23;102:2;114:16,19, 24;115:5,8;116:4,18; 129:11;135:18;136:3 awareness (1) 19:10 away (12) 31:12;55:22;124:9, 14,20;154:2;157:17; 169:12;171:4;	174:11,21;175:4 AWE (1) 169:6 B back (37) 6:9;7:2;11:3; 17:11;21:18;47:4; 57:19;63:3;77:9; 78:13;84:17;88:18; 95:17;96:13;101:4; 112:6;113:19; 123:12;138:15; 143:21;144:2; 146:22;151:1,17,18; 156:12;158:6;162:9; 165:5,7;168:5;171:8, 11;174:9,22;175:13, 17 backpacks (1) 167:5 backup (1) 158:16 bad (2) 57:23;123:22 Baltimore (1) 17:7 BARBARA (22) 76:11;77:7;78:4, 23;79:1;83:2;88:21; 95:20;100:9;104:18; 113:4;130:18; 133:21;134:1,13; 139:23;140:5,8; 141:15,22;142:18; 143:6 Barron's (1) 116:8 Bartlett (4) 15:2,7;16:7;19:17 Bartlett's (1) 15:20 base (7) 58:19,22;59:7,11, 17,19,24 based (8) 39:8;64:5;112:24; 113:2;118:24; 120:14;137:4;168:13 basement (1) 162:20 basically (7) 25:13;118:24; 136:23;138:3;142:3, 8;173:22 basis (5) 36:12;37:7,15; 41:15;42:15 bear (2) 33:10;58:23 bearable (1) 169:20	bearings (2) 155:7;160:21 beat (1) 153:22 beautiful (1) 60:1 beaver (3) 165:10,13,17 became (4) 11:8;28:13,17; 125:17 become (1) 68:5 bed (1) 124:5 began (1) 15:6 beginning (1) 16:6 behavior (1) 145:11 behind (4) 156:24;161:3; 168:2,4 believing (1) 165:24 Bellevue (1) 154:3 below (3) 34:9;38:22;98:19 benefit (1) 158:23 Berwick (196) 23:3,4,6;26:10; 62:9;76:4,8,11,12; 77:4,5,5,7,7;78:4,23; 79:1,3,18,21,24;80:3, 5,6,8,10,12,14,16,19, 22;81:1,3,9,12,18,21; 83:2,23;84:3,7,11,21; 85:5,11,12,14;86:15, 19,24;87:3,9;88:7,21; 89:1,10,14,17,19; 90:5,11;91:13,16,18, 22,24;92:2,7,10,12; 94:9,23;95:6,9,14,20; 96:7,24;97:10,20; 98:1,8,12,16,18,24; 99:9,19;100:9; 101:22;102:2;103:8, 16;104:3,9,16,18; 105:11,15;106:4,14, 16;107:2,8,15,19,24; 108:3,6,8,22,23; 109:10,12;110:20,22; 111:4;112:10,24; 113:4,6;114:2,19; 115:12;116:5,16,21, 24;117:3,21;119:20; 123:3,8;124:4;126:1, 5,7,22;127:1,7,11,22; 128:24;129:15; 130:18;131:17,19;
--	---	---	--	--

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

132:6;133:21,22,24; 134:1,13;135:10,18, 21;136:4,7;139:11, 12,14,16,18,21,23; 140:5,8;141:15,22; 142:12,18;143:11,13; 146:9,23;148:13,17; 151:24;152:20; 154:16;155:4,12; 156:15;157:1,4,11; 158:19,24;159:14; 161:23;162:1,16; 163:15,20,22;164:4	22,23 blockages (1) 137:10 blocked (1) 82:17 blocks (4) 126:8;137:7; 156:14;172:19 blue (6) 108:17,24;109:2,7; 110:2,2 Board (17) 26:1,2,6,9;28:20; 32:10;34:11,17,23; 35:1,13;36:4;37:1,5; 48:23;50:21;51:6 boards (1) 36:3 board's (3) 35:4;36:1;51:1 boats (3) 48:22,24;49:1 bodies (7) 38:19,22;52:16; 55:8,11,12,14 body (2) 23:16;70:22 Boisvert (7) 46:18,19;90:12,17, 23;103:20;104:6 bold (7) 38:23;39:1 book (1) 171:22 BOS (3) 33:17;34:10;35:11 Boston (1) 167:1 Both (8) 24:13;35:11;63:10; 69:5;77:16;133:9; 149:16;160:4 bottom (6) 38:12;49:2;57:14; 97:22;117:16,17 boundary (2) 96:12;105:24 box (1) 55:18 boy (1) 55:23 brain (1) 73:5 brain-injured (1) 152:2 Branch (1) 168:19 break (6) 74:18;76:1;78:11; 107:5;132:15;133:9 breaking (1) 120:11 breezy (2)	60:1,2 BRENDA (2) 76:12,23 bridge (1) 11:19 brief (10) 52:3;63:16;64:15; 71:5;73:1,11,20; 75:12,16,17 briefs (17) 63:9,14,15,22; 64:19;65:6,13,14; 66:5,7;70:11,20; 72:14;73:10;75:2,16, 18 bring (8) 20:5;67:20;71:23; 83:11;103:5;130:19; 147:20;174:21 bringing (2) 9:2;71:22 brings (1) 83:19 broadcasting (1) 10:16 Brook (2) 164:5,15 brother (1) 151:3 brought (2) 18:10;28:1 BRUCE (4) 76:11;77:5;149:13; 154:5 brush (1) 163:3 build (3) 112:19;144:17; 174:10 building (3) 43:3;111:24;163:1 buildings (1) 110:4 built (4) 31:23;99:5;112:17; 146:20 burden (3) 68:17;75:5;169:15 burning (1) 158:3 business (4) 147:7,13,13;161:2 buy (2) 152:21;162:2 buyout (1) 25:14	C-5 (1) 94:17 cabin (1) 171:10 calculate (2) 117:24;142:1 calculates (2) 137:3;142:6 calculation (4) 130:7,8;139:6; 142:15 calculator (2) 118:1,17 calendar (3) 71:14;120:1;121:7 California (1) 114:22 call (8) 27:11,12,16;30:11; 59:14;143:8;157:24; 168:10 called (4) 25:15;90:20; 132:22;162:22 calls (1) 40:12 calm (3) 73:9,9,10 Cambridge (1) 15:14 came (19) 21:10;43:1;51:23; 54:3;67:5;94:10; 108:15;118:7;120:3; 121:5;123:9,16; 125:1,7;154:5; 157:17;159:21; 165:3;171:8 camp (1) 56:6 camper (2) 112:6,20 campsites (1) 55:17 can (85) 8:1;17:11;19:9; 21:3;22:17,22;23:17; 25:8;30:3;31:8,13; 36:15;38:18;43:14; 55:12;58:1,3,13,14; 60:14;61:17,18;64:3, 7;67:22;70:19;82:24; 83:10,17;84:3,23; 85:9,15;86:2,18; 89:5;91:13,20;92:16; 94:6;100:8,9,15; 101:5;102:15; 104:12;105:12; 108:4,14;113:14; 114:14;118:15,20; 126:11;133:15; 134:2,10,13,16,22; 135:9;136:13;	139:17,24;140:5; 142:19;144:14; 150:15;151:19,20; 152:5;154:2,22; 157:8,11;163:13; 164:3;165:19; 170:14,15,19;172:2, 24;173:16,18 capable (2) 69:7,10 capacity (1) 157:16 car (3) 47:3;126:12; 155:18 carbon (1) 40:23 care (5) 48:18;73:12;152:3, 3;168:15 careful (1) 152:9 caretaker (1) 16:4 caretakers (1) 15:9 cars (2) 15:8,21 case (5) 64:16,23;78:18; 101:19;141:7 catastrophic (1) 114:17 catching (1) 90:13 cause (3) 150:15;151:20,20 caused (1) 116:9 cautioned (2) 12:18;76:14 Cavanagh (2) 96:19;102:11 caveat (1) 172:23 CDWG-C3 (1) 87:14 ceiling (1) 149:9 cell (1) 59:5 center (3) 21:14;26:13;175:9 certain (8) 42:17;53:6;67:18; 78:21;93:9;118:6; 130:11;142:7 certainly (11) 59:18;63:23;66:4; 67:22;69:12;93:13; 137:7,12;146:19; 149:2;168:14 certainty (1)
			C	
		C-14 (2) 97:17;98:5 C-2 (2) 86:14;92:8		

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

94:5 Chair (8) 64:14;65:18;69:2; 87:23;129:16;134:8; 139:20;142:10 Chairman (21) 6:15;12:13;67:1; 72:6;74:2;82:21; 88:4,24;90:13;91:5; 92:20;94:14;100:1; 109:13;119:9; 131:22;133:17; 135:5;138:12;142:2; 148:4 chairs (1) 156:19 challenge (1) 151:10 chance (4) 42:13;53:17;141:8; 155:14 change (12) 41:18;101:18; 144:16;145:11,18; 150:24;151:17,19; 152:6;166:20; 170:23;171:1 changed (2) 144:8,12 changes (16) 13:19;77:19;79:12; 80:1;81:2,20;113:24; 126:2,6;137:8,12; 149:4;150:15;151:1, 16;152:9 changing (3) 151:17;153:20; 163:2 Channel (1) 161:1 chart (3) 135:2;161:3,5 check (3) 22:2,10;125:3 checked (1) 130:6 child (1) 167:4 childbearing (1) 38:23 children (4) 38:24;113:15; 152:2;171:7 choose (1) 112:19 chop (2) 50:16,19 chose (1) 167:7 chunk (1) 117:19 circle (1) 134:23	circles (1) 134:19 circumstances (1) 31:5 citizens (2) 28:2;144:24 citizen-written (1) 145:1 claim (1) 69:23 claiming (1) 70:6 clamping (1) 125:5 clarification (1) 7:23 clarified (1) 8:17 clarify (5) 7:6;9:19;10:7; 102:7;125:22 clarifying (1) 10:6 Clark (3) 83:1;84:1;85:15 Clark's (2) 91:10;107:17 class (1) 157:6 clear (8) 9:5;69:21;85:15; 99:23;144:13,14,14; 173:19 cleared (3) 165:4,11,16 clearer (1) 163:19 clearing (1) 123:24 clearly (3) 82:7;105:21;110:5 Clifford (3) 58:11,12;60:8 climate (1) 41:18 close (21) 16:23;52:4;59:17; 67:4,18;82:4;87:19; 88:12;94:7,10;95:7, 9;124:7,15;150:9; 152:24,24;165:22; 167:13;169:11;172:8 closed (1) 67:13 closely (1) 91:7 closer (3) 57:15;95:13,24 closest (3) 95:2,4;112:1 closing (7) 52:7;63:22,24; 64:3,7;65:4,24	closings (1) 63:8 CMSR (2) 50:3;52:23 collateral (1) 69:24 collect (2) 21:8,15 collected (1) 18:12 collecting (2) 20:4;49:22 college (2) 149:18,23 colored (1) 134:19 combined (2) 48:16;174:11 comfortable (1) 72:14 coming (6) 54:7;69:16;113:7; 125:1;126:13;149:5 comment (2) 71:4;175:1 commented (1) 52:17 Commission (1) 74:3 Commissioner (1) 50:2 Committee (32) 6:22;8:15;10:5; 12:2;42:14;60:15; 61:16;62:15;63:10; 64:8,9,16;65:17; 66:20;70:15,19; 71:24;72:7;74:19,21; 75:1,21;82:24;89:20; 93:1;105:1;114:9; 151:10;152:18; 159:13,22;171:18 communicate (1) 7:2 communications (1) 6:20 commute (1) 167:10 company (1) 145:10 comparatively (1) 56:4 compare (1) 55:8 compensation (7) 24:24;25:1;163:23; 164:1;169:1,4,19 complain (1) 156:3 complaints (2) 168:8,12 complete (3) 36:13;39:22;115:3	completed (1) 23:7 completely (3) 24:2;53:9;57:17 compliance (1) 112:23 component (1) 142:14 computation (1) 129:12 computer (1) 93:6 concentrations (1) 38:21 concepts (1) 49:3 concern (11) 8:6;9:23;10:10,12; 40:11;41:20;43:18; 64:22;65:5;67:5; 119:5 concerned (5) 9:17,18;67:1; 68:10;71:5 concerning (2) 54:13;55:1 concerns (15) 28:1,18;33:8,9; 37:12;41:6;68:17; 71:2;95:15;116:14; 155:6,9,13;166:19; 168:13 concluded (1) 175:19 conclusion (1) 48:15 conclusions (1) 130:13 concur (2) 95:22,23 condition (1) 31:23 conditions (1) 60:6 conduct (1) 53:24 conducted (1) 53:4 conducting (1) 53:14 confidence (1) 168:10 confidential (12) 7:4,8,18;8:8,10; 9:3,10;10:14;11:2,5, 15;12:7 confirm (1) 85:15 confronted (1) 57:12 confused (1) 33:11 confusion (2)	6:17;7:3 connected (1) 55:9 Connecticut (1) 24:7 consensus (4) 158:18,19,22,24 conservation (6) 34:14;74:3;147:11, 12;164:18;173:23 conservative (4) 131:8,9,9,9 consider (9) 8:15;25:12,14; 95:15;136:18,24; 137:13,15;165:6 consideration (1) 23:19 considered (4) 69:1,3;95:19;140:4 considering (1) 118:6 consistent (3) 31:19;41:21;43:19 constant (1) 16:8 constantly (2) 150:4;163:1 constraints (1) 13:3 construct (3) 33:15;112:20; 142:4 construction (1) 162:24 consult (1) 74:17 consultants (1) 73:4 consume (3) 39:1,2;64:18 Consumption (1) 38:15 contact (1) 24:17 contain (1) 40:6 contaminants (1) 40:22 context (1) 70:9 continue (7) 9:17;32:12;119:5; 127:19;132:12; 153:17,24 continued (1) 175:20 continues (5) 9:22;98:4,6;119:4; 168:2 contour (2) 99:2;101:21 contours (2)
--	---	--	--	--

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>108:14,15 contract (1) 25:13 control (2) 133:14;160:10 controlled (1) 160:11 convenience (1) 89:4 convenient (1) 153:1 conversation (3) 19:10;51:20;52:3 conversational (1) 23:11 Coos (1) 116:2 copied (1) 6:22 copies (2) 26:23;66:11 copy (5) 8:12;27:10;33:20; 103:16;107:12 corner (1) 90:10 correction (2) 129:12;130:7 correctly (2) 108:7;165:1 corresponded (3) 120:15;121:6,8 corresponds (1) 122:18 cost (1) 67:3 Counsel (6) 46:9;65:11;66:21; 67:6;68:11;175:13 counsel's (1) 37:16 count (1) 122:1 County (1) 116:2 Couple (10) 6:6;17:8,14;21:20, 24;26:22;63:23; 114:13;152:12; 170:18 course (2) 68:14;69:18 Court (8) 12:18;76:14;78:6; 85:19;87:22;134:4; 140:1;158:20 covenants (3) 164:10,12,14 cover (3) 7:16;152:7;175:21 covered (2) 44:5;164:17 Craig (2)</p>	<p>83:1;151:7 Craig's (6) 82:22;84:1;85:7; 90:8;91:10;107:17 created (3) 110:6;159:21,24 cross-examination (11) 13:23;14:5;21:1; 23:5;27:1;44:15; 81:23;83:15;119:12; 143:4;148:11 Crotched (3) 152:1;172:23; 173:1 crow (1) 60:18 crunch (1) 64:13 crutches (1) 125:11 cubic (2) 96:22;97:1 current (6) 18:18;27:23;99:6; 127:5;128:21;167:19 currently (4) 152:19;156:14; 164:16;172:19 cut (2) 70:4;99:11 cuts (1) 131:2 cycles (1) 150:14 cyclic (1) 151:19</p>	<p>10:6,9;24:3;28:11; 30:10;59:2;60:1,1,2; 67:21;111:21; 118:19;120:2,4,10, 10;121:1;125:2,2,4; 132:10,12,16;133:5; 134:22,24;141:9; 152:4;162:5;175:19, 21 days (7) 75:6;121:16,18; 126:15;132:12,13,17 days' (1) 133:9 daytime (1) 111:19 dBA (2) 31:24;32:4 deadline (2) 73:14,15 deaf (1) 153:21 dealing (3) 145:10;171:23; 172:1 debating (1) 134:9 December (4) 132:18;133:7; 151:5;162:6 deception (3) 159:15;160:24; 161:18 deceptive (2) 161:10,19 decibel (4) 59:2;109:4;155:10, 10 decibels (19) 58:18;108:18,20; 110:19;111:5,6,8,9, 19,20;112:5,8; 113:17;153:11,12; 154:15,19;155:5; 168:1 decide (3) 67:24,24;75:2 decided (1) 19:21 decision (5) 35:22;74:12,21; 167:11;171:13 decisions (1) 152:20 deck (4) 120:11;132:24; 156:12;165:11 decks (1) 165:8 decrease (2) 162:1,7 deed (1) 164:17</p>	<p>deeds (1) 164:11 deemed (1) 11:17 defeat (1) 145:16 defeated (1) 145:22 definitely (8) 74:19;113:12,19; 145:19;148:17; 152:8;162:1,7 definition (4) 136:12;137:4,16; 148:21 delay (1) 65:8 deliberations (1) 51:2 demonstrate (1) 43:2 denied (1) 36:8 denoted (3) 108:7,11;110:5 density (1) 147:4 depend (1) 163:10 depending (1) 129:13 depends (1) 118:23 DES (2) 38:13;40:5 describe (2) 21:4;56:3 described (2) 144:9;153:21 describes (1) 31:6 design (1) 32:5 despite (3) 64:14;167:7,8 destruction (1) 159:10 destructive (1) 159:4 detect (1) 137:9 determination (1) 33:1 detract (1) 45:8 devastating (1) 58:5 develop (1) 106:18 development (5) 17:1,3,10,15,19 diagram (1) 105:21</p>	<p>diesel (3) 30:13;60:3,6 difference (4) 128:17,18;129:6; 171:20 differences (6) 127:3,6,7,23; 128:7;129:8 different (7) 17:13;33:16; 104:17;130:11,13; 131:4;157:7 differs (1) 108:5 difficult (6) 11:18;109:9; 145:24;149:13; 165:24;169:14 difficulty (1) 90:13 dig (1) 22:19 dinner (1) 132:24 dioxide (1) 40:23 dips (1) 86:20 DIR (1) 60:12 DIRECT (3) 13:10;76:15; 104:16 directed (2) 84:21;130:1 direction (2) 128:2;130:11 directions (1) 128:4 directly (3) 86:6;87:2;159:23 Director (1) 60:10 dirt (1) 170:15 disapprove (1) 47:23 disc (2) 148:24;149:5 discovery (3) 7:12,22;42:21 discrepancy (2) 19:3;167:21 discuss (2) 11:8;20:1 discussed (3) 7:5;11:1;95:1 discussion (5) 10:17;22:13;84:16; 96:21;116:13 discussions (1) 72:23 disgusted (1)</p>
	D			
	<p>dam (1) 55:13 dash (1) 98:17 dashed (1) 99:3 data (29) 18:12;20:4;21:8, 15;37:24;49:9,15,16, 22;61:8,21,22;99:22; 106:6,18;110:1; 119:15,16,16,21; 121:9,17;122:17,20; 123:1;127:4;130:4, 21;138:18 date (4) 48:10;51:21;67:18, 24 daughter (3) 17:7;31:7;163:5 daughter's (1) 154:3 Day (36) 6:3,9,12;7:3,14;</p>			

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

145:7 disproportionately (1) 30:6 dispute (1) 15:20 disregarded (1) 118:13 distance (13) 29:20;59:11;81:4, 17;87:12;92:17;96:5; 140:9,15;142:8; 160:2;172:12;173:1 distances (1) 88:8 distilled (1) 74:7 distracting (1) 16:9 distributed (2) 7:20;8:7 distributing (1) 9:3 district (2) 34:14;164:18 divided (2) 157:12,14 docket (10) 68:15;69:13,18; 70:7;73:13,23; 106:21;138:17; 143:9;164:21 document (27) 7:20,23,24;8:4,8, 11,17;9:7;27:16; 33:23;35:11;38:11; 83:9;90:8,20;91:9,14, 15,17;93:5;96:10; 107:16;109:23,24; 110:9,10;135:6 documentation (3) 9:4,10;167:17 documents (18) 7:10;11:5,7,14,16, 22;12:1,3,7;27:9; 39:5,7;70:23;90:19; 107:18,21;127:16; 166:2 document's (1) 8:21 done (11) 19:12;23:14;33:12; 42:20;64:10;114:14; 128:7;136:17;142:1; 144:5;153:7 door (1) 123:17 dots (3) 109:2,7;110:2 double (2) 128:14;153:12 doubled (3) 153:14,15,16 doubt (2)	154:1;174:7 down (27) 23:10;30:13;46:18; 47:15;51:23;53:20; 71:20;73:9,10,10; 98:19,19;101:9; 120:12,13;124:12,24; 126:3;128:12; 140:10;143:18; 155:8;159:9;160:20; 165:2;167:23;171:18 downloaded (2) 58:23;59:2 downtown (6) 146:15;147:1,7,15; 152:12;168:16 DR (22) 20:16;63:18;71:3; 90:12,17,23;103:20; 104:5;119:13; 127:12,21;129:10; 130:2;131:14,24; 135:14,17;139:2,7,9; 142:2,22 drafting (1) 51:2 draw (2) 48:16;101:9 drew (1) 118:21 drive (5) 47:15;55:12; 149:20;165:7;167:7 driveway (2) 170:6,7 drove (2) 57:14;165:2 drum (1) 153:22 due (2) 68:18;133:18 dug (3) 162:19,20,21 DULEY (2) 76:12;77:2 duly (2) 12:17;76:13 during (19) 7:14;16:5;22:12; 50:5;61:8;67:19; 68:14;74:6;107:4; 111:19,21;115:24; 120:5;122:2;125:18; 126:16;146:10; 151:4,4 duties (1) 21:4 dynamics (1) 141:3	18:10;50:5;155:1 early (3) 33:6;52:5,8 ears (1) 122:13 earth (1) 159:6 easier (1) 71:24 easily (2) 147:11;152:11 east (4) 60:19,20;87:2; 165:9 eastern-most (1) 87:12 easy (3) 92:14,22;140:20 economic (1) 161:14 edge (1) 112:12 effect (7) 31:3;43:4;47:18; 48:17;120:17; 146:13,16 effective (1) 74:9 effectively (1) 100:5 effects (3) 50:14;151:20,21 efficient (4) 63:24;64:4;73:15; 102:17 eight (5) 29:8;114:17; 115:22;117:2;133:3 either (6) 30:3;43:4;59:6; 70:2;82:24;170:19 electricity (2) 158:9,16 electronic (1) 61:17 electronically (3) 8:13;62:15;104:8 element (1) 30:2 elevated (1) 124:9 eliminated (1) 128:9 else (9) 73:18;74:14;88:22; 95:20;136:2;141:20; 149:12,15;165:5 e-mailed (1) 8:6 employees (1) 52:2 employment (4) 21:3;22:7,15;25:4	enclosure (1) 55:19 end (11) 6:12;21:8;44:6; 98:7;111:2;112:6; 155:19,22;156:9; 158:22;170:14 ended (1) 22:8 ends (1) 136:21 endure (1) 170:9 endured (1) 166:23 energy (19) 16:14,19;18:9; 28:16;33:2;38:2; 41:11,16,23;43:20; 116:1;119:21; 138:17;157:24; 159:3;161:4,6,8,9 engine (3) 30:13;60:3,6 engineer (3) 117:22;139:13; 141:18 engineering (1) 117:23 engineers (3) 140:20;157:7,13 England (2) 115:9,13 enjoy (1) 153:24 enjoying (1) 16:10 enjoyment (5) 19:2;45:8;47:19, 21;167:14 Enman (21) 6:4,5;12:16,17,23; 14:7;23:7;27:20; 36:11,16;37:9;42:3; 43:6;44:10,17;46:13, 14,20;53:4;61:23,24 enormous (1) 170:11 enough (4) 52:22;115:21; 128:11;172:16 entered (1) 53:16 entire (5) 9:22;22:6;56:24; 153:20;169:16 entirely (2) 7:8;34:13 environ (1) 170:10 environment (5) 18:24;19:2;154:12; 159:4,10	environmental (1) 157:18 epilepsy (4) 150:19;151:11,12, 15 equals (1) 92:9 equates (1) 132:8 equipment (13) 18:13;21:6,12; 22:4,4;120:3,5,18; 122:12;123:10,11; 124:12;125:3 especially (1) 156:17 essence (1) 171:3 essential (1) 73:16 established (2) 93:23;96:3 estimate (2) 29:11;93:12 estimated (1) 155:4 estoppel (1) 69:24 evaluating (1) 28:9 even (25) 21:5;32:4;33:11; 34:21;42:5;51:19,20; 64:18;88:10;122:15; 125:15;137:13,22; 149:6;153:6,21; 157:21,22;158:13; 159:9,20,24;160:5, 18;171:19 evening (2) 132:19,23 events (1) 29:22 everybody (6) 6:3,7;45:17;84:8; 144:15;157:19 everyone (5) 45:19;53:5;85:24; 145:20;156:18 everyone's (2) 33:9;67:19 everything's (1) 137:24 everywhere (1) 167:8 evidence (2) 64:2,6 evidently (1) 140:20 exact (7) 20:9;22:10;45:4; 51:21;93:23;97:5; 172:12
	E			
	earlier (3)			

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

exactly (8) 50:9;71:15;88:13; 117:1;129:3,5; 134:22;154:8	134:10	160:17	160:19	8:1,14;13:3;16:3; 17:8,14;28:13,19; 33:14;38:10,12;39:4, 10;46:1,20;47:1; 63:13,23;65:7;69:21; 72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
EXAMINATION (2) 13:10;76:15	expertise (1) 129:19	failed (3) 34:2,20;160:19	felt (3) 122:14;123:22; 145:7	33:14;38:10,12;39:4, 10;46:1,20;47:1; 63:13,23;65:7;69:21; 72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
examine (1) 142:16	explain (7) 99:21;139:17,18, 21,24;140:6;157:11	failure (3) 32:24;115:3,6	few (10) 20:23;36:14;44:14; 97:7;116:3;123:8; 127:22;143:3; 148:10;163:12	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
example (2) 30:8;31:6	explained (4) 20:3;140:3;141:1; 150:3	failures (3) 114:17;160:14,20	fight (1) 143:23	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
examples (1) 115:21	explainer (1) 167:15	faint (1) 110:3	figure (7) 23:23;103:19; 118:16,22;131:10; 140:11,21	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
excavated (1) 59:20	explains (1) 170:8	faintly (1) 31:13	figured (2) 118:4;140:23	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
exceed (4) 111:19;112:5,8; 152:15	Explorer (1) 170:8	fair (5) 29:23;42:1;45:17; 52:22;70:17	figures (1) 140:16	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
except (3) 69:20;114:6; 132:17	expound (1) 50:11	fairly (1) 168:11	file (17) 11:24;70:10;72:14; 75:3,15;77:10;78:12, 14,17;79:15,18;80:4, 6,13;84:10;90:22; 107:5	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
excessive (1) 116:10	expressing (1) 8:6	faith (1) 167:22	files (2) 104:7;106:24	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
excuse (3) 33:18;90:12; 103:20	extend (1) 67:16	fall (1) 109:3	filling (3) 9:20;70:20;72:15	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
Exhibit (29) 33:18;34:10;38:11; 43:13;44:1,4;61:7; 77:24;78:5,7,20; 79:5;80:15;82:23; 86:2,5;97:24;100:18; 108:2;109:20,23; 119:14;127:20; 130:3;139:2,10,22; 140:2;142:19	extensively (1) 129:20	familiar (2) 49:3;98:13	fill (2) 99:11;163:5	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	extent (2) 74:20;129:22	family (3) 15:17;164:6,9	filled (3) 99:5;154:9,10	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	extra (1) 107:12	fan (2) 149:8,16	final (4) 66:20;70:20;72:17; 146:6	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	extrapolate (1) 43:11	fans (1) 149:9	financial (1) 155:16	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	extremely (2) 95:9;121:16	far (10) 31:2;58:20;71:4; 88:3,10,13;94:11; 118:2,1;123:11; 172:15	financially (1) 155:20	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	eye (2) 137:9;150:3	farsighted (3) 149:22;150:5,9	find (17) 22:22;26:7;36:21; 42:10;47:13;81:12; 83:24;84:3;88:8; 90:11;91:14;104:12; 121:4;131:3;136:24; 160:15;175:4	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	eyes (2) 150:6;151:17	favor (5) 18:15,18;25:18; 63:22;64:19	finding (4) 74:1;103:21;105:1; 121:8	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
	F	favorite (1) 156:16	fine (5) 75:19;82:12;83:14; 94:2;155:6	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
exhibits (6) 26:22;27:12,17; 80:23;86:4;138:24	f2a (1) 111:15	February (1) 29:7	fingers (1) 93:11	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
existing (1) 114:6	face (3) 130:10;147:5; 155:18	feel (8) 9:24;113:18;118:8; 127:19;145:12,14; 152:17;171:3	finish (1) 139:15	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
exited (1) 53:16	facilitate (1) 72:16	feeling (2) 145:2,5	fire (2) 115:1;152:8	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
expect (3) 70:9;114:5;168:6	facilities (2) 55:20;56:11	feet (34) 29:17,24;30:8,16; 31:7;87:16;88:17; 92:19;93:12,20;94:6; 99:3,6;101:20; 102:18;116:20; 117:1,2,19;118:7,11; 124:9,10,13;136:22, 23;163:21;164:24; 165:19,22;173:15,17, 21,22	first (39)	72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
expectation (5) 112:21;113:23; 114:2,2;135:9	facility (7) 33:15;47:11;50:12; 58:24;111:18;116:1; 170:11	fell (4) 114:21;115:4,7;		72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
expectations (1) 114:11	facing (1) 165:9			72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
expected (6) 128:19;129:1; 133:11;160:3,5; 167:19	fact (15) 7:7,24,24;23:21; 27:10;37:15;38:13; 40:20;112:10; 125:20;130:20; 149:7;150:16; 157:22;172:1			72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
expedition (1) 42:22	factors (2) 140:13;157:16			72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
experience (13) 16:13,19;28:15; 45:10;50:8,13;56:1,3, 8;64:5;170:20,23; 171:2	facts (4) 69:9;161:4,12,12			72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
experienced (1) 30:4	fail (1)			72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13
expert (1)				72:6;86:10,13; 100:14;101:5,6; 110:8;117:8;123:13; 124:14;129:17; 130:16;134:18; 138:15;144:4;155:7; 165:12;171:10,13

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

focus (2) 34:8;108:14	150:18	54:10	140:9;142:7	47:9,20;105:17; 111:15;117:10;171:9
folder (2) 103:22;104:7	frequency (2) 150:20,21	gave (9) 12:7;27:9;33:17; 57:8;66:6;118:19; 136:22;160:1;163:6	great (3) 57:22;73:12; 157:22	Hampshire's (1) 137:17
folders (2) 103:23;104:1	frequent (2) 21:16,19	general (6) 19:9;51:13;158:17, 19,21,24	greater (2) 34:21;154:19	Hancock (1) 53:21
folks (1) 146:19	frequently (2) 64:3,7	generally (4) 34:24;38:2;59:14; 121:14	greatly (1) 128:13	hand (1) 26:22
follow (2) 6:16;38:18	Friday (3) 6:17;8:16;10:22	gets (2) 36:16;111:1	green (8) 108:17,19,22,24; 110:19,20;161:6,8	handed (5) 27:3;86:4;97:21; 119:14;127:13
followed (1) 82:6	friendly (1) 157:18	Giffin (1) 26:16	greenhouse (3) 136:14,15,16	handing (2) 138:9,23
following (2) 6:9;105:22	friends (1) 24:4	given (8) 11:4;37:14;57:10; 66:10;72:8;78:7; 117:11;167:15	Gregg (1) 170:16	handout (6) 94:17;97:24;127:2; 138:7,16,19
follows (1) 15:7	frogs (1) 154:6	gives (4) 35:20,20;131:18; 134:21	groceries (1) 167:5	hands (1) 127:15
footprint (1) 164:22	front (6) 13:14;37:24;65:16; 84:2;92:6;165:3	giving (1) 150:11	ground (6) 44:5;55:18;123:21; 124:18;137:11; 140:12	handwriting (1) 57:21
Forbes (2) 60:11,12	frozen (4) 123:20;124:18,21, 21	glad (1) 154:10	group (11) 25:11;26:8;53:19; 54:7;63:6,7;103:10; 106:8;134:8;146:19; 165:2	handwritten (4) 18:21;19:4,6;23:12
Ford (1) 170:8	fuel (3) 40:22;158:5,11	glass (1) 137:1	groups (5) 17:13;48:9;53:15; 71:7;157:14	happen (4) 54:24;100:22; 113:24;125:18
forecasts (1) 161:14	fuels (1) 158:3	glasses (3) 149:18,21,23	Guam (1) 141:9	happened (3) 10:6;115:10,13
forget (1) 174:2	full (1) 117:8	global (2) 41:7,14	guaranty (2) 169:7,21	happening (2) 6:20;101:24
form (2) 8:12;168:9	full-time (3) 73:7;161:13,16	Globe (1) 167:1	guess (10) 30:1,11,11;35:10; 39:13;50:9;70:9; 75:10;76:4;122:8	happens (2) 150:21,22
forma (3) 7:11,17;8:11	functioning (1) 62:20	goal (1) 54:20	guesstimate (1) 92:16	happy (2) 61:10,13
format (1) 23:11	furnace (1) 123:16	God (1) 50:20	guest (1) 112:19	hard (9) 8:12;109:8;123:19; 124:21;131:4; 157:24;158:11; 160:16;162:16
forms (1) 40:22	further (16) 9:24;20:10;22:24; 26:10;37:19;58:9; 59:12;60:8;68:21; 118:10;119:3; 123:23;148:3;168:3; 175:4,6	goes (7) 73:1;86:17;88:12; 95:17;142:7;168:3; 173:22	Guidelines (1) 38:16	harder (2) 150:7,10
formula (2) 118:3,15	furthest (1) 116:18	Good (14) 6:2;12:22;13:2; 46:13;50:4;82:18,21; 86:1;112:14;113:12; 137:23;141:18; 153:9;159:1	gusting (2) 121:20,21	hardly (1) 128:12
formulate (1) 12:9	future (6) 22:14;24:24;25:2, 4;112:19;155:11	goose (1) 54:20	gusts (4) 121:22;122:5,12; 123:6	hardship (1) 166:22
forth (6) 20:5;46:24;71:17; 151:1,17,18		goodness (1) 137:18	guy (1) 125:1	harmonics (1) 155:8
forward (1) 168:14	G	gosh (2) 25:21;30:5	guys (1) 46:14	Harris (2) 26:13;175:9
fossil (2) 40:22;158:3		grade (2) 99:6;101:18	H	Hawaii (1) 158:12
found (10) 47:14;84:7;89:20; 96:10;107:5;118:10; 119:1;121:7;123:7,8	Game (1) 117:10	grading (1) 100:6	half (1) 163:21	head (3) 52:1;111:3;149:2
foundation (4) 36:16;37:8;39:23; 151:12	gaps (1) 71:14	Granite (1) 115:24	half-mile (3) 85:2;91:24;95:13	headaches (2) 150:12;151:14
four (5) 25:9;86:5;97:8; 164:22;170:12	garden (2) 124:5;165:13	granted (3) 28:3;62:11,16	halfway (1) 110:22	headquarters (2) 55:22,23
Fourth (5) 14:18;47:24;117:7, 8,16	gas (2) 16:24;158:4	gravity (2)	Hampshire (9) 15:3;38:15,20;	heads (2) 133:1;162:22
frankly (1) 47:11	gate (2) 52:6;59:7			health (5) 148:15,18;151:20, 21;163:9
Fred (1) 149:1	gather (3) 19:9;48:5;49:14			healthcare (1) 151:23
frequencies (1)	gathered (1) 52:5			
	gathering (1)			

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

hear (14) 30:3,12,13;31:4, 10;39:10;50:16;58:1, 13;60:3;63:12,13; 74:19,22	147:22 history (1) 8:8 hit (1) 29:5 Hmm-hmm (1) 111:12 hold (6) 12:4;71:7;79:1; 90:16;109:11;127:9 home (14) 81:13;112:4,20; 118:19;141:9;154:5; 164:20;165:7;166:4, 8;168:1;170:4;172:8; 174:15 homeowners (1) 156:1 homes (1) 169:17 honest (2) 54:20,21 honestly (2) 24:11;159:23 hope (6) 19:19;72:18;114:7, 7;154:12;168:14 hopefully (1) 82:11 hoping (1) 70:11 horrible (1) 166:22 hot (1) 166:14 hour (7) 58:19;59:21; 121:21,21,24;122:3; 129:6 hours (29) 14:22;27:22,24; 29:1,2,4,9;111:20; 128:20,22,23,24; 129:2,4,5,12,14; 130:9;132:7;133:4, 12;134:21;160:5,6,7, 12;167:18,20,22 house (27) 81:18;88:11;95:16, 17;111:7;112:19; 120:15;128:19; 132:6;136:2;137:21; 149:8;152:17; 156:17,21,24;160:4, 4,7;162:20;165:9; 166:13;170:12; 172:14,22;173:12; 174:17 housekeeping (3) 6:6;62:9,13 houses (2) 57:15;160:2 huge (2)	124:11;128:7 hundred (3) 42:17;117:2; 170:24 hundred-plus (1) 32:16 hunting (1) 112:13 hunts (1) 112:11 husband (3) 17:6,9;125:4 husband's (1) 125:11 I IACOPINO (17) 13:6,11,22;60:23, 24;61:2,15;62:2; 72:7;74:17;76:7,16; 78:24;79:2,6;81:22; 138:11 ice (15) 116:18;117:19,24; 119:3;120:11; 123:21,22;124:21; 125:9,13,17;139:13; 140:11,15,22 idea (9) 27:6;52:7;67:18; 93:15;113:14;153:9; 163:19;170:1,4 ideal (1) 82:18 identification (2) 27:18;139:1 identified (1) 38:22 identify (2) 96:5;106:9 ignorant (1) 28:18 I-height (1) 136:21 imagine (6) 73:6;126:22; 165:19,20;166:7; 169:19 immediately (3) 28:14;98:21;147:2 impact (5) 52:12,20;58:5; 133:10;169:9 impacted (2) 28:2;169:8 impacts (10) 28:12,17,23;46:5; 50:7;51:12;57:3; 95:18;167:13;168:18 impairment (2) 43:18;44:3 impart (1)	23:20 impartial (1) 24:2 impasse (1) 11:15 impassible (1) 167:2 impeachment (1) 39:5 imperative (1) 66:1 imply (1) 54:19 important (10) 26:3;51:9;66:8,9, 15,16;74:12;147:16; 152:21;153:4 impose (1) 12:6 imposed (1) 110:12 imposes (1) 169:15 improved (1) 167:6 improving (1) 169:18 inch (2) 92:9,14 inclination (1) 56:17 include (2) 105:21;123:15 included (1) 7:13 including (3) 7:9;95:12;105:24 inconsistencies (2) 123:6,9 inconsistent (1) 88:2 increase (8) 128:13;140:14; 152:18;153:5,12; 155:11;168:6,7 increased (2) 147:3,8 increases (1) 126:23 increasing (2) 153:18,19 indeed (1) 168:23 indicate (2) 18:22;44:21 indicated (1) 65:18 indicates (1) 42:8 indicating (1) 91:15 indicator (1) 59:9	individual (3) 14:11;55:10; 150:20 individuals (2) 53:16;169:8 industrial (3) 147:14;167:12; 170:11 industrialization (1) 174:21 industry (2) 136:10;160:17 informal (2) 23:8;24:18 informally (1) 23:14 information (26) 7:5,7;10:8,9,14,16; 11:2;18:2;35:21; 36:17;37:9;39:6; 43:2;44:2;45:13; 47:9,10,22;52:6; 54:11;61:10,13; 71:17;138:1,3;161:5 informed (3) 10:21,22;25:24 infrastructure (6) 87:7,13,15;92:17; 93:20;94:20 initial (3) 56:17;57:1;142:6 input (2) 63:7;128:2 inputted (1) 128:4 inquiry (1) 13:4 inside (3) 120:14;137:5,21 insisting (2) 11:10,11 insists (1) 75:18 installation (1) 117:18 instance (1) 120:10 instead (4) 88:6;132:23;145:1, 12 intend (2) 37:18;69:13 intended (5) 8:9;37:6,7;40:21; 42:21 intensity (7) 137:9,12;149:4; 150:15;151:1,16; 152:6 intent (2) 35:4;68:23 interest (5) 155:16,16,21;
---	---	---	---	---

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

171:7;172:4 interested (1) 21:11 interpret (1) 48:15 interrupt (2) 125:21;139:21 interrupts (6) 78:6;85:19;87:22; 134:4;140:1;158:20 intervenor (8) 10:13;20:4;49:21; 54:10;12;57:2,3; 72:12 interveners (5) 7:21;26:16;63:10; 71:2;106:8 interveners' (1) 73:4 interview (8) 39:18;45:17,19,21; 51:14;53:14,17,20 interviewed (9) 14:11,14;44:18; 48:6,12,20;49:19; 51:22;145:3 interviewees (4) 18:23;19:11,20; 20:2 interviewing (2) 27:22;49:20 interviews (4) 48:6;49:10;54:1; 56:19 into (14) 9:7;23:19;55:15; 73:1;120:16;128:4; 157:14;163:24; 164:3;165:7;168:18; 169:3;173:24;174:22 introduce (1) 140:17 inundated (1) 64:17 invest (1) 155:23 invested (2) 162:17;169:16 investment (1) 169:23 invite (1) 156:16 involved (3) 143:8,13;146:4 Iowa (1) 114:23 iPhone (3) 59:3,7,9 Island (1) 15:13 ISO (2) 116:12,13 issue (13)	9:17,21,23;10:18, 21;24:17;40:10; 42:21;62:11;70:1; 75:24;130:2;158:13 issued (1) 65:18 issues (20) 29:24;65:15,19; 67:7;68:18,23;69:7, 11,12,19;70:2;100:6; 119:2;123:5;129:19, 21;134:11;137:21; 148:15,18 italics (1) 38:23 items (1) 105:23	K	46:22;95:17,18,19, 24;99:2,4,15;100:21; 101:21;113:13,15,16, 18;118:4;164:14,15; 167:14;168:1,5; 169:18;171:11; 172:4;173:19 landowner (6) 76:21,24;77:3,6,8; 106:8 Landowners (1) 62:7 language (1) 23:16 large (2) 27:15;165:12 last (16) 12:16;43:13,24; 63:6;66:5;68:1,2; 73:23;82:11;100:18, 23,24;101:16; 135:14;146:4;164:21 late (2) 52:3;58:18 later (1) 73:8 law (4) 65:16;69:8,8,9 lawsuit (2) 159:18;175:2 lawyer (3) 72:24;100:10,12 lawyers (2) 156:4;172:3 lay (1) 36:15 layer (1) 68:5 layout (1) 105:23 layperson (1) 135:9 lead (2) 23:17;130:12 leader (1) 76:4 leading (1) 36:23 learn (1) 16:3 learned (1) 72:13 least (11) 25:23;67:22;71:20; 85:2;104:7;111:5; 125:13,14;137:8; 158:5;167:10 leaves (1) 172:10 led (1) 37:4 left (4) 69:16;70:21;77:9;	90:10 left-hand (2) 76:19;86:17 legal (5) 65:15;66:16;68:12, 13;69:12 legend (2) 90:10;108:16 Lempster (23) 27:22;28:7,10,11, 19,22;29:5,20;31:2, 22;50:22;51:12,12, 22;52:13;56:18,22, 23;57:5;58:17;61:3, 23;153:21 lengthen (1) 68:20 less (5) 110:23,24;116:22; 121:14;150:22 letter (7) 6:17,18;7:2;8:15; 9:21;10:4;57:1 level (10) 30:5;32:3;75:22; 121:12,12;147:8; 152:13;155:10,11; 168:6 levels (16) 28:5;29:21;40:6; 41:21;43:4,18;112:4, 8;122:2;152:15,18; 153:5,9,19,20;162:7 Levesque (9) 20:18,19;32:19; 72:4,5;143:1,2,5; 148:3 LIDAR (3) 18:13;21:6,13 lie (1) 143:17 life (7) 133:10;145:24; 153:20;155:19,23; 156:9;162:17 life's (1) 169:22 light (16) 30:17;121:14; 137:8,12;149:4; 150:13,14,15;151:16; 152:6;154:10; 156:13;166:16; 172:19,22;173:9 light-induced (1) 150:24 lighting (2) 173:3,6 lightning (3) 116:3,6,10 lights (11) 149:9,17;150:1,1, 6;152:7;156:21,22,
	J	kayak (1) 48:23 kayaking (1) 24:5 keep (6) 120:8;131:8; 154:17;155:16,17; 170:7 Kenworthy (5) 32:20;96:9;160:9, 13;161:1 kept (2) 120:22;173:24 Kevin (1) 57:9 kids (1) 54:2 killed (1) 160:22 kind (14) 17:10;22:15;36:15; 55:10;67:4,10;73:20; 74:5,7;96:14;123:17; 143:16;144:24; 170:15 kinds (2) 158:1;164:13 knew (8) 24:9;31:24;36:24; 39:22;40:19;96:12; 122:16;160:13 knowing (2) 64:13;171:17 knowledge (3) 16:14,19;36:13 known (5) 34:16,24;144:18, 21;150:16 knows (1) 36:21		
		L		
	Jaffrey (6) 119:17;121:5,9,17; 122:20,24 James (2) 62:14,18 Jan (2) 128:18;174:8 JANICE (2) 76:12;77:2 Janice's (2) 160:4,5 January (10) 29:8;120:4,5; 132:9,9;133:5,6; 134:24;151:4;162:5 Japan (1) 141:10 Jason (2) 14:3;73:9 jeopardy (1) 163:9 jobs (3) 73:7;161:13,16 join (1) 77:13 Jones (6) 20:20,21;74:1,2; 148:5,7 jotted (1) 140:10 joy (1) 167:1 judgments (1) 93:3 judicata (3) 65:20;67:7;69:22 July (3) 14:18;48:1;53:7 jumps (1) 30:6 jurisdictional (3) 65:17;68:24;69:2	L4 (1) 121:13 L90 (1) 154:20 labeled (1) 138:20 Labor (1) 24:3 laborious (1) 74:6 lady (2) 24:8,15 Lake (1) 170:16 lambs (1) 148:1 land (24)		

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>23;166:10,19 limit (1) 154:14 limited (1) 142:13 line (47) 21:7;36:10;37:10, 18;42:24,24;46:18; 49:2;57:14;86:16,20; 87:14;88:14,18; 92:18;93:21;94:8,21; 95:3,4,8;98:4,17,17, 21;99:3,7,16,23; 100:23;101:4,9,21; 102:1;108:7,17,19, 22;109:4;110:19,20; 117:16;138:17; 165:22;173:15,18,21 lines (15) 83:21;96:6,9,11, 12;105:14,24;106:1, 2,3,11;107:4,22; 108:6;109:18 Linowes (68) 6:14,15;7:1;8:5; 9:1,18;10:2,20; 12:12;20:13,14; 42:23;61:8;75:9,11; 82:19,20;83:4,8,16; 84:19;88:2,4,24; 89:20;90:3,4,19,24; 91:4,6;92:21;93:7, 18;94:3,4,13,15;96:2; 99:24;100:3,15,17; 101:14,15;102:10,23; 103:1,3,11,14,18,24; 105:5,6,9;109:7,8,13, 22;110:10,16;115:18, 20,23;119:8;135:5; 172:13 Lisa (4) 83:23;89:10;102:6; 172:13 list (3) 9:22;10:5;39:23 listed (1) 111:8 literally (3) 29:5;53:12;54:6 little (19) 21:5;64:21;73:8; 109:9;110:23,23; 118:22;123:22,22; 125:16;132:4; 134:18,23;139:24; 140:6;150:2;153:19; 163:16;171:10 live (8) 113:17,19;133:5; 152:15;154:11; 168:16;169:11;170:3 lived (1) 174:15</p>	<p>lives (8) 31:7;57:16;133:16; 135:4;138:5;147:19; 154:8;169:17 living (4) 152:14;166:23; 170:9,10 local (1) 145:5 located (3) 21:10;31:11;109:3 location (10) 47:16;60:15;98:2; 102:19;103:1; 111:23;121:13; 122:23,24;131:7 locations (4) 59:4;102:8,22; 131:5 long (12) 12:16;32:8;46:21; 74:6;95:17;156:3; 164:5;170:6,7; 173:17,24;174:15 longer (3) 113:14;125:16; 145:23 Longgood (39) 62:14;73:19;76:12; 77:1,2,2;78:12,17,19, 21;79:7,8,11,14,17; 85:22,23;95:23; 107:10;108:9; 111:10,13;128:23; 133:19;164:5,6,7,8, 12,21;165:6;166:5,7, 14,18,21;167:21; 168:3;170:3 Longgood's (1) 128:18 look (38) 17:11;19:7;35:5; 83:17;85:6;86:2; 89:4,5;90:6;91:7; 92:4,8,15;93:8,10; 94:16;97:12,14,21; 98:19;99:17;101:10; 107:6;108:1;110:18; 117:4;121:17; 122:17,21;134:16; 135:11;150:18; 153:8;154:17;157:7, 20;159:4;165:16 looked (5) 96:13;121:6;128:8; 157:5,9 looking (23) 39:23;53:22;76:3; 84:14;86:14;87:6; 88:6,12;91:1;92:13; 94:5,9,18;97:15; 98:5;155:1;159:2; 161:9;162:3,24;</p>	<p>165:13;166:8;172:14 looks (5) 53:11;95:9;108:8; 111:6;155:2 losing (2) 64:12;169:22 lot (28) 32:15;36:12;37:14; 53:7;64:17;68:5; 71:14;95:24;113:13; 116:13;125:24; 126:10;145:11; 146:18;148:13; 150:17,22,22;151:22; 152:14;153:20; 157:23;158:14; 163:3,13,24;166:22; 170:8 lots (2) 110:13;121:18 loud (4) 30:6;50:18;110:24; 120:9 louder (2) 30:14;110:24 love (1) 164:2 loved (1) 57:23 low (1) 153:22 lower (1) 90:10 lowest (1) 153:8 lunch (4) 74:18;76:1;175:12, 18</p>	<p>majored (1) 117:22 majority (6) 14:14;32:11;36:4; 143:24;145:13,15 makes (2) 71:21;72:2 making (3) 25:12;145:24; 150:4 Maloney (20) 10:22;36:9;37:3, 14;39:3;40:2,12,24; 41:24;42:2,18;44:12, 16;46:7,10;65:12; 68:22;70:13;175:14, 15 man (3) 15:18;24:7;125:8 managed (1) 66:7 manufactured (1) 159:7 manufacturing (1) 157:15 many (17) 15:24;25:8;27:24; 28:24;29:1,10;39:16; 44:21;49:6;53:9,24; 84:20;85:1;103:22; 138:2;164:19;172:9 map (15) 83:19;84:4,5,8; 85:6;88:1,6;105:21; 107:3,10,14;109:15, 16;160:2;174:1 maps (3) 106:24;107:7; 155:1 March (6) 132:14,14;133:6,6; 151:5;162:5 margin (3) 34:2,20,21 mark (5) 27:7;76:13,20; 83:6;95:22 marked (13) 27:17;38:11;77:24; 78:4,7;79:19;80:7, 10;85:12;86:18,20; 87:3;138:24 marshal (2) 66:9;69:9 Martin (1) 93:1 Massachusetts (3) 15:17;24:9,15 massive (1) 165:21 material (3) 43:3;96:22;102:16 materials (2)</p>	<p>72:15;96:4 matter (5) 77:11;79:20; 111:18;126:11; 152:17 maximum (2) 58:16;154:14 may (12) 10:14;26:22;30:20; 39:2;41:3;42:23; 53:16;58:5;62:21; 68:7;93:12;142:2 maybe (9) 6:13;16:2;59:18; 104:15,19;114:24; 117:7;128:6;146:4 meals (1) 39:2 mean (28) 21:19;22:22;50:9, 10;56:5;67:3;70:16; 93:10;100:5,6; 110:23;119:2;121:1, 19;122:15,17;126:7; 128:13;135:1; 147:11,21;152:3; 162:12;163:11; 171:14;172:5,15; 173:22 means (4) 68:18;99:12; 102:14,17 meant (2) 92:23;145:21 measurable (1) 93:13 measure (4) 87:11;91:20;93:11; 136:10 measured (2) 58:16;87:10 measurement (4) 58:21;59:21;87:21; 121:2 measurements (1) 93:24 measuring (2) 92:14;123:11 meet (2) 113:8;114:10 meeting (8) 25:16,19,23,24; 26:1,4;51:6;88:19 meetings (4) 25:6,8;159:16,18 melting (1) 125:17 member (1) 26:2 members (3) 90:5;157:6;159:22 memoranda (6) 67:2,9,11,12,21;</p>
		M		
		<p>machines (1) 117:18 magic (2) 147:18,24 mailed (2) 56:21;61:6 main (1) 65:13 Maine (1) 15:18 maintain (1) 22:4 maintained (1) 18:13 maintaining (1) 21:12 maintenance (1) 10:24 major (5) 120:24;121:22; 137:11;142:14; 167:13</p>		

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

68:4 memorandum (1) 66:20 mention (1) 125:19 mentioned (1) 61:3 mentioning (2) 17:13;92:18 mercury (7) 38:21;40:6;41:21; 42:8;43:4,18;44:4 merely (2) 40:23;42:16 MERTENS (2) 72:21;82:15 mess (1) 73:6 met (3) 25:11;102:3; 163:17 metallurgical (1) 117:23 meteor (2) 156:17,20 meteorologist (2) 123:3;128:15 meteorologists (1) 71:4 meter (5) 59:2;136:19,19,20, 20 meters (6) 116:19,23;121:15; 124:19;128:10; 136:22 method (1) 102:8 methodology (1) 141:21 MI-18 (2) 138:18,24 MI-19 (1) 138:21 MI-20 (1) 138:23 Michael (1) 15:2 microphone (3) 14:7;74:1;82:4 midday (1) 124:24 might (17) 40:19;42:11,16; 44:13;48:7,7;70:4; 71:7;83:3;131:5; 137:10;155:11; 156:24;165:23; 167:17;168:6,15 migraines (1) 148:19 Mike (1) 19:16	mile (5) 164:20,23,24; 167:5;170:13 miles (8) 31:12;58:19;60:18; 81:15,16;121:20,24; 122:3 Mill (2) 81:5,19 mind (7) 18:1;67:6;71:19; 144:9,12;145:12; 174:8 mine (1) 83:3 minerals (1) 159:6 minimally (1) 169:20 minimized (1) 116:22 mining (2) 157:15;159:5 minute (2) 89:9,23 minutes (15) 14:23;36:15; 128:24;129:5;132:7, 10,11;133:12,15; 152:12;160:6,7; 167:10,20;175:17 miss (1) 40:15 missing (1) 171:21 misunderstand (1) 141:19 mitigated (1) 167:23 mode (3) 136:14,16,16 model (7) 135:23;136:1,6,7,8, 9;137:14 modest (2) 171:15;174:10 moment (5) 67:23;90:14;99:21; 172:21,23 Monadnock (2) 81:4,19 Monday (1) 24:3 money (1) 155:21 Monroe (2) 8:5,6 month (5) 39:2;68:1;115:5; 154:3;160:18 months (6) 21:21,24;22:9; 25:9;97:8,8	more (39) 9:21;11:23;13:2; 21:6,22;22:3;43:14; 49:13,14,14,14,15; 61:9,13;63:24;64:4,7, 18;91:7;97:1;99:14; 102:17;103:9,12; 110:5,23;114:13; 126:23;135:13; 137:20;138:6; 142:22;147:16; 150:21;155:24; 157:12;158:11; 160:11;168:15 morning (8) 6:3;14:19;50:4; 82:21;86:4;97:6; 161:2;175:19 Most (6) 16:13;45:5;74:8; 111:4;168:7;172:11 mostly (1) 159:7 motion (11) 8:20;9:16;11:24; 12:9;35:15;36:6,7; 62:10,14;70:19,24 motivated (1) 47:6 motive (1) 174:2 motor (2) 48:22,23 motorized (1) 49:1 Mountain (4) 59:15;152:1; 172:24;173:1 move (18) 9:14;10:17,18; 21:12;22:3,4;31:10; 37:21;43:7;74:23; 76:2;108:19;131:15; 142:24;162:17; 163:8,10,12 moved (8) 18:13;21:7,13,19; 47:1,4,4;174:20 movement (2) 16:8;149:11 moving (3) 21:23;100:21; 168:14 Mrs (7) 76:22;77:14;79:2; 80:6;108:13;170:18; 175:3 MsLonggood (4) 168:7,13,23;169:4 much (30) 19:7;22:17;23:19; 28:9;49:9;63:24; 64:3;71:18;82:10;	95:12;100:21; 101:23;102:17; 119:3;126:10; 131:20;132:16; 133:3,4;141:2;142:6; 151:19;154:1; 159:18;162:11,24; 163:17;167:6,22; 170:9 mud (1) 167:6 Mudville (1) 167:2 multiple (3) 48:8;130:24;152:4 muscles (1) 150:10 must (1) 96:14 myself (4) 64:9;114:4;120:22; 149:7	8:22;9:13,15;44:9; 63:17,21;65:1;66:13; 68:6,7,10;69:6,20; 74:23;75:1;87:23; 92:20;99:20;101:7, 12;102:6,20,24; 129:16;131:22; 133:17,23;134:3,7; 139:20;140:2;142:10 Needleman's (1) 101:2 negative (2) 52:19;54:22 negatively (1) 52:17 negligent (1) 50:7 neighbor (1) 112:11 nephew (3) 123:4;150:23; 151:7 neutral (1) 54:18 <small>never-before-used-or-tried-or-tested (1)</small> 133:13 New (21) 15:3;38:15,19; 47:8,19;53:21;68:13; 71:23;105:16; 111:15;112:20; 113:3,6,9;114:11; 115:9,13;117:10; 137:17;169:14;171:9 NEWSOM (2) 26:14;175:10 next (6) 53:18;62:6,24; 94:16;99:13;142:24 NHDES (1) 27:10 nice (4) 53:21;124:1; 156:12;163:4 nicely (1) 71:19 night (8) 122:16;153:11; 154:15;155:3; 156:13;166:13; 172:18;173:8 nighttime (1) 32:3 nobody (1) 76:5 noise (17) 31:2;104:14; 106:12;108:15,16,18; 112:4,8;113:8,11; 120:16;122:1; 126:10;146:4; 152:13;162:7;166:11 noisy (1)
			N	
			nacelle (3) 115:3,6;160:19 nah (1) 57:22 name (1) 76:17 narrow (1) 111:1 narrowly (1) 9:21 nasty (1) 59:2 natural (3) 16:10,24;158:4 nausea (2) 148:19;151:14 near (14) 50:16;87:14;94:20; 98:3;101:24;103:2; 109:3;112:12,15; 126:8;154:8;155:22; 162:10,10 nearby (1) 85:3 nearest (2) 29:17;111:24 nearsighted (1) 150:8 necessarily (1) 41:13 need (13) 9:24;13:7;50:20; 65:4;67:4,9;68:19; 71:22;141:7;149:18, 20;158:8;161:18 needed (1) 144:16 Needleman (32)	

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>154:5 non-attorney (1) 72:11 non-attorneys (1) 72:9 None (3) 26:18;144:19; 166:18 non-leading (1) 24:12 non-motorized (2) 56:12,13 nor (1) 167:22 normal (1) 31:5 north (4) 21:8,14,23;168:19 northeast (1) 114:18 note (4) 34:23;44:2;159:13, 14 notebook (1) 21:18 noted (1) 175:21 notes (7) 11:22;18:21;19:4, 6,8;23:13;30:22 notice (1) 31:4 noticed (1) 7:19 November (1) 33:24 nowhere (1) 161:6 nuances (1) 134:9 number (14) 65:14;78:8,20; 80:15;82:23;98:14; 116:23;118:7,17; 130:9;136:6,8; 147:18,24 numbered (1) 117:6 numbers (11) 27:6;35:6;38:6; 49:16;97:22;98:22; 101:5,10;127:20; 131:18;137:3 numerous (2) 15:8,21 nurse (2) 118:12;151:24 nuts (1) 149:20</p>	<p>13:17 object (12) 36:10;37:10;39:3; 42:2;75:17;87:24; 92:21;99:20;100:2; 106:16;129:17; 133:18 Objection (7) 40:2,24;41:2,24; 42:15;89:2;131:23 objections (1) 63:14 objective (1) 58:3 obligations (1) 9:9 obliterated (1) 167:12 obscure (1) 47:16 observations (3) 31:20;56:18,20 observe (1) 28:22 observed (4) 15:8;29:19;39:14; 126:2 observing (1) 27:24 obvious (1) 144:11 obviously (9) 18:18;36:22;41:20; 54:3;92:13;93:7; 130:12;144:8;147:16 occasion (1) 31:9 occasions (1) 31:14 Ocotillo (1) 114:21 Ocotillo's (1) 115:2 October (1) 126:15 off (17) 62:24;84:14,16; 93:12;94:1;101:20; 105:1;114:21;115:4, 7;120:11;127:15; 132:13;138:9; 156:20;172:10;174:1 offered (3) 125:4,6,8 offhand (1) 22:6 office (2) 11:21;12:5 OFFICER (106) 6:2,21;8:2,19;9:11; 10:1,11,12;12:8,14, 19;13:1,8,24;20:12, 15,17,20;23:2;26:12,</p>	<p>15,19;27:5;36:18; 37:20;39:9;40:14; 41:1;43:5;44:7,10; 46:8,11,16;50:1; 52:24;58:10;60:10, 13,22;61:19;62:1,4; 63:3,20;64:20;65:9; 66:22;68:9;71:1,9; 72:3,20;73:17,24; 74:13;75:7,23;76:9; 81:24;82:16;83:13; 84:13,17;89:8,22; 90:1,15;91:2;93:14, 22;100:14;103:9,12; 104:5,10,24;105:4,7; 109:6,11,19;110:7, 14;115:17;119:10; 127:14,18;130:14; 132:3;134:5;135:12; 138:8,14;139:4,8; 140:7;141:11,16; 142:20,23;148:5,8; 175:8,11,16 offices (3) 11:14;56:23;57:6 officials (1) 27:23 Ohio (1) 114:23 old (2) 115:8;170:8 older (2) 53:22;155:8 oldest (1) 167:4 onboard (3) 28:15;46:2;56:15 once (9) 41:13,17;47:22; 51:3;55:22;59:4,13; 171:17;172:10 one (93) 7:9,15;9:15;10:21; 15:13,17,18;18:1; 21:14;23:21;24:6,7; 27:10;29:4;36:23; 43:14;48:3,7;50:4; 52:1;57:8;60:14,24; 65:13;67:13;68:7; 70:2;74:14;81:6; 82:6;86:3;89:12,14; 90:24;91:16,22;95:3, 14;100:18,24;103:9, 12;104:10;105:22; 107:7,8,21;111:17; 114:21;115:1; 117:17;122:24; 123:4,9;127:24; 128:1,3,9,16,16; 130:5,8,18,21;134:5; 135:14,15;138:6,22; 141:3,9;142:3; 144:10;145:4,23;</p>	<p>146:6;148:20;149:8; 12,15;152:6;156:15; 158:2,12;160:18; 161:12;162:19,21; 164:23;167:19; 171:20;174:1;175:2 one- (1) 74:9 O'Neal (9) 125:7;129:20; 130:21;133:11; 135:2,8,19;136:15; 153:7 O'Neal's (4) 121:12;122:3; 125:6;131:16 Onella (1) 57:9 ones (4) 57:18;70:3;89:16; 115:9 online (1) 121:3 only (29) 11:12,12;17:21; 24:5;25:17,20;27:11; 31:8,13;36:20;42:13; 67:1;70:17;92:22; 95:15;100:18; 111:17;115:8; 117:15;121:2; 122:13;123:22; 130:4;143:20; 150:18;159:21; 169:19;172:23; 175:22 open (2) 16:17;154:6 operating (3) 116:2;117:12; 172:24 operator (1) 117:17 opinion (10) 24:10;25:17;32:23; 37:17;57:11;88:20; 161:20;168:20; 173:10;174:4 opinions (5) 23:8;37:15;45:15; 54:20,21 opponents (1) 16:22 opportunity (15) 42:19;47:12;57:13; 59:1;64:2;65:22; 67:9,13,15;68:15,19; 71:11;74:4;75:3,14 opposed (7) 16:21;17:22;18:4, 5;54:12,24;102:8 opposite (1) 65:2</p>	<p>opposition (1) 54:16 optometrist (1) 150:3 oral (4) 63:8,19;64:24; 72:10 order (6) 13:4;62:11;65:17; 104:21;144:16; 147:20 ordinance (9) 32:24;33:5,6,14, 24;37:2;51:3,5,7 ordinances (4) 33:5,11,13;45:18 organize (1) 71:19 original (6) 88:5,5;89:3,6;99:2; 101:20 others (9) 11:17;13:2;39:1; 72:11;75:5;128:10, 13,14;172:17 ours (1) 75:4 out (67) 7:15;23:23;26:22; 27:3;30:7;36:21; 42:10;47:13;51:23; 61:6;62:8;67:16; 69:16;70:20,21; 78:10;86:4,14,16,21; 88:8;97:5,22;98:9; 108:16;110:17; 118:1,4,7,16,16; 119:14;121:4,23; 122:5,6;125:7,11; 127:13,15;130:19; 131:10,20;132:1; 138:10,23;140:11,21, 23;152:13;155:24; 156:12,12,19;159:19, 21;162:9,19,20,21; 165:13;166:23; 168:3;169:22; 173:13,20;174:3 outline (1) 105:12 outrage (1) 171:14 outside (11) 21:10;59:7;106:20; 109:4,10;137:18; 145:19;166:13,15,15; 172:18 outskirts (1) 147:17 over (27) 54:4;63:22;64:10, 19;74:17;97:7,7; 121:19,20,24;122:2;</p>
O				
oath (1)				

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

126:4;143:17;147:9; 154:19;156:17,23; 159:8;162:22;164:7, 16;165:9,13,17; 170:15;173:12; 174:19 overall (4) 48:17;58:5;158:23; 159:5 overhead (1) 153:23 overlaid (1) 109:21 overlooking (1) 17:23 overly (1) 169:8 overseas (2) 159:7,8 overwhelming (1) 145:16 overwhelmingly (4) 45:9;48:21,24; 144:11 own (6) 57:20;87:21;95:16; 115:14;122:4;135:7 owned (3) 32:9;46:22;164:8 owners (2) 106:11;169:16 owning (1) 164:8 owns (1) 161:8	panel (12) 6:5;46:17;62:6,24; 74:24;76:3,4;90:6; 130:16;132:5; 146:18;153:2 panels (2) 62:6;173:19 paper (9) 23:10;64:17;68:6; 81:5,19;103:8,16; 134:16;141:4 papers (1) 145:5 parabola (2) 142:4,8 paragraph (1) 117:9 paraphrase (1) 111:16 parcel (1) 113:15 parcels (3) 83:21;105:13; 110:12 Pardon (1) 173:5 park (13) 51:14,15,24;52:5,8, 12;55:1,5,16,16,21; 112:5,20 parking (2) 15:9;59:19 part (14) 40:15;56:14;72:16, 17;83:10;85:8;87:12; 99:15;111:7,17,22; 142:5;144:18;146:10 participate (3) 42:19;72:17; 144:10 particular (2) 69:13;99:22 particularly (2) 41:8;159:13 parties (6) 7:12;15:16;65:3; 66:6;70:16;110:11 parts (2) 142:5;155:8 party (2) 68:17;161:11 pass (1) 11:18 passed (3) 11:15;33:13; 171:11 past (5) 25:9;27:22;29:11; 123:24;168:13 patience (3) 12:20;62:5;72:8 patients (1) 152:10	pattern (2) 159:15;161:18 Pause (5) 63:2;89:24;97:19; 105:3;127:17 pay (1) 47:2 paying (1) 46:24 PDF (8) 83:18;89:12;92:8; 94:19;97:17;103:15; 105:6;109:16 peace (2) 153:3;162:3 peaceful (1) 154:11 peach (1) 165:14 Peggy (1) 164:7 pen (1) 174:2 people (93) 14:16;15:12;16:11, 12,17,21;17:2,5,12, 21;18:3;19:9;24:5; 32:15;34:5;35:15; 38:5;39:14,19,21; 40:9;41:6,10,22;42:5, 11;43:10,20;44:18; 45:6,12;47:13,17; 48:5,13,17,19;49:6, 19;51:23;53:6,7,9,15, 18;54:9,23;57:6,21, 23;63:14;65:5;67:20; 93:2;129:23;130:24; 134:8;140:20; 143:15,16,24;144:3, 7,12,19,19;145:2,4,6, 6,11,13,15,19; 146:18;147:15,17,19; 150:17,22;151:13; 152:4,5,15,20,22; 153:2;156:16; 158:10;162:2; 168:16;171:17;172:2 people's (1) 23:8 per (7) 39:2;58:19;121:15, 20;131:6;150:20; 155:14 percent (21) 42:17;98:14,20,21; 130:22;131:2,6,7,11, 12;137:6,9,10; 148:23;149:2,3,3,6; 161:8;170:24;171:21 percentage (5) 38:1,4;39:14,17; 131:1 perception (1)	49:11 perfectly (2) 31:9;69:10 perhaps (1) 10:16 period (2) 22:6;75:4 permanent (3) 111:22;161:13,16 permit (5) 31:23;83:10,11; 85:9;91:11 person (14) 17:10;18:4;23:18; 48:7;53:11,12;125:7; 142:16;145:4,23; 150:8;159:22;161:9; 162:13 personal (3) 50:13;57:11;171:5 personally (3) 56:5;71:10,22 perspective (1) 51:18 perspectives (1) 52:12 petitioning (1) 144:24 phase (3) 68:24;69:2,4 phone (3) 59:3;102:11;141:6 photo (2) 19:11,18 phrase (1) 50:6 physics (2) 139:19;140:21 pictures (4) 141:4;163:1,22; 172:13 piece (3) 100:24;134:15; 141:4 Pillsbury (9) 51:15;55:1,5,8,17; 56:2,6,12,13 pine (1) 165:18 pin (1) 165:17 pipe (1) 84:22 pipeline (1) 16:24 place (7) 47:14;63:18; 104:17;147:10; 158:12;164:3;169:3 places (2) 153:24;157:23 Plan (16) 86:8,9,12,14,22;	89:3,6,11;90:19,21; 92:4;97:12,15,16; 98:10;163:4 plane (1) 153:22 planning (13) 28:20;34:11,17,23; 35:1,4,13;36:1;37:1, 5;50:21;51:1,6 plans (3) 86:6;91:8;94:10 plead (1) 169:5 please (11) 43:15;76:9;82:4; 89:10;90:14;99:21; 103:10;104:11; 139:17;151:6;175:17 pleasure (1) 61:24 Plenty (1) 77:21 plow (1) 170:6 plug (1) 49:17 plus (1) 111:8 pm (2) 111:20;175:18 point (40) 8:16,23;9:16,23; 10:15;36:14;61:17; 66:4,17;67:4,22; 68:11;70:5,12;72:24; 73:2,21;74:6;75:22; 82:23;86:15;87:24; 88:7;98:9;108:18; 110:17;117:15; 119:18;122:8; 129:17;130:4,19; 131:12;134:3,7; 135:6;137:23; 153:18;163:16; 168:17 points (4) 74:10;99:22;128:1; 130:21 polls (1) 32:17 pollution (4) 156:13;166:11,16; 172:19 Pond (32) 14:12;15:22,24; 17:4,15,16,17,20,23; 24:4;38:3;39:24; 40:7,8;44:22;45:7,8; 47:7,12,21;48:18; 53:5,16;55:8;154:8; 165:10,13,17;170:14, 16,20,23 ponds (2)
P				
paddle (2) 48:23;56:10 page (41) 7:16;27:21;38:12; 58:15;71:6;81:11; 83:18,19;86:13,14, 17;89:12;91:11;92:8, 8;94:16,17,19;97:17, 18,21,23;98:7;99:13; 101:5,6;103:15,16; 105:5,6;109:16; 115:15;117:6,7,8; 134:17,20;135:1; 150:19;151:9,11 pages (14) 7:16,17;27:14; 86:5,10,10,11,12; 89:6,12,18;90:21; 92:6;117:5 paid (3) 7:19;22:17;174:13 painfully (2) 28:17;50:7 Pam (2) 8:5;61:18				

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>39:24;40:5 population (1) 147:3 portion (1) 99:14 positive (1) 54:22 positively (1) 52:17 possession (1) 106:19 possibilities (2) 22:14;23:9 possible (2) 23:15;118:21 post (1) 82:17 post-hearing (3) 73:1,10,20 potential (4) 28:17;68:3;140:11, 21 potentially (2) 67:7;112:7 Pratt (11) 14:11;15:16;16:11; 17:22;18:1,5,6;23:7; 26:16,18;48:9 precluded (1) 70:5 preclusion (2) 69:23;70:1 Preconstruction (1) 105:20 pre-construction (1) 105:18 prefer (3) 65:12,13;73:19 prefiled (19) 13:12,13;27:20; 42:6;51:11;58:15; 73:4;77:10,13;78:12, 14,17;81:3,8,9;85:7; 90:9;100:7;107:11 pregnant (1) 167:3 prepare (1) 100:8 presence (4) 161:20;168:20; 170:22;174:4 present (6) 30:18,23;59:22; 62:15;155:13;174:18 presenting (1) 71:16 presently (1) 106:18 President (1) 15:3 PRESIDING (106) 6:2,21;8:2,19;9:11; 10:1,11,12;12:8,14,</p>	<p>19;13:1,8,24;20:12, 15,17,20;23:2;26:12, 15,19;27:5;36:18; 37:20;39:9;40:14; 41:1;43:5;44:7,10; 46:8,11,16;50:1; 52:24;58:10;60:10, 13,22;61:19;62:1,4; 63:3,20;64:20;65:9; 66:22;68:9;71:1,9; 72:3,20;73:17,24; 74:13;75:7,23;76:9; 81:24;82:16;83:13; 84:13,17;89:8,22; 90:1,15;91:2;93:14, 22;100:14;103:9,12; 104:5,10,24;105:4,7; 109:6,11,19;110:7, 14;115:17;119:10; 127:14,18;130:14; 132:3;134:5;135:12; 138:8,14;139:4,8; 140:7;141:11,16; 142:20,23;148:5,8; 175:8,11,16 pretend (1) 128:16 pretending (1) 144:24 pretty (7) 19:7;35:8;59:16; 66:11;79:3;132:16; 142:9 prevent (1) 133:1 previous (2) 120:7;143:9 prime (1) 71:21 printout (1) 110:3 Prior (4) 25:22;50:8;70:7; 164:8 privilege (1) 28:4 pro (3) 7:11,17;8:11 probably (11) 29:13;72:10;74:17; 82:5;113:18;125:15; 137:20;156:9; 165:18;166:24;175:3 problem (6) 66:13;67:11;116:7; 141:12;142:17; 155:20 problems (3) 116:9;160:14,21 Proceed (1) 110:15 proceeding (4) 10:19;79:23;85:1;</p>	<p>146:10 proceedings (7) 63:2;69:16;72:23; 89:24;97:19;105:3; 127:17 proceeds (1) 86:21 process (12) 7:13,22;20:1,3; 68:18,20;72:9,16; 74:6;157:20;159:5; 171:24 produced (1) 109:24 production (4) 157:16,21;158:1, 15 professional (1) 151:23 professionals (1) 82:1 Profile (8) 86:8,9,12;89:6,11; 90:21;97:12,16 profit (1) 174:2 program (8) 128:5;130:20; 133:14;137:3,22; 148:22;159:20; 160:11 progressives (1) 149:19 prohibit (3) 34:13,18;35:2 Project (78) 16:18,22;18:16; 19:22;20:6;28:7,10, 11,14;29:16,20;31:2, 4,8,12,23;32:12; 34:18;35:7;37:12; 40:20;43:3;45:5; 46:2;52:13;54:12,14, 16,19;56:15,18;57:4; 60:17,19,20;83:22; 85:2,10;86:6,14;87:5, 6;95:11;96:1,6,11; 98:10;105:12,13,23, 24;106:2;109:3; 112:16,22;114:7; 115:7;117:12,14; 143:9;144:17; 146:14,20;147:20; 161:21;162:14; 167:12;168:21; 169:5,11,24;171:3, 10,12;172:6;174:5, 18,23 projected (3) 21:9;58:6;132:6 promised (2) 24:24;157:18 pronounced (1)</p>	<p>123:2 proof (2) 68:17;75:5 proper (1) 93:4 properly (1) 108:10 properties (7) 83:20;85:10;95:13; 106:10;108:10; 109:17;114:1 property (80) 32:9;83:21;85:12; 86:16,20;87:1,13; 88:13,14,17,18; 92:18;93:21;94:7,20, 21,22,24;95:3,4,8,16; 96:6,9,11,13;97:20; 98:3,4;99:7,16,23; 100:23;101:4,24; 102:1;105:14;106:1, 2,3,10,11;107:4,22; 108:6,7;109:18; 110:21;111:1,4,11, 21,24;112:6,13; 123:14;125:23; 152:21;155:2; 156:11;161:22; 162:2,3,8,9;163:16, 24;164:6,11;165:3; 168:22;169:7,10,15, 17,21;171:5;172:4; 174:6,12 proportion (3) 173:13,21;174:3 proposal (3) 25:19;144:23; 145:17 proposed (8) 19:22;20:6;28:14; 33:23;34:17;45:5; 60:16;143:9 Proprietary (7) 7:18;8:7,10;9:4; 135:23;137:24;138:1 protector (1) 116:6 prove (4) 24:18;47:23;156:1, 2 provide (5) 28:23;49:22; 106:23;158:9;161:13 provided (10) 18:2;31:16;32:15; 97:13;107:7,10,16, 22;161:6,11 providing (1) 158:10 proximity (3) 124:15;167:13; 169:11 public (13)</p>	<p>7:5,9,10,17,24;8:3; 9:7;10:9;46:9;65:11; 66:21;159:17;175:14 public's (3) 49:11;67:6;68:11 PUC (3) 6:8,11;62:19 pull (1) 82:4 pun (1) 42:21 purchased (1) 174:17 pure (2) 36:17;125:9 purpose (3) 7:1;66:1;110:18 purposeful (1) 167:11 purposefully (1) 165:16 purposes (2) 111:23;112:1 pursuing (1) 37:18 put (30) 50:22;64:9;71:11, 17,20;88:16;100:7, 11;104:22;114:12; 121:4;123:10;124:5; 130:7;147:1,6,9; 149:7;159:9;163:4, 13,24;164:2;169:3,6; 171:10,18;173:16,19, 20 putting (3) 51:4;140:14; 159:11</p>
Q				
				<p>qualifies (1) 124:17 qualify (1) 124:22 quality (2) 43:19;44:3 quarter-mile (3) 91:12,19;92:3 questionnaire (1) 56:21 quibble (1) 64:20 quick (3) 52:5;71:3;142:3 quickly (3) 140:10;158:7; 168:12 quiet (1) 162:4 quieter (1) 32:4 quietness (1)</p>

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>153:3 quite (10) 47:11;94:10;95:17; 116:3;122:6;123:8; 127:22;129:6; 163:11;168:3 quote (4) 16:13,22;97:5; 111:21</p>	<p>59:4 ready (3) 10:18;12:15;13:23 real (2) 12:24;57:24 Realistically (1) 47:8 realized (2) 120:24;162:22 really (41) 23:20;30:6,12; 39:4;43:24;48:18; 50:17;51:9;52:20; 54:17;59:17;66:17; 67:16;72:12,15; 74:11;84:22;113:16; 114:3;116:11,22; 121:10;122:6; 126:15,15;132:8; 139:18;143:6,14,20; 144:2;145:6;149:20; 151:19;153:10,24; 154:12;160:15; 161:15;162:16;170:5 real-world (1) 57:3 reason (4) 9:1;56:24;67:17; 126:20 reasonable (1) 70:8 reasons (4) 43:20;63:23;65:13; 129:17 rebuttal (2) 67:15;75:14 recall (15) 58:22;85:3;95:1; 96:18,23;97:2,8; 107:1,2,3;116:14,20; 164:21;166:23,24 receive (2) 57:19;167:24 received (2) 120:7;140:22 recently (2) 15:3;171:8 receptors (1) 110:4 recess (1) 175:18 recognize (1) 70:7 recommend (1) 36:5 recommended (4) 34:12,23;35:12,20 recommending (2) 35:1;75:12 record (29) 7:6;8:21;9:5,5,6,7, 19;10:7;43:2;44:2; 61:11;62:24;63:4;</p>	<p>66:2,8,15;67:4,19; 76:18;84:14,16,18; 105:1,5,8;127:15; 138:9,12,15 recorded (2) 121:22;122:5 records (1) 120:22 recreational (1) 165:8 rectangles (1) 110:2 reduce (2) 133:14;144:1 reduced (4) 89:16;90:22;128:9; 156:8 reference (5) 28:6;51:11,13; 82:22;89:2 referenced (1) 7:14 referencing (1) 10:8 referred (1) 34:5 referring (2) 90:18;136:5 reflective (3) 124:20,22;126:19 reflects (2) 126:22,24 reg (1) 173:14 regard (3) 16:21;65:19; 113:24 regarding (4) 6:18;21:3;100:19; 101:16 regards (1) 117:11 registered (2) 47:2;151:24 regularly (1) 73:22 regulation (3) 34:4;171:14; 173:16 regulations (2) 88:15;102:4 rehearsed (1) 36:22 REIMERS (5) 14:3,3,6;20:10; 72:22 reinforcements (1) 162:23 relate (1) 101:3 related (4) 44:3;65:19;139:13; 151:16</p>	<p>relating (2) 99:22;157:8 relationship (3) 60:16;96:11; 173:11 relative (1) 85:10 relatively (1) 82:8 relevance (1) 39:8 Reliable (1) 116:1 remain (1) 24:1 remained (1) 24:1 remarks (1) 50:5 remember (17) 21:20;22:20,21; 30:21;48:10;95:5,6; 102:22;106:13; 114:22;116:24; 129:3;136:23;143:7; 146:16;163:15;165:2 remembering (1) 165:1 remembers (1) 93:1 remind (2) 6:7;60:14 reminded (1) 63:5 remove (1) 102:16 removed (1) 120:4 renewable (5) 41:11,16,23;43:20; 159:3 rented (1) 47:1 rephrase (2) 41:4;94:2 replace (1) 163:6 reply (3) 68:4;75:19;119:20 report (17) 27:14,15;104:14; 105:18,19;120:19; 127:4,5,23;128:19, 21;129:2;131:16; 132:1,11;136:15; 161:7 Reporter (10) 12:18;23:22;25:15; 76:14;78:6;85:19; 87:22;134:4;140:1; 158:20 reports (1) 105:20</p>	<p>represent (4) 49:11;100:12; 105:13;110:3 representation (1) 108:21 representative (2) 49:4,18 representing (2) 14:4;133:19 request (9) 61:8,21,22;75:3; 106:6;110:1;119:16, 21;138:18 require (1) 88:15 required (3) 8:24;70:15;154:14 requirement (1) 114:10 requirements (1) 113:9 requires (1) 106:17 res (3) 65:19;67:7;69:22 research (2) 118:14;136:18 reserved (1) 65:24 reside (1) 60:15 residence (2) 31:11;47:5 residences (2) 85:3;113:7 residency (1) 46:23 resident (6) 15:9;25:17,20; 29:17;32:8;46:21 residential (2) 16:4;111:23 Residents (15) 31:4;32:12;33:1, 10;35:6;38:8;40:18, 19;42:10;56:22;61:4, 23;113:9;146:1; 168:19 residual (1) 154:20 resistance (3) 140:12;142:13,14 resolution (1) 156:7 resounding (1) 35:8 resources (1) 7:9 respect (3) 45:15;80:23; 133:18 respond (7) 15:1;49:8;67:10;</p>
R				
<p>rain (1) 123:20 raise (9) 65:15,23;68:23; 69:13,14,22,24;70:1, 3 raised (7) 68:24;69:8;70:7, 10,19;99:3;116:13 raising (2) 68:11;69:18 ramifications (1) 51:10 ran (1) 164:14 randomly (1) 53:9 ranger (3) 51:14;52:1;55:2 rare (2) 31:13;159:5 rarely (1) 64:15 raspberries (1) 165:15 rather (2) 10:15;27:15 reaching (1) 155:18 react (1) 40:10 reacted (1) 42:11 reaction (2) 39:21;146:21 read (20) 17:18;27:21;35:10; 38:18;57:19;73:11; 98:10;105:16;106:7; 111:14;116:5,7; 121:11;131:16,20; 135:2,9;136:12,17; 172:6 readdress (2) 74:18;75:24 reading (9) 59:6;72:1;96:4; 115:14;132:1; 135:10;149:23; 150:6,9 readings (1)</p>				

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

68:16,19;70:16; 168:11 responded (1) 40:19 respondents (1) 23:21 response (7) 52:19;57:17;70:14; 97:3;110:1;118:8; 119:22 response] (1) 88:23 responses (1) 48:15 responsibility (1) 106:21 rest (3) 36:4;90:5;146:1 restriction (2) 126:18;164:13 restrictions (2) 118:5;164:13 restrictive (1) 33:7 result (2) 36:7;52:13 resulted (1) 159:17 resulting (1) 148:15 retirement (1) 169:13 reviews (1) 91:17 Rhode (1) 15:13 Richardson (27) 26:20,21;27:2,8, 19;36:11,19,20; 37:11,16,22,23; 39:11,12;40:4,17; 41:3,5;42:9,19;43:12, 16,23;66:23,24;69:6; 100:1 ridge (12) 21:7,17;22:1; 156:24;165:10,22; 166:7;172:14,15; 173:12,21;174:19 right (51) 12:3,15;15:4,10, 14;16:15;24:23; 26:10;28:7;30:15; 41:19;55:13;57:1; 60:8;70:11;75:7,20; 78:10;83:17;85:24; 87:15;91:15;92:21; 98:20,21;99:7; 102:23,24;105:7; 107:20;110:14; 112:3,12;113:21; 115:19;122:10; 126:14;130:5;132:3;	141:15;142:23; 143:7;146:16; 156:23;160:8; 162:10,10;166:16; 170:13;175:6,16 rights (1) 171:4 rip (2) 154:7,7 road (26) 47:15;59:15;87:5, 6,8,13,18;88:12,13; 93:19;94:7,21;95:7; 97:20;98:3;99:1,5; 101:8,11,18;112:15; 126:12;143:18; 164:15;167:2;170:15 roads (3) 95:12;162:10; 167:6 Robertson (3) 146:12,12;147:22 Robertson's (1) 146:22 rocking (1) 156:19 roof (2) 136:24;137:15 Room (8) 6:8,11;67:20; 82:18,18;134:9; 149:12,16 Rose (6) 50:2,3;52:23; 113:1,3,5 rough (2) 29:11;93:11 roughly (3) 16:1;22:7;55:7 Route (5) 55:13,15;83:12; 103:2;167:4 rows (2) 129:13;130:4 ruin (3) 47:21;166:21; 168:23 ruined (1) 154:13 rule (9) 39:10;105:17,20; 111:16,18;112:23; 113:23,24;114:4 ruled (1) 171:9 rules (8) 36:1;111:15; 121:24;124:16,17,19; 137:17;154:18 ruling (1) 124:7 run (1) 143:17	running (5) 55:21;130:23; 131:6,11;155:17 rural (9) 34:13;55:24; 147:10,10,12,12; 153:3;164:17;173:23 S sacrifice (2) 147:19;170:5 sacrificial (1) 148:1 safety (1) 114:15 salient (1) 74:10 Salmon (2) 164:5,15 Same (19) 40:24;41:24;42:3, 24;48:12;54:1;60:2; 71:6;75:21;104:16; 111:11;122:20; 128:11;131:22; 137:17;149:17; 151:9;158:9;172:17 sample (1) 49:3 samples (1) 157:9 sampling (1) 49:4 Sanctuary (2) 17:4;41:12 sat (1) 50:24 saw (9) 53:6;54:3;57:15; 72:1;122:14;154:24; 156:11;161:1;163:3 saying (9) 11:20;66:14;70:8; 101:13;108:24; 112:3,18;141:18; 157:17 scalable (1) 93:4 scale (11) 87:11,24;88:3,5; 90:7,10;91:8,12,21; 92:9;93:9 scales (2) 90:6;92:23 scanning (1) 16:9 scattered (2) 71:13,18 scenario (1) 133:16 SCHAEFER (42) 76:13,13,19,20,20,	22,23,23;77:10,12, 14,15,18,21;78:1,9, 16;83:6;85:20,21; 95:22;108:9,12,13; 111:10,12;170:2,18, 21,24;171:6;172:10, 21;173:5,8,13;174:7, 20;175:1,3,5,7 Schaefers (2) 78:13;166:24 schedule (1) 70:20 scope (1) 106:20 SCOTT (105) 6:2,21;8:2,19;9:11; 10:1,11;12:8,14,19; 13:1,8,24;20:12,15, 17,20;23:2;26:12,15, 19;27:5;36:18;37:20; 39:9;40:14;41:1; 43:5;44:7,10;46:8,11, 16;50:1;52:24;58:10; 60:10,13,22;61:19; 62:1,4;63:3,20; 64:20;65:9;66:22; 68:9;71:1,9;72:3,20; 73:17,24;74:13;75:7, 23;76:9;81:24;82:16; 83:13;84:13,17;89:8, 22;90:1,15;91:2; 93:14,22;100:14; 103:9,12;104:5,10, 24;105:4,7;109:6,11, 19;110:7,14;115:17; 119:10;127:14,18; 130:14;132:3;134:5; 135:12;138:8,14; 139:4,8;140:7; 141:11,16;142:20,23; 148:5,8;175:8,11,16 screen (3) 93:6;98:6;110:5 screens (1) 92:13 scribbled (1) 19:7 season (1) 126:14 seasons (1) 21:13 SEC (14) 6:4;19:21;20:1,5; 24:17;32:16;46:17; 49:22;54:11;111:15; 121:24;124:19; 154:18;169:6 secluded (2) 55:11,16 seclusion (1) 153:4 second (12) 34:9;59:15;64:1;	74:15;84:5;86:11; 109:12;120:18; 121:15;129:19; 138:19;165:12 seconds (1) 143:3 secret (2) 68:22;69:15 SEC's (1) 171:13 sector (1) 72:12 Seeing (4) 74:14;107:3; 130:12;133:1 seem (3) 12:4;144:4;151:22 seemed (2) 144:6;168:17 seems (3) 64:10;161:10; 166:12 seizure (2) 151:7,14 seizures (5) 150:15,24;151:2; 152:4,11 Select (6) 26:1,2,6,8;53:6,10 selected (1) 54:6 Selectman (3) 146:12,21;153:21 selectmen (12) 25:6,12,16;26:5; 144:13;146:8;147:6; 159:16;168:11,15,17; 175:2 selectmen's (1) 32:11 sell (1) 170:4 send (3) 11:18;61:17;141:4 sense (9) 29:2;40:9;71:21; 72:2;73:14;94:6; 100:20;158:17,21 sensitive (2) 9:2,8 sent (5) 6:17;7:10;8:16; 61:23;172:13 separate (3) 8:11;114:17; 175:20 September (8) 25:11;97:6;132:15, 17,20;133:7;151:5; 162:6 service (2) 9:22;10:5 services (2)
---	---	---	--	--

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>22:18;153:1 session (8) 7:5;42:20;63:6; 65:21;73:5;121:11; 175:19,22 sessions (4) 16:5;47:8;61:9; 120:24 set (11) 46:9;62:24;91:3; 120:3,17;123:10,18; 124:2;125:14;138:6; 148:7 setback (4) 33:8;51:8;88:16; 172:15 sets (6) 48:6;70:20;112:11, 15;130:3,11 settled (1) 24:18 seven (3) 26:23;75:6;171:22 several (11) 7:15,16;33:5; 38:19;51:22;52:15; 55:9,10;58:20; 123:13;165:12 sewer (1) 152:23 shadow (41) 28:5;29:22;50:17; 57:24;106:11; 107:13;113:8;127:5; 128:19,21;129:1,13; 130:20;131:3,18,21; 132:7,10;134:9,14; 135:19;136:1,10,12; 137:2,4,8,14,16,19; 146:3;148:14,15,18, 21;159:20;160:10; 166:12;167:16,18,20 shadows (2) 137:11;149:11 shady-type (1) 145:10 shaking (1) 149:1 shall (2) 105:21;111:19 share (2) 61:14;84:7 shed (1) 88:16 Sheet (4) 27:10;38:13;92:24; 98:5 sheets (4) 86:12;97:13,14,16 shocked (4) 26:7;47:10;121:10; 122:6 shoes (3)</p>	<p>64:9;125:6,12 short (1) 73:14 shorter (1) 6:12 shoveling (1) 120:11 show (14) 19:11;26:3;32:18; 35:16;36:7,40:5; 44:18;57:3,96:9; 98:13;127:24;134:2, 19;166:2 showed (4) 96:10;107:3;141:2; 160:2 shower (1) 166:15 showers (2) 156:18,20 showing (3) 104:6;105:21; 106:11 shown (2) 38:20;107:23 shows (1) 8:9 shut (1) 123:17 sick (4) 149:12,14;163:11, 11 side (9) 21:14;76:19;77:9; 86:17;126:3;128:3,5; 165:9;171:11 sides (2) 136:20;137:2 Siemens (9) 11:1;114:20;115:1, 6;133:14;159:19,22; 160:14,15 sign (2) 98:20,22 signatures (1) 32:16 signed (1) 10:24 significant (5) 31:3;133:10,16; 142:17;158:23 signs (1) 145:20 similar (6) 42:24;56:2,5,9; 73:13;164:22 simple (3) 118:3,15;132:1 simply (4) 16:10;43:17;44:1; 151:8 simulations (3) 19:12,18;44:19</p>	<p>simultaneous (1) 70:10 single (3) 120:19;152:4; 162:13 sit (4) 156:12,19;166:13; 172:18 site (10) 21:9;27:24;28:3; 33:7;51:8;88:10; 105:17;111:14; 120:20;160:1 sitting (2) 13:14;81:13 situation (1) 31:6 six (3) 15:16;48:12;152:1 size (7) 49:4;89:16;90:22; 118:23;128:10; 140:15;173:11 Ski (1) 173:1 slap (1) 147:4 sleep (1) 122:15 slides (1) 89:5 slightly (1) 111:16 slope (2) 98:15;163:4 slowly (1) 82:8 small (3) 39:17,18;91:12 smallest (2) 91:20;92:2 smoothly (1) 155:17 snow (2) 123:20;124:21 Society (4) 13:5;14:1,4;82:14 solar (3) 148:24;149:5; 173:19 solid (6) 98:17;123:21,21; 125:9,13,17 somebody (2) 87:4;172:3 somebody's (1) 174:2 someone (3) 18:5,6;73:2 someplace (2) 115:4;169:14 sometime (1) 125:18</p>	<p>sometimes (1) 67:11 somewhere (5) 29:9;97:1;133:8; 175:4,4 son (11) 58:23,24;80:10; 117:22;118:16; 139:11;140:23; 162:18;171:8,11,24 son's (1) 157:2 sorry (18) 17:17;43:17;57:10; 78:13;92:3;103:11; 107:9;109:16,23; 117:7;129:4;133:23; 139:20;143:2; 151:12;171:22; 172:5;175:5 sort (4) 16:14;72:17; 113:10;114:9 soul (1) 162:18 sound (43) 28:5;29:21;30:3,4; 32:3;33:7;51:8; 58:17;103:5,6; 105:18,20;108:15; 120:7;121:11,12; 122:9,21;123:7; 124:24;125:18; 126:22,23,24;133:3, 4;147:8;152:15,18; 153:5,7,10,13,14,15, 16,22;154:15,20; 155:3;156:7;168:6,9 sound-level (4) 123:11,15;124:8, 12 sounds (4) 30:16;36:10;120:9; 143:19 source (3) 44:2;158:16;159:2 south (5) 21:8,14,24;86:21, 22 speak (5) 36:1;41:6;42:4; 74:15;82:7 Speaking (3) 71:10;72:11;82:7 specific (5) 23:13;65:19; 102:19;103:1;106:10 specifically (4) 41:18;45:12;49:21; 140:18 speculation (4) 36:13,17;40:3,13 speed (2)</p>	<p>118:18,20 speeds (1) 126:6 spend (2) 28:9;29:4 spending (1) 155:21 spent (4) 27:22,23;51:5; 120:10 spinning (1) 166:10 split (2) 35:17;37:2 spoke (11) 15:12,16;16:11,12, 17;17:8;38:8;42:9; 43:21;51:18;55:2 square (1) 136:19 stance (1) 54:13 stand (5) 43:1;96:19;135:7; 146:8;163:13 standing (7) 30:15;31:9;60:2; 145:19,24;146:2; 163:18 stands (1) 112:3 stars (3) 156:14;166:17; 172:20 start (14) 6:10;10:19;13:4; 39:13;46:18;63:12; 76:18;82:1,13;132:9, 13;169:13;175:1,13 started (2) 22:7;119:14 starting (1) 6:5 starts (2) 132:16;134:23 state (10) 7:18;16:7,22; 27:20;50:24;51:15; 55:1,5;117:11; 141:23 stated (13) 15:7;16:8,12; 49:13;51:7;52:18; 56:24;59:23;85:1; 96:21;116:17; 167:17;169:9 statement (4) 15:21;17:18;35:20; 117:15 statements (1) 15:2 states (4) 15:8,21;167:19,24</p>
--	--	--	---	--

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

state's (1) 44:3	structure (5) 66:18;136:13,19; 137:5;166:9	21:23	surveys (6) 40:18;48:14,16; 49:5;53:4;55:3	Temple (3) 16:23;17:6,14
station (6) 97:22;99:17;101:1, 5,10,17	structures (4) 109:2;110:4;114:6, 11	summing (1) 64:6	suspectful (1) 120:6	temporary (1) 111:23
statistically (1) 128:11	studies (2) 106:12,12	sun (2) 137:7;148:23	suspicious (1) 120:22	tended (1) 21:24
stay (3) 128:11;138:12; 167:7	study (11) 108:16;120:8,16; 121:12,12;122:21; 123:7;125:19; 127:23;132:22; 157:15	Sunday (1) 161:2	sustain (1) 41:2	tends (1) 64:15
stayed (1) 124:23	stuff (3) 100:7;118:13; 123:17	super (1) 50:18	sustained (2) 58:18;59:22	Tennessee (1) 141:5
step (1) 81:6	stupid (1) 149:19	supplemental (18) 14:10;15:1,6;16:6; 18:22;19:5;33:19; 42:7;73:5;78:14; 79:15;80:4,13,17,20; 104:6,15;119:23	swap (1) 62:5	tent (2) 112:12,15
Stephen (3) 62:10;80:10; 117:22	sub (1) 173:22	supplied (1) 8:11	swapping (1) 62:8	tentatively (1) 62:17
steps (1) 112:22	Subcommittee (1) 61:22	supply (1) 10:23	swear (4) 24:11;76:10; 141:23,24	terms (4) 9:9;29:21;64:1; 116:12
Steve (1) 118:20	subdivide (1) 113:14	support (5) 32:12;37:12;41:15; 146:14,17	swim (1) 48:23	testified (2) 30:19;42:4
still (15) 31:9;35:7,8;55:5; 120:19;125:10; 126:10;133:15; 149:3;157:24;158:8, 14;162:11;163:2; 171:21	subject (1) 167:18	supported (2) 43:20;162:21	swoop (1) 174:1	testify (3) 102:21;115:18; 141:1
stipulation (1) 12:5	subjective (2) 29:23;30:2	supporter (1) 54:16	sworn (3) 12:17;76:5,13	testifying (3) 93:2;100:5;141:6
Stoddard (5) 25:24;26:5,6,8; 74:3	submission (1) 26:23	supporters (1) 16:13	system (1) 21:19	testimony (80) 13:7,12,13,16; 14:10;15:1,6;16:7; 18:22;19:5;22:19,22; 23:12;27:4,21;29:1; 31:1,15,18,19;32:11; 33:19;37:12;40:15, 17;41:10;42:7,7,12; 43:8;47:20;51:11; 56:14;58:16;59:10; 62:10;66:10;76:7; 77:10,13,17,20,23; 78:15,18;79:9,16,18, 22;80:4,6,9,13,17,20, 24;81:3,9,20;82:22; 83:9;84:1;85:8,17; 90:9;91:10;100:7,11; 107:11,18;115:14; 116:2,4;117:9;122:4; 141:13;149:8; 155:15;157:2;172:6
stone (3) 86:18;123:12,13	submit (3) 12:10;67:21;69:9	supporting (1) 145:14	T	
stood (1) 54:19	submitted (5) 9:7;10:4;15:1; 104:3;144:23	supportive (2) 38:2;41:11	Table (1) 138:20	
stop (1) 53:5	submitting (1) 71:5	supports (1) 118:14	talk (8) 32:15;53:8,11; 57:6;82:4;103:4; 148:13;149:1	
stopped (1) 51:24	subsequent (1) 28:21	suppose (1) 112:13	talked (7) 24:5,6;53:12; 54:23;103:2;152:12; 157:5	
stops (1) 134:24	subsequently (2) 47:3;48:9	supposed (3) 12:21;88:17;122:1 113:11	talking (10) 19:8;28:24;29:9; 53:15;89:13;91:22; 109:7;145:6;147:14; 154:9	
stores (1) 152:24	substantial (3) 126:2,6;171:20	suppression (1) 113:11	taxes (4) 46:24;144:1;174:9, 12	
stories (1) 50:14	suburban (1) 154:4	sure (26) 6:19,23;8:23;10:2, 9;12:23;17:11;27:8; 30:20;39:11,16; 43:12;51:19;52:7; 59:10,16;70:2;71:6; 79:3;82:5;96:15; 99:24;103:14; 146:11;156:4;167:8	teacher (1) 157:12	
straight (1) 101:9	succinct (1) 73:11	surface (3) 124:20,22;126:19	tech (3) 16:5;47:8;61:9	
straighten (1) 78:10	sudden (1) 67:15	surprise (1) 36:6	technical (4) 42:20;73:5;120:23; 121:10	
straightforward (3) 135:11;142:9,11	Sue (1) 170:2	surprised (1) 70:6	technician (1) 160:22	
straw (1) 32:17	suggest (2) 70:14;126:24	surrounding (2) 83:20;170:12	telephonically (1) 96:20	
stress (1) 63:16	suggested (1) 68:6	surroundings (1) 16:10	telling (6) 88:20;99:1;100:3; 131:8;158:12;161:19	
strikes (2) 116:3,10	sum (3) 64:2;73:20;172:7	survey (11) 16:23;18:21;23:8, 9,11;24:18;47:6,24; 61:3,22;144:5	tells (1) 167:15	
stringent (1) 34:6	summary (1) 74:10			
strongly (2) 63:21;64:19	summation (3) 71:12,15;74:5			
	summer/winter (1)			
				Thirty (1) 16:2
				Thirty-five (1) 173:15
				Thirty-four (1) 32:9
				Thirty-two (1)

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

174:16 though (5) 19:14;52:9;153:6; 158:13;160:5 thought (17) 24:17;26:3;41:9; 47:18;89:4;99:9,11; 100:10,11;104:19,21; 116:6,21,22;120:9; 125:5;144:20 thoughts (1) 74:8 three (19) 12:21;17:5,12; 21:21;24:4,6;27:12; 29:4;30:9,24;31:7; 38:5;53:15;59:24; 97:8;106:24,24; 107:18;153:12 throughout (3) 69:15,17;72:22 throw (6) 117:19,24;119:3; 139:13;140:11,22 thrown (2) 116:19;142:5 Thurber (3) 30:18;31:1;57:7 thus (1) 88:3 time-efficient (1) 66:14 timely (1) 66:11 times (13) 15:24;22:2;29:12, 12,13,14;49:9;53:20; 85:1;111:21;122:2,4; 134:21 tip (2) 118:18,20 titled (1) 90:21 today (10) 7:23;13:16;56:14; 77:17,21;79:10; 80:24;82:10;83:5; 112:18 together (3) 50:22;51:4;156:20 toil (1) 174:9 told (7) 17:22;37:3;54:9; 69:14;117:18; 157:22;165:23 tomorrow (5) 6:7,11,12;62:17,18 tone (1) 23:15 took (10) 23:19;47:12;59:1, 3;125:9;139:19;	141:4;143:3;152:3; 171:19 top (7) 98:4;124:4;138:16, 20;165:21;166:9; 173:17 topography (1) 105:24 tops (1) 172:11 total (1) 28:9 totally (6) 118:13;141:23; 167:11;173:13,14; 174:3 tour (1) 160:1 towards (5) 23:18;108:19; 112:6;117:16;123:12 tower (11) 30:10,11,12;59:5, 13,14,15;60:2,4; 163:17;171:20 towers (1) 58:20 Town (16) 26:19;27:23;32:8; 33:1,18;45:16,18; 47:3;56:23;57:5; 143:14;145:2,4; 147:17;173:23;175:2 Town's (1) 33:19 track (1) 120:8 traditional (1) 158:15 training (1) 157:6 tranquility (1) 162:4 transcript (4) 9:12;82:3;97:6; 175:21 transcriptionist (1) 82:8 transcripts (5) 64:12,23;65:5,7; 66:12 travel (1) 22:1 treating (1) 9:9 treatment (1) 8:17 tree (3) 163:5;173:15,18 trees (6) 123:24;126:3,8; 165:14,15;172:11 tried (12)	24:1,12;49:6;53:8; 54:17,18;58:3;81:12; 88:8;125:10;128:8; 135:24 trigger (1) 152:10 trip (4) 28:19,20,21;50:22 trips (4) 21:16;22:3;28:24; 29:8 trouble (1) 103:21 trucking (1) 159:6 true (6) 32:14;35:23;50:20; 71:7;151:15;166:1 truly (1) 50:13 trust (2) 122:13;138:4 trusted (1) 145:8 trusting (1) 138:4 trusts (1) 122:12 truth (2) 116:11;161:19 Truthfully (2) 96:7;143:18 try (5) 41:4;62:18;93:15; 160:23;175:3 trying (15) 10:7;23:23;25:21; 29:1;40:5;42:10; 64:8;73:2;100:19,20; 119:18;122:8;130:4, 19;131:13 tub (1) 166:14 turbine (18) 10:23;16:8;29:6; 30:16;59:5;88:11; 95:2,3;112:2;115:4, 6;128:9;143:21; 147:1,6;155:22; 162:11;174:18 turbines (50) 17:23;18:24;23:9; 24:10,14;28:1,12,23; 29:6;30:12,15;31:7, 10;44:21;45:7,11; 47:18;48:19;50:8; 52:14,18,20;58:21; 85:2;95:12;112:14; 114:18,20;115:2; 143:15;147:15; 155:7;156:8;157:8, 23;160:3,17;164:19, 23,24;165:21;166:3;	168:8;170:12,22; 172:8;173:3,6,11,16 turn (2) 38:10;156:20 turned (1) 125:11 turns (1) 7:15 Twelve (1) 128:23 Twenty (2) 14:16;117:2 two (27) 15:12,13;24:5; 25:10,22;26:22;27:9, 14;39:2;48:14;50:4; 57:8;66:6;68:1; 86:10,11;97:14; 114:20;115:8; 129:17;130:3,11,12; 144:4;149:22;158:1; 174:23 two-page (1) 74:10 type (15) 17:1,3,19;25:1; 102:16;143:16; 144:3;150:1;156:7; 158:2,3,4,5,10,11 types (1) 149:24	166:12 up (85) 6:16;9:2;12:21; 18:10;21:16;22:1,20; 25:15;26:3;29:9; 36:3;38:6;41:9;43:1; 50:17,19;59:1,24; 63:1;64:2,6;65:20; 66:17;67:12;71:23; 73:7,20;78:13;85:24; 90:13;92:16;95:24; 99:6;102:12;103:5; 108:20;110:11; 112:11,15;114:12; 120:3,11,17,20; 121:5;123:10,11,18; 124:2,4;125:14; 126:3,9;132:13,16; 136:21;140:14; 145:24;147:24; 150:10;151:3;152:7; 153:2;155:7;158:6; 159:9,11;162:21; 163:13;164:1;165:3, 10;167:4,5;168:2,5; 169:2,2;170:13,14, 16;171:8;172:7; 173:16;174:20 updated (2) 104:1,13 upon (1) 168:13 upset (1) 153:17 urging (1) 64:14 use (16) 48:17,20;49:12; 56:6,7,10;76:6; 95:18;102:14; 118:15;122:11; 125:10;136:14; 137:14,15;171:4 used (13) 47:13,17;50:6; 92:24;111:22;112:1; 122:11,19,24;130:21; 131:1;137:22;149:13 user (1) 56:8 users (1) 47:11 uses (2) 158:5,11 using (6) 87:11;88:9;92:14; 93:11;131:2,7
U				
unable (1) 73:22 unanimous (1) 35:22 unclear (1) 163:17 undecided (1) 18:7 under (8) 13:16;31:5;64:13; 104:6;105:20;150:6; 155:2;175:20 underneath (3) 30:15;149:10; 162:20 Understood (2) 65:9;145:20 unimproved (3) 55:18,23,24 Unless (7) 8:19,21;9:12;12:5; 36:15;67:14;172:21 unlimited (1) 28:3 unreasonable (2) 20:7;29:21 unreasonably (1) 19:23 untenable (1)				
V				
Vaguely (1) 49:6 validate (1)				

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

86:7 validated (1) 110:12 valley (2) 30:14;60:4 value (8) 161:21;162:2,7; 168:21;169:7,10,21; 174:5 variations (1) 28:5 varies (1) 150:20 variety (1) 72:11 various (3) 45:18;59:4;66:10 vehicle (1) 167:9 verbal (1) 88:23 verbiage (2) 20:9;41:14 verify (1) 40:8 Vermont (2) 15:13;117:11 version (2) 18:15,19 vertigo (2) 148:19;151:15 vested (1) 171:7 viable (1) 35:8 vicinity (3) 40:7;51:13;99:15 view (13) 10:15;11:14,21; 42:11;52:18;60:19; 64:5;66:4;86:7; 156:14;165:16; 166:17;172:19 viewed (1) 19:17 viewpoint (1) 71:16 views (1) 23:21 violating (1) 9:9 violation (1) 10:7 virtually (2) 51:5,6 visible (7) 44:22;45:1;48:19; 52:14;149:10,11; 166:3 visit (3) 15:21;88:10;151:6 visited (3) 156:11;163:15;	165:3 visiting (3) 17:7;28:11;41:12 visitors (4) 14:12;16:9;38:1; 55:3 visitor's (2) 56:1,3 visual (3) 52:20;165:20; 173:8 voice (1) 23:16 voluminous (1) 11:17 volunteered (3) 45:13;54:1,4 VON (2) 72:21;82:15 voracity (1) 141:17 vote (5) 35:9;36:7,8;47:2; 144:11 voted (4) 37:1;45:18;145:15; 171:18 voter (1) 35:21 voters (1) 37:7 votes (5) 32:22;33:21;36:24; 45:16;144:4 voting (3) 46:23;144:15; 145:21	161:6,7 walk (1) 126:12 walked (1) 125:23 wall (5) 86:18;123:12,13; 162:19,21 waltz (1) 172:2 wants (4) 8:20;42:14;61:16; 84:21 war (1) 156:10 Ward (25) 20:15,16;63:18; 71:3;119:11,13; 127:12,15,18,21; 129:10;130:2; 131:14,24;135:12,14, 17;138:16,23;139:2, 7,9;140:17;142:2,22 warming (2) 41:7,14 warned (1) 63:6 warrant (1) 33:20 Washington (2) 40:1;154:4 watch (1) 156:19 water (15) 38:19,21;43:19; 44:3;48:21;52:15,15; 55:7,10,12,14,21; 56:6,7;152:23 way (19) 23:16;24:12;33:16; 38:6;43:4;51:23; 56:20;57:15;62:22; 70:4;88:19,20; 124:23;133:19; 137:2;141:17,19,24; 149:17 ways (1) 95:18 wear (4) 149:18,21,23; 155:8 weather (1) 121:4 Weathersby (4) 53:1,2,3;58:8 web (2) 151:9,10 week (1) 25:23 weekend (1) 48:11 weeks (6) 25:22;30:9,24;	59:24;66:6;68:2 weight (1) 42:14 welcome (4) 49:24;71:11;74:4; 156:18 weren't (5) 17:21;30:18,23; 143:22;159:17 WESLEY (1) 12:17 wetlands (4) 83:10,11;85:9; 91:11 what's (4) 6:23;93:10;152:21; 173:10 whatsoever (1) 39:7 WHEREUPON (2) 12:17;76:11 wherever (1) 136:2 whip (1) 118:16 white (1) 165:18 whole (6) 37:10;110:18; 111:22;157:20; 160:19;172:15 whomp (3) 50:15,15,15 who's (4) 73:2;76:6;139:13; 142:24 wife (2) 17:6,9 Willard (27) 14:12;15:22,24; 17:4,15,16,17,20,23; 24:4;38:3;40:7,8; 44:22;47:7,21;48:18, 20,21;53:5,8;55:8; 56:2,7;170:14,16,20 willing (5) 11:24;147:1,6,9,19 wind (95) 18:12;21:3,6,9; 22:14;24:10,14; 25:14;27:24,24; 28:12,13,15,23; 29:16;30:14,16,17; 31:2;32:3;33:2,13,15, 18;34:13;35:2,7,9; 38:2;40:20;45:5,11; 46:2;48:18;50:8,12, 14;51:2,4;52:13; 59:22;60:6;84:24; 100:13;112:1;114:5; 116:1,17;117:12,18; 119:15,21;121:1,19, 22;122:2,9,14,14,16;	123:1,5,6;126:3,6,11, 13;128:2,3,4;129:13; 130:3;136:9;140:19; 143:15;144:16,21,22; 145:7,17;146:14; 147:6,14;150:17,17; 152:16;157:8,23; 158:7;159:12;161:4, 8;168:8;170:22; 174:18 windmill (2) 130:10;151:8 windmills (5) 130:22;131:5,11; 158:14;159:1 windows (5) 122:14;136:20; 154:6;165:8,12 WindPRO (2) 136:9;148:22 winds (4) 58:19;121:14,24; 155:9 Wind's (3) 118:8;120:21; 155:15 windy (6) 30:10;120:13; 121:16;122:16; 125:2;126:15 winter (2) 58:18;170:6 wipe (1) 174:1 wish (9) 13:19;49:13,14; 60:19;77:19;80:1; 82:3;117:24;140:24 within (6) 59:19;93:20; 136:13;164:19,23; 170:13 without (3) 47:22;48:23; 169:22 witness (34) 13:22;27:9;37:17; 39:6;42:16;46:14; 50:20;61:24;76:8; 78:4,23;79:1;83:2,6; 88:21;91:17;95:20, 22,23;100:3,9,20; 104:18;113:4; 130:18;133:21; 134:1,13;139:23; 140:5,8;141:15,22; 142:18 witnessed (1) 28:5 witnesses (2) 19:17;129:18 woman (2) 53:21,22
	W			
	WA-01 (1) 115:15 WA-35X (2) 86:2;94:17 WA-36X (1) 106:5 WA-37 (1) 110:6 WA-37X (3) 107:6,21;109:24 WA-38 (2) 108:14;110:8 WA-38X (1) 108:2 WA-39X (1) 117:5 WA-41x] (1) 86:3 wait (1) 65:4 waiting (2) 64:12,22 Walden (2)			

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

women (1) 38:23	144:2;163:2;174:22	10:30 (1) 14:19	19th (1) 121:19	120:5
won (1) 156:10	yards (2) 96:22;97:2	100 (3) 131:6,11;161:8	1-meter-by-1-meter (1) 137:1	23 (1) 153:16
wondered (4) 88:11,18;102:2; 120:15	year (8) 22:10;29:7,10; 51:19,20,21;131:6; 169:12	10th (1) 120:12	2	23+00 (1) 97:23
wonderful (3) 154:11;157:19; 161:11	year-round (1) 16:4	1-1 (1) 103:19	2 (7) 14:22;30:11;31:12; 59:14;79:5;121:15; 154:5	24 (2) 88:17;131:4
wondering (5) 30:4;50:9;51:17; 82:24;146:21	years (16) 32:9;46:22;47:5; 115:8;149:22;152:1; 156:6;164:2,7;167:3; 169:2;171:22;174:9, 11,12,16	12 (12) 22:9;29:6;98:14; 115:15;124:10; 128:21,24;160:6; 161:13,16;167:20,22	2,000 (1) 29:24	24+00 (1) 97:23
woods (1) 112:21	yesterday (1) 30:23	12:30 (1) 175:18	20 (15) 14:22;15:12;29:9, 13;115:15;128:20; 132:10;137:6; 138:24;139:5; 148:23;149:6; 153:15,16;167:18	24-by-36-inch (1) 92:24
word (1) 63:16	yields (1) 136:1	12:50 (1) 14:19	2008 (1) 114:16	24-foot (1) 88:16
words (2) 45:4;111:17	York (1) 53:21	120 (1) 165:19	2011 (10) 32:22,24;33:21,24; 35:16;45:20;122:21; 128:3,19;129:2	25 (2) 49:9;93:12
work (8) 118:12;125:12; 150:7;163:24;164:2; 167:10;169:3;175:14	young (3) 38:24;152:2;163:6	125 (1) 163:21	2012 (6) 15:7;18:15;19:21; 73:13;127:4;167:16	250 (1) 116:19
worked (3) 18:9;64:11;152:1	younger (1) 58:23	12-foot (1) 124:12	2013 (2) 45:20;114:19	26 (7) 14:11;16:11;38:4; 48:5,6;49:10;54:23
working (4) 109:15;117:12; 150:10;163:2	Yup (2) 14:24;46:10	12th (3) 25:11;125:1,15	2014 (6) 22:9,11;32:23; 45:22;144:11;145:16	280 (1) 164:24
works (1) 52:2	Z	13 (5) 99:3,6;132:13,17; 133:8	2015 (3) 114:24;115:2; 160:22	28th (1) 133:7
world (1) 57:24	zone (4) 35:9;110:24,24; 147:7	1305 (1) 98:22	2015-2 (1) 138:17	29+00 (1) 101:8
worries (1) 148:14	zoned (2) 147:7,10	1318 (1) 98:22	2016 (2) 15:8;128:6	2A (1) 83:18
worry (1) 64:11	zoning (10) 34:9,12;88:15; 102:3;144:16,23; 145:18;171:14; 173:14,23	1378 (1) 101:19	20-something (1) 48:11	2nd (4) 132:14,18;133:6,8
worth (1) 162:11	zoomed (1) 92:16	1393 (1) 101:19	20th (1) 97:6	3
wow (1) 118:2	1	13th (3) 132:9;133:6,7	21 (5) 129:5;132:7; 133:12,15;160:7	3 (14) 33:17,18;34:10,10; 35:11,16;36:8;60:18; 83:18,19;89:12; 91:11;92:8;128:10
wowed (1) 118:2	1 (22) 7:3,14;10:6,9; 27:21;28:11;58:15; 66:5;78:24;79:3; 86:10;89:18;90:21; 92:6,9;107:12; 136:19,19,20,20; 143:8;164:24	14 (3) 81:15;153:11,13	211-4 (1) 94:22	3:00 (1) 6:13
write (8) 42:12;54:17;65:6; 75:14,16,17,18;81:14	1,000 (1) 117:19	140 (1) 165:19	221-9 (3) 85:13;87:1;101:9	3:15 (1) 6:13
writing (5) 71:12;72:15;75:19, 20;120:24	1,600 (1) 118:7	15 (5) 101:20;102:18; 128:6;137:10;149:2	224-1 (1) 85:20	30 (4) 58:19;128:20; 167:3,18
written (9) 23:10;31:15;33:6; 62:11;63:9,14;74:4; 120:2;144:22	1:00 (2) 62:17,19	150 (4) 87:16;92:19;93:20; 94:6	224-2 (1) 85:22	30+00 (2) 98:6;99:14
wrong (4) 46:1;81:4;132:5; 154:21	10 (8) 29:12;80:11;86:12; 91:1;97:13,16;137:9; 149:3	15th (1) 132:14	225 (1) 34:21	301.14 (1) 111:14
wrote (7) 81:15;87:4;120:12, 13;121:7,13;124:24		16 (1) 132:11	226-10 (1) 85:16	301.18b1 (1) 105:17
Y		17 (2) 153:13,14	22nd (1)	305b (1) 27:14
yard (5) 124:11;143:22;		18 (4) 86:13;91:1;97:13, 16		309 (1) 34:2
		19 (1) 138:24		30-mile-an (1) 59:21
		1-9 (2) 89:6,12		31 (3) 51:23;55:13,15
		1976 (1) 47:1		32 (3) 174:9,11,12

**DAY 9 - MORNING SESSION ONLY - October 18, 2016
SEC 2015-02 ANTRIM WIND ENERGY Hearing on the Merits**

<p>33 (6) 83:17;86:9;89:11; 99:14;103:7,14</p> <p>34 (3) 46:22;47:5;99:17</p> <p>34+ (1) 99:17</p> <p>34+00 (2) 100:24;101:17</p> <p>35 (7) 16:2;108:18;109:1; 111:8,8;132:12; 173:17</p> <p>35X (1) 97:24</p> <p>36 (1) 109:16</p> <p>3600 (1) 31:7</p> <p>37 (1) 121:20</p> <p>37.5 (1) 168:1</p> <p>37X (2) 108:5;110:11</p> <p>38 (1) 156:2</p> <p>38.5 (2) 155:5,13</p> <p>38X (1) 110:11</p> <p>3rd (1) 132:18</p>	<p align="center">5</p> <p>5 (9) 27:16,17;44:4; 128:24;136:22,23; 149:3;154:19;167:20</p> <p>5,000 (1) 97:1</p> <p>5.81 (1) 81:16</p> <p>5:00 (1) 73:8</p> <p>5:30 (1) 132:20</p> <p>50 (5) 29:2,11,13;92:9; 95:24</p> <p>500 (3) 165:22;173:21,22</p> <p>501 (1) 34:2</p> <p>50s (1) 149:21</p> <p>52 (4) 58:18;59:7,11,13</p> <p>52-decibel (1) 58:21</p> <p>56 (1) 134:15</p> <p>57-A (1) 89:14</p> <p>584 (1) 34:21</p>	<p>132:7;133:12;160:5, 7,12;167:23</p> <p>800 (2) 117:1;118:11</p> <p>800-foot (1) 170:6</p> <p>820 (2) 116:20,23</p> <p align="center">9</p> <p>9 (22) 6:3;30:12;59:13; 79:19;81:7;86:10; 89:18;90:21;92:6; 103:2,7,15;104:13; 109:14,17;129:4; 134:20;135:1;161:1; 167:4;175:19,21</p> <p>9:00 (2) 6:10;73:8</p> <p>90 (1) 171:21</p> <p>94 (4) 130:22;131:2,7,12</p>		
<p align="center">4</p>	<p align="center">6</p>			
<p>4 (9) 27:12,17;29:2; 35:16;36:8;38:11; 95:4;121:24;122:3</p> <p>40 (19) 32:4;108:20,22; 109:1,4;110:19; 111:5,20;112:5,8; 154:17,18,19,22; 155:2;156:2;164:7; 167:10;171:8</p> <p>400-pound (1) 117:19</p> <p>400-whatever-foot (1) 166:9</p> <p>4-2 (1) 138:21</p> <p>45 (4) 111:6,19;154:23; 175:17</p> <p>45-dBA (1) 31:23</p> <p>45-minute (1) 175:12</p> <p>4th (1) 53:7</p>	<p>6 (9) 81:10;94:19;97:18; 103:15,16;105:6; 132:23;134:17; 138:20</p> <p align="center">7</p> <p>7 (3) 80:19,21;134:17</p> <p>70 (2) 124:9,13</p> <p>7-1/2 (1) 124:19</p> <p>7a (10) 86:8,9,12;89:6,11; 90:20;92:5,5;97:12, 16</p> <p>7th (2) 120:4;125:14</p> <p align="center">8</p> <p>8 (14) 80:7,16,21;81:7; 111:20,20;129:2,4;</p>			