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May 22, 2018

**VIA HAND DELIVERY & ELECTRONIC MAIL**

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

**Re: Docket No. 2018-01: Petition for Declaratory Ruling**

Dear Ms. Monroe:

Please find enclosed for filing with the Site Evaluation Committee, Antrim Wind Energy's Motion to Treat Motion to Dismiss as an Objection in the Alternative.

An electronic copy has been sent to the distribution list in this docket. Please contact me directly should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Needleman".

Barry Needleman

BN:rs3

cc: SEC Distribution List

Enclosure

McLane Middleton, Professional Association  
Manchester, Concord, Portsmouth, NH | Woburn, Boston, MA

[McLane.com](http://McLane.com)

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

**Docket No. 2018-01**

**PETITION OF THE ANTRIM WIND OPPONENTS  
FOR DECLARATORY RULING**

**ANTRIM WIND ENERGY'S MOTION TO TREAT MOTION TO DISMISS  
AS AN OBJECTION IN THE ALTERNATIVE**

Antrim Wind Energy, LLC ("AWE") by and through its attorneys, McLane Middleton, Professional Association, submits this Motion to Treat Motion to Dismiss as an Objection In The Alternative. In support of this filing, AWE asserts as follows:

1. The Petitioners filed their Petition for Declaratory Ruling (the "Petition") on April 6, 2018.
2. AWE filed a Motion to Dismiss the Petition for Declaratory Ruling on April 27, 2018.
3. A Notice of Public Meeting and Deliberations was issued by the Site Evaluation Committee Chair, Martin Honigberg on May 1, 2018. The Meeting and Deliberations are scheduled to take place on May 31, 2018.
4. It is AWE's understanding that the Subcommittee will take up the Motion to Dismiss prior to discussing the merits of the Petition.
5. In the event that the Subcommittee denies the Motion to Dismiss and chooses to move forward with the substantive arguments raised in the Petition, AWE respectfully requests that its Motion to Dismiss then be treated in whole or in part as an Objection to the Petition.

WHEREFORE, Antrim Wind Energy, LLC respectfully requests that the Subcommittee:

- A. Treat AWE's Motion to Dismiss as an Objection to the Petition for Declaratory Ruling should the Subcommittee decide to deny the Motion to Dismiss; and
- B. Grant such further relief as may be just, equitable, and appropriate.

Respectfully Submitted,

Antrim Wind Energy, LLC

By its attorneys,

McLANE MIDDLETON,  
PROFESSIONAL ASSOCIATION

Dated: May 22, 2018

By:   
Barry Needleman, Esq. Bar No. 9446  
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Rebecca S. Walkley, Esq. Bar No. 266258  
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Certificate of Service

I hereby certify that on the 22<sup>th</sup> day of May, 2018, an original and one copy of the foregoing Motion to Treat Motion to Dismiss as an Objection was hand-delivered to the New Hampshire Site Evaluation Subcommittee and sent to the service list in this matter.

  
Barry Needleman