

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2018-01

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

April 12, 2018

ORDER APPOINTING SUBCOMMITTEE

On April 6, 2018, 104 individuals, commissions, and entities (Petitioners) filed a Petition with the Site Evaluation Committee (Committee) requesting that the Committee issue a declaratory ruling stating that: (i) the Committee is not authorized to delegate its authority to the Administrator to determine compliance with the terms and conditions of the Certificate of Site and Facility (Certificate) issued to Antrim Wind Energy (AWE) in SEC Docket No. 2015-02; (ii) the N.H. Code of Admin. Rules Site 301.17(d) and Site 302.01(a) are inconsistent with and exceed the authority contained in RSA 162-H:4; (iii) SEC Docket No. 2015-02 remains an open docket; and (iv) AWE has proposed a financing arrangement that is inconsistent with the Certificate and has contracted for the sale of the Project with an unrelated third party, both of which merit suspension of the Certificate and the scheduling of a hearing to review AWE's compliance status.

The Petitioners also filed a Motion to Waive the filing fee for administrative proceedings as established in RSA 162-H:8-a, and also requested that, to the extent that Site 202.22 requires the Petitioners to submit pre-filed testimony with the Petition, a waiver of that rule.

RSA 162-H:4-a, III, provides that the Chairperson of the Committee may establish a subcommittee of three members for matters that do not involve the issuance of a certificate or a petition for jurisdiction. The subcommittee assumes the role of and is considered the committee,

with all of its associated powers and duties in order to execute the charge given it by the chairperson.

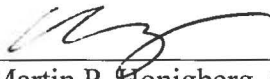
In order to assure the prompt and efficient consideration of the Petition and the Motion to Waive, I hereby appoint the following Subcommittee:

1. Martin Honigberg, Commissioner and Chair, Public Utilities Commission;
2. Robert Scott, Commissioner, Department of Environmental Services; and
3. Patricia Weathersby, Public Member.

Each state agency member may designate a senior administrative employee or staff attorney from his respective agency to sit in his place on the Subcommittee. RSA 162-H:4-a, III. It is requested that the state agency members of the Subcommittee intending to designate a staff member do so, in writing, to the attention of Pamela Monroe, Site Evaluation Committee Administrator, **prior to April 20, 2018**. RSA 162-H:4-a, III, also provides that the chairperson shall designate one member or designee to be the presiding officer who shall be an attorney whenever possible. I hereby appoint Martin Honigberg or his designee, as the Presiding Officer in this docket.

Any party whose interests may be affected may object to the matter being assigned to a 3-person subcommittee no less than 14 days before the first hearing. RSA 162-H:4-a, III.

SO ORDERED this twelfth day of April, 2018.



Martin P. Honigberg, Chair
Site Evaluation Committee