

THE STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

Docket No. 2019-02

Application of Chinook Solar, LLC for a Certificate of Site and Facility

**TOWN OF FITZWILLIAM'S ASSENTED-TO  
MOTION TO CONTINUE DEADLINES**

The Town of Fitzwilliam, by and through its counsel, BCM Environmental & Land Law, PLLC, with the assent pursuant to Site 202.14(d) of the Applicant and Counsel for the Public, respectfully requests an extension of deadlines, and states as follows in support:

1. The pertinent procedural history is as follows: (1) October 18, 2019, application filed; (2) November 8, 2019, Subcommittee appointed; (3) December 17, 2019, Subcommittee accepted the application; (4) February 5, 2020, Town's intervention granted without limitation; (5) April 2, 2020 and June 2, 2020, procedural schedules issued; (6) June 25, 2020, notice issued of adjudicative hearings beginning September 10, 2020; and (7) Orders on July 2, 2020 and August 5, 2020 extending certain procedural deadlines without adjusting the schedule for adjudicative hearings.

2. The Town and the Applicant continue negotiating a Memorandum of Understanding (MOU) and a Payment in Lieu of Taxes (PILOT) but will not be completed in advance of the current deadlines, though negotiations continue to be productive and approach completion.

3. The totality of unresolved issues as between the Town and the Applicant is minimal. Though the issues are important, they are not complicated. Accordingly, the compressed timeframes requested through this Motion are anticipated to be adequate.

4. As such, the Parties request the new timeframes noted below:

a. The deadline for filing supplemental testimony on all issues for all parties is

extended to August 31, 2020; and

b. The Town may file direct testimony, if necessary, no later than August 31, 2020.

5. The Town incorporates by reference the legal arguments set forward in support of extending deadlines in its prior Motion to Extend dated July 2, 2020.

6. The Parties do not wish to delay the adjudicative hearing, though, the Parties acknowledge that given the adjusted deadlines this motion requests, it may be appropriate to delay the commencement of the adjudicative hearing from September 10, 2020 to September 15, 2020. The Parties defer to the SEC's discretion to make that adjustment if the SEC deems that to be appropriate.

WHEREFORE, the Town of Fitzwilliam respectfully requests that the Site Evaluation Committee:

- A. Grant this motion; and
- B. Grant such other and further relief as may be just.

Respectfully Submitted,



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### CERTIFICATE OF SERVICE

I hereby certify that on this 13<sup>th</sup> day of August, 2020, a copy of the foregoing Motion to Continue was sent by electronic mail to persons named on the Service List of this docket.



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Amy Manzelli, Esq.