

STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE

Docket No. 2021-01

Petition for Jurisdiction  
Over Proposed Solar Energy Facility in Milford, NH

**PROCEDURAL ORDER AND NOTICE OF  
PREHEARING CONFERENCE**

**PLEASE TAKE NOTICE that the designated Site Evaluation Subcommittee in this docket is postponing the scheduled adjudicative hearing in the above referenced docket. In lieu of a hearing, a prehearing conference shall occur on June 23, 2021 at 9:00 a.m. The prehearing conference will be a web-enabled video conference. The access instructions for the prehearing conference, shall be posted on the Committee's website.**

**Authority for the Proceeding**

As indicated in the proceeding's convening order, RSA 162-H:2, XII; RSA 162-H:4, I; RSA 162-H:4-a, II; RSA 541-A:29; RSA 541-A:31; and N.H. Code of Administrative Rules PART Site 202 provide the Committee authority to hold an adjudicative proceeding in this matter. Under RSA 541-A:31, one or more prehearing conferences may be scheduled prior to the beginning of formal proceedings provided notice is given to all parties.

**Notice and Agenda of Prehearing Conference**

With the recent expiration of the declared state of emergency, the Subcommittee's next meeting will occur **in person**. The State of New Hampshire and the Subcommittee remain committed to maintaining the health and safety of all prospective meeting attendees. As a result, the Subcommittee is currently exploring options for the merits hearing, including the possibility to continue to provide the option of remote participation or observation for parties or members of the public.

In lieu of an adjudicative hearing, an informal prehearing conference in this matter will be held on June 23, 2021, at 9:00 a.m. All persons moving to intervene in this proceeding shall attend the prehearing conference. The prehearing conference shall be conducted via remote access. Members of the public are invited to join the prehearing conference via video or by telephone by: [[Click here for WebEx Link](#)] or for telephone access dial 1-415-655-0001 (Access Code 172 323 7719). The link will also be posted in the docket for this matter. If you cannot access this event by clicking a link, please call (603) 271-2431 as soon as possible.

Members of the public who do not intervene may make oral statements at the prehearing conference under N.H. Code of Administrative Rules Site 202.25. If you wish to make an oral statement at the prehearing conference, please contact the Subcommittee by contacting [admin@sec.nh.gov](mailto:admin@sec.nh.gov) or (603) 271-2435 with your name and contact information by June 22, 2021.

The purpose of a prehearing conference is to consider any one or more of the following:

1. Offers of settlement.
2. Simplification of the issues.
3. Stipulations or admissions as to issues of fact or proof, by consent of the parties.
4. Limitations on the number of witnesses.
5. Changes to standard procedures desired during the hearing, by consent of the parties.
6. Consolidation of examination of witnesses by the parties.
7. Any other matters which aid in the disposition of the proceeding.

RSA 541-A: 31; *see also* N.H. Code of Admin. Rules, Site 202.10. In order to aid in the disposition of the proceeding the prehearing conference will also include discussion of discovery methods and schedules.

Accordingly, the agenda for the prehearing conference is as follows:

1. Remarks from the Presiding Officer;
2. Discussion of overall schedule and time frames;
3. Discussion and scheduling of discovery needs and events, if any;
4. Discussion of any expected motions;
5. Discussion of hearing room logistics;
6. Scheduling; and
7. Any other business pertaining to this docket that is appropriate for a prehearing conference.

To ensure an efficient prehearing conference, the parties are encouraged to file proposed schedules in this matter in advance of the prehearing conference.

### **Order**

IT IS HEREBY ORDERED that an informal prehearing conference in this adjudicative proceeding shall be held on June 23, 2021 at 9:00 a.m. The conference will be a web-enabled video conference;

IT IS FURTHER ORDERED that Assistant Attorney General J.D. Lavalley shall act as the Subcommittee's presiding officer for the prehearing conference in accordance with administrative rules Site 103.04 and Site 202.10;

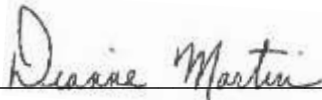
IT IS FURTHER ORDERED, that detailed access instructions for the prehearing conference will be posted by the subcommittee in the docket for this matter;

IT IS FURTHER ORDERED that each party in this proceeding has the right to have an attorney represent the party at the party's expense;

IT IS FURTHER ORDERED that all filings with the Committee shall be made in accordance with the Committee's administrative rules, including Site 202.23;

IT IS FURTHER ORDERED that routine procedural inquiries may be made by contacting [admin@sec.nh.gov](mailto:admin@sec.nh.gov) or (603) 271-2435. *Ex parte* communications are forbidden by statute and the Committee's administrative rules.

SO ORDERED, this 18th day of June, 2021.

A handwritten signature in cursive script, reading "Dianne Martin", is written above a solid horizontal line.

Dianne Martin, Chairwoman  
Site Evaluation Committee