

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. 2021-02

Investigation of Complaints
Regarding Antrim Wind LLC Operations

June 23, 2023

SECOND ORDER REGARDING SUBCOMMITTEE CHARGE

On March 17, 2019, the Site Evaluation Committee granted a Certificate of Site and Facility (Certificate) for the construction, operation, and ultimate decommissioning of a wind energy facility in Antrim, NH (Facility).¹ This Facility began commercial operations on December 24, 2019. Since commercial operations began, the Committee has received multiple complaints concerning the Facility's operations.

On April 2, 2021, the Committee opened this docket, Docket 2021-02, entitled "Investigation of Complaints Regarding Antrim Wind Energy Facility." An Order appointing a subcommittee issued on the same day.² The Order tasks the Subcommittee with investigation of complaints related to the operations of the Antrim Wind Energy Facility.

Shortly after appointment, the Subcommittee requested and received clarification regarding its role.³ This first Order Regarding Subcommittee Charge requires the Subcommittee investigate complaints filed between the time the Facility began operations and December 31, 2021 and to make a disposition recommendation for each complaint. This first Order also requires all Subcommittee recommendations be presented to the full Site Evaluation Committee upon the conclusion of the Subcommittee's investigation of each complaint.

Since its appointment, the Subcommittee investigated and made disposition recommendations on sixteen operational complaints concerning the Facility.⁴ In July 2021, the full Site Evaluation Committee accepted the Subcommittee's recommendation to take no action regarding a specific operational complaint

¹ The Order and Certificate of Site and Facility with Conditions is available in SEC Docket 2015-02 and accessible here: https://www.nhsec.nh.gov/projects/2015-02/orders-notices/2015-02_2017-03-17_order_cert.pdf

² Docket Tab 1, accessible here: https://www.nhsec.nh.gov/projects/2021-02/orders_notices/2021-02_2021-04-02_order_appoint_subcommittee.pdf

³ Docket Tab 14, accessible here: https://www.nhsec.nh.gov/projects/2021-02/orders_notices/2021-02_2021-05-20_order_subcommittee_charge.pdf

⁴ The Subcommittee's first recommendation was reviewed by the full Site Evaluation Committee at its July 24, 2021 public meeting. The Subcommittee's recommendations concerning fifteen other complaints were reviewed by the full Site Evaluation Committee at its June 7, 2023 public meeting.

concerning the Facility's Aircraft Detection Lighting System. At its June 7, 2023 public meeting, the full Site Evaluation Committee received and considered the Subcommittee's recommendation on fifteen noise complaints. The full Site Evaluation Committee voted to accept the Subcommittee's recommendation and to take no further action regarding these fifteen complaints.

The full Committee also voted to charge the Subcommittee with additional tasks. First, the Committee voted to have the Subcommittee address all additional operational complaints against the Facility received but filed after December 31, 2021. Second, the Committee voted to have the Subcommittee develop proposed administrative rules to address the Committee's complaint process.

Consistent with my authority as chairperson of the Site Evaluation Committee and the vote of the full Site Evaluation Committee at its June 7, 2023 public meeting, the Subcommittee is now charged with the following:

- (1) The Subcommittee shall review all operational complaints received by the Site Evaluation Committee associated with the Antrim Wind facility for which a specific disposition recommendation has not been provided to the full Committee.
 - a. This includes all operational complaints from the date commercial operations of the Facility began on December 24, 2019 through June 7, 2023.
 - b. For each complaint, the Subcommittee shall investigate to the extent it deems sufficient to make an informed and sound disposition recommendation. All investigative work shall be conducted expeditiously.
 - c. The Subcommittee shall report to the full Site Evaluation Committee its specific recommendation for each complaint as soon as it able to make a recommendation concerning the complaint.
 - d. No later than September 1, 2023 the Subcommittee shall provide an accounting of all complaints received by the Committee and the status of each complaint. This status report shall include the date the complaint was received and whether the complaint is still under investigation.


- (2) The Subcommittee shall recommend proposed administrative rules to the full Committee concerning the complaint and investigative process. The Subcommittee shall provide proposed rules for the Site Evaluation Committee's review as soon as practicable and no later than October 1, 2023.

These charges are in addition to the requirements set forth in the April 2, 2021 Appointing Order and the May 20, 2021 Order Regarding Subcommittee Charge.

Last, I note that this Subcommittee is appointed under RSA 162-H:4-a, III. Such a subcommittee assumes the role of and is considered the Site Evaluation Committee

when executing the charge given it by the chair.⁵ Therefore, the Subcommittee may, as appropriate, exercise the authorities granted to the Site Evaluation Committee in RSA Ch. 162-H and the Committee's administrative rules to discharge its duties.

SO ORDERED, this 23rd day of June, 2023.

A handwritten signature in black ink, appearing to read "Daniel C. Goldner", written over a horizontal line.

Daniel C. Goldner
Chairman, Site Evaluation Committee

⁵ RSA 162-H:4-a states, in part, "for purposes of statutory interpretation and executing the regulatory functions of this chapter, the subcommittee shall assume the role of and be considered the committee, with all of its associated powers and duties in order to execute the charge given it by the chairperson."