

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. 2021-03

Joint Petition for Approval of the Transfer of Membership Interests
in BAIF Granite Holdings, LLC and Granite Reliable Power, LLC to
Tusk Wind Holdings III, LLC

June 10, 2021

ORDER CONVENING AN ADJUDICATIVE PROCEEDING

On July 15, 2009 the Site Evaluation Committee (Committee) issued a Certificate of Site and Facility with Conditions to Granite Reliable Power, LLC (Certificate) for the siting, construction, and operation of a 99 megawatt wind-powered electric generating facility in Coos County. *See* SEC Docket No. 2008-04. In 2011, a 75% ownership share of the equity in Granite Reliable Power, LLC was transferred to Brookfield Renewable Power, Inc. *See* SEC Docket No. 2010-03.

On May 3, 2021 BAIF U.S. Renewable Power Holdings, LLC; Freshet Wind Energy, LLC, and Tusk Wind Holdings III, LLC (Petitioners) filed a joint petition to approve the transfer of BAIF U.S. Renewable Power Holdings, LLC's membership interests in BAIF Granite Holdings, LLC and the transfer of Freshet Wind Energy, LLC's membership interests in Granite Reliable Power, LLC to Tusk Wind Holdings III, LLC.

The petition requests the Committee (1) approve the direct and indirect transfer of ownership of the membership interests in Granite Reliable Power, LLC to Tusk Wind Holdings III, LLC and (2) find that Granite Reliable Power, LLC is not required to obtain written assent of the Committee in advance of any change in ownership so long as NextEra Energy Partners, LP, or one of its affiliates, maintains a controlling interest in Granite Reliable Power, LLC.

In accordance with the Committee's administrative rule Site 202.01, the Committee must conduct an adjudicative proceeding regarding such petitions in accordance with RSA Chapter 541-A and its procedural rules contained within N.H. CODE OF ADMINISTRATIVE RULES CHAPTER Site 200.

Therefore, an adjudicative proceeding will be convened. This adjudicative proceeding will include one or more adjudicative hearings, which are public evidentiary hearings. *See* Site 102.04 and the Committee's administrative rules contained in PART Site 202. At the conclusion of the evidentiary portion of the proceeding the Committee may deliberate on the merits of whether the petition will be approved.

The original petitions, cover letter, and all other public filings in this docket are available on the Committee's website: www.nhsec.nh.gov.

Order

IT IS HEREBY ORDERED that an adjudicative proceeding shall be commenced for the purpose of resolving the issues articulated above pursuant to RSA Chapter 162-H; RSA 541-A:29; RSA 541-A:31; the Committee's administrative rules; and the Committee's relevant orders, including the issued Certificate of Site and Facility;

IT IS FURTHER ORDERED, that a subcommittee consisting of 3 members shall be established to consider the petition in accordance with RSA 162-H:4-a, III;

IT IS FURTHER ORDERED, that a prehearing conference pursuant RSA 541-A:31 and Site 202.10 will be held on June 24, 2021 at 10 a.m. The prehearing conference shall be conducted via remote video due to Covid 19 concerns. Instructions for attendance will be determined and set forth in a notice and agenda pursuant to RSA 541-A:31 and Site 202.09. Counsel to the committee, Michael J. Iacopino, shall preside at the prehearing conference.

IT IS FURTHER ORDERED, any individual seeking to intervene in this matter and participate in the prehearing conference shall file a petition to intervene as soon as possible and not later than June 21, 2021. All such petitions must comply with the requirements of administrative rule Site 202.11. Interested persons or groups who wish to be included on the service list should file such a request by contacting the Committee at admin@sec.nh.gov or (603) 271-2435;

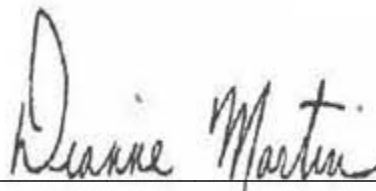
IT IS FURTHER ORDERED that each party in this proceeding has the right to have an attorney represent the party at the party's expense;

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 or (603) 271-2435. *Ex parte* communications are forbidden by statute and the Committee's administrative rules; and

IT IS FURTHER ORDERED, that a copy of this notice shall be served via electronic mail and certified mail to the Petitioners; this notice shall also be published on the Committee's website in Docket No. 2021-03.

So Ordered, this 9th day of June, 2021.



Dianne H. Martin
Chairwoman