

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE
INVESTIGATORY SUBCOMMITTEE

Docket No. 2021-02

INVESTIGATION OF COMPLAINTS
REGARDING ANTRIM WIND ENERGY FACILITY

May 21, 2021

UPDATED ANTRIM WIND ENERGY FACILITY INVESTIGATIVE PLAN

With respect to the three charges in the April 2, 2021 Order Appointing this Investigatory Subcommittee, the Subcommittee's current investigation plan is as follows:

1. ***Review of May 6, 2021 ADLS Complaint.*** Investigate May 6, 2021 complaint concerning Aircraft Detection Lighting System ("ADLS") maintenance/upgrade work as outlined in Antrim Wind's April 30, 2021 email. Steps to include:
 - Notice of Public Meeting held on May 21 to review complaint and additional submitted materials.
 - Notice to interested parties to submit written comments, argument, and/or testimony on whether the contemplated maintenance work violates the facility's certificate and/or other legal requirements by May 18.
 - Recommendation to full Committee on disposition of Complaint following May 21 Public Meeting.
2. ***Charge 1: Review of Law, Certificate and other Materials Related to Noise and Sound Measurements, Limits, and Methodologies.*** During the months of May and June, Subcommittee members will
 - Review New Hampshire statutes, administrative rules, the facility's certificate, and relevant administrative filings as they relate to the appropriate methodologies for the measurement and analysis of sound, and procedure for validating noise complaints.
3. ***Charge 1: Formulation of Recommendation to Full Committee Regarding Sound Measurement and Analysis Methodologies.*** The Subcommittee will also undertake the following steps:
 - Several parties have requested a "technical session." Under the Committee's rules, technical sessions are a form of discovery used in adjudicative proceedings. The Subcommittee is not conducting an adjudicative proceeding but a pre-

adjudicative investigation. To solicit public input on the Subcommittee's first charge it will hold a public meeting on June 17. The meeting will last a maximum of one and half hours. To keep the session productive, the Subcommittee will allow each speaker a maximum of 5 minutes to speak, with follow-up questions from the Subcommittee as it deems necessary. Testimony shall be limited to discussing the Subcommittee's first charge, namely "the appropriate methodologies for measurement and analysis of sound, and procedure for validating noise complaints." The Chairman shall limit discussion to that topic. Advanced registration to speak will be required. Instructions for sign-in and registering to speak will be included in the public meeting notice.

- Following the public meeting, the Subcommittee will publish by July 15 a draft recommendation of the appropriate methodologies for measurement and analysis of sound and procedure for validating noise complaints.
- The Subcommittee will invite written comments, arguments, and testimony on the draft recommendation from all interested parties, which must be filed by July 29.
- The Committee will hold a public meeting on August 16th to decide whether to adopt the draft recommendation as written or as modified.

4. ***Charge 2: Investigation of Complaints.*** While the full Committee considers the Subcommittee's recommendation on Charge 1, the Subcommittee will investigate existing written noise complaints, Aircraft Detection Lighting System ("ADLS") complaints, and other related information. The Subcommittee currently anticipates its investigation may include the following:

- Site visit.
- Consultation with a third-party noise expert with experience in wind energy noise to evaluate complaints. The Subcommittee will coordinate with the full Committee to retain such an expert.
- Information requests and/or interviews.
- Solicitation of written comments, argument, and testimony concerning each complaint.

5. ***Charge 3: Formulation of Recommended Dispositions to Full Committee.*** After the full Committee adopts a standard for the appropriate methodologies for measurement and analysis of sound and the procedure for validating noise complaints, the Subcommittee will hold public meetings according to the necessary procedure to decide recommended dispositions for each complaint. Multiple complaints may be consolidated and considered at the same meeting, especially those raising the same or substantially similar issues. The recommended dispositions will thereafter be transmitted to the full Committee.