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June 6, 2023

Mr. Andrew E. Biemer  
Administrator  
New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

**Re: Docket No. 2021-02  
Investigation of Complaints Regarding Antrim Wind Energy Facility  
Written Comments for June 7, 2023 Public Meeting**

Dear Administrator Biemer:

Antrim Wind Energy LLC (“Antrim”) submits the following written comments in advance of the Site Evaluation Committee’s (“SEC” or “Committee”) public meeting on June 7, 2023, in the above-captioned proceeding, at which Antrim also intends to address the Committee. As recounted in the Subcommittee’s Recommendation to the Site Evaluation Committee Concerning Charge 3 (“Recommendation”), the Subcommittee’s investigation traces back to an order by SEC Chairwoman Martin on April 2, 2021, which in turn can be traced back to complaints filed in Docket No. 2015-02 in January of 2020, nearly three and one-half years ago. The Subcommittee has now plainly concluded that there have been “no violations of the facility’s noise limits” and it therefore recommends that the Committee deny all the noise complaints and undertake no enforcement action. Antrim is grateful that this drawn out, costly affair appears to be finally nearing a reasonable conclusion.

The Committee’s actions in Docket No. 2015-02 and the Subcommittee’s actions in Docket No. 2021-02 are governed by RSA 162-H:12 and Site 302.01, which, in pertinent part, require the Committee to determine, as an administrative matter, whether a person holding a certificate, in this case Antrim, has violated any term or condition of its certificate. In its Recommendation, the Subcommittee thoroughly reviews the long history of this proceeding, including the steps that were taken to confirm the correct sound measurement methodology for performing post-construction sound monitoring and validating noise complaints, which involved a peer review by Cavanaugh Tocci on the Committee’s behalf in Docket No. 2015-02 and the sound study by Harris Miller Miller & Harrison, Inc. (“HMMH”) in this proceeding.

As for the complaints, the SEC charged the Subcommittee with reviewing and investigating complaints filed through December 31, 2021, and making a recommendation regarding their disposition. The Recommendation summarizes the Subcommittee’s approach to successfully

June 6, 2023

Page 2

completing Charge 2, including the hiring of HMMH, and explains in detail the appropriateness of HMMH's actions in conducting the sound study, particularly in light of HMMH being denied access to complainant properties. Moreover, the Subcommittee has faithfully completed Charge 3 by providing the record for the Committee to determine that noise complaints through 2021 are unfounded and that there is no basis for any enforcement action.

With respect to the Subcommittee's recommendation concerning improved complaint processing, Antrim supports efforts to clarify and expedite the process for efficiently resolving complaints so that certificate holders are not subjected to unnecessarily drawn out and therefore costly proceedings. With respect to the prospect of more detailed substantive requirements in the rules, Antrim supports such efforts as well, so long as the SEC continues to base its decision-making on accepted industry standards as the Subcommittee did in this proceeding in fulfilling Charge 1.

In conclusion, as the HMMH study demonstrates, and the Subcommittee confirms, despite numerous and repetitive filings by the complainants and others with no direct connection to the locale, there is simply no evidence that Antrim has violated any term or condition of its certificate. Moreover, it is abundantly clear from the record of this proceeding and Docket No. 2015-02 that there have been more than adequate opportunities for public participation. Accordingly, Antrim respectfully requests that the Committee determine that to be the case and close this proceeding.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barry Needleman", is written over a printed name.

Barry Needleman