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## **A look at the regulatory process large-scale wind projects must undergo to win state approval**

When the topic of wind-powered energy is mentioned to most New Englanders, it's likely that their thoughts quickly turn to the controversial Cape Wind project in Massachusetts.

This project, proposed for Nantucket Sound off the shores of Cape Cod, has obtained the regulatory approvals needed to move forward but is still subject to litigation and financing hurdles. As a result, it's unclear exactly when, if ever, Cape Wind will produce electricity.

While the controversies over Cape Wind continue to swirl, several other onshore New England wind projects have been steadily proceeding and are now contributing clean, renewable energy resources to our region's electricity supply.

In fact, some of those wind-powered generators are located in New Hampshire.

New Hampshire's first commercial-scale wind energy project was built on Lempster Mountain near Route 10 in the Sullivan County town of Lempster. It is a 24-megawatt facility consisting of 12 wind turbines, each having the capability ("nameplate capacity") of producing two megawatts of electricity.

The Lempster Wind facility began commercial operations in fall 2009 and generates enough electricity to power approximately 10,000 New Hampshire homes annually.

Another, the Granite Reliable Wind Park, is located in a remote area of Coos County on ridgelines within the unincorporated places of Dixville, Erving's Location, Millsfield and Odell and the town of Dummer. This 99-megawatt facility has 33 wind turbines, each having a nameplate capacity of three megawatts.

In terms of its generating capacity and geographic size, Granite Reliable is the largest wind-powered facility in New Hampshire. It began producing electricity in early 2012 and is expected to meet the electricity needs of approximately 40,000 New Hampshire homes annually.

The Groton Wind project, located in Grafton County near Rumney and Plymouth, received its approvals last summer from the New Hampshire Site Evaluation Committee. This project was developed by Iberdrola Renewables Inc., the same company that owns the Lempster Project and consists of 24 wind turbines each having a nameplate capacity of two megawatts.

At twice the size of its sister project in Lempster, the Groton project is expected to produce enough electricity for use by approximately 20,000 New Hampshire homes annually.

### **Committee process**

On Jan. 31, Antrim Wind Energy LLC filed an application with the Site Evaluation Committee to obtain approvals for a 30-megawatt wind-powered energy facility in the town of Antrim near Route 9. This project consists of 10 turbines, each having a nameplate capacity of three megawatts.

The filing of Antrim Wind's application is the first step in the formal site evaluation review process that applies to all New Hampshire electricity generation projects having capacity to produce 30 megawatts or more of electricity.

The Site Evaluation Committee's membership is composed of representatives of several state agencies and is chaired by the commissioner of the Department of Environmental Services. The site evaluation process typically includes prehearing conferences held in Concord, at least one public comment hearing in the county where the project is located, a visit to the project site by the committee, several technical meetings at which the applicant must answer questions from intervenors, several rounds of data requests (questions to which the applicant must respond in writing), and adjudicative hearings at which witnesses who have pre-filed written testimony either in support of or against the application are subject to cross-examination under oath, much like a court proceeding.

Thereafter, the applicant and other parties submit briefs summarizing their positions. Also, members of the public are permitted to submit oral and written comments at various stages of the proceedings.

After briefing, the committee publicly deliberates each issue upon which it is required to make findings. These issues include:

- Whether the applicant has the financial, technical and managerial capability to construct and operate the facility
- Whether the project will unduly interfere with the orderly development of the region
- Whether the project will have an unreasonable adverse effect on aesthetics, historic sites, air quality, water quality, the natural environment and public health and safety.

If the committee approves a project, it issues an order and certificate of site and facility, as well as a lengthy written decision that includes findings of fact and rulings of law, along with certificate conditions.

Any party aggrieved by the Site Evaluation Committee's decision may move for rehearing and, if rehearing is denied, may appeal directly to the New Hampshire Supreme Court.

While some may argue that the site evaluation process is difficult and time-consuming, it is indisputable that each energy project coming before the committee is thoroughly vetted.

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