



New Hampshire Wind Watch is a 501(C)(3) organization in the Newfound/Cardigan Region of New Hampshire dedicated to providing education and information about Industrial Wind Power Projects in New Hampshire.

FEDERAL LEVEL UPDATE:

- Wind Production Tax Credit (PTC) – **CALL TO ACTION**

STATE LEVEL UPDATE:

- Great News - JLCAR APPROVES Site Evaluation Committee Rules!!!
- Antrim Wind SEC Application deemed complete

Recent Updates/Articles:

Several large renewable energy firms are struggling to keep afloat – SunEdison, NRG Energy, Abengoa

WIND PRODUCTION TAX CREDIT – **Call to Action**

Congress is again considering an extension of the wind production tax credit ('PTC') as part of what's now become a regular end-of-year spending spree. We expect a vote by next week. We are seeking permission to sign names to the letter at the bottom of this document that will be sent as part of a national campaign this weekend. Our purpose is to inform our representatives in Congress regarding the impacts of continuing this now 23-year old subsidy. Please consider adding your voice to this important effort. If you would like to sign on, please reply to this email with your name and address (city and state is sufficient) *as soon as possible*. Feel free to forward this information on to family, friends and neighbors asking them to participate in this effort.

The letter will be sent to the email addresses in the attached document. These are the Chiefs of Staff and Legislative Directors for the House Leadership, key members of the Ways and Means Committee, as well as members of the influential Republican Study Committee. We need these members to understand that the public supports the elimination of the wind PTC.

We also hope you will consider sending your own email to these addresses. It should be short and to the point. The only message we need to convey is that the wind PTC should NOT be reinstated.

NH SITE EVALUATION COMMITTEE – **RULE Adoption**

The NH Site Evaluation Committee has finalized the changes to its rules governing the safe siting of energy facilities in the State. On Thursday, December 3rd, the Joint Legislative Committee on Administrative Rules (JLCAR) **APPROVED** the Rules. The motion to approve the Rules, put forth by Senator Reagan and supported by the Committee, included a petition to the SEC to provide more specific criteria for the Suspension and Revocation of a certificate, in an expedient manner. This motion will enable to SEC Committee to use the new

Rules to adjudicate any recently accepted applications while they further define the permit Suspension and Revocation criteria.

The information below represents a small part of the many rule changes adopted by the Committee, with respect to wind energy systems, that are of most significance to the general public. The SEC Committee did a good job of listening to the concerns of the stakeholders, gaining an understanding of those concerns and adopting appropriate Rules to better protect the residents and environment of New Hampshire.

1. **Abutter notification** – The SEC added a rule requiring developers to notify abutters of their projects when the pre-application Public Information session is scheduled.

2. **Site Control** – The adopted language reads as follows, “Evidence that the applicant has a current right, an option or other legal basis to acquire the right, to construct, operate and maintain the facility in the form of: a.) ownership, ground lease, easement or other contractual rights or interest.... The Application would not be considered ‘complete’ until the Applicant has full control of the required energy facility property (turbine sites, transmission line, substation, etc).

3. **Aesthetics – Visual Impact** – the visibility analysis for wind projects must extend to a *minimum* of a **10 mile** radius from each turbine. For transmission lines longer than 1-mile located in rural areas along existing transmission corridors that will not require increased corridor width or increased height, a visibility analysis of a **3-mile** radius is required. For transmission lines longer than 1 mile within a rural area with no prior transmission line, a visibility analysis of a **10-mile** radius is required.

Photosimulations are required from key observation points and a *sample of private property observation points* in the area of potential visual impact. Simulations are to be produced under clear weather conditions, at a time of day with optimal clarity, avoiding obstructions, turbines will have full frontal view with no haze or fog applied, representing the shape and height of the actual turbines. If FAA lighting is used, a nighttime lighting assessment is required. At least one set representing winter season conditions (no foliage) is required.

4. **Sound Modeling and Standards** – a sound impact assessment must be done pre- and post-construction in accordance with professional methodologies and detailed in the rules. Wind energy facilities must meet a ‘not-to-exceed’ standard of 45dBA from 8am-8pm and 40dBA at all other times of the day. The sound measurements will be taken ‘on property that is used in whole or in part for permanent or temporary residential purposes.’

5. **Shadow Flicker** – A shadow-flicker assessment must be completed for each residence, learning space, workplace, health care setting, public gathering place (outdoor and indoor), other occupied building and roadway that falls within a minimum of 1 mile from any turbine. Shadow flicker may not occur more than 8 hours per year at any of these locations.

6. **Setbacks** – Applicant must provide a description of planned setbacks that indicate the distance between each wind turbine and the nearest landowner's existing building and property line, and between each wind turbine and the nearest public road and overhead or underground energy infrastructure or energy transmission pipeline **within 2 miles of such wind turbine** along with an assessment of the risks of ice throw, blade shear, tower collapse on public safety (emphasis added). The SEC committee will determine on a case-by-case basis whether there is a concern with the setbacks and/or the appropriate distance that should be set. The same distance consideration is true for transmission lines.

7. **Decommissioning** – The Committee adopted language that followed the Vermont decommissioning standard for wind facilities. A decommissioning plan prepared by an independent, qualified person with demonstrated knowledge and experience in wind generation projects and cost estimates, which plan shall provide for removal of all structures and restoration of the facility site with a description of sufficient and

secure funding to implement the plan, which shall not account for the anticipated salvage value of facility components or materials, including the provision of financial assurance in the form of an irrevocable standby letter of credit, performance bond, surety bond, or unconditional payment guaranty executed by a parent company of the facility owner maintaining at all times an investment grade credit rating.

8. Orderly Development – The general consensus was to include consideration for both the host and affected communities. Affected community is defined as the host and abutting communities and other municipalities (or unincorporated places) that are expected to be affected by the facility, as indicated in studies included in the application. As stated in the Rules, “Each application shall include information regarding the effects of the proposed energy facility on the orderly development of the region, including the views of municipal and regional planning commissions and municipal governing bodies regarding the proposed facility, if such views have been expressed in writing, and master plans of the affected communities and zoning ordinances of the proposed facility host municipalities and unincorporated places, and the applicant's estimate of the effects of the construction and operation of the facility” on land use, economy and employment of the region. The SEC committee shall consider these items in their decision whether to grant a certificate.

9. Public Interest – To determine whether the proposed facility serves the public interest the committee shall consider:

- (a) The welfare of the population;
- (b) Private property;
- (c) the location and growth of industry;
- (d) The overall economic growth of the state;
- (e) The environment of the state;
- (f) historic sites
- (g) Aesthetics;
- (h) Air and water quality;
- (i) The use of natural resources; and
- (j) Public health and safety.

10. Cumulative Impact – For all wind energy facilities, the committee shall consider the cumulative impacts to natural, wildlife, habitat, scenic, recreational, historic and cultural resources, public health and safety, including aesthetic impacts and sound impacts and with respect to aesthetics, the potential impacts of combined observation, successive observation and sequential observation of energy facilities by the viewer. Cumulative impacts must be considered for all existing energy facilities and any application for which an application has been accepted.

For those of you wondering what these Rules mean for the projects proposed within the Newfound/Cardigan area, EDP Renewables submitted a letter to the SEC containing the following statement: *“As currently drafted, the proposed rules contain some of the most restrictive standards for wind development in the United States. If adopted, these rules will severely limit or prevent certain wind energy projects from being developed in New Hampshire. Such a result is inconsistent with New Hampshire’s support for renewable energy technologies found in RSA 362-F and the energy policy articulated in RSA 378:37 which recognizes the need for diversity of energy sources. Adoption of these rules would signal to wind developers that New Hampshire is no longer open for business, and that the clean energy, jobs, tax revenues and other benefits of these projects should go elsewhere.”* The full letter can be found here:

http://www.nhsec.nh.gov/projects/2014-04/documents/2014-04_2015-11-12_edpr_late_filed_comment.pdf

Do you believe EDP Renewables or was this a failed attempt using a standard but transparent wind industry tactic to pressure the Legislators and SEC Committee to adopt less stringent Rules? Time will tell...Antrim

Wind will be the next wind project before the SEC. The outcome of that project will provide more useful insight.

If you would like to see the full list of comments submitted for the SEC Rulemaking effort and related documents, they are available on the SEC Website at this link:

<http://www.nhsec.nh.gov/projects/2014-04/index.htm>

ANTRIM WIND APPLICATION DEEMED *COMPLETE*

On December 1st, the SEC released the Order deeming the Antrim Wind application complete. From the Order, "It is worth noting that this determination is not a determination that the Application deserves the issuance of a Certificate. It is merely a determination that the Application contains sufficient information enabling the Subcommittee to perform the comprehensive review required by RSA 162-H."

The Antrim Wind project will move through the adjudicative process, with the recently enacted administrative Rules, and will include the following public meetings:

- Applicant is required to hold at least one public information session within 45 days from application acceptance.
- The Site Evaluation Committee is required to hold at least one public hearing within 90 days from application acceptance.

The SEC has 365 days from the day the application was deemed complete, to adjudicate the case, resulting in a decision to issue or deny a permit to Antrim Wind.

OTHER RECENT UPDATES

Renewable Energy Firms facing financial problems - too big to fail?

Abengoa: Bankruptcy Looms For Spain's Green Energy Giant:

<http://www.npr.org/sections/parallels/2015/12/02/458127741/bankruptcy-looms-for-spains-clean-energy-giant>

SunEdison (acquired First Wind) facing many problems:

<http://realmoney.thestreet.com/articles/12/02/2015/sunedison-having-family-problems>

NRG Energy's David Crane resigns after investors grew impatient with his costly, long-term plan to transform the power plant owner into a renewable energy pioneer:

<http://www.reuters.com/article/2015/12/03/nrgenergy-ceo-idUSL1N13S1XH20151203#DCVEPuFGH44xoW5T.97>

PTC Letter

Dear :

We, the undersigned, join many thousands of U.S. taxpayers and ratepayers nationwide in urging you and your colleagues to oppose any effort by Congress to reinstate the Production Tax Credit ('PTC') for Wind Energy.

This time last year, Congress awarded the wind industry with a 1-year, \$6.4 billion extension of the PTC. This was preceded by a \$12 billion dollar extension passed in January 2013 and nearly \$13 billion in direct cash outlays issued under the Section 1603 grant program for wind projects placed in service by the end of 2012. That's over \$30 billion in committed taxpayer funds in a few short years. Despite this, the wind industry remains economically unviable and is again demanding billions more.

While public policy has helped the emerging renewables market, it is now evident that the 23-year old subsidy has outlived its usefulness and is, in fact, harming the taxpayers and our competitive energy markets.

1. The wind PTC is uneconomical policy for reducing CO2 emissions and one of the [most expensive](#) approaches to complying with the administration's Clean Power Plan.
2. The pre-tax value of the wind PTC (3.5¢/kWh) ***equals, or exceeds the wholesale price of power*** in much of the country. The size of the subsidy relative to wholesale prices is distorting competitive wholesale energy markets and harming the financial integrity of other, more reliable generation.
3. The wind PTC pays renewable generators the same price for placing a kilowatt-hour of energy [regardless of location or time of day](#) and seasonal demand requirements thereby encouraging renewable generation to be built in the wrong places and that operates when least needed.

Today, hundreds of thousands of acres across the United States have been transformed into sprawling electric generating facilities strung together with expansive transmission systems. Thousands of 500+ foot tall spinning towers consume our open spaces and threaten people and wildlife in their way.

No traditional source of electric generation has ever received an ***open-ended, unlimited subsidy*** comparable to the PTC for every kilowatt hour of energy put on the grid. The wind industry insists the wind PTC is an effective tool to keep electricity rates low. In fact, it is nothing more than a cost imposed on all taxpayers in order to accommodate development of a politically well-connected, high-priced, low-value resource that cannot meet our electric capacity needs and has proven a costly option for reducing emissions.

Please say no to the wind PTC.

NH Wind Watch is a 501(C)(3) organization. As a 501(C)(3) organization, all donations are tax deductible and eligible for company matching programs. We have no affiliation with the national Wind Watch organizations.

Donate TODAY: NH Wind Watch, 215 Lake Street, Bristol, NH 03222

NH Wind Watch uses ALL donations to pay for Legal Counsel and expenses associated with Education and Marketing materials. NH Wind Watch is an all-volunteer organization, funded by fund raising activities and locally concerned citizens.

For more information, visit NHWW's website www.nhwindwatch.org or Facebook page www.facebook.com/NHWindWatch, or contact info@NHWindWatch.org.

Thank you for your continued support.
NH Wind Watch



PLEASE HELP US PRESERVE THIS BEAUTIFUL AREA! Once it's gone, it's GONE FOREVER! DONATE NOW!

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