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August 30, 2019

Via Hand Delivery and Email
Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
c/o New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301-2429

Re: SEC Docket No. 19-02, Application of Chinook Solar, LLC for a Certificate of Site and Facility for the Construction and Operation of a 30MW Solar Generating Facility in Fitzwilliam, New Hampshire – Request to Waive Certain Application Filing Requirements

Dear Ms. Monroe:

Enclosed for filing with the New Hampshire Site Evaluation Committee ("the Committee") in the above-captioned docket is a Request to Waive Certain Application Filing Requirements. We are seeking a waiver pursuant to Admin. Rule Site 302.05 from some of the requirements of Admin. Rule Site 301.01 regarding the number of copies to file with the Committee. We have notified the Attorney General's Office and counsel for the Town of Fitzwilliam Select Board of this filing. The Attorney General has not yet appointed Public Counsel so they have no basis to take a position. The Town has not responded. We would be happy to work with you to ensure that the Committee, the Town and state agencies receive an appropriate number of copies of the Application and accompanying materials in the most useful format.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,

Douglas L. Patch

DLP/eac
Enclosure
cc (via email): Service List in SEC Docket 2019-02
2526618_1

THE STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

SEC DOCKET NO. 2019-02

APPLICATION OF CHINOOK SOLAR, LLC FOR A CERTIFICATE OF SITE AND FACILITY FOR THE CHINOOK SOLAR PROJECT IN FITZWILLIAM, NEW HAMPSHIRE

Applicant's Request to Waive Certain Application Filing Requirements

NOW COMES Chinook Solar, LLC ("Chinook"), by and through their attorneys, and submits this request pursuant to Admin. Rule Site 302.05 to waive the requirement that an applicant submit an original and 15 copies of the Application and accompanying materials to the New Hampshire Site Evaluation Committee ("Committee") and that it submit oversized documents by folding them and putting them in protective tubes. In support of this request, Chinook states the following:

1. Chinook will soon file an Application for a Certificate of Site and Facility to construct a 30MW solar generating facility in Fitzwilliam, New Hampshire ("the Application"). Chinook held a public information session in Fitzwilliam on July 18, 2019 as required by law and notified the Committee of this public information session. As a result of that notification the Committee opened the above-captioned docket.

2. Site 301.01(a) requires that an applicant file an original and 15 copies of the Application with the Committee, as well as an electronic version of the Application in PDF format "unless otherwise directed by the chairperson or the administrator..." Site 301.02(2) requires that oversized documents be folded to an 8 1/2 x 11 inch sheet size and provided in protective tubes.

3. Site 302.05 gives the Committee the authority to waive any provisions of the rules, except where precluded by statute, upon the request of an interested party, provided that the Committee finds that the waiver services the public interest, and that it will not disrupt the orderly and efficient resolution of matters before the Committee. In determining the public interest, the Committee shall waive the rule if compliance would be onerous or inapplicable or the purpose of the rule would be satisfied by an alternative method. The Committee has granted such waivers in the past. *See,* for example, Order on Procedural Waiver Request, April 6, 2016 in SEC Docket No. 2015-04 ("Order on Waiver Request").

4. Chinook anticipates that the Application will be hundreds of pages long, that many documents will be oversized, and that meeting these requirements would require a number of three ring binders. When this is multiplied by 15 copies and by the number of pages involved, as well as the number of documents that will have to be folded and put into protective tubes, the effort will be substantial and will require a significant amount of time and resources.

5. In order to conserve resources and to make it more convenient for the agencies involved, as well as Public Counsel, the Town of Fitzwilliam (the "Town"), and any intervenors, Chinook respectfully requests that the Committee waive the requirement that it generate complete paper copies for each recipient. Chinook will still provide an original of the Application materials to the Committee, including the pre-filed testimony, all related appendices and reports in 8 ½ x 11 inch binders, and the Project maps, visual impact assessment report and related photo simulations unfolded in an 11 x 17 inch binder, 6 paper copies of the Application and pre-filed testimony, and 10 electronic

copies of the Application and all associated attachments in PDF format on a DVD or other electronic media. *See* Order on Waiver Request, pp. 3-4. Chinook will also coordinate with Public Counsel and the Town and provide them with copies that will meet their preferences, and provide such other copies as directed by the Committee.

6. Chinook submits that granting this request will serve the public interest, and that it will not disrupt the orderly and efficient resolution of matters before the Committee. The alternative method described above, which was approved by the Committee in SEC Docket No. 2015-04, will serve the public interest by conserving resources but still satisfying the purpose of the rule.

WHEREFORE, Chinook respectfully requests that the Committee:

A. Grant a waiver pursuant to Site 302.05 as described above; and

B. Grant such other relief as the Committee deems appropriate.

Respectfully submitted,
Chinook Solar, LLC
By Its Attorneys

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Dated: August 30, 2019

Certificate of Service

I hereby certify that a copy of the foregoing request has on this 30th day of August 2019 been sent by email to the service list in SEC Docket No. 2019-02.

By:_____
Douglas L. Patch

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