



February 18, 2014

The Honorable Russell Prescott, Chairman
Senate Energy and Natural Resources Committee
Legislative Office Building, Room 101
Concord, NH 03301

Re: SB 200, relative to energy infrastructure development

Dear Chairman Prescott:

We write in our respective capacities as the Chairman and the Vice Chairman of the Site Evaluation Committee (SEC), established pursuant to RSA 162-H, to provide comments and information that may be helpful to your Committee in its consideration of SB 200, relative to the siting of energy facilities. Please understand that we are not writing on behalf of the full SEC membership, as the SEC has not had an opportunity to call a public meeting for purposes of holding discussions or deliberations regarding this legislation. Rather, this letter is intended to convey our thoughts and concerns based on our respective experiences with the SEC in our roles as the Commissioner of the Department of Environmental Services and the Chairman (and a Commissioner) of the Public Utilities Commission.

First, we assume that the citation in the proposed definition of “Committee”, as described in proposed 162-R:2, III, is meant to be to the site evaluation committee (SEC) established under 162-H:3, not 162-R:3

Second, proposed Section 162-R:5 entitled “Site Evaluation Committee Duties” would assign various new duties and responsibilities to the SEC. We respectfully point out that the SEC is provided with no budget or staff and meets only when necessary to consider docketed matters. Accordingly, for the SEC to take on responsibilities, let alone new responsibilities, it would need to be provided with adequate financial and staff resources to fulfill those obligations. As drafted, SB 200 does not include any such provisions.

Third, the provisions of 162-R:5 are very general in nature and would provide only limited guidance to the SEC as to what is expected. The bill language is unclear as to whether proposals for use of a transmission corridor are to be evaluated solely on the basis of the provisions of 162-R:5 and 162-R:6, or whether these provisions would be in addition to all of the existing criteria specified in RSA 162-H for evaluating projects.

The Honorable Russell Prescott, Chairman
Senate Energy and Natural Resources Committee
February 18, 2014
Re: SB 200

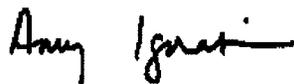
Fourth, the provisions do not appear to grant the SEC the authority to adopt rules regarding competitive bidding procedures or other aspects of the administration of an energy infrastructure corridor program.

Thank you for your consideration in this matter. If you have questions or need additional information, please contact Thomas Burack at 271-2958 or thomas.burack@des.nh.gov or Amy Ignatius at 271-2442 or amy.ignatius@puc.nh.gov.

Sincerely,



Thomas S. Burack, Commissioner, DES and
Chairman, Site Evaluation Committee



Amy Ignatius, Chairman, PUC and
Vice Chairman, Site Evaluation Committee