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**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

21 SOUTH FRUIT STREET, SUITE 10
CONCORD, NEW HAMPSHIRE 03301

DANIEL C. GOLDNER
CHAIR



ANDREW E. BIEMER
ADMINISTRATOR

December 20, 2023

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 20:7 authorize the acceptance of the Site Evaluation Committee Biennial Report for the period July 1, 2021 through June 30, 2023 effective upon Governor and Council approval.

EXPLANATION

Attached, please find copies of the Biennial Report for the Site Evaluation Committee for the 2022 – 2023 Fiscal Years as required by law.

Sincerely,

Andrew Biemer

Andrew E. Biemer
Administrator

Attachment: 2022 – 2023 Biennial Report

SITE EVALUATION COMMITTEE
BIENNIAL REPORT
2022-2023



Christopher T. Sununu

Governor

Joseph D. Kenney

Executive Councilor

District 1

Cinde Warmington

Executive Councilor

District 2

Janet Stevens

Executive Councilor

District 3

Theodore L. Gatsas

Executive Councilor

District 4

David K. Wheeler

Executive Councilor

District 5

Jeb Bradley

Senate President

Sherman Packard

House Speaker

Kevin Avard

Chair of Senate

Energy and Natural

Resources Com.

Michael Vose

Chair of House

Science and

Technology Com.

December 1, 2023

His Excellency, Governor Christopher T. Sununu, the Honorable Executive Council, and Legislators,

Pursuant to RSA 20:7, I am pleased to submit the biennial report of the Site Evaluation Committee for fiscal years 2022-2023.

Respectfully Submitted,

Andrew Biemer

Andrew E. Biemer



The Site Evaluation Committee

The New Hampshire Site Evaluation Committee was established by the legislature for the review, approval, monitoring and enforcement of compliance in the planning, siting, construction and operation of energy facilities. These facilities include, but are not limited to, electrical generation and storage in excess of 30 megawatts capacity.

RSA 12-P:5 administratively attached The Site Evaluation Committee (SEC) to the Department of Energy. The Chair of the Public Utilities Commission serves as the Chair of the SEC. The Vice-Chair of the SEC is the Commissioner of the Department of Environmental Services. The position of SEC Administrator was established in a 2014 statute and reports to the Chair. The two Commissioners of the Public Utilities Commission are also members of the SEC, as are the Commissioners of the Department of Transportation, Department of Natural and Cultural Resources, and the Department of Business and Economic Development. Two members of the public, appointed by the Governor, with the consent of the Executive Council, are also members of the SEC.

RSA 162-H:8-a, requires the SEC to review and evaluate the application and filing fees established in the statute on an annual basis. The SEC's annual review of application and filing fees is scheduled for December of 2023.

Legislation passed in 2022 transferred the responsibility of investigating new complaints concerning violations of certificates granted by the SEC for the construction and operation of energy facilities to the Department of Energy. The effective date of the legislation was October 7, 2023. The Department of Energy has also taken on the related duties of monitoring and enforcement as required by RSA 162-H:12.

Proposed legislation in 2023 includes House Bill 609. If passed, House Bill 609 would reduce the SEC membership to five. If passed the five members would include the chair of the Public Utilities Commission, the two commissioners of the Public Utilities Commission, the commissioner of the Department of Environmental Services and one public member. House Bill 609 would also transfer SEC staff to reside under the umbrella of the Public Utilities Commission. This bill is currently under consideration in The House of Representatives.

SEC Projects

During the biennial period, the SEC completed the administrative process for the following projects:

- Petition for Declaratory Ruling Regarding Avangrid Renewables, LLC and Lempster Wind., LLC.
 - Result of this proceeding was a declaratory ruling regarding placement of a gate at the entrance to the facility.
- New Hampshire Transmission, LLC Seabrook Capacitor Bank Project.

- A request for declaratory ruling was granted and a new certificate of Site and Facility was not needed for the construction of the project.

SEC Expenses

CLASS DESCRIPTION	FY22 EXPENDITURES	FY23 EXPENDITURES
PERSONAL SERVICES UNCLASSIF	\$0	\$84,088
CURRENT EXPENSES	\$669	-\$669
TRANSFERS TO DOIT	\$1,819	\$1,837
TRANSFERS TO GENERAL SERVIC	\$4,080	\$0
TELECOMMUNICATIONS	\$133	\$162
INDIRECT COSTS	\$296	\$0
CONSULTANTS	\$2,787	\$1,976
TRANSFER TO OTHER STATE AGE	\$28	\$6,463
BENEFITS	\$0	\$35,978
BOARD EXPENSES	\$356	\$576
REMUNERATION	\$73,501	\$5,047
IN STATE TRAVEL REIMBURSEME	\$76	\$0
TRANSFER TO DAS MAINT FUND	\$0	\$383
TOTAL EXPENSES	\$83,746	\$135,840

There is a negative in current expenses for FY23 because there was a returned check that was deposited.