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EXHIBIT 1

From: Steve Thurston [steve.thurston@verizon.net]
Sent: Sunday, January 11, 2009 11:26 PM
To: Callahan, Beth
Subject: Fw: Record Hill Wind

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Dear Ms. Callahan,

Thanks for your response. I should point out that you sent it to Linda Kuras, who was cc'd on my email to your supervisor, and not to me. I would not have received it if she had not forwarded it to me. But no harm done.

As an aside, Rob Gardiner stated at a public meeting on video tape that they were submitting the application to the DEP but would ask the DEP not to act on it until after the vote in Roxbury which is coming up this Thursday. So I'm surprised that a deadline for requesting a public hearing would have passed prior to the vote.

I only became aware of the on line availability of the DEP application about a week ago and have not had a chance to read everything. However, if written testimony carries the same weight as testimony presented in a public hearing, then a hearing is probably not warranted. I believe the application fails to meet at least 3 criteria. Thank you for making the information available.

1. Decommissioning plan.

The decommissioning plan states the "recycle value" of each turbine to be \$113,000 or about \$1000 per ton of weight. They do not explain this estimate, but current scrap prices for steel are about \$100 per ton, not \$1000, so they may have understated the decommissioning cost by \$2.2 million dollars. A clarification of this issue is needed. There is no basis for suggesting that the turbines will have more than scrap value, since no reconditioned turbines have ever been installed. This would affect the cash flow projections of the project and impact its financial viability.

The fact that no funds are reserved at the beginning of the project is troublesome because the language of their decommissioning plan gives them significant leeway to abandon the project if it fails to meet their projections "through no fault of their own". And if there is no money in the decommissioning fund at that time, the town will be left with abandoned turbines and no funds to remove them. In as much as the project is projected to cost over \$100 million to construct, \$800,000 to remove it and restore the mountain seems vastly understated. This is not a situation such as where another owner might take over a building and refurbish it, extending its life. Rob Gardiner indicates that new turbines will likely replace the existing ones, but that is pure speculation, and does not address the cost of removing the existing turbines. When the turbines reach the end of their useful life they need to be removed and the funds to remove them should be escrowed at the outset, with interest payable to RHW.

2. Scenic beauty and character of the area

Although Roxbury Pond is not included in the list of Maine's Greatest Lakes, there is sufficient evidence that an error was made that excluded Roxbury Pond from the list. I request that the DEP conduct a site visit, either when the lake is frozen and safe to walk on, or in the spring when a boat can be made available to go out on the pond and take in the panoramic views of near and distant mountains. Roxbury Pond received top marks for water quality and fishing but got a B for scenic beauty. How scenic beauty was defined is unknown, but a visit to the pond will quickly convince you of its special qualities which are enjoyed by camp owners from many different states, as well as numerous recreational users who boat and fish on the pond from the public access. If you conclude that Roxbury Pond is a resource of significant state value by virtue of its viewshed, and the wide distribution of its visitors, (they are not primarily local) then the list of Maine's Greatest Lakes should be updated and I know no reason why that cannot happen.

3. Noise

The most serious concern about the turbine is noise. The noise study conducted for the DEP application failed to meet generally accepted engineering standards for protocols used for measuring ambient sound levels. A night time low level of 26 db was recorded but the average night time level was found to be 35 db. Mention of stream noise, bird and frog vocalizations, and the noise of water dripping from trees indicate that point sources of sound were not eliminated from the study and that ambient levels were therefore overstated.

The Maine Technical Bulletin #4 states that rural night time levels of 20 db should be expected. It also says that sound levels 10 db higher than the background level are perceived by humans to be "twice as loud" as the background level. Their noise study indicates that wind speed at turbine height will be sufficient to operate the turbines even when there is no wind on the pond. This "dead quiet" night time environment is a common occurrence. There is significant risk of turbine noise levels in excess of 10 db above background noise levels when it is quiet on the pond and the turbines are operating. The low level frequencies emitted by turbines have been found to produce adverse health affects which have been given the name "Wind Turbine Noise Syndrome". These low frequency sounds travel further than high pitched sounds but the noise study does not differentiate and assumes a common db level for all frequencies at a given distance from the turbines. As you are aware, some Mars Hill residents have experienced significant quality of life impacts from the noise of the turbines. Given the much larger number of potentially affected homes in Roxbury, I would hope the DEP would be very cautious about the effects

9/18 of turbine noise on the community and take whatever measure are necessary to protect the health and welfare of Roxbury residents, including requiring the turbines to be shut down when wind at affected properties falls below a certain speed at night.

Based on the above information, if you believe a public hearing is warranted, please schedule one. I will provide additional testimony in the coming days.

Thank you for your willingness to hear and respond to the concerns of Roxbury's year round and part time residents.

I am a 4th generation occupant of the camp my great grandfather built on Roxbury Pond. It is owned by my father and my uncle but it will be passed on to their children. I would very much like to pass the camp on to my children and grandchildren with the knowledge that they will get the same enjoyment from it that my family has had over the years. If the turbine project is permitted, I doubt that they will have much interest in the camp, and I believe my own dream of spending significant time in retirement on the pond will be shattered as well. I suppose the camp will have some value, not nearly what it is worth without turbines on the ridges, and it will pass on to other owners, perhaps folks who prefer the noise of turbines over the call of the loon in the middle of the night.

Rather than mail me a fact sheet on public participation, please send me the link, and I will download it. Thanks for your help!

Sincerely,
Steve Thurston
PO Box 1041
Manchester Center, VT 05255

----- Original Message -----

From: [Linda Kuras](#)
To: [Steve Thurston](#)
Sent: Sunday, January 11, 2009 9:01 PM
Subject: Fw: Record Hill Wind

----- Original Message -----

From: [Callahan, Beth](#)
To: lkuras1@roadrunner.com
Sent: Friday, January 09, 2009 9:53 AM
Subject: Record Hill Wind

Dear Mr. Thurston,

Thank you for contacting the Department. I received your inquiry about the status of the Record Hill Wind Project application from my supervisor. I am the project manager that is reviewing that application; so, feel free to contact me directly with any questions or comments.

Regarding the status of the application, the application was received by the Department of December 2, 2008 and was accepted as complete for processing on December 22, 2008. At this time, copies of the application are out to review with other review agencies such as the Department of Inland Fisheries and Wildlife, DEP Division of Watershed Management, DEP Division of Environmental Assessment, and others. I expect to receive comments, recommendations, and/or requests for additional information or clarification possibly at the end of this month or beginning of next month.

The deadline to request a formal public meeting is January 12, 2009. Keep in mind that requests for a formal public hearing must include credible technical information that conflicts with a licensing criterion. However, the public can send written comments at any time during the licensing process to be included the Department's record. I encourage the public to send their comments as earlier as possible so that I have enough time to review them thoroughly.

Please send me your contact information, and I will mail you a Department fact sheet that provides guidance on the ways that the public can participate in the licensing process.

Lastly, the Department recently posted the applications for Record Hill Wind Project and Rollins Wind Project online for public viewing. You can see the application materials at <http://www.maine.gov/dep/blwq/docstand/sitelaw/Selected%20developments/index.htm> .

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Again, feel free to contact me again with any questions or comments. Thank you for your inquiry.

Sincerely,
BETH CALLAHAN
Project Manager
ME Department of Environmental Protection
Division of Land Resource Regulation
(207) 287-7898

From: Steve Thurston [mailto:steve.thurston@verizon.net]
Sent: Thursday, January 08, 2009 7:38 PM
To: Cassida, James
Cc: lkuras1@roadrunner.com
Subject: Record Hill Wind

Hello Jim,
As a property owner in Roxbury I would like to know the status of the Record Hill Wind application, and if there are deadlines for public participation.
Thanks for your help,
Steve Thurston