

BEFORE THE
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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|------------------------------|---|-----------------------|
| _____ |) | |
| Portsmouth Area Tidal Energy |) | Project#: P-12664-000 |
| Hydroelectric Project |) | |
| _____ |) | |

MOTION TO INTERVENE

Pursuant to 18 C.F.R. §385.314 the Rockingham Planning Commission, doing business at 156 Water Street, Exeter, New Hampshire 03833, a governmental agency charged with area-wide planning for the Seacoast Region of New Hampshire including the portions of the proposed project area which lie within the State of New Hampshire or the tidal waters abutting the State of New Hampshire, hereby provides notice that it is intervening in the above-styled proceeding. The applicant seeks to construct a Tidal Energy Hydroelectric Project in the Piscataqua River. The Rockingham Planning Commission has a public interest in the potential impacts of the project as they may affect interference to commerce, particularly navigation, shipping and port operations; interference with recreation, in particular boating; adverse impacts on the natural environment, including shoreline erosion occasioned by the alteration of stream currents; impacts to marine life, including harbor seals, anadromous fish, benthic organisms, and related wildlife; and impact to bridge reconstruction and maintenance for the three major bridges included in the project area. The Planning Commission is not in favor, nor opposed, to the project at this point in time, given the need to develop further information upon the exact parameters of the proposal and the most probable impacts thereof. The

following are the names and addresses of the representatives of the Rockingham Planning Commission which should be added to the service list for this proceeding.

Cliff Sinnott (csinnott@RPC-NH.org)
Executive Director
Rockingham Planning Commission
156 Water Street
Exeter, NH 03833

Charles F. Tucker, Esquire (Ctucker@DTCLawyers.com)
Donahue, Tucker & Ciandella, PLLC
225 Water Street
Exeter, NH 03833

Respectfully submitted,
Rockingham Planning Commission
By their Attorneys,
DONAHUE, TUCKER & CIANDELLA, PLLC

Dated: June 30, 2006

By: /s/ Charles F. Tucker, Esq.
Charles F. Tucker, Esquire

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene has been forwarded this date to Applicant Contact: Joseph A. Cannon, at Pillsbury, Whithrop, Shaw & Pittman, LLP at 2300 N. Street NW, Washington, DC 20037 AND Charles B. Cooper, TRC Environmental, Boott Mills South, 116 John Street, Lowell, MA 01852.

Dated: June 30, 2006

By: /s/ Charles F. Tucker, Esq.
Charles F. Tucker, Esquire