

Press Release.

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Massachusetts Supreme Court Grants Cape Wind All State and Local Permits

First off-shore U.S. wind farm moves ahead, will bring 1,000 green jobs to Massachusetts

Today the Massachusetts Supreme Judicial Court upheld the ruling of a state energy board that had granted all state and local permits to Cape Wind, clearing the way for America's first off-shore wind farm to proceed on Nantucket Sound and create an estimated 1,000 green construction jobs.

The Court's decision affirmed a May 2009 decision of the State Energy Facility Siting Board, which had granted Cape Wind the first-ever "composite certificate." Cape Wind had been denied a local permit from the Cape Cod Commission and thus applied to the Siting Board for a single permit that would consist of all state and local permits for the Cape Wind project. Non-profit group Clean Power Now had intervened in the Siting Board case and strenuously argued that Cape Wind was entitled to a composite certificate so that the state permitting process could come to a close. In all, 17 federal and state agencies reviewed Cape Wind.

The state high court agreed with Clean Power Now that the Siting Board had not only the authority but the legal duty to grant all state and local permits to Cape Wind. In so doing, the Court recognized that the wind farm, including its in-state impacts, "has undergone extensive scrutiny by Federal and State agencies." The Court rejected the opponents' claims that the siting board did not properly consider the environmental impacts of the transmission project and found the board's decision on that point to be "supported by substantial evidence in the record." Cape Wind now has in hand all federal and state permits needed to construct the wind farm.

Barbara Hill, Executive Director of Clean Power Now, which supported Cape Wind in the case before the Supreme Judicial Court, said, "Today's Supreme Judicial Court ruling, affirming the Energy Facilities Siting Board decision to issue a composite certificate to Cape Wind, is a victory for the people in the Commonwealth. This decision paves the way to building a real, viable and sustainable clean energy industry here in Massachusetts."

Matthew Pawa, an attorney representing Clean Power Now, said, "Today's decision by the state high court is the latest in a long series of legal decisions rejecting the arguments of an opposition group, funded largely by donors who have made their fortunes in the coal and oil industries, that has sought to kill this vital clean energy project. It is time for the opponents of this project to stop

filing frivolous legal challenges and for construction to commence.” He added: “Today’s Supreme Judicial Court decision approving Cape Wind is a major step toward reducing America’s greenhouse gas pollution and helping to meet the goal of 20 percent renewable energy by 2030. The decision comes, appropriately, in the midst of a historic heat wave in New England and in a year in which New England – and the world – have felt the frightening signs of overheating.”

Projected output from the 420MW wind farm will be enough to meet the yearly demand from about 223,776 households. ,save New England more than \$800 million in energy costs over the next two decades, and avoid the emission of 734,000 tons of global warming emissions a year. For interviews, please contact Barbara Hill at 508-776-6489, Matt Pawa at 617-641-9550/617-233-3773 cell Patricia Charles of RenewComm at 301-887-1060.

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