

Nineteen liens filed against Noble Wethersfield Wind Park

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WETHERSFIELD — A total of 19 liens have been filed in connection with the Noble Wethersfield Wind Park completed last summer.

The liens are the latest blow to Connecticut-based Noble Environmental Power, which experienced a spate of difficulties including a turbine collapse March 6 in Franklin County.

The liens include:

— Nine liens were filed Feb. 13 by the Stuart C. Irby Co. totaling \$393,621.96. Each names Noble Wethersfield Windpark LLC, Noble Environmental Power and Noble Constructors LLC.

The Irby company is a nationwide electrical distributor whose products include services and supplies for commercial, utility and industrial use.

— Four liens were filed Jan. 26 against Noble Environmental Power LLC by Robert Maxwell, the former project manager based at the company's facility in Eagle.

Maxwell said in the documents that he performed the “acquisition of land rights and environmental permits, and the facilitation of compliance with local, municipal requirements” on Noble's behalf.

Those liens total \$66,176. Three also name local property owners including McCormick Farms Inc.; Ronald and Linda Konka of Hobday Road; and Thomas Walczak of Wolcott Road.

— AECOM USA Inc. filed six liens totaling \$206,698.08 on Jan. 16 against Noble Environmental Power LLC. One also names individual property owner Dana R. Walton of Wethersfield.

AECOM is a global provider of professional technical management support services for the environmental and energy sectors, among others.

Each of the 19 liens was classified as “mechanics lien,” which is filed when a person or business doesn't receive payment for a service or materials.

Each lien renders the property owner unable to obtain a clear title to the property. The liens can also damage the owners' credit scores, affecting the owners' ability to obtain loans and lines of credit.

Walton said Thursday evening he has one turbine on his Wolcott Road property. He said he otherwise didn't have much involvement in the project, but was aware of the liens.

He otherwise doesn't really know the situation's particulars, and isn't particularly worried.

"I was assured (by Noble) it would be taken care of," he said. "I'm just waiting to see if it is or not."

The other private landowners involved could not be reached or declined comment. Noble Environmental Power officials also couldn't be reached for comment.

The liens aren't limited to the Wethersfield project. They also include 46 liens in Franklin County totaling about \$3.78 million, and liens totaling \$6.4 million in Clinton County, where the company also has projects.

Though Noble's Bliss and Wethersfield wind parks opened with fanfare, Noble has been buffeted by recent events including the ongoing economic recession.

The company announced in November that financial market conditions had forced it to scale back its 2009 development plans, and reduce its work force.

Noble Environmental Power lost \$7.76 million in 2005; \$20.68 million in 2006; and \$48 million in 2007, according to a Sept. 11, 2008, filing with the Securities and Exchange Commission.

Its assets were listed at nearly \$240 million on Dec. 31, 2007, the document reads.

The company had filed in May for permission to offer public stocks, in hope of raising \$375 million. But backers included Lehman Brothers, which has since declared bankruptcy.

Officials in December said the company remained committed to construction and development of its 21-turbine Noble Belmont wind park in Franklin County, but was "unable to speculate on its 2009 construction and development plans" due to financial market uncertainties.

According to documents filed with the state, Noble Environmental Power sells the output of its facilities exclusively at wholesale in the spot markets administered by the New York Independent System Operator, or neighboring control areas.

The company also sells environmental attributes — or renewable energy credits — to purchasers such as green energy marketers, the New York State Energy Research and Development Authority or other customers.

Noble Environmental Power LLC currently has six operational wind parks in New York. They include Noble Altona, Chateaugay, Noble Clinton, Noble Ellenburg, Noble Bliss and Noble Wethersfield.

The company's also developing the Noble Belmont, Noble Allegany and Noble Ball Hill windparks within the state.

SIDEBAR: Stout expects state wind panel to discuss liens

WARSAW — Wyoming County District Attorney Gerald Stout is part of the state's wind energy task force formed to examine ethics issues. He believes information from Franklin and Wyoming counties about liens against Noble Environmental Power will likely be discussed during its upcoming meeting in Syracuse.

Stout said the task force will probably review the information, along with the March 6 turbine collapse at Noble Environmental Power's Altona, N.Y., wind farm. Members will also look at ways to urge the seven remaining wind energy development companies pursuing projects in the state to sign a voluntary ethics code.

The code was developed by the state Attorney General's office for wind power developers and municipal officials. It's already been signed by Noble Environmental Power and First Wind, after accusations of anti-competitive practices and improper dealings with local officials.

None of those accusations resulted in any criminal charges or penalties.

Stout said he's concerned about Invenergy LLC signing the agreement, since the company has completed the High Sheldon Wind Farm in Sheldon, and is considering another project in Orangeville.

Stout said he hasn't received any complaints from landowners regarding the Noble Wethersfield wind farm.

— By Matt Surtel

[The Daily News Online](#)

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<http://www.wind-watch.org/news/2009/03/28/nineteen-liens-filed-against-noble-wethersfield-wind-park/>