

Susanne Miller
Bureau of Land Resources, c/o Jim Beyer
Maine Department of Environmental Protection
106 Hogan Road Suite 6
Bangor, Maine 04401

Via Electronic Mail

February 4, 2019

Re: Letter in Support of Motion for Reconsideration from Intervenor Groups 2 and 10

Dear Ms. Miller:

Intervenor Group 4 (Appalachian Mountain Club, the Natural Resources Council of Maine, and Trout Unlimited) support the motion for reconsideration filed by Intervenor Groups 2 and 10. As we stated at the second prehearing conference on January 17, 2019, we object to DEP's scheduling deadlines for testimony and hearing dates when the record for the hearing is still incomplete. On January 31, 2019, Central Maine Power submitted 16 files comprising more than 1000 pages, adding to the already voluminous record. This includes a new version of the compensation plan and responses to DEP's comments on the plan. This morning, February 4, 2019, DEP submitted additional information concerning stream crossings that is relevant to brook trout impacts. All of this is critical information for our witnesses. Holding hearings and expecting our witnesses to prepare testimony on a record that changes weekly and may change again next week is not acceptable or fair, and it will not result in a hearing process that provides good information.

Further, DEP stated at the second prehearing conference that it would make available correspondence between agency staff and CMP. We have seen no updates to the DEP web page containing such correspondence nor have we seen any emails from DEP alerting us to the availability of this correspondence.

DEP should, as Intervenor Groups 2 and 10 suggested, move the schedule for hearings and testimony back at least 30 days. We would prefer, in fact, that DEP postpone scheduling testimony deadlines and hearing dates until DEP formally notifies the parties that the applicant and agencies have finished filing new information and the record is complete. We ask that DEP provide at least 30 days for testimony, one week for objections, and an additional 30 days for rebuttal testimony after the parties have been notified that the record is complete. Hearings should begin no sooner than three weeks after the filing of rebuttal testimony.

Sincerely,



Nick Bennett
Natural Resources Council of Maine

A handwritten signature in black ink, appearing to read "David Publicover". The signature is fluid and cursive, with a prominent initial "D".

David Publicover
Appalachian Mountain Club

A handwritten signature in black ink, appearing to read "Jeff Reardon". The signature is cursive and includes a stylized "T.U." at the end, likely representing Trout Unlimited.

Jeff Reardon
Trout Unlimited