

EXHIBIT 14

DOWNEAST LNG, INC and) APPLICATIONS FOR AIR EMISSION,
DOWNEAST PIPELINE, LLC) SITE LOCATION OF DEVELOPMENT,
Robbinston, Calais, Baring Plantation) NATURAL RESOURCES PROTECTION ACT,
Baileyville, Princeton) WATER QUALITY CERTIFICATION
Washington County, Maine)
#A-000960-71-A-N) SECOND PROCEDURAL ORDER
#L-23432-26-A-N)
#L-23432-TG-B-N)

On March 27, 2007, the Board held a pre-hearing conference at the Bangor Office of the Department of Environmental Protection on the applications by Downeast LNG, Inc. and Downeast Pipeline LLC to construct a liquefied natural gas terminal and import facility in Robbinston and pipeline project in Robbinston, Calais, Baring Plantation, Baileyville and Princeton. The purpose of the conference was to review the responsibilities of the applicant and intervenors, the relevant review criteria and the issues to be addressed at hearing, and the procedural rules that will be followed in preparation for and during the hearing. This Order sets forth the Presiding Officer's rulings on certain matters discussed at the conference.

Persons present:

Virginia Plummer, Presiding Officer	Kimberly Cook, Esq. for Eastport & Eastport Port Authority
Peggy Bensinger, Assist. Attorney General	Clifford Goodall, Esq. for Robbinston Residents & Professional Mariners
Cynthia Bertocci, Board Executive Analyst	Ronald Shems, Esq. for Save Passamaquoddy Bay (SPB), We Take Care of Our Land (WTCOOL), and the Fishermen's Assoc.
Terry Hanson, Board Admin. Assistant	Rebecca Boucher, Esq. for SPB, WTCOOL and the Fishermen's Assoc.
Jim Cassida, DEP staff	Ronald Kreisman, Esq. for SPB, WTCOOL and the Fishermen's Assoc.
Jennifer Cayer, DEP staff	Lynne Williams, Esq. for Lea & Joseph Sullivan
Jessica Damon, DEP staff	Robert Godfrey, Save Passamaquoddy Bay
Jon Voisine, DEP staff	Michael Footer, Robbinston Residents
Philip Ahrens, Esq. for Downeast LNG	Cathy Footer, Robbinston Residents
Matthew Manahan, Esq. for Downeast LNG	
Robert Wyatt, Downeast LNG	
Harold Ian Emery, Esq. for North East Energy Development Company	
Rober Huber, Esq. for Town of Robbinston	
Edgar Catlin, Esq. for Bear Creek Investments	
Greg Cunningham, Esq. for Quoddy Bay	
Gordon Grimes, Esq. for Quoddy Bay	
Harold Bailey, Roosevelt Campobello Int'l Park Commission (RCIPC)	

1. Role/Responsibilities of the Parties and Department Staff

Applicant: Under Chapter 2, section 11(F) of the Department’s rules, “an applicant for a license has the burden of proof to affirmatively demonstrate to the Department that each of the licensing criteria in statute or rule has been met...For those matters that are not disputed, the applicant shall present sufficient evidence that the licensing criteria are satisfied. For those matters related to licensing criteria that are disputed by evidence the Department determines is credible, the applicant has the burden of proving by a preponderance of the evidence that the licensing criteria are satisfied.” The applicant has the right to present witnesses in support of its applications and to cross-examine the witnesses of the other parties. The applicant will be required to file its testimony in writing in advance of the hearing, and to copy all intervenors on all documents and correspondence it files with the Board. Witnesses for the applicant will be subject to cross-examination at the hearing.

Intervenors: The intervenors have the right to present evidence regarding the licensing criteria and to cross-examine the witnesses of the applicant and other parties. Each intervenor is required to present its case, including witnesses, documentary evidence, and any oral argument, during the time allotted for that purpose. As parties to the proceeding, intervenors are required to copy the applicant and all other parties on all documents and correspondence they file with the Board. Intervenors will be required to file their testimony in writing in advance of the hearing. Witnesses for the intervenors will be subject to cross-examination at the hearing. An intervenor may elect not to present evidence and simply cross-examine the witnesses of the applicant and the other parties.

Interested Person: Interested persons receive from the Department the following information regarding the hearing: all procedural orders (these orders include rulings on matters such as the scope, procedures, and organization of the hearing), notice of all meetings at which the Board will take an official action in this matter (including a copy of the Board agenda, any Department memorandum, and draft proposed order); public hearing notices; and notice of the opportunity to comment on the Department’s draft recommendation on the license application. Interested persons do not need to file their testimony in advance of the hearing and may testify at the session of the hearing reserved to receive testimony from the general public. Interested persons do not have the same right of cross-examination as the applicant and the intervenors, although, at the Chair’s discretion, they may be allowed to ask a specific question of a witness through the Chair.

General Public: The entire hearing is open to the public. It is the practice of the Board to receive testimony from each party’s witnesses during the daytime sessions and to reserve one or more evening sessions to receive testimony from the general public. As with all testimony, public testimony is under oath. Members of the public do not have to file their testimony in advance of the hearing and they are generally not cross-examined by the parties, although the Board and staff may ask clarifying questions. Members of the public do not have the same right of cross-examination as the applicant and the intervenors, although, at the Chair’s discretion, they may be allowed to ask a specific question of a witness through the Chair.

Department Staff: The role of the DEP Project Manager includes gathering facts and comments on the applications on behalf of the Board. The Project Manager may ask questions of witnesses at the hearing. At the conclusion of the hearing, Department staff will analyze the record and draft a recommendation for the Board's consideration.

3. Consolidation of Parties

In its First Procedural Order in this matter, the Board granted intervenor status to 13 persons and entities. Pursuant to Chapter 30, section 5(A)(4) of the Department's rules, the Presiding Officer may require parties to join their appearances in part or in whole if their interests or contentions are substantially similar and consolidation would expedite or simplify the hearing without prejudice to the rights of any party. Consolidation of parties was discussed at the hearing and certain parties were asked to consider consolidating with one another and to report back to the Board.

By letter dated April 2, 2007, Roosevelt Campobello International Park Commission (RCIPC) notified the Board that it prefers not to be consolidated with other intervenors because it is a quasi-governmental entity with unique responsibilities. RCIPC further stated that it does not intend to offer testimony or present witnesses at the hearing, but it would like to continue as an intervenor with the right to cross-examine the witnesses of the other parties.

Ruling: RCIPC is not consolidated with any other party.

By letter dated April 2, 2007, Save Passamaquoddy Bay-U.S., We Take Care of Our Land, and New Brunswick Fishermen's Associations (Fundy North Fishermen's Association, Fundy Weir Fishermen's Association, Grand Manan Fishermen's Association, Campobello Fishermen's Association) stated that they have already consolidated with one another and that further consolidation is not appropriate or feasible. By letter dated April 2, 2007, Lea and Joseph Sullivan, who were part of Save Passamaquoddy Bay's petition for intervention, stated that they are abutters to the proposed development site and want independently to represent themselves on two matters related to the eel fishery; namely, preservation of a site of historic significance and preservation of historic eel habitat. Save Passamaquoddy Bay-U.S et al. states that it is not able to represent the Sullivans on these issues.

Ruling: The Sullivans are consolidated with Save Passamaquoddy Bay-U.S. et al. on all matters except those pertaining to the eel fishery.

At the conference and by letter dated April 2, 2007, Save Passamaquoddy Bay-U.S. et al. suggested that the Board consider consolidation of the applicant with the other potential LNG applicants (Quoddy Bay LNG and North East Energy Development Company). The applicant argued to the contrary at the conference. In addition, by letter dated April 4, 2007, Quoddy Bay argued that it is not appropriate to consolidate any party with the applicant since it is the applicant's burden to demonstrate that the licensing criteria are met. Quoddy Bay further argued that it is not appropriate to require consolidation of competitors for resource and confidentiality reasons.

Ruling: The applicant has the burden of proof in the proceeding before the Board and is by right a separate party to the proceeding. The argument that competitors should not be consolidated in this particular matter is convincing; therefore, Quoddy Bay LNG and North East Energy Development Company are not consolidated.

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At the conference, the Board asked Quoddy Bay to explore consolidation with Bear Creek Investments. In its response, Quoddy Bay has argued that, while Quoddy Bay and Bear Creek have common owners, they have insufficient commonality of interest on the issues to warrant consolidation. Ruling: Given the common ownership of Quoddy Bay and Bear Creek Investments, they are in a position to consolidate their appearances at the hearing and consolidation is so ordered. To the extent that either Quoddy Bay or Bear Creek does not join in the testimony of the other party on a specific issue, they may state that fact on the record and may make a request to file or testify separately on that issue.

Ruling on Consolidation of Other Parties:

The City of Eastport and the Eastport Port Authority are represented by the same attorney and have not presented any reason to limit consolidation of their appearance in this proceeding; therefore, City of Eastport and Eastport Port Authority are consolidated.

Town of Robbinston Residents and Professional Mariners and Waterway Users of Passamaquoddy Bay are represented by the same attorney and have not presented any reason to limit consolidation of their appearance in this proceeding; therefore, their appearance is consolidated.

The Town of Robbinston was asked to consider consolidation with Town of Robbinston Residents and Professional Mariners and Waterway Users of Passamaquoddy Bay since they have all stated their support for the project. However, the Town of Robbinston has expressed opposition to consolidation and expects to focus on different issues than the other parties. Town of Robbinston will not be required to consolidate with any other party at this time, but the town is urged to further explore the possibility of consolidation with Town of Robbinston Residents and Professional Mariners and Waterway Users of Passamaquoddy Bay.

By letter dated April 2, 2007, the Board confirmed that Harris Point Shore Cabins and Motel no longer intends to participate as an intervenor in this proceeding, but rather will participate as an interested person. Accordingly, Harris Point may present its testimony during the time allotted to receive testimony from the general public.

4. Relevant Review Criteria and Issues to be Addressed at Hearing

Downeast LNG has filed applications with the Department of Environmental Protection for the following permits: Site Location of Development (38 MRSA section §§ 481 to 490); Natural Resources Protection Act ("NRPA") (38 MRSA §§ 480-A to 480-BB); Air Emissions (38 MRSA §§ 581 to 608-A); and Section 401 Water Quality Certification of the federal Clean Water Act, 33 U.S.C. §§ 1341 . Review of these applications shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. §§ 1456.

In accordance with the First Procedural Order, the intervenors were required to submit, by March 20, 2007, a preliminary list of issues (citing the applicable review standards) on which the intervenor intends to present evidence at the hearing. These issues were reviewed at the conference.

Scope: Parties requested clarification of the geographic scope of the Board's review. The Board's review includes all areas in the State within the scope of the laws under which applications have been filed, including the coastal wetland within Maine's coastal waters, out to the 3-mile mark. Pursuant to the Coastal Zone Management Act, if there are activities for which a federal permit is being sought which may result in impacts within Maine's Coastal Zone, the Board may consider evidence pertaining to such impacts. Questions raised at the conference regarding the admissibility of evidence pertaining to potential impacts to Campobello are still under consideration.

Specific Issues: Following a review of the preliminary issues identified by the parties prior to the pre-hearing conference, the Board comments as follows.

- Access to shipping lanes. One party argued that, given the position of the Canadian government with respect to passage of LNG tankers through Head Harbour Passage and Western Passage as set forth in the February 14, 2007 letter from the Canadian Embassy to the U.S. Federal Energy Regulatory Commission, the applicant does not have sufficient title, right or interest to develop the proposed project, will be unable to demonstrate adequate financial capacity to build the project, and will be unable to complete the project within the timeframes established in the Department's rules. This matter is being addressed separately.
- Use of nitrogen to ensure pipeline quality gas. At the conference, Downeast confirmed that it will not be using nitrogen for this purpose; therefore, this issue will not be addressed at the hearing.
- Cumulative impact. In their submissions, several parties argued that the Board should evaluate the impact of the proposed project in light of the other LNG facilities that are likely to be proposed in Washington County and, in particular, in Passamaquoddy Bay. The Board's consideration of cumulative impact is limited to an assessment of the impacts of the proposed project together with the existing development in the area. The Board cannot speculate about the potential impacts of other similar projects that are not yet approved or constructed.
- Expansion of Maritimes Northeast Pipeline. There are no applications for permits to expand the Maritimes Northeast Pipeline, which may be used to accommodate the natural gas from the proposed facility, currently before the Board or the Department; therefore, the potential impacts of such an expansion are not being reviewed in this proceeding.
- Land-based vehicular traffic. The traffic standard in the Site Law was repealed several years ago. The Department of Transportation now has jurisdiction over traffic issues.
- Worker accommodations. Two parties noted that Downeast has not proposed housing to accommodate construction workers, and they expressed interest in raising this issue in this proceeding. Since the applicant has not proposed to build worker accommodations, there is nothing in this regard to review in terms of the environmental impacts of this project.

- Project energy needs. One party noted that the applicant has not stated how electricity will be brought to the site or whether any structures will be constructed for this purpose. The routine provision of electricity to a site is not generally considered in the evaluation of a project. The applicant is not proposing any new structures for this purpose. If a major new utility corridor is needed, it would require review and approval.
- Jobs, economic development, and real estate values. Several parties stated an interest in submitting evidence on the impact of the proposed project on jobs (negative and positive) as well as real estate values and opportunities for economic development in the vicinity of the project. The Board cannot consider such economic impacts under the laws for which permits are being sought in this proceeding. To the extent that a proposed project may impact a protected natural resource such as a fishery or an existing use the coastal wetland such as recreation, the parties may present evidence on those impacts. Additionally, with respect to the reasonableness of any impacts to wetlands, the Board may consider the type and degree of benefit from the proposed activity – public, commercial or personal. Potential impacts of a proposed project on real estate values are not within the Board’s jurisdiction; therefore, evidence on this issue will not be admissible.
- Potential for oil spills. One party expressed concern about the challenges of the proposed tanker route and the potential for an oil spill to impact water quality and marine resources. Evidence associated with potential impacts to water quality from the proposed facility and tanker traffic is relevant. The Board may consider the evidence of impacts of LNG tankers on the coastal wetland as they are coming and going from the terminal facility.
- Vessel anchorage or holding areas. If such areas are identified or required, the impact of such areas on the protected natural resource would be relevant.
- Safety, acts of terrorism. The safety of LNG facilities and tankers is regulated by the Federal Energy Regulatory Commission; the Board does not have jurisdiction on this issue.

5. Pre-filed Testimony and Availability of Witnesses

It is the practice of the Board to require that each party to the proceeding submit in writing in advance of the hearing the testimony of its witnesses so that the Board, staff and the other parties may review the testimony prior to the hearing and be prepared to question or cross-examine the witnesses. The parties must pre-file their direct and rebuttal testimony in this proceeding. All testimony must be sworn. In instances where the person testifying is providing expert testimony on an issue before the Board, the credentials of that individual must be included with the testimony. Exhibits that are being entered into the record must accompany the pre-filed testimony. Reduced versions of oversized exhibits may be submitted, with the full size exhibit presented at the hearing. If, in its pre-filed testimony, a party wants the Board to refer to specific documents in the application file, the party should attach those documents (or relevant portions thereof) as exhibits unless this requirement is waived by the Presiding Officer.

Each party is asked to label its exhibits sequentially as follows so that no numbers for that party are repeated:

- Downeast LNG: DLNG-1, DLNG-2, etc.
- Quoddy Bay and Bear Creek Investments: Q/BC-1, Q/BC-2, etc.
- North East Energy Development Co.: NEE-1, NEE-2, etc.
- City of Eastport and Eastport Port Authority: E-1, E-2, etc.
- Town of Robbinston: R-1, R-2, etc.
- Robbinston Residents, Professional Mariners and Waterway Users: RR/PM-1, RR/PM-2, etc.
- Save Passamaquoddy Bay-U.S. et. al.: SPB-1, SPB-2, etc.
- Sullivan: S-1, S-1, etc.

Availability of Witnesses: The Maine Administrative Procedure Act requires that all persons providing sworn, written testimony must be available for cross-examination. It is Board practice to require all witnesses to be present in person at the hearing for cross-examination. The Board will make every effort to accommodate witnesses with disabilities. Parties should notify the Board of any such limitations at the time of witness identification.

6. Chapter 30 Hearing Rules

Chapter 30 of the Department's rules governs public hearings on matters of significant public interest. The Presiding Officer has authority to vary from Chapter 30, as stated at Chapter 30, section 9(A)(4) and Chapter 2, section 7(C) if compliance with a provision is determined to be impractical or unnecessary in any given proceeding. The hearing in this matter will be conducted in accordance with Chapter 30 with the clarifications and modifications set forth in Attachment A.

7. Filing Requirements, Service List and Attendance

If there is a deadline for filing of a document with the Board, the document must be received in the Department's Augusta office by **4:00 p.m.** unless otherwise specified. Filings with the Board by telefax and electronic mail are acceptable, provided they are received by the deadline and are followed by receipt of an original document within five working days. The sender bears the risk that a filing by telefax or electronic mail might not be received by the deadline due to technical or other difficulties. Electronic mail attachments should be submitted in pdf format if possible.

Every time any party sends a document to the Board, that party must send a copy on the due date to the designated spokesperson for each of the other parties as indicated on the attached service list. Service of parties by electronic mail only on the due date is acceptable, except that each designated spokesperson must also be provided with a paper copy of all pre-filed testimony unless that person notifies the other parties that a paper copy is not needed.

Department staff, Board staff and counsel to the Board will copy the spokesperson for each party on procedural orders, formal decisions of the Presiding Officer and other similar documents. If any party wishes to change the person designated on the service list, the party shall notify all other persons on the service list.

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In addition to the above distribution requirements, some parties have requested that additional persons be copied by electronic mail on all Board rulings and on all filings with the Board. These persons are listed at the end of the service list. Parties are asked to provide electronic copies to these additional persons as a courtesy; however, service upon a party is complete when the designated spokesperson for a party as identified on the service list has been notified.

A representative of the applicant and intervenors must attend the pre-hearing conferences and the public hearing, and parties shall adhere to all schedules and deadlines. If unforeseen circumstances make attendance at a conference or a session of the hearing impossible, parties are asked to send a substitute who can speak on behalf of the absent party.

8. Organization of the Hearing

The parties will generally present their evidence during the daytime sessions of the hearing, with one or more evening sessions reserved to receive testimony from the general public. The applicant will present its witnesses first, followed by the intervenors in an order to be determined by the Presiding Officer at a later date.

9. Site Visit

At the conference, the Board stated its intent to conduct a site visit and its preference to conduct such visits with Department staff only. There was no objection. Prior to the site visit, parties will have the opportunity to suggest features or areas to observe. The site visit will be documented in a memo to the file, which will be copied to all parties.

10. Schedule

This order establishes the following schedule:

- Witness list for pre-filed direct testimony: Friday, May 4, 2007
- Pre-filed direct testimony: Friday, June 1, 2007
- Pre-hearing conference: Tuesday, June 12, 2007
- Pre-filed rebuttal testimony and suggestions for site visit: Friday, June 22, 2007
- Public hearing: Week of July 16, 2007. Parties are asked to reserve the week. The dates of the hearing will be finalized following submission of pre-filed direct testimony.

11. Ex-parte Communications

The Board's decision on the pending applications must be made based on evidence that is in the record and available to all. Therefore, as set forth in the Administrative Procedure Act, 5 M.R.S.A. §§ 9055, the parties may not communicate directly or indirectly with any member of the Board in connection with any issue of fact, law or procedure pertaining to this licensing proceeding while the matter is pending. The parties may communicate with Department staff, counsel to the Board, the Board's Executive Analyst, and the Board's Administrative Assistant.

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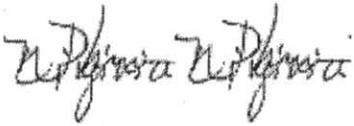
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12. Appeal

Any appeal of this order to the full Board must be filed by Friday, May 4, 2007 at 4:00 pm and will be considered by the full Board at its regular meeting on Thursday, May 17, 2007.

DONE AND DATED AT AUGUSTA, MAINE THIS 25th DAY OF APRIL, 2007

BOARD OF ENVIRONMENTAL PROTECTION



BY:

Virginia N. Plummer, Chair

Downeast LNG Second Procedural Order**Attachment A: Proposed Variations from, and Clarifications of, Chapter 30 Procedural Rules**

While Chapter 30 is generally applicable to public hearings on matters of significant public interest, the Presiding Officer has authority to deviate from Chapter 30 as stated at Chapter 30, section 9A(4) and Chapter 2, section 7C of the Department's Rules if compliance with a provision is determined to be impractical or unnecessary in any given proceeding. The Presiding Officer will conduct the public hearing in this matter in accordance with Chapter 30 except for the following procedural variations from Chapter 30.

Subsections 6(A)(1), 6(A)(2), and 6(A)(3):

These three subsections provide that the Board may order a prehearing review in which the intervenors review all materials provided by the applicant and prepare in writing and serve on all parties specific questions which the intervenors believe should be asked about the application as well as any requests for additional materials which the intervenors believe the applicant should provide. They also provide a mechanism for the Board and staff to present questions in writing to the applicant. The applicant is then required to respond in writing to these requests and provide the requested materials or provide a statement as to why the answers could not or should not be provided. The Board has found these provisions to be cumbersome, inefficient and unnecessary. Since the application file is available for review and the Board will be requiring pre-filed testimony in this proceeding, the parties will have ample opportunity to review the evidence and to formulate their cross-examination for the hearing; therefore, these provisions will not apply. Any requests for background information that is not in the file may be made pursuant to subsection 8(C), as discussed below.

Subsection 6(A)(4): This subsection requires that the applicant and each intervenor provide a list of witnesses and an outline of the areas to be covered in their direct testimony by a specific date. The Board will require each party to file a list of witnesses, indicating the topics to be addressed by each witness, prior to filing of direct testimony. The date for filing of the witness list will be specified in a future communication.

Subsection 6(A)(5): This subsection envisions that a pre-hearing conference will be held after the submission of witness lists and outlines of areas to be covered in direct testimony. In this instance, at least one pre-hearing conference will have already been held at that point. One or more additional pre-hearing conferences may be held prior to the date of the hearing if necessary.

Section 7: This section requires that, at least 14 days in advance of the hearing, the Department staff issue a paper reviewing the application. This staff review paper is to be mailed to the Board and the parties for written comment prior to the public hearing. The Board no longer requires a staff review paper since Department staff will be receiving pertinent information pertaining to the application up to and during the public hearing. However, Department staff often generates memos to the file as they process the application documenting their questions and preliminary assessment. Any such memos to the file are available for review by the parties and the general public. Additionally, after conclusion of the hearing, Department staff will prepare a proposed order that will be sent to the parties for comment prior to Board action on the application.

Section 8(C): This section allows any person participating in the pre-hearing conference to request information from the applicant. Since the application file is available for inspection and the Board is requiring pre-filed testimony, including exhibits, any request for additional information that is not in the application, or that the applicant has not agreed to informally, must be made at a pre-hearing conference or in writing to the Presiding Officer for the Presiding Officer's ruling on its relevance and necessity. However, the applicant will generally not be required to generate or summarize information for the parties.

Subsection 9(B)(4): This subsection allows the Presiding Officer to require testimony to be submitted in written form, and it requires that all persons offering testimony in written form be available for cross-examination. Written pre-filed testimony (both direct and rebuttal) will be required in this proceeding and all witnesses must be present at the hearing for cross-examination unless good cause is shown to warrant alternative arrangements. Copies of the written pre-filed testimony must be distributed to persons as indicated on the Service List.

Subsection 10(D): This subsection requires that the file and everything admitted into evidence must be available during the course of the hearing for public examination at the Department's office in Augusta during normal business hours. In this instance, the file is at the Department's Bangor Office. In addition, Department staff will need to have the file at the hearing. During the hearing, special arrangements may be made to inspect the file during breaks in the hearing, at the convenience of the Department staff.

Subsection 11(A): This provision establishes a sequence for presentation of direct testimony. The Board will hear testimony first by the applicant, then by the intervenors. The general public will have an opportunity to testify during the evening session reserved for that purpose.

The role of staff at the hearing is to gather facts on behalf of the Board and assist the Board in its analysis by asking questions of any person present and testifying. The Board may elect to ask questions of staff at any time during the course of the hearing to clarify a point or determine what information is in the record to date.

Subsection 11(B): This provision establishes a sequence for cross-examination of witnesses. While this provision calls for questions first from the Board, the Board generally holds its questions until the after the parties have cross-examined the witnesses. The Presiding Officer may regulate the posing of questions or cross-examination by persons other than the applicant, intervenors, or governmental representatives. If a member of the public wishes to pose a question in the nature of a cross-examination question of a party's witness, that person will be required to submit the proposed question to the Presiding Officer in writing. If the Presiding Officer determines that the question is relevant and not repetitive, the Presiding Officer will read the question as time permits.

Subsection 11(F): One or more evening sessions will be designated to receive testimony from the general public. Depending on the number of people wishing to testify, the Presiding Officer may set time limits on such testimony.

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Section 18: This section of the rule provides that all parties have a right to submit to the Board written proposed findings of fact, briefs, and recommended conditions. At the close of the hearing, the Presiding Officer will ask the parties if they want to submit proposed findings of fact, briefs and/or recommended conditions. The deadline for the submission of any such documents will be set at that time.

Section 19: Oral closing arguments may be permitted by the Board at the conclusion of the evidence. The need for, and timing of, oral closing arguments will be decided at the close of the evidence.

Section 21: This section provides that any proposed order must be mailed to all parties at least 14 days before Board action. Title 38, § 344(4-A)(B), enacted subsequent to the adoption of Chapter 30, provides that for those applications which are decided by the Board, a draft permit or license must be made available to the parties and all interested persons at least 15 working days before the Board acts on the application. Given this, the Board and Department will allow a minimum of 15 working days for comment on the draft order.

Section 23: This section requires that any motions, petitions, briefs, pre-filed written testimony, etc. must be served upon the parties in a very specific manner as provided by Rule 4(d) of the Maine Rules of Civil Procedure. Rule 4(d) of the Maine Rules of Civil Procedure outlines personal service (basically, delivery in person) and how that must be accomplished. The Board has found that this method of delivery of documents is expensive, time consuming and unnecessary for this kind of hearing. All documents may be filed with the Department and sent to the other parties using the regular U.S mail. Section 23 of the Board's rule also requires that the Board receive 15 copies of all documents required to be filed with the Board. Fifteen copies are not necessary. For any correspondence, motions, requests, petitions or other documents, only one copy needs to be sent to each person on the service list. With respect to pre-filed testimony and exhibits, Terry Hanson, the Board's Administrative Assistant, must receive 1 original and 10 copies.

