

From: [Elizabeth Boepple](#)
To: [Matt Manahan](#); [Hinkel, Bill](#); [Stacy Laughton](#)
Cc: [Burke, Ruth A](#); [Bertocci, Cynthia S](#); [Bensinger, Peggy](#); [Boak, Scott](#); [Parker, Lauren](#); [Miller, Susanne](#); [DEP, NECEC](#); [Livesay, Nick](#); [jkilbreth@dwmlaw.com](#); [dkallin@dwmlaw.com](#); [emooney@dwmlaw.com](#); [tlawrence@dwmlaw.com](#); [Joanna B. Tourangeau](#); [Mirabile, Gerry J. \(Gerry.Mirabile@cmpco.com\)](#); [Dave Publicover](#); [jreardon@tu.org](#); [Bob Weingarten](#); [Buxton, Anthony W.](#); [RBorowski@preti.com](#); [gpetruccelli@pmhlegal.com](#); [Tim Burgess](#); [Bob Haynes](#); [Ben Smith](#); [Sandra Howard](#); [Kelsey Peterson](#); [Burke, Ruth A](#); [Bensinger, Peggy](#); [Boak, Scott](#); [Parker, Lauren](#); [Miller, Susanne](#); [DEP, NECEC](#); [Livesay, Nick](#); [jkilbreth@dwmlaw.com](#); [dkallin@dwmlaw.com](#); [emooney@dwmlaw.com](#); [tlawrence@dwmlaw.com](#); [Joanna B. Tourangeau](#); [Mirabile, Gerry J. \(Gerry.Mirabile@cmpco.com\)](#); [Dave Publicover](#); [jreardon@tu.org](#); [Bob Weingarten](#); [Buxton, Anthony W.](#); [RBorowski@preti.com](#); [gpetruccelli@pmhlegal.com](#); [Tim Burgess](#); [Bob Haynes](#); ["Ben Smith"](#); [Stacy Laughton](#)
Subject: RE: NECEC- West Forks et al. Response to NRCM and NextEra Appeals
Date: Sunday, March 14, 2021 5:36:08 PM
Attachments: [image001.png](#)
[image002.png](#)

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Mr. Hinkel,

As “persons who submitted comments in the underlying application,” per the Chair’s letter dated February 12, 2021, West Forks Group are entitled to submit a response to NRCM’s appeal. Simply because a procedural move initiated by the Department and granted by the Court removed and consolidated both NextEra’s and West Forks’ 80C appeals with NRCM’s appeal before the Board, does not mean West Forks Group now stands in the same shoes as the appellant. West Forks Group should not be denied the opportunity accorded to all others.

West Forks Group requests the Chair deny CMP’s latest attempt to silence the voices of Mainers who would be impacted by this destructive project.

Thank you,

Beth

Elizabeth A. Boepple, Esq.

Licensed in Maine, New Hampshire, and Vermont

BCM Environmental & Land Law

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From: Matt Manahan <mmanahan@pierceatwood.com>

Sent: Friday, March 12, 2021 5:11 PM

To: 'Hinkel, Bill' <Bill.Hinkel@maine.gov>; Elizabeth Boepple <boepple@nhlandlaw.com>; Stacy Laughton <Laughton@nhlandlaw.com>

Cc: Burke, Ruth A <Ruth.A.Burke@maine.gov>; Bertocci, Cynthia S <Cynthia.S.Bertocci@maine.gov>; Bensinger, Peggy <Peggy.Bensinger@maine.gov>; Boak, Scott <Scott.Boak@maine.gov>; Parker, Lauren <Lauren.Parker@maine.gov>; Miller, Susanne <Susanne.Miller@maine.gov>; DEP, NECEC <NECEC.DEP@maine.gov>; Livesay, Nick <Nick.Livesay@maine.gov>; jkilbreth@dwmlaw.com; dkallin@dwmlaw.com; emooney@dwmlaw.com; tlawrence@dwmlaw.com; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>; Mirabile, Gerry J. (Gerry.Mirabile@cmpco.com) <Gerry.Mirabile@cmpco.com>; Dave Publicover <dpublicover@outdoors.org>; jreardon@tu.org; Bob Weingarten <bpw1@midmaine.com>; Buxton, Anthony W. <ABuxton@preti.com>; RBorowski@preti.com; gpetrucelli@pmhlegal.com; Tim Burgess <burgess@ibew104.org>; Bob Haynes <oldcanadaroad@myfairpoint.net>; Ben Smith <bsmith@smithlawmaine.com>; Sandra Howard <sandrahowardnh@gmail.com>; Kelsey Peterson <peterson@nhlandlaw.com>; Burke, Ruth A <Ruth.A.Burke@maine.gov>; Bensinger, Peggy <Peggy.Bensinger@maine.gov>; Boak, Scott <Scott.Boak@maine.gov>; Parker, Lauren <Lauren.Parker@maine.gov>; Miller, Susanne <Susanne.Miller@maine.gov>; DEP, NECEC <NECEC.DEP@maine.gov>; Livesay, Nick <Nick.Livesay@maine.gov>; jkilbreth@dwmlaw.com; dkallin@dwmlaw.com; emooney@dwmlaw.com; tlawrence@dwmlaw.com; Joanna B. Tourangeau <JTouangeau@dwmlaw.com>; Elizabeth Boepple <boepple@nhlandlaw.com>; Mirabile, Gerry J. (Gerry.Mirabile@cmpco.com) <Gerry.Mirabile@cmpco.com>; Dave Publicover <dpublicover@outdoors.org>; jreardon@tu.org; Bob Weingarten <bpw1@midmaine.com>; Buxton, Anthony W. <ABuxton@preti.com>; RBorowski@preti.com; gpetrucelli@pmhlegal.com; Tim Burgess <burgess@ibew104.org>; Bob Haynes <oldcanadaroad@myfairpoint.net>; 'Ben Smith' <BSmith@SmithLawMaine.com>

Subject: RE: NECEC- West Forks et al. Response to NRCM and NextEra Appeals

Bill, CMP and NECEC LLC object to this filing by the West Forks petitioners, as well as today's filing by NRCM, because they are impermissible responses by Appellants to the consolidated appeals in this proceeding. Chair Draper's February 12, 2021 letter stated that "a written response to the merits of NRCM's, West Forks Group's, and NextEra's appeals of the NECEC Order may be filed by the Appellees and any person who submitted written comment on the underlying applications for the NECEC Order." That order did not provide for or allow further responses by the Appellants, which would make no sense because it would allow yet another opportunity for Appellants to make arguments supporting their own appeals, which the rules required them to make at the time they filed their appeals. CMP and NECEC LLC ask that these filings be rejected. Matt

Matthew D. Manahan

PIERCE ATWOOD LLP

PH 207.791.1189

Visit our [ENViromation Center](#)

From: Hinkel, Bill <Bill.Hinkel@maine.gov>

Sent: Friday, March 12, 2021 4:22 PM

To: Elizabeth Boepple <boepple@nhlandlaw.com>; Stacy Laughton <Laughton@nhlandlaw.com>

Cc: Burke, Ruth A <Ruth.A.Burke@maine.gov>; Bertocci, Cynthia S <Cynthia.S.Bertocci@maine.gov>;

Bensinger, Peggy <Peggy.Bensinger@maine.gov>; Boak, Scott <Scott.Boak@maine.gov>; Parker, Lauren <Lauren.Parker@maine.gov>; Miller, Susanne <Susanne.Miller@maine.gov>; DEP, NECEC <NECEC.DEP@maine.gov>; Livesay, Nick <Nick.Livesay@maine.gov>; jkilbreth@dwmlaw.com; dkallin@dwmlaw.com; emooney@dwmlaw.com; tlawrence@dwmlaw.com; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>; Matt Manahan <mmanahan@pierceatwood.com>; Mirabile, Gerry J. (Gerry.Mirabile@cmpco.com) <Gerry.Mirabile@cmpco.com>; Dave Publicover <dpublicover@outdoors.org>; jreardon@tu.org; Bob Weingarten <bpw1@midmaine.com>; Buxton, Anthony W. <ABuxton@preti.com>; RBorowski@preti.com; gpetruccelli@pmhlegal.com; Tim Burgess <burgess@ibew104.org>; Bob Haynes <oldcanadaroad@myfairpoint.net>; Ben Smith <bsmith@smithlawmaine.com>; Sandra Howard <sandrahowardnh@gmail.com>; Kelsey Peterson <peter@nhlandlaw.com>; Burke, Ruth A <Ruth.A.Burke@maine.gov>; Bensinger, Peggy <Peggy.Bensinger@maine.gov>; Boak, Scott <Scott.Boak@maine.gov>; Parker, Lauren <Lauren.Parker@maine.gov>; Miller, Susanne <Susanne.Miller@maine.gov>; DEP, NECEC <NECEC.DEP@maine.gov>; Livesay, Nick <Nick.Livesay@maine.gov>; jkilbreth@dwmlaw.com; dkallin@dwmlaw.com; emooney@dwmlaw.com; tlawrence@dwmlaw.com; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; 'boepple@nhlandlaw.com' <boepple@nhlandlaw.com>; Matt Manahan <mmanahan@pierceatwood.com>; Mirabile, Gerry J. (Gerry.Mirabile@cmpco.com) <Gerry.Mirabile@cmpco.com>; Dave Publicover <dpublicover@outdoors.org>; jreardon@tu.org; Bob Weingarten <bpw1@midmaine.com>; Buxton, Anthony W. <ABuxton@preti.com>; RBorowski@preti.com; gpetruccelli@pmhlegal.com; Tim Burgess <burgess@ibew104.org>; Bob Haynes <oldcanadaroad@myfairpoint.net>; 'Ben Smith' <BSmith@SmithLawMaine.com>
Subject: RE: NECEC- West Forks et al. Response to NRCM and NextEra Appeals

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Ms. Boepple:

The service list for the appeals of the May 11, 2020, NECEC Order and to use in filing written responses to the merits of the appeal in accordance with the Chair's February 12, 2021, letter is attached. In responding, I have included all participants on the October 19, 2020, service list as well as those you copied on your email below.

Respectfully,

William F. Hinkel
Executive Analyst, Board of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017
(207) 314-1458
bill.hinkel@maine.gov

From: Elizabeth Boepple <boepple@nhlandlaw.com>

Sent: Friday, March 12, 2021 2:59 PM

To: Stacy Laughton <Laughton@nhlandlaw.com>

Cc: Burke, Ruth A <Ruth.A.Burke@maine.gov>; Bertocci, Cynthia S <Cynthia.S.Bertocci@maine.gov>;

Hinkel, Bill <Bill.Hinkel@maine.gov>; Bensinger, Peggy <Peggy.Bensinger@maine.gov>; Boak, Scott <Scott.Boak@maine.gov>; Parker, Lauren <Lauren.Parker@maine.gov>; Miller, Susanne <Susanne.Miller@maine.gov>; DEP, NECEC <NECEC.DEP@maine.gov>; Livesay, Nick <Nick.Livesay@maine.gov>; jkilbreth@dwmlaw.com; dkallin@dwmlaw.com; emooney@dwmlaw.com; tlawrence@dwmlaw.com; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>; Matt Manahan <mmanahan@pierceatwood.com>; Mirabile, Gerry J. (Gerry.Mirabile@cmpco.com) <Gerry.Mirabile@cmpco.com>; Dave Publicover <dpublicover@outdoors.org>; jreardon@tu.org; Bob Weingarten <bpw1@midmaine.com>; Buxton, Anthony W. <ABuxton@preti.com>; RBorowski@preti.com; gpetruccelli@pmhlegal.com; Tim Burgess <burgess@ibew104.org>; Bob Haynes <oldcanadaroad@myfairpoint.net>; Ben Smith <bsmith@smithlawmaine.com>; Sandra Howard <sandrahowardnh@gmail.com>; Kelsey Peterson <peter@nhlandlaw.com>

Subject: Re: NECEC- West Forks et al. Response to NRCM and NextEra Appeals

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Is this the correct service list? All letters have been going to the big service list.

Sent from my iPhone

On Mar 12, 2021, at 2:04 PM, Stacy Laughton <Laughton@nhlandlaw.com> wrote:

Good afternoon,

On behalf of West Forks Plantation, Town of Caratunk, Kennebec River Anglers, Maine Guide Service, LLC, Hawks Nest Lodge, Ed Buzzell, Kathy Barkley, Kim Lyman, Noah Hale, Eric Sherman, Matt Wagner, Mike Pilsbury, Mandy Farrar and Carrie Carpenter, please find attached a cover letter to the Board together with a Response to NextEra and NRCM's Appeals of the Commissioner of the Department of Environmental Protection's Order.

Original of the filing will be sent via FedEx today.

Thank you.

Stacy

Stacy B. Laughton, Paralegal

Offices in Concord and Keene, New Hampshire and Portland, Maine

laughton@nhlandlaw.com

Phone 603.225.2585

Cell 207.650.7783

<[image001.jpg](#)>

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<image002.jpg>

<2021-03-12 West Forks Response to NRCM NextEra Appeals.pdf>

<2021-03-12 Cover Letter to BEP.pdf>

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