

September 26, 2019

Friends of the Boundary Mountains

Mr. James R. Beyer
Maine Department of Environmental Protection
Division of Land Resources Regulation
106 Hogan Road
Bangor, ME 04401

Re: NECEC - Petition of Central Maine Power Company to Reopen Record

Dear Mr. Beyer,

As requested by Presiding Officer Miller, Friends of the Boundary Mountains, Intervenor Group 1, offers its response to the September 18, 2019 petition by Central Maine Power Company to reopen the record in the New England Clean Energy Connect proceedings before the Maine Department of Environmental Protection.

CMP is petitioning to reopen the record so that once again it can change its NECEC application, despite the fact that the record has been closed since May 2019 and that CMP literally has had years to submit a proposal that met all statutory and regulatory requirements (CMP has testified that it had been working on its NECEC proposal since 2014).

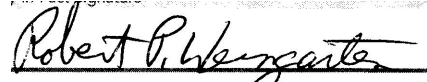
Friends of the Boundary Mountains strongly objects to reopening the record to accommodate CMP's out-of-the-blue, last minute attempt to salvage its proposal for the following reasons:

1. CMP is gaming the approval process by submitting a weak proposal with many environmental flaws and cover-ups of environmental violations, and then trying to amend its proposal at the last possible moment when one or more flaws and violations become obvious to regulators and the public. Examples, in addition to Beattie Pond at this moment, include the overhead crossing of the Kennebec River and the last minute claim that herbicides would not be sprayed on the corridor.
2. Re-opening the record at this time would simply be accommodating CMP's attempt at doctoring a bad proposal, a proposal that CMP has claimed throughout the DEP proceedings to be the best possible environmental fit for the Maine woods. Therefore, there is no logical or honest justification to re-open the record. Logically, the application now on the record should stand as originally submitted to be judged on its inherently flawed design.
3. CMP has consistently opposed all other parties' attempts to add extremely worthwhile supplemental information to the record after it was closed, and DEP has adhered 100% to CMP's wishes. It would be highly discriminatory and prejudicial to other parties for DEP to now open the closed record to allow CMP to submit an amendment to its application and the corresponding supplemental information.

4. Throughout these proceedings CMP has objected to all requests by other parties for more time to bring forth additional witnesses and evidence, claiming these requests were merely attempts to delay the proceedings, despite the merits of those requests. Should DEP now allow the record to be re-opened it would require considerable more time to fairly give all parties opportunity to cross-examine CMP's supplemental witnesses and exhibits, and for all parties to do the fact-finding and research necessary to respond to CMP's 80+ page submission. It is the height of hypocrisy for CMP to now promote such delay in the proceedings.

5. CMP's justification to re-open the record to allow an amendment to its chosen corridor route is simply inadequate because it is based on CMP's own internal decisions on how to spend the millions of dollars of profit it will be receiving if the corridor is built. CMP claims the alternative of going through Merrill Strip was rejected due to financial circumstances, but now wants the record open to be able to amend its application to submit this alternative design because somehow, magically, the money was found for the alternative. If the alternative was truly a better environmental and regulatory fit it should have been included in CMP's original applications and not presented after the fact given that the record has been closed for many months.

Sincerely,



Robert P. Weingarten
President
Friends of the Boundary Mountains