From: Karen
To: Todd, Fred
Subject: Re: Friends of Maine"s Mountains Comment on Champlain Wind"s Response to 15th Procedural Order
Date: Thursday, March 22, 2012 9:14:15 AM

Hello again, Fred,

I just realized that the header pasted into the email is an old one for FMM. The header on the attached copy has FMM's current address. When I tried to paste that in, it wouldn't work, and I inadvertently used one from old stationery.

And it's not even Monday...

:o)

Sorry for the confusion. Have a great day.
Kaz

On Thu, Mar 22, 2012 at 7:48 AM, Karen <roomtomove@tds.net> wrote:

> Good morning, Fred,
>
> I hope life is treating you well. Unreal weather, huh? I'm still hoping for some spring before we leap into summer.
>
> Thank you for your timely correspondence and your diligence and good nature during this long process.
>
> Attached (and pasted in) is FMM's comment on Juliet's/Champlain's response to LURC's 15th Procedural Order in the Bowers procedure. Please give me a shout if you have any questions, or you can call Chris O'Neil at 590-3842.
>
> Thanks so much. Have a great day.
> Kaz
>
> **Friends of Maine's Mountains**
> 284 Main Street, Suite 200 ~ Wilton, Maine 04294
> Tel.: (207) 645-3699 ~ www.friendsofmainesmountains.org
> March 21, 2012
>
> Fred Todd
> Project Planner for DP 4889 (Champlain Wind/Bowers)
> Land Use Regulation Commission
> 22 State House Station
> Augusta, ME 04333-0022
>
> Dear Mr. Todd:
>
> On March 9, 2012 Champlain Wind submitted its response to LURC's Fifteenth Procedural Order, issued on December 12, 2011. The Order was only necessary as an answer to Champlain Wind's 11th hour request to withdraw DP 4889; the

permit application for the Bowers Wind Project.

Today I urge a deny vote more vehemently than I did last fall.

In our comment dated November 10, 2011, Friends of Maine's Mountains urged Commissioners to deny Champlain's request:

"Champlain Wind, LLC…asked permission to withdraw their permit application for the Bowers wind development while they "reconfigure" the proposed project. We object. The applicant also requested permission to address the Commission at the December 7, 2011 meeting in Lincoln. We object to that also. Additionally, Champlain Wind LLC, assuming the role of administrator, took the liberty of agreeing to extend the deadline by which LURC must make a decision on the application. We object on this third issue."

At the December 7th meeting, after hearing comments from the Applicant and the Intervenors concerning the Applicant's request to withdraw, Commissioners voted to table the request for withdrawal until the April 6, 2012 Commission meeting. LURC gave Champlain Wind more than 90 days–until Friday, March 9, 2012–to submit a written description of its plans for "reconfiguring" the Bowers Wind Project to address the concerns expressed by the Commission in September and October of 2011.

In essence, the Commission granted First Wind/Champlain Wind an opportunity to re-write its application within a time-out period, during which the expedited clock was suspended, while the Applicant made another attempt to successfully make its case. A do-over that the Applicant can afford and the Intervenors cannot.

Fast forward three long months, during which intervenors and concerned citizens waited, wondered and speculated on what LURC would decide, and worried about what tricks Champlain Wind might try next. On March 9th, Attorney Juliet Browne submitted Champlain's response to LURC, but her response in no way complied with the Commission's December 12, 2011 Procedural Order.

The Fifteenth Procedural Order granted Champlain Wind extensive privileges, despite intervenors' and citizens' objections. FMM recognizes that the Commission made every attempt to be fair and to give the Applicant extensive opportunities to reconfigure its project in a manner which would address the Commission's and the Public's concerns about the project's adverse scenic impacts.

However, despite LURC's leniency, Champlain Wind has failed again.

The Applicant failed to comply with an Order that *would not have been issued were it not for the Applicant's last-ditch attempt to undermine the regulatory process*. Champlain Wind's response—provided (again) in the waning hours of its allotted time– is out of bounds. The Applicant's efforts to manipulate Maine's regulatory process are contemptible, as are its successful attempts to disrupt the lives of Maine residents and taxpayers.

The decision for Commissioners at the April meeting is a straightforward one.

Last October LURC voted unanimously to have staff draft a "deny" document for the Bowers permit.

LURC should proceed with doing exactly that, after *first denying Champlain's request to withdraw*.

Nothing has changed between October 2011 and April 2012. Maine citizens have been held hostage again by a wind developer that does not appear to care how many hardships it imposes.

FMM thanks the Commission for its diligence. We appreciate the reasons Commissioners were willing to grant the Applicant an additional opportunity to do that which it had already done. But now that First Wind/Champlain Wind has shown its inability or unwillingness to comply with the Fifteenth Procedural Order, we urge Commissioners to do what they intended to do last Fall after considering months of testimony and research.

Deny First Wind/Champlain Wind a permit for the Bowers project.

The people who live in and earn a living from this area have spoken. So have those who use the region for recreation. We all know that the paltry benefits of the Bowers Wind Project will not exceed the many negative impacts.

Please vote to deny Champlain Wind's request to withdraw, and then firmly and unequivocally deny the Bowers permit. Nothing has been submitted to convince LURC or Maine citizens that there is any wisdom in continuing this process. A deny vote is long overdue.

Yours truly,

Christopher O'Neil
President

--
Karen Bessey Pease
252 Spruce Pond Road
Lexington Township, ME 04961
(207) 628-2070 home
(207) 340-0066 cell
www.karenbesseypease.com
http://karenbesseypease.blogspot.com/ (Grumbles and Grins blog)
http://voicesonwind.blogspot.com/ (Voices on the Wind blog)

--
Karen Bessey Pease
252 Spruce Pond Road
Lexington Township, ME 04961
(207) 628-2070 home
(207) 340-0066 cell
www.karenbesseypease.com
http://karenbesseypease.blogspot.com/ (Grumbles and Grins blog)
http://voicesonwind.blogspot.com/ (Voices on the Wind blog)