

**March 20, 2012 Letter from Chair Lessard to Mr. Leithiser re:
Opportunity to Respond to Motion to Dismiss**



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

Susan M. Lessard, Chair

Cynthia S. Bertocci
Executive Analyst

Terry Dawson

March 20, 2012

Charles Leithiser
394 Fourth Street
Old Town, ME 04468

RE: Appeals by C. Leithiser, E. Spencer, and S. Hunting in the Matter of:
State of Maine / State Planning Office
Public Benefit Determination #S-020700-W5-AU-N

Dear Mr. Leithiser:

By letter dated March 15, 2012, attorney Thomas Doyle filed, on behalf of the licensee, a Motion to Dismiss your appeal/filing regarding the Public Benefit Determination for the proposed expansion of the Juniper Ridge Landfill. In the Motion to Dismiss, Mr. Doyle argues that, in the event the Board considers your filing an appeal of the Public Benefit Determination, you do not have standing as an aggrieved person to bring an appeal in this matter.

If you want to file a response to the Motion to Dismiss your filing in this matter for lack of standing as an aggrieved person, you must do so by Tuesday, March 27, 2012 at 5:00 pm. Your response should address only the issue of standing, setting forth the factual basis for your claim of standing in this matter. Your response must not re-argue the merits of your objections to the Public Benefit Determination.

If you have any questions regarding this letter, please contact Cynthia Bertocci, the Board's Executive Analyst, at 287-2452 or Nancy Macirowski, Assistant Attorney General, at 626-8868.

Sincerely,

A handwritten signature in cursive script that reads "Susan M. Lessard".

Susan M. Lessard, Chair
Board of Environmental Protection

cc: Service List

