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August 19, 2015

Larry Carbonneau  
Bureau of Health Oversight  
Division of Licensing and Regulatory Services  
41 Anthony Avenue  
State House Station #11  
Augusta, ME 04333-0011

**EMHS MEMBERS**  
Acadia Hospital  
Affiliated  
Beacon Health  
Blue Hill Memorial Hospital  
Charles A. Dean  
Memorial Hospital  
Eastern Maine HomeCare  
Eastern Maine Medical Center  
EMHS Foundation  
Inland Hospital  
Mercy  
Rosscare  
Sebastcook Valley Health  
TAMC  
VNA Home Health Hospice

RE: Eastern Maine Medical Center Emera Maine Substation  
CON non-reviewability determination request

Dear Mr. Carbonneau,

Eastern Maine Medical Center (EMMC) is seeking a determination from DHHS that EMMC's share of the cost for Emera Maine's replacement/upgrade of its power substation on the east side of Bangor near the EMMC State Street campus is non-reviewable under the certificate of need rules and regulations. Specifically, MRSA Title 22 Chapter 103-A Section 329 (3) exempts projects from Certificate of Need review where the capital expenditure is below the reviewability threshold; as of January 1, 2015 the threshold is \$10,806,759.

Emera Maine's existing power substation is 60 years old and needs to be replaced. This substation will also increase electrical capacity for all residents of the east side of Bangor. As a major customer, EMMC has agreed to partner with Emera to support this improvement in Bangor's infrastructure. EMMC will purchase two of the four transformers to be housed in the substation at a cost of \$3 million. Total estimated capital cost of the substation is \$6 million. By investing in the substation, EMMC will be charged a transmission rather than a distribution rate, resulting in significant annual utility savings.

Both EMMC and Bangor will gain the security of added redundancy in the utility delivery system. If one, or both, of EMMC's transformers go off-line, Emera's two transformers would provide back-up to EMMC. Similarly, if Emera's transformers go off-line, EMMC's will provide back-up.

We are seeking confirmation from your office that this project does not require CON approval because it is well under the \$10,806,759 capital threshold for hospital projects.

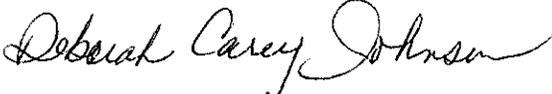
In early 2016 EMHS plans to issue tax-exempt bonds to finance this project; in anticipation we are requesting documentation from DHHS to meet the regulatory

**MEMO**  
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requirements of Bond Counsel. Please advise us in writing of the CON applicability of this proposal as described.

Please contact Richard Fournier, EMHS Director of Planning (973-7439) with questions. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Carey Johnson". The signature is written in black ink and is positioned above the typed name.

Deborah Carey Johnson, RN  
President and Chief Executive Officer