



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

MELANIE LOYZIM
COMMISSIONER

IN THE MATTER OF

CENTRAL MAINE POWER CO.)
NECEC TRANSMISSION, LLC)
25 Municipalities, 13 Townships/Plantations,)
7 Counties (listed Appendix A))
L-27625-26- A-N) LICENSE SUSPENSION PROCEEDING
L-27625-TG-B-N) PUBLIC HEARING
L-27625-2C-C-N) THIRD PROCEDURAL ORDER
L-27625-VP-D-N)
L-27625-IW-E-N)

This Third Procedural Order (Order) sets forth the Presiding Officer’s decisions with respect to the hearing agenda, objections to and motions to strike testimony, introduction of new exhibits, and other objections submitted by the parties.

- 1. On October 12, 2021, the deadline set forth in the First Procedural Order in this matter, Intervenor Natural Resource Council of Maine (NRCM), West Forks Group, and Licensees Central Maine Power Company and NECEC Transmission, LLC submitted rebuttal testimony. On October 15, 2021, Intervenor Friends of Boundary Mountains (FBM) submitted a request to cede its cross-examination time to NRCM. Also, on October 15, 2021, Licensees and NRCM submitted objections to rebuttal testimony and NRCM also submitted a proposed revised agenda. On October 18, 2021, NRCM and West Forks submitted proposed exhibits to be presented at the hearing.

REQUEST TO CEDE TIME

- 2. The request of FBM to cede its allotted time for cross-examination to NRCM is denied.

HEARING AGENDA

- 3. The hearing agenda will be revised to move the opening statement of Intervenor Industrial Energy Consumer Group to immediately following Licensees’ opening statement. All other requests for revisions to the agenda are denied. The agenda as revised will be submitted to the parties along with this Order.

MOTIONS TO STRIKE AND REDACTED TESTIMONY

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4. Regarding objections to and motions to strike rebuttal testimony:
 - A. NRCM's objection to the rebuttal testimony of Lauren Johnston and request that it be excluded is denied.
 - B. Licensees' objection to the testimony of Justin Preisendorfer and request that it be excluded is granted in part and denied in part.
 - C. Licensees' objection to the testimony of Elizabeth Caruso and request that it be excluded is granted in part and denied in part.
 - D. Licensees' objection to portions of the testimony of Roger Merchant and the photographs attached as Exhibit A and request that those portions and the photographs be excluded is granted in part and denied in part, and Exhibit A is not excluded. The footnotes are excluded.

Redacted versions of the direct and rebuttal pre-filed testimony reflecting the rulings on the objections are appended to this Order as Appendix A.

OBJECTION TO INTRODUCTION OF NEW EXHIBITS

5. With regard to the Licensees' objection to the maps submitted by NRCM (Reardon Rebuttal Exhibits D through H), Exhibits D, E, F, and H will be allowed into the record. Exhibit G is excluded. Merchant Exhibit B is not allowed into the record. With regard to West Forks' maps submitted as Exhibits A and B they will be allowed into the record. A discussion of these exhibits will be allowed during the time for summary of direct and rebuttal testimony.

Dated: October 18, 2021



Marybeth Richardson
Presiding Officer

APPENDIX A
REDACTED TESTIMONY



2021-10-04 Final
CMP-NECEC Pre-file



2021-10-01
Reardon Pre-Filed T



2021-10-04 Bennett
Pre-Filed Testimony



2021-10-08
Merchant Pre-Filed I



2021-10-12
Rebuttal Testimony-



2021-10-12
Rebuttal Testimony-