

Testimony of Lincoln Jeffers, Freeport, Maine
Regarding Public Hearing on
New England Clean Energy Connect Project License Suspension
October 19, 2021

Commissioner Loyzim:

Thank you for this opportunity to provide comment on the proposed suspension of the license needed the New England Clean Energy Project to move forward. This latest tactic of NECEC opponents to try to reverse a decision made after a 29 month MEDEP regulatory process and 18 months Public Utilities Commission process is grasping at straws looking for a chink in the armor.

NECEC was put through an exhaustive development review process that included 31 intervenors and many public hearings. Parties opposed to the project had many opportunities to question every statement made in the NECEC application. Included in the Findings of Facts and Order issued by MEDEP on May 11, 2020 it was noted that intervenors questioned the legality of the lease with the Bureau of Parks and Land during the hearing. They did not appeal MEDEP's decision on the legality of the lease at the time. Accordingly, MEDEP considered the decision final and accepted the action taken by the Bureau of Parks and Land as valid and final.

MEDEP and LUPC decisions are appealable to those bodies within 30 days of approval, and to the court system within 40 days of decision. With MEDEP issuing its permit on May 11, 2020, and LUPC issuing its permit on January 8, 2020, the time for appeals of the decision, or elements of it are well past. With the opportunity to appeal the decision during the Site Law review process, and in the time frame for appeals after, they should not be allowed to do so now.

Setting aside the issue of the legality of appealing the decision on whether sufficient evidence of Right, Title and Interest was provided as part of the proceedings, I question the grounds that opponents of the project are making that the decision of the Bureau of Parks and Land was invalid because it would create a "substantial change" to the leased land. The land over which a lease was granted is actively managed forest land and already has a high voltage transmission corridor running its length west/east. The NECEC would travel a shorter distance, north/south across the parcel. Looking at the site on Google Earth it is clear selective cutting has been underway since at least November 2011, and heavier timber cutting has been underway since at least April 2016 on a substantial portion of the parcel. The existing transmission line has been in existence since 1963. This is not pristine forest with high recreation values. NECEC

opponent's argument that the NECEC substantially changes the character and use of the leased lands are without merit, and accordingly, their request that the NECEC Project License should be suspended should summarily be dismissed. Climate change is real, the time for concrete action to combat it is upon us, and NECEC opponent's continuing efforts to stop the project are shameful, and in some cases, self-serving.