

**STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

IN THE MATTER OF:	)	
	)	LICENSE SUSPENSION HEARING
CENTRAL MAINE POWER COMPANY	)	
NEW ENGLAND CLEAN ENERGY CONNECT	)	
	)	
L-27625-26-A-N	)	REBUTTAL TESTIMONY OF ED BUZZELL
L-27625-TG-B-N	)	
L-27625-2C-C-N	)	
L-27625-VP-D-N	)	
L-27625-IW-E-N	)	

**PRE-FILED REBUTTAL TESTIMONY OF ED BUZZELL ON BEHALF OF  
INTERVENORS WEST FORKS, ET AL.**

My name is Ed Buzzell and I have been an intervenor in the proceedings at the LUPC and the DEP and appeals associated with the issued permits and a named plaintiff in the Superior Court case *Black v. Cutko*. This testimony is presented in rebuttal to the pre-filed direct testimony filed by Central Maine Power Company and NECEC Transmission LLC (“CMP/NECEC”) witnesses Thorn Dickinson and Gerry Mirabile. I submit this rebuttal testimony in response to statements made by CMP/NECEC witnesses related to the re-routing alternatives to avoid the public lands in question in *Black v. Cutko*, including the location and feasibility of the proposed alternatives.

To state the obvious, CMP/NECEC did not present either of the two alternatives in its direct testimony as part of its alternatives analysis. As such, neither has been subject to environmental assessment or review and no such assessment or review was submitted in CMP/NECEC’s direct testimony. However, in reviewing what CMP/NECEC did submit, Option One appears to cross the Kennebec River for the second crossing of a Wild and Scenic River. Option One also appears to cross the Dead River. Both these rivers are considered Wild and

Scenic. Both rivers are used heavily in the Whitewater Rafting Industry for both private and commercial trips. So a full assessment of the impact needs to be done.

Second, both options appear to cross many streams and land held in Conservation Trust: Cold Stream Forest Public Land to the West and Moosehead Region Conservation Easement to the East. Option 1 appears to cross the Western Mountain Charitable Foundation Conservation Trust. The Bowtown Land on the West side of the Dead is also held in the Maine Wilderness Watershed Trust. Option Two seems to involve the Jackman Tie line which crosses public land. If these crossings are in fact proposed to be over both conserved lands and other public trust lands, then these lands are unlikely to be available for CMP/NECEC to build this project.

Finally, since even a cursory review of the two alternative route options appear to contain questionable Right, Title and Interest issues *and* significant environmental impacts, the license should be revoked until such time that CMP/NECEC can establish a viable route.

I, Ed Buzzell, being first duly sworn, affirm that the above testimony is true and accurate to the best of my knowledge.

Respectfully Submitted,

Dated: October 12, 2021

  
Ed Buzzell