

STATE OF MAINE
BOARD OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

Mark C. Draper, Chair

William F. Hinkel
Executive Analyst

Ruth Ann Burke
Board Clerk

October 7, 2020

Mr. James T. Kilbreth
Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101-2480
jkilbreth@dwmlaw.com

Ms. Elizabeth A. Boepple, Esq.
BCM Environmental & Land Law, PLLC
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Portland, ME 04101
boepple@nhlandlaw.com

RE: Central Maine Power Company, New England Clean Energy Connect
Department Order L-27625-26-A-N, L-27625-TB-B-N, L-27625-2C-C-N,
L27625-VP-D-N, L-27625-IW-E-N
Request for Stay of Commissioner's Order

Dear Mr. Kilbreth and Ms. Boepple:

The Board of Environmental Protection (Board) is in receipt of your respective requests dated September 25, 2020, on behalf of your clients, the Natural Resources Council of Maine (NRCM) and West Forks, et al. (West Forks). You are requesting that the Board reverse or overturn the August 26, 2020 decision by the Commissioner of the Department of Environmental Protection (Department) denying your requests to stay the Department's May 11, 2020 Order conditionally approving the application of Central Maine Power Company (CMP) to construct the New England Clean Energy Connect (NECEC Order). While both of your requests are in varying degrees styled as appeals of the Commissioner's decision, they are more appropriately considered as renewed motions or applications for a stay in the context of the existing Board appeals of the NECEC Order. They will not be considered as separate appeals to the Board of the Commissioner's denial of the requested stay because the Commissioner's decision on the stay requests is not a final decision on a license application.

Prior to ruling on NRCM's and West Forks' renewed motions for a stay of the NECEC Order, I will accept from the other parties to the appeal proceeding legal arguments in support of, or in opposition to, the renewed applications for a stay. The deadline for filing these responses is **October 16, 2020, at 5:00 p.m.** Filings should be directed to: Mark C. Draper, Chair, Board of Environmental Protection,

c/o Ruth Ann Burke, 17 State House Station, Augusta, ME 04333-0017; ruth.a.burke@maine.gov.
Filing by electronic mail only is acceptable.

Sincerely,



Mark C. Draper, Chair
Board of Environmental Protection

cc: Service list (DRAFT) (ver. 10/7/2020)