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June 28, 2013

Board of Selectmen  
Town of Abbot  
133 Main Road; PO Box 120  
Abbot, ME 04406

**Re: Application for Location of Utility Facilities in Gales Road  
Blue Sky West II, LLC**

Dear Members of the Board,

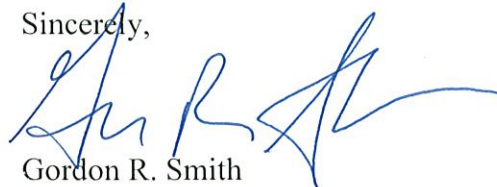
Enclosed is an application from Blue Sky West II, LLC, an affiliate of First Wind, for placement of an overhead 115-kV electrical utility line along approximately 1.2 miles of the southwest portion of Gales Road in the Town of Abbot. This infrastructure is associated with the proposed Bingham Wind Project.

This application is submitted pursuant to 35-A M.R.S.A. § 2305-B and 35-A M.R.S.A. § 2501 et seq. These statutory provisions authorize the placement of electrical utility infrastructure in public rights of way and establish a permitting framework by which such authorization may occur. For a town road such as Gales Road, the permitting authority is the town's municipal officers.

The enclosed application depicts the specific locations of poles and wires proposed for location in Gales Road. The application also addresses the infrastructure's compliance with all relevant technical standards contained in Chapter 205 § 9 of Maine DOT rules. Although the DOT rules are not legally applicable to this application (because they have not been adopted by the town of Abbot), the project's compliance with these standards demonstrate that there will be no negative impact to traffic or public safety.

We respectfully request that the Board place this matter on its July 18 agenda. Thank you for your attention, please contact me with any questions.

Sincerely,



Gordon R. Smith

Utility Location Permit Application – Town of Abbot

35-A M.R.S.A. § 2305-B(2)

**Applicant Information**

Name: Blue Sky West II, LLC  
Contact: Dave Fowler  
Phone: 207-228-6888  
Email: dfowler@firstwind.com  
Address: First Wind, 129 Middle Street, 3<sup>rd</sup> Floor, Portland, ME 04101


**Proposed Installation**

Description: Overhead 115 kv Electric Line and 23 associated poles within the public right of way on Gales Road (Exhibit 1, Map 1).

Location: 23 poles (pole numbers 61 to 83) will be located within the public right of way for approximately 1.2 miles along Gales Road. See Exhibit 2, Map 5-6 (from the DEP Permit Application). This includes 6 locations where the overhead electric line will cross Gales Road (pole 61, and between poles 64-65, 66-67, 73 -74, 74-75, and 79-80). See Table 1.

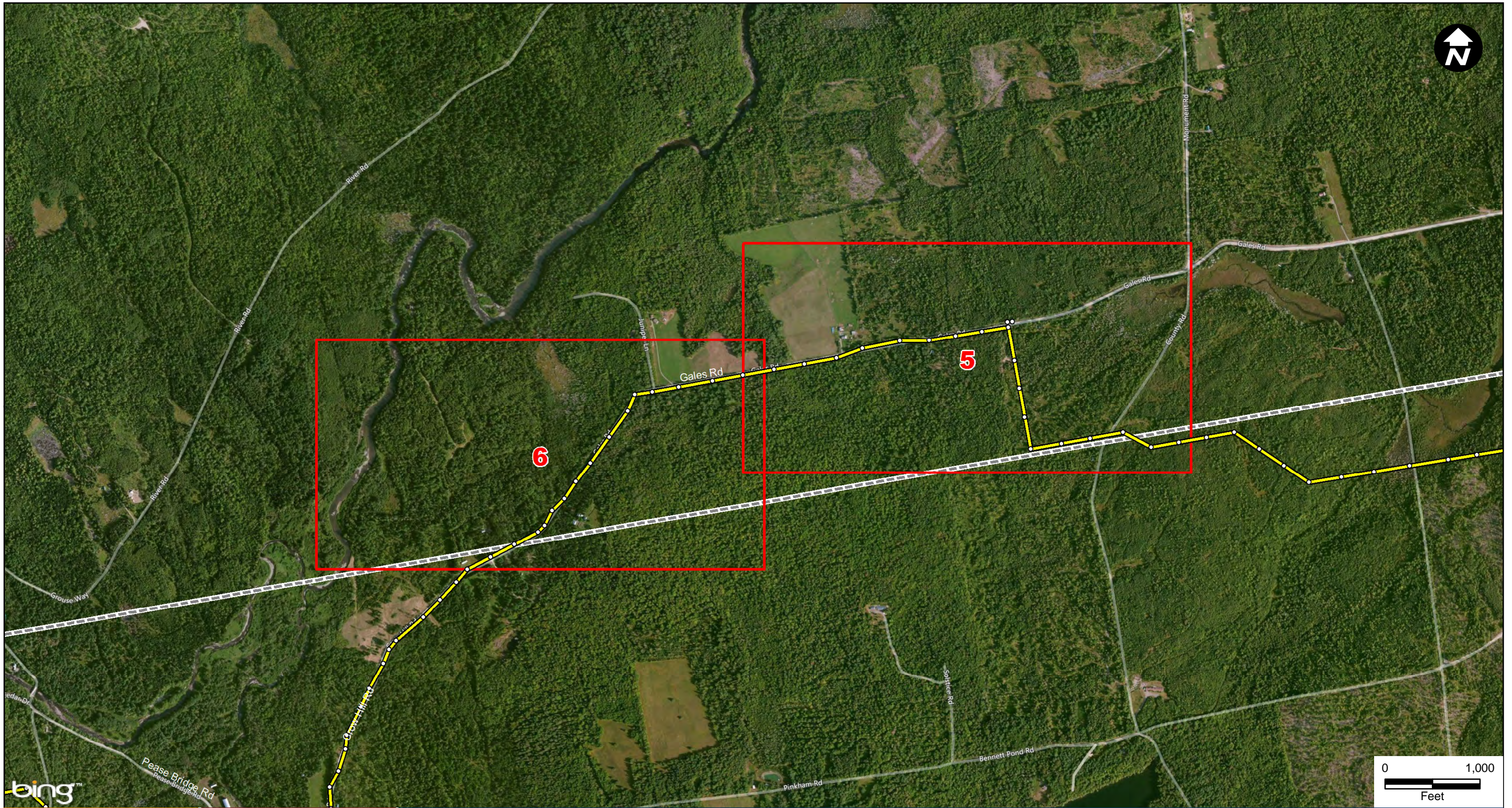
MDOT Standards: See Exhibit 3 for a description of how this Project meets the relevant Maine DOT Technical Standards.

*By signing this Application for Utility Location Permit, the undersigned hereby certifies: a) that he/she is a duly authorized employee and representative of the utility/entity identified above ("Applicant"); b) that the information provided herein is true and accurate; c) that the Application is understood to be for a limited period and that the Applicant, at its sole expense, may have to adjust, remove, or relocate its facilities in the future; and d) that the Applicant will maintain its facilities in accordance with MaineDOT's Utility Accommodation Rules (17-229 C.M.R. Chapter 205) and all other applicable laws.*




Signature:   
Printed Name: Dave Fowler  
Title: Director

**Table 1: Locations where Gen Lead wires cross Gales Road**

<b>Pole Numbers</b>	<b>Nearest reference point</b>	<b>Crossing distance (feet)</b>	<b>Direction of crossing</b>	<b>Lat/Long Start</b>	<b>Lat/Long Stop</b>
61	2000' west of Mountain Road	54	south	45.157711, -69.458405	45.157563, -69.458368
64-65	3000' west of Mountain Road	310	east	45.157145, -69.462795	45.157166, -69.461590
66-67	3700' west of Mountain Road	290	northeast	45.156638, -69.465369	45.156928, -69.464316
73-74	2300 northeast of Parkman Town Line	190	east	45.155556, -69.473615	45.155634, -69.472884
74-75	2100' northeast of Parkman Town Line	190	northeast	45.155074, -69.473898	45.155556, -69.473615
79-80	775' northeast of Parkman Town Line	180	northeast	45.152190, -69.476950	45.152353, -69.476450




**Stantec Consulting Services Inc.**  
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**Legend**  
 ○ Electrical\_Pole  
 Electrical Generator Lead  
 Town Boundary  
 Map Index

Client/Project 195600539  
 Bingham Wind Project  
 Exhibit  
 1  
 Title  
 Location Map Gales Road ROW 5 - 6  
 6/12/2013





### EXHIBIT 3: Technical Standards

The Project will meet all applicable standards identified by the Maine Department of Transportation (MDOT) in Chapter 205, Regulations for Aboveground Utility Facilities. These standards are described below.

A. Pole Offset Measurement

*The Pole Offsets shall be measured from the face of the pole to the edge of the designed travel lane or to other reference points as noted.*

Response: Pole offsets are measured from the face of the pole to the edge of the designated travel lane.

B. Minimum Pole Offsets

*Minimum Pole offsets are dependent upon the maximum speed limit and shall be in accordance with the attached Appendix A. Greater setbacks are encouraged when space permits.*

Response: All poles will be located at least 12 feet from the edge of the travel lane. This exceeds MDOT minimum setbacks. As defined Chapter 205 Rules Appendix A, minimum setback for new poles when speed limit is 35 MPH or less is 3 feet from the edge of shoulder; when speed limit is over 35 MPH, it is 6 feet from edge of shoulder or 10 feet from edge of travel lane. Although no speed limits signs have been observed in this area, the Applicant understands the speeds are generally less than 35 MPH.

C. Vertical Clearances

*Minimum vertical clearance for overhead wires, guys, etc., shall in no case be less than prescribed by the National Electrical Safety Code, National Bureau of Standards, United States Department of Commerce. Notwithstanding the preceding sentence, Minimum Roadway Vertical Clearances measured at 60 degrees Fahrenheit with no wind, shall be at least eighteen (18) feet.*

Response: The minimum vertical clearance for overhead wires exceeds the minimum of 18 feet. The minimum vertical clearance will be 27 feet when both poles are on the same side of the road. The minimum vertical clearance for overhead wires will be 35 feet when the wires cross the road between poles.

D. NESC Compliance

*Design and construction of all wire and cable line, electrical, telephone, fire alarm, etc., shall comply with the National Electrical Safety Code.*

Response: The design and construction of all wires will comply with the National Electrical Safety Code.

E. Traffic Control During Construction

*The Utility shall provide such protective services, including flaggers and police as may be necessary to safeguard traffic during construction, inspection, maintenance and operation and shall remove all equipment and materials not in actual use for construction, inspection, maintenance and operation from the highway as expeditiously as possible. Such protective services shall be in compliance with the Manual of Uniform Traffic Control Devices, Part VI.*

Response: The Applicant will provide appropriate traffic control during construction, including flagging and police as necessary. The contractor for this work will have extensive experience constructing utility lines within the State of Maine and will stage the work in a manner to limit the inconvenience to the residents of Abbot. Work hours will typically be from 7AM to 5PM, Monday to Saturday. No work will occur on Sundays or holidays. All equipment and material not in actual use for construction, inspection, maintenance and operation will be removed from Gales Road as expeditiously as possible. Traffic control will be in compliance with the Manual of Uniform Traffic Control Devices, Part VI.

F. Maximum Allowable Variation from Permit Location

*The Utility may install the proposed facility up to 10 feet at variance from the Specific Location described in the application or replace an existing facility up to 10 feet at variance from the current location if:*

- (a) the change in location is necessary due to an unexpected variation in field conditions, (e.g. ledge),
- (b) the 10 foot moving of the facility is "in-line", (usually approximately parallel to the roadway), and (c) otherwise complies with the Technical Standards.

Response: Poles will be located within 10 feet of the specific location described in Exhibit 1.

G. Installation Farther From Roadway Allowed

*The Utility may install the proposed facility farther away from the roadway than described in the application provided the facility is actually installed*

- (a) *within the highway right of way and*
- (b) *otherwise complies with the Technical Standards.*

Response: If poles are located farther away from the roadway than specified in Section B (Minimum Pole Offsets) or Exhibit 2, they will be located within the Right of Way for Gales Road and will still comply with the Technical Standards.



H. Guardrail Setbacks

*Poles shall be set back a minimum of three (3) feet from the back of the guardrail posts to the face of the pole. Where space permits, greater pole offsets are encouraged to facilitate snowplowing.*

Response: Not applicable because there are no guardrail posts on Gales Road.

I. Poles, Anchors and Ditches / Anchor Guys Toward Roadway

*No poles or anchors shall be set in a flow area. If anchor guys are proposed to cross a ditch or are to be located closer to the roadway than the pole, then the Utility shall (a) notify MDOT of this situation by checking the appropriate box on the Notification Form and by including a description of said guy in its description of the Proposed Installation and (b) in the design and installation of the guy, consider the ditch maintenance responsibilities of MDOT to the maximum extent practical with reference to geometric conditions, the right of way width, and the configuration of property boundaries. The Utility shall be responsible for the cost of moving such anchor guys if the MDOT reasonably determines that such moving is required.*

Response: Not applicable because no poles or anchors will be located in a flow area, which is defined by MDOT as the “strip of land four feet in width and located two feet on either side of the line marking the bottom of the drainage ditch. No anchor guys will cross a ditch or culvert.

J. Islands of Traffic Circles

*Permanent poles shall not be permitted in the center island of a traffic circle. Poles shall not be permitted in any other traffic island.*

Response: Not applicable because there are no traffic circles on Gales Road.

K. Culverts

*Poles shall not be permitted within eight (8) feet of the end of any culvert.*

Response: Poles will not be located within 8 feet of any culvert along Gales Road.

L. Mid-Span Poles

*A Utility may install a pole that is located in the span between two existing permitted poles and closer to the roadway than the minimum pole offsets described in Appendix A, provided that:*

- (1) the proposed mid-span pole is "in-line" with the two adjacent poles, and*
- (2) the offset of the proposed mid-span pole is equal to or greater than the smaller of the pole offsets of the two adjacent poles. Notwithstanding the preceding sentence, this subsection 9(L) does not permit a utility to place mid-span poles within more than two adjacent spans between existing permitted poles.*

Response: Not applicable because no poles are proposed to be located in the span of two existing permitted poles along Gales Road.

M. ADA Applicability

*These rules are not intended to limit in any way the applicability of any relevant federal, state or local law, regulation, or guidance regarding accessibility for disabled persons which otherwise apply to the installation of utility facilities including the Accessibility Guidelines promulgated pursuant to the Americans with Disabilities Act (ADA).*

Response: The Applicant will comply with any relevant ADA regulations.

Pursuant to 35-A M.R.S.A. §2501 et seq., the Town of Abbot of Select Board hereby authorizes Blue Sky West II, LLC to locate utility lines and poles in the public right of way along Gales Road in the Town of Abbot. In issuing this utility location permit we find the following:

- On July 30, 2013, the Abbot Board of Selectmen held a duly noticed public meeting and reviewed the application filed by Blue Sky West II, LLC for a utility location permit.
- The application is for aboveground electrical wires and utility poles. Twenty three poles will be located in the public right of way along approximately 1.2 miles of Gales Road.
- Blue Sky West II, LLC will comply with all relevant Maine DOT technical standards contained in Chapter 205 § 9 of Maine DOT rules.
- All work conducted by Blue Sky West II, LLC under this permit will be done in accordance with the application dated June 28, 2013.
- The proposed utility location will not impair public safety or obstruct public travel.
- Blue Sky West II, LLC shall make timely repairs to any damage to public ways that results from construction pursuant to this approval.

Signed




Dated 7-30-13

Printed

Mickey Knowles

Signed



Printed

Basil Patterson

Signed



Printed

John A. Libera