

**STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**New England Clean Energy Connect** )  
**and** )  
**Central Maine Power Company** )  
 )  
Application for: )  
Site Location of Development Act )  
Natural Resources Protection Act )  
Water Quality Certification )  
#L-27625-26-A-N )  
#L-27625-TG-B-N )  
#L-27625-2C-C-N )  
#L-27625-VP-D-N )  
#L-27625-IW-E-N )

**BROOKFIELD’S RESPONSE TO  
FIRST PROCEDURAL ORDER**

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Pursuant to Paragraphs 19 and 20 of the Presiding Officer’s First Procedural Order, Brookfield White Pine Hydro, LLC (“Brookfield”) hereby submits this response regarding the following items: (1) whether Brookfield is “generally in favor of, or against a permit being issued for the proposed project, or neither for nor against the proposed project being permitted;” (2) the specific statutory and regulatory criteria that they wish to address at the public hearing along with the specific topics under those criteria they wish to address; and (3) whether Brookfield should be consolidated with any other intervenor.

**I. Brookfield’s Position on the Petition**

Brookfield is neither for nor against the proposed project, but has a specific interest regarding which route is selected as two of the proposed alternative routes for an overhead transmission line crossing the Kennebec River cross Brookfield property.

**II. Statutory and Regulatory Criteria**

Because two of the three alternative routes directly implicate Brookfield property and potentially its FERC license, Brookfield has an interest in the following statutory and regulatory criteria: 38 M.R.S. § 484(3), (6); Chapter 375(3-10), (14), (15); 38 M.R.S. § 480-D(1), (3), (4-8); Chapter 310(A-D); Chapter 315(4); Chapter 335(3)(A).

Brookfield would have a particular interest in the impacts that any proposed alternative may have on existing uses on its property, adverse effects on the natural environment on its property, any harm to habitat or wildlife on its property, interference with the natural water flow in the vicinity of its dam, water quality (surface or groundwater), flooding, or adverse effects on its property or the vicinity of its property.

**III. Consolidation of Brookfield with Another Intervenor.**

Brookfield's position is unique and it should not be consolidated with any other intervenor. Since two of the three alternatives in CMP's NRPA application (the "Brookfield Alternative" and "CMP Alternative") for an overhead transmission line crossing the Kennebec River involve crossing FERC-licensed hydropower project areas owned by Brookfield, it has different interests and concerns than the other intervenors. *See* NRPA Application at 2-29, 2-31, 2-32. Brookfield's property and FERC license are implicated in the proposal. Therefore, it has interests that are dissimilar to the other intervenors and should be kept separate.

DATED: September 4, 2018

Respectfully submitted,

On behalf of  
BROOKFIELD WHITE PINE HYDRO, LLC



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Nicolas Bossé  
SVP Government and Regulatory Affairs