

From: [Browne, Juliet](#)
To: [Todd, Fred](#); ["D. Gordon Mott"](#); ["David Corrigan"](#); ["joy.prescott@stantec.com"](#); ["Kevin Gurall"](#); ["Neil Kiely"](#); ["SeanMahoney"](#); ["Michael Thompson"](#)
Cc: [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Mills, Amy](#)
Subject: Applicant's Reply/Motion to Withdraw
Date: Tuesday, November 29, 2011 4:35:29 PM
Attachments: [Champlain Reply-11292011162658.pdf](#)

Fred,

In accordance with the 14th Procedural Order, attached please find the applicant's reply in support of its request to withdraw.

Thank you and, as always, if you or others have any questions, please let me know.

Juliet

Juliet T. Browne
Verrill Dana, LLP
One Portland Square
Portland, Maine 04112-0586
jbrowne@verrilldana.com
(207) 253-4608 (direct)
(207) 253-4609 (fax)

From: Todd, Fred [mailto:Fred.Todd@maine.gov]
Sent: Tuesday, November 15, 2011 1:01 PM
To: Browne, Juliet; D. Gordon Mott; David Corrigan; joy.prescott@stantec.com; Kevin Gurall; Neil Kiely; Sean Mahoney
Cc: Carroll, Catherine M.; Horn-Olsen, Samantha; Mills, Amy
Subject: Bowers 14th Procedural Order re applicant's request to withdraw

To: Bowers Parties

Attached is Chair Hilton's procedural order regarding Champlain's request to withdraw its Bowers Wind Project application.

Feel free to call or email if you have any questions.

Fred

Frederick W. Todd, Project Planner
Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333
207-287-8786
fred.todd@maine.gov

This email and any attachment was sent from the law firm Verrill Dana, LLP. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it, please delete it and notify us as soon as possible. Thank you.

From: [Browne, Juliet](#)
To: [Todd, Fred](#); ["D. Gordon Mott"](#); ["David Corrigan"](#); ["joy.prescott@stantec.com"](#); ["Kevin Gural"](#); ["Neil Kiely"](#); ["SeanMahoney"](#); ["Michael Thompson"](#)
Cc: [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Mills, Amy](#)
Subject: Bowers/DP 4889
Date: Tuesday, November 08, 2011 1:38:35 PM
Attachments: [Applicant's Req. to Withdraw Its Application-11082011132955.pdf](#)
[Cvr Ltr to Fred Todd-11082011114903.pdf](#)

Fred,

Attached please find a cover letter and request by the applicant to withdraw its application.

Juliet

Juliet T. Browne

Verrill Dana, LLP

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Portland, Maine 04112-0586

jbrowne@verrilldana.com

(207) 253-4608 (direct)

(207) 253-4609 (fax)

Treasury Regulations require us to notify you that any tax advice in this communication (including any attachment) is not intended or written to be used, and cannot be used, for the purpose of avoiding tax penalties, and may not be referred to in any marketing or promotional materials.

This email and any attachment was sent from the law firm Verrill Dana, LLP. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it, please delete it and notify us as soon as possible. Thank you.

From: [Gary Campbell](#)
To: [Todd, Fred](#)
Cc: [Mills, Amy](#); [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Juliet Browne](#); [David Corrigan](#); [Sean Mahoney](#); [D. Gordon Mott](#)
Subject: Champlain Wind, LLC / Bowers Wind Project DP4889
Date: Friday, November 11, 2011 3:27:59 PM
Attachments: [PPDLW response 111111 .pdf](#)
Importance: High

11/11/11

Frederick W. Todd
Project Planner
Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333

Dear Fred,

Attached please find a letter from PPDLW concerning Champlain Wind, LLC's request to withdraw its application for the Bowers Wind Project DP4889.

Sincerely,

Kevin Gurall
President, PPDLW

From: [Gary Campbell](#)
To: [Todd, Fred](#)
Cc: [Kevin M. & Marie Gural](#)
Subject: DP4889: CLF's response to PO14
Date: Monday, November 28, 2011 9:49:59 AM

Hi Fred,

In PO 14 the Chair invited all Intervenors to submit further argument in writing with respect to the Applicant's request to withdraw no later than Tuesday, November 22 at 5pm. Arguments were received by the deadline from PPDLW, David Corrigan and CLF.

After 5pm, Sean Mahoney of CLF emailed another letter of argument (I suspect Juliet Browne read the first one and asked him to modify it). In the second letter, Sean even admits it is past the deadline.

My question is this:

It seems fairly cut & dry to me that any arguments received after deadline imposed by the Chair will be disregarded. Is that correct? Or will PPDLW have to formally enter an objection to having that late letter entered into the record? I suspect that if PPDLW were to file anything late Juliet Browne would see that it was not allowed into the record.

Thanks much,
Hope you had a fine Thanksgiving,
Gary

From: [Kevin and Marie](#)
To: [Todd, Fred](#)
Cc: [Mills, Amy](#); [David Corrigan](#); [Sean Mahoney](#); [D. Gordon Mott](#); jbrowne@verrilldana.com; [Carroll, Catherine M.](#)
Subject: Emailing: PPDLW Argument
Date: Tuesday, November 22, 2011 1:05:46 PM
Attachments: [Frederick Todd LURC 11-22-11.doc](#)

Good afternoon Fred. Attached is PPDLW's argument regarding the applicant's request to withdraw their application. I am forwarding this to you and all appropriate parties on behalf of our legal counsel. I hope all of you have a terrific long Holiday weekend with family.

Kevin Gurall
President
PPDLW

From: [Kevin and Marie](#)
To: [Todd, Fred](#)
Cc: [Sean Mahoney](#); [David Corrigan](#); [D. Gordon Mott](#); [Mills, Amy](#); [Carroll, Catherine M.](#); jbrowne@verrilldana.com;
[Horn-Olsen, Samantha](#)
Subject: Emailing: request_for_10_min
Date: Tuesday, November 22, 2011 1:21:42 PM
Attachments: [request_for_10_min.pdf](#)

Fred, attached is PPDLW's request to be allocated 10 minutes before the Commissioners at the 12/7 meeting to submit it's argument regarding the applicant's request to withdraw their application.

Kevin Gurall
President
PPDLW

From: [David Corrigan](#)
To: [Todd, Fred](#); [Juliet Browne](#); [Gordon Mott](#); [Joy Prescott](#); [Kevin Gurall,PPDLW](#); [Neil Kiely](#); [smahoney@clf.org](#)
Cc: [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Mills, Amy](#)
Subject: RE: Bowers 14th Procedural Order re applicant"s request to withdraw
Date: Tuesday, November 22, 2011 3:36:28 PM

Fred,

I am writing to officially request ten minutes of time to address the Commissioners at the December 7, 2011 Commission meeting.

I would like to go on the record as supporting the comments made today by Intervenor PPDLW and their legal council regarding this matter and why the record should not be re-opened. However, if the Chair is going to allow the applicant to address the Commissioners at the December 7 meeting, then I believe it is only right that all Parties get equal time--So, pursuant to the 14th Procedural Order, I am requesting that time.

Thank you.

David P. Corrigan
Registered Maine Master Guide
Fletcher Mountain Outfitters
82 Little Houston Brook Road
Concord Twp., Maine 04920
207-672-4879
maineguide@live.com
www.realwindinfoforme.com

Subject: Bowers 14th Procedural Order re applicant's request to withdraw
Date: Tue, 15 Nov 2011 13:00:42 -0500
From: Fred.Todd@maine.gov
To: jbrowne@verrilldana.com; Forester@AlmanacMtn.US; maineguide@live.com;
joy.prescott@stantec.com; mainlymaine@fairpoint.net; NKiely@firstwind.com; SMahoney@clf.org
CC: Catherine.M.Carroll@maine.gov; Samantha.Horn-Olsen@maine.gov; Amy.Mills@maine.gov

To: Bowers Parties

Attached is Chair Hilton's procedural order regarding Champlain's request to withdraw its Bowers Wind Project application.

Feel free to call or email if you have any questions.

Fred

Frederick W. Todd, Project Planner
Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333
207-287-8786
fred.todd@maine.gov

From: [David Corrigan](#)
To: [Todd, Fred](#); [Gordon Mott](#); [Joy Prescott](#); [Kevin Gurall,PPDLW](#); [Neil Kiely](#); [smahoney@clf.org](#); [mthompson@firstwind.com](#); [Juliet Browne](#)
Cc: [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Mills, Amy](#)
Subject: RE: Bowers/DP 4889
Date: Wednesday, November 09, 2011 11:29:34 AM
Attachments: [Corrigan-Response_To_Applicant's_Request_To_Withdraw--Bowers-DP4889--11-9-11.doc](#)

Fred,

Attached please find my response to the Applicant's request to withdraw their application in the Bowers/DP 4889 case.

David

David P. Corrigan
Registered Maine Master Guide
Fletcher Mountain Outfitters
82 Little Houston Brook Road
Concord Twp., Maine 04920
207-672-4879
maineguide@live.com
www.realwindinfoforme.com

From: jbrowne@verrilldana.com
To: Fred.Todd@maine.gov; Forester@AlmanacMtn.US; maineguide@live.com; joy.prescott@stantec.com; mainlymaine@fairpoint.net; NKiely@firstwind.com; SMahoney@clf.org; MThompson@firstwind.com
CC: Catherine.M.Carroll@maine.gov; Samantha.Horn-Olsen@maine.gov; Amy.Mills@maine.gov
Subject: Bowers/DP 4889
Date: Tue, 8 Nov 2011 18:38:10 +0000

Fred,

Attached please find a cover letter and request by the applicant to withdraw its application.

Juliet

Juliet T. Browne
Verrill Dana, LLP
One Portland Square
Portland, Maine 04112-0586
jbrowne@verrilldana.com
(207) 253-4608 (direct)
(207) 253-4609 (fax)

Treasury Regulations require us to notify you that any tax advice in this communication (including any attachment) is not intended or written to be used, and cannot be used, for the purpose of avoiding tax penalties, and may not be referred to in any marketing or promotional materials.

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From: [Sean Mahoney](#)
To: [Todd, Fred](#)
Cc: [Mills, Amy](#); [David Corrigan](#); [D. Gordon Mott](#); jbrowne@verrilldana.com; [Carroll, Catherine M.](#); [Kevin Gurall](#)
Subject: RE: Champlain Wind, DP 4889
Date: Tuesday, November 22, 2011 5:23:03 PM
Attachments: [Req to Wdraw 112211.pdf](#)

Fred – Unfortunately, I submitted to you a prior version of our comments drafted when it was my understanding that Champlain sought to amend its application as opposed to withdraw and resubmit the application in a new proceeding. Please find the version of the letter that I intended to submit earlier. I apologize for any confusion. Sean

Sean

From: Sean Mahoney
Sent: Tuesday, November 22, 2011 4:43 PM
To: Todd, Fred
Cc: Mills, Amy; David Corrigan; D. Gordon Mott; jbrowne@verrilldana.com; Carroll, Catherine M.; Kevin Gurall
Subject: RE: Champlain Wind, DP 4889

Dear Fred – please find the comments of intervener Conservation law Foundation on the request to withdraw its application from Champlain Wind. I wish you the best for a happy Thanksgiving. Sean

Sean Mahoney

Vice President and Director
CLF Maine

47 Portland Street, Suite 4
Portland, ME 04101

P: 207-210-6439 x12

E: smahoney@clf.org

For a thriving New England



From: [Sean Mahoney](#)
To: [Todd, Fred](#)
Cc: [Mills, Amy](#); [David Corrigan](#); [D. Gordon Mott](#); jbrowne@verrilldana.com; [Carroll, Catherine M.](#); [Kevin Gural](#)
Subject: RE: Champlain Wind, DP 4889
Date: Tuesday, November 22, 2011 4:51:53 PM
Attachments: [Req to Wdraw 112211.pdf](#)

Dear Fred – please find the comments of intervener Conservation law Foundation on the request to withdraw its application from Champlain Wind. I wish you the best for a happy Thanksgiving. Sean

Sean Mahoney

Vice President and Director
CLF Maine

47 Portland Street, Suite 4
Portland, ME 04101

P: 207-210-6439 x12

E: smahoney@clf.org

For a thriving New England



From: [Sean Mahoney](#)
To: [Todd, Fred](#); [Gary Campbell](#)
Cc: [Kevin M. & Marie Gurall](#); [Mills, Amy](#); [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Browne, Juliet](#); [D. Gordon Mott](#); [David Corrigan](#); joy.prescott@stantec.com; [Neil Kiely](#)
Subject: RE: DP4889: CLF's response to PO14
Date: Monday, November 28, 2011 1:52:06 PM

Fred – thank you for your email relaying the Chair’s decision on PPDW’s objection to our late filing. I was not aware of the objection but appreciate the quick and professional response to it. It is most likely that I will not be able to be present at the December 7 meeting due to a previously scheduled hearing in District Court. If I am unable to attend, CLF will stand by the reasons stated in our letter of 5:23 pm on November 22, 2011 for allowing the applicant’s request. Sean

Sean Mahoney

Vice President and Director
CLF Maine

47 Portland Street, Suite 4
Portland, ME 04101

P: 207-210-6439 x12
E: smahoney@clf.org

For a thriving New England



From: Todd, Fred [<mailto:Fred.Todd@maine.gov>]
Sent: Monday, November 28, 2011 11:34 AM
To: Gary Campbell
Cc: Kevin M. & Marie Gurall; Mills, Amy; Carroll, Catherine M.; Horn-Olsen, Samantha; Browne, Juliet; D. Gordon Mott; David Corrigan; joy.prescott@stantec.com; Neil Kiely; Sean Mahoney
Subject: RE: DP4889: CLF's response to PO14

Gary, I spoke to Chair Hilton about this matter. The Chair understands that PPDW has objected on the basis that Intervenor CLF emailed a 1-page letter regarding the applicant’s request to withdraw at 4:43 pm on the afternoon of the November 22nd 5:00 pm deadline, only to then email a corrective 1-page letter 23 minutes after the November 22nd 5:00 pm deadline. CLF states that it inadvertently attached a prior draft of its letter to its original email. The Commission will not take up the applicant’s request to withdraw until December 7th, which is over a week away. Additionally, at the December 7th meeting, the Chair has indicated that each party will be allocated time to address the Commission as to why or why not the applicant’s request should be allowed. No prejudice has been identified with respect to allowing CLF’s late filing. For these reasons, the Chair has decided to accept CLF’s letter.

Fred

Frederick W. Todd, Project Planner
Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333
207-287-8786
fred.todd@maine.gov

From: Gary Campbell [mailto:garycam99@verizon.net]
Sent: Monday, November 28, 2011 9:53 AM
To: Todd, Fred
Cc: Kevin M. & Marie Gurall
Subject: DP4889: CLF's response to PO14

Hi Fred,

In PO 14 the Chair invited all Intervenors to submit further argument in writing with respect to the Applicant's request to withdraw no later than Tuesday, November 22 at 5pm. Arguments were received by the deadline from PPDLW, David Corrigan and CLF.

After 5pm, Sean Mahoney of CLF emailed another letter of argument (I suspect Juliet Browne read the first one and asked him to modify it). In the second letter, Sean even admits it is past the deadline.

My question is this:

It seems fairly cut & dry to me that any arguments received after deadline imposed by the Chair will be disregarded. Is that correct? Or will PPDLW have to formally enter an objection to having that late letter entered into the record? I suspect that if PPDLW were to file anything late Juliet Browne would see that it was not allowed into the record.

Thanks much,
Hope you had a fine Thanksgiving,
Gary

From: [Kevin and Marie](#)
To: [Sean Mahoney](#); [Todd, Fred](#)
Cc: [Neil Kiely](#); joy.prescott@stantec.com; [David Corrigan](#); [D. Gordon Mott](#); [Browne, Juliet](#); [Horn-Olsen, Samantha](#); [Carroll, Catherine M.](#); [Mills, Amy](#)
Subject: Re: DP4889: CLF's response to PO14
Date: Thursday, December 01, 2011 11:42:56 AM

For the record, PPDW **did not** file an objection to the late filing of Mr. Mahoney's comments. In Gary Campbell's letter to you Fred, he was clearly just seeking for clarification as to whether this post deadline filing would automatically be disallowed because it was in fact significantly past the deadline, or whether PPDW would need to file an official objection if we choose to object. After further review of the content of CLF's comments, we decided **not** to object. Please let the record reflect this.

Kevin Gurall
PPDLW

----- Original Message -----

From: [Sean Mahoney](#)
To: [Todd, Fred](#) ; [Gary Campbell](#)
Cc: [Kevin M. & Marie Gurall](#) ; [Mills, Amy](#) ; [Carroll, Catherine M.](#) ; [Horn-Olsen, Samantha](#) ; [Browne, Juliet](#) ; [D. Gordon Mott](#) ; [David Corrigan](#) ; joy.prescott@stantec.com ; [Neil Kiely](#)
Sent: Monday, November 28, 2011 1:51 PM
Subject: RE: DP4889: CLF's response to PO14

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Sean Mahoney
Vice President and Director
CLF Maine

47 Portland Street, Suite 4
Portland, ME 04101

P: 207-210-6439 x12
E: smahoney@clf.org

For a thriving New England



From: Todd, Fred [mailto:Fred.Todd@maine.gov]
Sent: Monday, November 28, 2011 11:34 AM
To: Gary Campbell
Cc: Kevin M. & Marie Gurall; Mills, Amy; Carroll, Catherine M.; Horn-Olsen, Samantha; Browne, Juliet; D. Gordon Mott; David Corrigan; joy.prescott@stantec.com; Neil Kiely; Sean Mahoney
Subject: RE: DP4889: CLF's response to PO14

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Fred

Frederick W. Todd, Project Planner
Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333
207-287-8786
fred.todd@maine.gov

From: Gary Campbell [mailto:garycam99@verizon.net]
Sent: Monday, November 28, 2011 9:53 AM
To: Todd, Fred
Cc: Kevin M. & Marie Gurall
Subject: DP4889: CLF's response to PO14

Hi Fred,

In PO 14 the Chair invited all Intervenors to submit further argument in writing with respect to the Applicant's request to withdraw no later than Tuesday, November 22 at 5pm. Arguments were received by the deadline from PPDW, David Corrigan and CLF.

After 5pm, Sean Mahoney of CLF emailed another letter of argument (I suspect Juliet Browne read the first one and asked him to modify it). In the second letter, Sean even admits it is past the deadline.

My question is this:

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Thanks much,

Hope you had a fine Thanksgiving,

Gary

From: [D. Gordon Mott](#)
To: [Todd, Fred](#)
Cc: [Sean Mahoney](#); [Gary Campbell](#); [Kevin M. & Marie Gurall](#); [Mills, Amy](#); [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Browne, Juliet](#); [David Corrigan](#); joy.prescott@stantec.com; [Neil Kiely](#)
Subject: DP4889: Request to Address the Commission on 12/7.
Date: Friday, December 02, 2011 11:18:41 AM

Dear Fred and all other parties:

In accord with the provision in Procedural Order 14 that: "Any other Intervenor in this proceeding may also request, no later than Friday, December 2, 2011, time at the December 7th meeting to address the Commission orally on the Applicant's request to withdraw", I request 10 minutes of time to address the Commission Dec. 7.

Please note that I have heretofore refrained from submitting "argument" concerning the applicant's request to withdraw. I seek neither to argue, support nor oppose the request. I wish to provide information and observations not generally publicly known nor yet brought forward that could be of value to the Commission and other parties concerning the matter.

To be fair, having the benefit of receipt of the written arguments provided by the other parties to the proceeding, in making this request I hereby share below the substance of the information and observations I would discuss.

Firstly, I have attended all six meetings in since Sept. 22 of the LURC Reform Commission established by the Legislature. The Commission is scheduled to submit its report this month. The Legislature will act upon the recommendations in the upcoming session.

Yesterday, Dec. 1, 2011, at the meeting in the Bangor Masonic Center from 10:00 AM to 3:30 PM, the Commission came to final agreements on recommendations that will be made for changes in LURC.

Two of the recommendations that are to come forward are relevant to these proceedings. I extract below from the draft document received upon request this day, Friday Dec. 2, from the Dept. of Conservation attorney:

1. Item 5 e: "Transfer to the DEP all permitting for wind power projects and other large projects that trigger Site Law."

2. Considerable discussion by the Reform Commission centered on what would be recommended for the status of the Class 1 and 2 lakes when LURC is transferred to the new proposed MLUC Commission.

It was originally recommended:

"Item 8. MAINTAIN STATEWIDE UT VALUES

1. Freshwater Resources - Continue to provide strong protections for remote ponds and high quality lakes (Class 1&2).

2. Forest Economy and Wildlife Habitat - Encourage and maintain large forest blocks (more than 10,000 acres) for fiber supply and wildlife habitat."

The Commission failed to agree to make the above commitment to preserve the status of the Class 1 and 2 lakes when wind power permitting is transferred to DEP.

The following recommendation was adopted:

"Item 8: MAINTAIN STATEWIDE UT VALUES

- 1.
2. *We recognize that all the people of Maine and the landowners value the UT for the vastness of its forests, its exceptional water and wildlife resources, and for the people of the UT and their exceptional quality of life, and the recognition of the tradition and rights of private property."*

Secondly, having interest in local conservation including use of the local ponds and shore at issue by hand power and foot, I would observe the important differences in the current conservation status and in the likely development futures among the 14 lakes upon which the cumulative visual impacts have been judged to be unacceptable. These differences have not been explicitly discussed in deliberations. The observations are intended to go to possible questions, should they arise, concerning whether the application can be modified to address the concerns by the Commission for cumulative visual impact and to reinforce the high importance of continued preservation of the exceptional elements in the lake array.

Sincerely,

Gordon

--

D. Gordon Mott Forester
42 Damon Pasture Lane
Lakeville ME 04487
207-738-2180 Voice and Fax
207-794-5729 Cell

From: [Kevin and Marie](#)
To: [Todd, Fred](#)
Cc: [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Mills, Amy](#); [Browne, Juliet](#); [D. Gordon Mott](#); [David Corrigan](#); joy.prescott@stantec.com; [Sean Mahoney](#); [Neil Kiely](#)
Subject: Re: public comments
Date: Tuesday, December 06, 2011 10:16:48 AM

Thank you Fred, but since the quoted instructions apply only to the public hearings portion of the process, and by your own admission, submitting personal testimony is not prohibited by PO #14, it would seem that your extraneous comments on these two submissions would be unnecessary at best and prejudicial at worst. I guess we'll just agree to disagree on this one, but as always I fully respect your opinion, I just don't happen to agree with it on this particular subject.

Respectfully,

Kevin Gurall
PPDLW

----- Original Message -----

From: [Todd, Fred](#)
To: [Kevin and Marie](#)
Cc: [Carroll, Catherine M.](#); [Horn-Olsen, Samantha](#); [Mills, Amy](#); [Browne, Juliet](#); [D. Gordon Mott](#); [David Corrigan](#); joy.prescott@stantec.com; [Sean Mahoney](#); [Neil Kiely](#)
Sent: Tuesday, December 06, 2011 9:51 AM
Subject: RE: public comments

Kevin, the relevant portion of IV,D is "[witnesses who pre-file testimony](#) relating to any topic will not be permitted to testify at either of the evening public sessions." While this part of the 3rd PO specifically addressed the public hearing (not comment on the applicant's request to withdraw)--and as I noted in my email there is nothing in the 14th PO that specifically address the issue at hand—the Commission has made an effort for purposes of fairness and efficiency to limit what effectively amounts to double participation by parties, including intervenors. Since both you and Gary pre-filed testimony on behalf of an intervenor, staff was surprised that after PPDLW filed comments on the request to withdraw that you individually filed further public comment. But as I said in my email, staff will post your comments nonetheless.

Fred

Frederick W. Todd, Project Planner
Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333
207-287-8786
fred.todd@maine.gov

From: Kevin and Marie [mailto:mainlymaine@fairpoint.net]
Sent: Monday, December 05, 2011 7:10 PM
To: Todd, Fred; Browne, Juliet; D. Gordon Mott; David Corrigan; joy.prescott@stantec.com; Neil Kiely; Sean Mahoney
Cc: Carroll, Catherine M.; Horn-Olsen, Samantha; Mills, Amy
Subject: Re: public comments

Hi Fred, I'm writing to ask for clarification on what you've stated below. Both Gary Campbell and I

have gone back to PO #3 and the section you referenced and can't find anything relevant to us submitting these latest comments to LURC. The way I read the referenced section, that applied directly to procedures set in place specifically for the public hearings - which it references. Also, Gary has obviously been very involved in this process as a witness and a concerned property holder that would be affected by this project, but holds no standing with PPDLW other than being a member. He is not an officer and is not a board member.

When I spoke before the commissioners on the expansion of the expedited area to Kossuth, I spoke on behalf of PPDLW, and then asked for and was granted time to make a brief statement as my personal testimony. Are you know saying that because I'm an officer of PPDLW, that I'm not allowed to submit my personal comments? Just looking for clarification as to why you made these comments as I could not find any precedent for them.

Thanks you in advance for your reply.

Kevin Gurall
President PPDLW

----- Original Message -----

From: [Todd, Fred](#)

To: [Browne, Juliet](#) ; [D. Gordon Mott](#) ; [David Corrigan](#) ; joy.prescott@stantec.com ; [Kevin Gurall](#) ; [Neil Kiely](#) ; [Sean Mahoney](#)

Cc: [Carroll, Catherine M.](#) ; [Horn-Olsen, Samantha](#) ; [Mills, Amy](#)

Sent: Monday, December 05, 2011 11:38 AM

Subject: public comments

To: Bowers Parties

Attached are two personal comment emails received from persons who are members of the Partnership and who pre-filed testimony in advance of the Commission's evidentiary hearing on this matter. While nothing in the Chair's 14th Procedural Order specifically spoke to the filing of such comment, staff notes that the Chair's 3rd Procedural Order at IV.D, discouraged this type of activity. With that said, the attached public comments are being posted to the LURC website.

Fred

Frederick W. Todd, Project Planner
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Augusta, Maine 04333
207-287-8786
fred.todd@maine.gov