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DEPARTMENT OF ENERGY

(DOCKET NO. PP-89-1)

In Re: Application to amend Presidential Permit;
Bangor Hydro-Electric Company

September 29, 2005

AGENCY: Office of Energy Delivery and Electricity
Reliability

ACTION: Hearing of Draft EIS

BEFORE: Angella D. White, Notary Public, at Jeff's
Catering, 5 Coffin Avenue, Brewer, Maine, on Thursday,
September 29, 2005, beginning at 7:00 p.m.

DON THOMPSON & ASSOCIATES
Court Reporting

1 (This hearing was taken before Angella D. White,
2 Notary Public, at Jeff's Catering, 5 Coffin Avenue,
3 Brewer, Maine, on Thursday, September 29, 2005, beginning
4 at 7:00 p.m.)

5 * * * * *

6 DR. PELL: If everybody would be kind enough to
7 be seated, I would like to start the meeting, if I
8 may.

9 I'm with the U.S. Department of Energy in
10 Washington, Dr. Jerry Pell, from the office of the
11 Electricity Develop Delivery and Energy Reliability.
12 And my colleague on the right is Mr. Brian Mills who
13 is with the office of NEPA Policy and Compliance.
14 NEPA is the National Environmental Policy Act. And
15 his office of NEPA Policy and Compliance is within the
16 office of Environmental Safety and Health in the
17 Department of Energy also in Washington.

18 The reason we're here this evening is to take
19 public comments on a draft Environmental Impact
20 Statement, which is that white document that you all
21 saw as you came in this evening.

22 That's a description of the potential
23 environmental impacts on the project that Bangor-Hydro
24 Electric has proposed that has been referred to as the
25 Northeast Reliability Interconnect.

1 Before we go any further, I'd like to know if
2 anybody in the audience wishes to speak this evening
3 on this report? Okay. Thank you.

4 By way of background, I'm going to read you a
5 little bit from the introduction to the document. I
6 can read it fairly because I helped write it. So it's
7 okay for me to read it in this way. I'll make sure I
8 don't leave anything out.

9 The Department of Energy Presidential Permit is
10 required before anyone can conduct, connect, operate,
11 and maintain an electric transmission line across the
12 U.S. border. On September 30, 2003, Bangor
13 Hydro-Electric Company applied to the DOE to amend
14 their existing Presidential Permit 89 to authorize
15 Bangor Hydro to construct an 85-mile long, single
16 circuit, 345,000-volt alternating current electric
17 transmission line that would originate at the
18 Orrington Substation and extend eastward to the
19 U.S.-Canada border near Baileyville, Maine, and
20 continue into New Brunswick.

21 The currently proposed transmission line is along
22 a different route from that for which DOE issued the
23 original Presidential Permit 89 to Bangor-Hydro on the
24 22nd of January 1996.

25 The Department of Energy has determined that the

1 issuance of an amendment of an existing Presidential
2 Permit for this project would constitute a major
3 federal action within the meaning of NEPA, the
4 National Environmental Policy Act, as amended. The
5 act originally was signed into law in 1969.

6 There was a Federal Register Notice of Intent to
7 prepare an EIS and to conduct public scoping meetings
8 and notice of floodplain and wetlands involvement.
9 That was published on November the 2nd of 2004.

10 DOE held public meetings on November the 17th,
11 2004 in Baileyville, where we were again last night,
12 and on November 18, 2004 right here in this same
13 facility in Brewer. DOE also solicited written and
14 electronic comments on the scope of the EIS in that
15 Federal Notice of Intent at the scoping meetings and
16 electronically through a project website.

17 The EIS addresses the environmental impacts of
18 the proposed transmission -- excuse me, of the
19 proposed transmission line and the range of reasonable
20 alternatives. Four alternative transmission line
21 routes are analyzed in this EIS. The Modified
22 Consolidated Corridors Route is Bangor-Hydro's and
23 also DOE's preferred alternative.

24 DOE will use the EIS to ensure that it has the
25 information needed for purposes of informed decision

1 making. The decisions themselves will be issued
2 subsequent to the final EIS -- what we have here, I
3 remind you, is the draft -- in the form of a Record of
4 Decision by DOE no sooner than 30 days after
5 publication of the US Environmental Protection Agency
6 Notice of Availability of the final EIS. And that
7 would be followed by an amendment to the Presidential
8 Permit, as appropriate.

9 We at this juncture cannot tell you whether or
10 not a Presidential Permit would be granted. The
11 Department of Energy invited interested members of
12 congress, state and local governments and other
13 federal agencies, American Indian tribal governments,
14 organizations and members of the public to provide
15 comments on the draft.

16 The public comment period began on August the
17 26th with the publication of the notice of
18 availability of the draft EIS in the Federal Register
19 by the Environmental Protection Agency and will
20 continue until October 11th, 2005.

21 So if anybody wishes to submit comments beyond
22 tonight, you do have until October the 11th. Written
23 and oral comments will be given equal weight. And DOE
24 will consider all comments received or postmarked by
25 that date in preparing the final EIS. Comments

1 received or postmarked after that date will be
2 considered to the extent practicable.

3 So that's my way of setting the stage and
4 background to our being here this evening. And I'd
5 like to start now by taking comments. I believe we
6 have two people that would like to speak. I'll just
7 take them in the order of where you're sitting, the
8 first person -- well, okay, you've got it.

9 Do me a favor, please, and tell us your name and
10 affiliation so that we can have it in the record.

11 MR. MACDONALD: John MacDonald, republican.

12 DR. PELL: Let me give you this. We are -- we
13 will try to keep remarks down to about five minutes,
14 if we can.

15 MR. MACDONALD: John Macdonald.

16 DR. PELL: Do you want to take this?

17 MR. MACDONALD: Yes, okay. Republican. I want
18 to know how much trees are going to be removed from my
19 land. When they first did it in the '70s, they
20 devastated and burnt all the wood that could have been
21 utilized for paper, lumber, anything.

22 Now, this time I want to know where they --
23 they're coming in. I know it's a 270-foot
24 right-of-way, 1,400 and some feet. I want to know if
25 they'll mark it so I can harvest the wood this time.

1 I don't want to see it wasted, piled up and burnt,
2 like they did the first time. Sir.

3 DR. PELL: No, I'll take it back, please.

4 MR. MACDONALD: Oh. I'm sorry.

5 DR. PELL: Quite all right. No problem. Thank
6 you, Mr. Macdonald. I appreciate your comments and
7 they will be part of the record and they will be
8 included with the final document.

9 I'd like to now call on the second speaker. If
10 we could, as we did for the first speaker, give your
11 name and your affiliation, please, if you're a member
12 of a group or whether you're just speaking for
13 yourself.

14 MR. BLANCHARD: Ron Blanchard, resident of
15 Eddington, Maine, a landowner, in which I will lose
16 one acre of land on an easement which is assigned to
17 MEPCO or MEDCO, Maine Electric Power, not Bangor
18 Hydro. I want to make that very clear. The easement
19 on my land and my neighbor's land is for Maine
20 Electric Power Company, not Bangor Hydro.

21 At a meeting last night or the night before last
22 in the town of Eddington the representative for Bangor
23 Hydro, Mr. Steve Sloan, could not produce an easement,
24 an authorization, any type of court document
25 whatsoever that gave Bangor Hydro authorization to

1 come across my land, to steal my trees, to utilize my
2 land in which I am paying taxes on, the land in which
3 is my livelihood, in which the land is going to be
4 down-graded in taxes. And so the town of Eddington is
5 going to lose revenue because of this power line.

6 Bangor Hydro has yet to prove to me -- and,
7 Dr. Pell, I was in Augusta at the PUC meeting and they
8 could not prove then that they had a legal -- a legal
9 right to come across my land.

10 I have requested in the Town of Eddington that
11 they hold any authorization up until Bangor Hydro can
12 legally prove that they can come across my land or any
13 of my neighbors' land, to give me fair compensation.

14 My easement, which was signed by a previous
15 owner, was to Maine Electric Power, not Bangor Hydro.

16 What's next? L & G Power Plant coming through,
17 Bangor & Aroostook Railroad going to come through
18 next? What else is the assignees going to --
19 MEPCO --? This needs to be investigated.

20 When -- it was assigned by the previous owner for
21 one power line, now it's two power lines. How about
22 three, four? What's next? We're talking about fair
23 compensation for the land.

24 Now, let's just think a little bit about the tax
25 value of the land going down. Would you like to live

1 underneath the power lines? There's a member of the
2 audience right over here -- where is Jim?

3 MR. MCDONALD: Right there.

4 MR. BLANCHARD: This is coming right over his
5 house on a corner. I can point it out on the map.

6 MR. MCDONALD: I'll speak.

7 MR. BLANCHARD: Okay. He'll speak later. Nobody
8 wants to sell -- you cannot sell a house with power
9 lines coming over it. When I bought my land or when
10 he bought his, there was not but one power line there.
11 Now we're talking two? Is there going to be three,
12 four? Gas lines?

13 What legal right -- let's talk about legality
14 now. Is it legal for MEPCO to sell an easement? Is
15 -- is that the state law? Has Bangor Hydro produced
16 the legal right to me, which I've requested in the
17 last year, that the -- a legal right signed by a
18 judge? No, they have not.

19 They have not produced the legal right in the
20 court of law that they have the legal right -- Bangor
21 Hydro, not MEPCO -- they haven't produced it yet.
22 They didn't produce it when they went before the PUC.
23 They didn't produce it in Eddington two nights ago.
24 Now, maybe they can tonight and shut me up.

25 Now, I'm not here to stop the electrical power to

1 Boston. Because that's exactly where it's going. But
2 we all know that. I mean, you go to Orrington, that's
3 all going to New York. Well, that's fine. They've
4 got -- but they're coming across my land and they're
5 not giving me fair compensation.

6 They're not giving me a discount on my electrical
7 rates. They're coming across my land, the land I pay
8 taxes on, not Bangor Hydro. Oh, MEPCO pays a little
9 taxes for the posts. But I can't sell that land. I
10 can't -- I pay taxes on it, I can't do nothing with
11 it. I can't cut it off, do nothing.

12 We're not here to stop progress. We know the
13 poor people down in Boston need electricity. I mean,
14 they're beautiful people down there.

15 But when I was down to -- in Augusta and talked
16 to the PUC and says, how about redesign the electrical
17 power lines so they don't have to cut another acre of
18 land? And I think the number of 55,000 acres --
19 55,000 acres, that's what they're going to encompass.
20 55,000 acres of lower tax revenue for the communities.

21 I said, why don't you just take and redesign the
22 power lines so we don't have to cut another tree, so
23 we don't have to downgrade the tax assessed values?
24 No, they didn't want to hear that.

25 Oh, and the mention was that the Bangor Hydro --

1 people that are buying power from Bangor Hydro have to
2 cough up \$100 million to finance this line. And the
3 poor landowner, such as myself and my neighbors, have
4 absolutely no compensation. We get our trees stolen
5 away from us, the land in which we have no tax
6 assessed -- the tax assessed value on our land goes
7 down.

8 I am currently requesting the Town of Eddington
9 to have the -- the land in which they are going to put
10 the power line on to have it reassessed. And I am
11 going to request that Bangor Hydro pay the taxes on it
12 because it's absolutely worthless to me.

13 And it's just not right, Dr. Pell. It's not
14 right. I pay taxes on the land and Bangor Hydro gets
15 to take my trees and sell power to Boston and make
16 money for their shareholders and I receive not one
17 iota of compensation, not one cent off my electrical
18 bill. And, in fact, my electrical rates go up to pay
19 for that.

20 This is all in the PUC Commission. My rates go
21 up and I lose land -- lose the value of my land? I'm
22 sorry, it's not right, it doesn't pass a common sense
23 test.

24 They need to renegotiate with the landowners, not
25 the towns, because they don't have an easement. You

1 have to make it right here. Do we want 55,000 acres
2 of American land destroyed -- state of Maine land
3 destroyed so Boston can get electricity? No, I'm
4 sorry. Thank you for your time.

5 DR. PELL: Thank you very much. I appreciate
6 your comments and they will be part of the record and
7 we will consider them in our preparing of the final
8 document.

9 Is there anybody else with us this evening that
10 wishes to talk? Please come to the microphone and
11 tell us who you are.

12 MR. MCDONALD: Thank you. My name is Jim Mack.

13 DR. PELL: Can you spell that? M-a-c-k?

14 MR. MCDONALD: M-c-D. And I'm not from Canada,
15 so I don't really have interest in Enron or whoever it
16 is, whatever. But you're going right in front of my
17 house.

18 In 1989 when they first come through with this,
19 with the first draft, whatever, I didn't fight them,
20 but I was questioning just like I am right now. And
21 the need and the ability for how they went about it,
22 it just needs to be questioned.

23 Because, you know, we -- we're just human beings,
24 you know. It doesn't matter. But if you're going to
25 drive something down your throat that you've got to

1 live with --. I mean, who wants to buy my place with
2 two places -- I mean, two poles -- two -- a million
3 volts or whatever it is? They just didn't go about it
4 right.

5 And I'm not going to make a long story out of
6 this. There's a lot more questions that should be
7 done, just do permits. Because at the time I said,
8 why don't you put the old on the new and the new on
9 the old? Oh, that's going to cost me \$100,000. Well,
10 excuse me, you know.

11 Here we go, everything down the line. It's the
12 buck. And that's the bottom line of this whole damn
13 thing. And it's not good.

14 Now, we can go down to New Orleans, you know,
15 where's the buck or we can drive it right here. Now,
16 that's -- that's life, I guess. And whatever you
17 people decide, however it goes. It makes me sad,
18 really, you know. I can go to Labrador and look at
19 all the stuff, I can go to Canada and look at all the
20 good stuff, but right here it's no good.

21 I don't know if I've got any more to say. Thank
22 you.

23 DR. PELL: Thank you very much. And your remarks
24 have been recorded and they will be part of the record
25 for the final document. Is there anybody else that

1 wishes to contribute this evening? This is a -- it's
2 an open public meeting. If you have something to say,
3 we'd be delighted to hear you say it.

4 Okay. I see no hands. I want the record to
5 show, please, that there were no additional requests
6 to speak at this time. And, therefore, I will adjourn
7 the meeting. And we will end the formal part of
8 tonight's proceeding. And if any of you wish to stay
9 and chat informally with us or with the utilities,
10 we're not going to run away, we'll stay here a little
11 while.

12 So with that I hereby -- yes, sir.

13 MR. BLANCHARD: I was just wondering if you were
14 open to questions, sir?

15 DR. PELL: After we're off the record.

16 MR. BLANCHARD: Off the record, yes, sir. Thank
17 you.

18 DR. PELL: So at this point I would like to
19 officially close out the record. Thank you all for
20 coming on a rainy night. I appreciate your thoughts
21 and we're glad to have you with us and we're glad to
22 be here in Maine.

23 (Concluded this hearing at 7:21 p.m. this date.)

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CERTIFICATE

I, Angella D. White, a Notary Public in and for the State of Maine, hereby certify that on September 29, 2005, said hearing was stenographically reported by me to the best of my ability and later reduced to typewritten form with the aid of Computer-Aided Transcription, and the foregoing is a full and true record of the testimony given by the witness.

I further certify that I am a disinterested person in the event or outcome of said hearing.

IN WITNESS WHEREOF, I subscribe my hand and affix my seal this 6th day of October 2005.

ANGELLA D. WHITE, NOTARY PUBLIC
Court Reporter

My commission expires
May 17, 2010