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September 13, 2010

Via e-mail and first-class mail

Susan M. Lessard, Chair
c/o Terry Hanson
Board of Environmental Protection
#17 State House Station
Augusta, Maine, 04333-0017

Re: Calais LNG and Calais Pipeline

SPB-US and NN oppose Calais LNG's latest request to postpone the hearing of parties.

This is Calais LNG's fourth last-minute request, the first being the Applicants' sudden request to postpone the entire trial, disrupting the schedules of over 100 witnesses.

Each of the Applicants' requests has been granted. Further information from Calais LNG has not been required and it has offered none. The significant burden of this proceeding's uncertainty continues.

Business negotiations are often conducted in secret. However, these are not typical business negotiations. Calais LNG has affirmatively chosen not to withdraw its application (with leave to refile), nor has the BEP returned the application to Calais LNG as incomplete. Rather, CLNG has chosen to conduct its negotiations during the pendency of this transparent, public proceeding, in which applications must include evidence on all licensing criteria including financial capacity. All agree that that evidence of financial capacity (and other unspecified issues) is now lacking.

This repeated failure of the Applicant to defend its requests for postponement has gone on too long. It is unreasonable for Calais LNG to expect the BEP, other state agencies, and the parties to continue to enable secret negotiations during this public proceeding. Calais LNG itself initiated this public proceeding by submitting applications requiring evidence of financial capacity. At the very least, Calais LNG must come forward prior to September 15 with specific and substantiated evidence about the stage of any negotiations, including identification of potential buyers, the amount(s) of any type of financing being negotiated, and the Applicants' commitment to a firm deadline for completion of negotiations. SPB-US and NN therefore respectfully request that:

- (1) Wednesday's conference proceed as scheduled but that it be conducted by telephone;
and
- (2) The Applicants withdraw their application (or that it be returned) and refile if and when it can submit a complete application; or
- (3) The Applicant come forward prior to September 15 with specific and substantiated evidence about the stage of any negotiations, including identification of potential buyers, the amount(s) of any type of financing being negotiated, and the Applicants' commitment to a firm deadline for completion of negotiations.

Sincerely,



Rebecca E. Boucher

Ronald A. Shems

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cc: Service List (via e-mail)