

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CENTRAL MAINE POWER COMPANY	)	
Applications Pursuant to SLODA and NRPA for	)	
the New England Clean Energy Connect	)	
Consisting of the Construction of a 1,200 MW	)	
HVDC Transmission Line from the Quebec-Maine	)	
Border to Lewiston (NECEC)	)	
And Related Network Upgrades	)	
	)	
L-27625-26-A-N	)	
L-27625-TB-B-N	)	
L-27625-2C-C-N	)	
L-27625-VP-D-N	)	
L-27625-IW-E-N	)	

**NEXTERA ENERGY  
RESOURCES, LLC's  
RESPONSE TO  
SECOND PROCEDURAL  
ORDER**

In response to the Second Procedural Order issued by the Maine Department of Environmental Protection (the "Department") on October 5, 2018, relating to Central Maine Power Company's ("CMP") applications with the Department for construction of the New England Clean Energy Connect (the "Project"), Intervenor NextEra Energy Resources, LLC ("NextEra") respectfully requests the following:

**I. That the Issue as to Whether or Not CMP has Full Right, Title, and Interest to the Entire Proposed Corridor be Addressed at Public Hearing.**

The Second Procedural Order set forth a list of four major topics—and several subtopics—that will be addressed at a public hearing regarding the Project to be held in the near future (the "Hearing"). Omitted from such topics and subtopics was the fundamental issue as to whether CMP has demonstrated right, title and interest to construct the Project through the proposed corridor (the "RTI Issue") in compliance with Chapter 2 of the Department Rules.

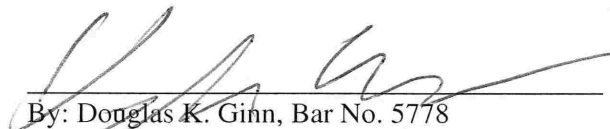
NextEra notes that whether CMP has met its burden of establishing right, title, and interest to the entirety of the Project is a threshold inquiry which must be addressed in advance of considering other, more substantive criteria. The Department requires clear demonstrations of right, title, and interest for the full Project in order to proceed with review of applications. In many instances, the question of right, title, and interest can present complicated fact based questions which may lend themselves to expert testimony. To date, there has been a lack of scrutiny and fact-finding directed towards the RTI Issue. Due to the central importance of the RTI issue, we respectfully request that the Department consider it at the Hearing.

**II. That there be a Second pre-hearing conference prior to the Third Procedural Order that will address the timetable and dates by which pre-filed testimony and exhibits, objections to pre-filed testimony and exhibits, and pre-filed rebuttal testimony are due.**

On October 19, 2018, CMP submitted additional information pertaining to the application and the Project (the "Submission") pursuant to a September 4, 2018 letter from the Department and the Land Use Planning Commission ("LUPC") requesting the same. The Second Procedural Order states that after the Department reviews the Submission for completeness, it shall issue a Third Procedural Order setting forth discovery dates. NextEra respectfully request that due to the size and scope of the Submission that a second pre-hearing conference be held so that a timetable can be devised that does not prejudice any party in its response to the Submission and other application documents previously submitted by CMP. Because the

Department and the LUPC held a joint prehearing conference initially, this request is addressed to both the Department and the LUPC and has been distributed to all parties on both notice lists.

Date: November 2, 2018

A handwritten signature in black ink, appearing to read 'D. K. Ginn', is written over a horizontal line.

By: Douglas K. Ginn, Bar No. 5778

By: Joanna B. Tourangeau, Bar No. 9125

Counsel For NextEra Energy Resources, LLC

Intervenor to Department and LUPC NECEC Proceedings