



ROOSEVELT CAMPOBELLO INTERNATIONAL PARK COMMISSION

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December 3, 2010

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

Via postal and e-mail

Re: Calais LNG Project Company, LLC and Calais Pipeline Company, LLC

Dear Chair Lessard:

This letter is in response to David Van Slyke's November 23, 2010 letter on behalf of Calais LNG. Mr. Van Slyke's letter was a reply to November 19, 2010 letter requesting information regarding the status of the Calais LNG application.

Please consider the following in your deliberations relating to Calais LNG's fifth request for a delay in the proceedings relating to its applications before the Board of Environmental Protection (Board).

- Roosevelt Campobello agrees with Calais LNG (letter of November 23, 2010) that the Board's proceeding has been suspended for the past three months plus, and notes that this suspension has been at the request of Calais LNG.
- From discussions at the Chair's September 15, 2010 conference of counsel, it was Roosevelt Campobello's understanding that Calais LNG's September 13, 2010 request for delay until December 1, 2010 was necessary due to lack of replacement financial backing in order to, in part, secure funding to complete necessary Department-required studies. Roosevelt Campobello does not recall Calais LNG mentioning funding being necessary to continue maintenance of title, right or interest in property.
- Roosevelt Campobello has no reason to dispute Steven Carothers' and Gail Roberts' (the Carothers) statement that their property makes up a significant portion of the property upon which Calais LNG is proposing to build, and that the property is necessary for construction of Calais LNG's proposed facility.
- Roosevelt Campobello recalls, during several meetings held by the chair, that questions relating to title, right or interest have come up and that Calais LNG must certainly have been aware of the importance of title, right or interest to both the intervenors and the Board.
- Calais LNG may have been actively attempting to secure title, right or interest in the Carothers' property; however, it appears that Calais LNG did not, and as of November 23, 2010, does not have title, right or interest to that property.

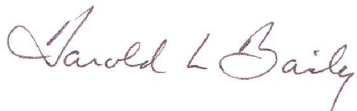
- Calais LNG must certainly have known, at least since August 31, 2010, that it lacked the threshold criterion of title, right or interest for its applications. The Board should have been advised of this.
- Calais LNG made no mention of its lack of title, right or interest at the September 15, 2010 conference of counsel and representatives; nor did it deny, in its November 23, 2010 letter to you, that the Carothers' property is necessary for its pier and receiving terminal.
- Roosevelt Campobello questions whether Calais LNG's claim that the project's applications being on hold since mid-August and the fact that title, right or interest not being maintained throughout that entire time frame have not impacted any party, the Department, or the Board. Not maintaining title, right or interest appears to go against Department rules. If so, and if lack of title, right or interest had been known by the Board, Calais LNG's applications might have been returned or denied, subsequently freeing up for other purposes the time and expense all parties have incurred while keeping up with the proceedings, attending meetings, and responding as necessary since August 31 - the date on which Calais LNG no longer held title, right or interest to the Carothers' property.
- Roosevelt Campobello believes that the fact that the proceeding has been on hold should not affect the threshold criterion of title, right or interest. Although on hold, Calais' applications are still before the Board and the Department's threshold criteria should still apply.

Roosevelt Campobello does not support Calais LNG's November 23, 2010 request that the Board continue to place Calais LNG's applications on hold beyond the Board's previous deadline of December 1, 2010. Nor does Roosevelt Campobello support the Carothers November 17 request that the Board, "... continue to postpone or suspend the processing of Calais LNG's permitting application."

Roosevelt Campobello believes that Calais LNG has been given sufficient time to secure financial backing, and believes that because Calais LNG lacks the title, right or interest necessary for its project, Calais LNG should either withdraw its applications before the Board, or the Board should deny those applications on the basis that Calais LNG does not hold the necessary title, right, or interest.

On behalf of the Roosevelt Campobello International Park Commission, I thank you for your consideration of the above.

Sincerely,



for
Ronald E. Beckwith, Jr.
Superintendent
Executive Secretary

cc: Cynthia Bertocci
Peggy Bensinger
Dawn Hollowell

e-mail: Service List