

July 13, 2010

BY ELECTRONIC & U.S. MAIL

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

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

Dear Chair Lessard:

By email of 3:18 p.m. this afternoon, Cindy Bertocci asked (on your behalf) that Calais LNG provide "a description/ listing of the relevant information that Calais LNG has not yet provided to the Department that warrants postponement" of the upcoming hearings on this matter by 4:15 p.m. today. Following is a list briefly describing that information:

- A second level of soils data regarding the sendout pipeline route;
- Tabular summary of functions and values for wetlands;
- Further information relating to analysis of and data sheets for completed field work that had noted wetlands with geomorphic characteristics that were similar to vernal pools but were determined not to be vernal pools; and
- Comments and information sought by the Department of Marine Resources regarding diadromous fish (e.g., Atlantic salmon), lobsters, marine mammals, and Marine Patrol resources.

The request for information and areas commented upon by DMR (forwarded by DEP), in particular, is quite robust. Representatives of Calais LNG have had several meetings and conference calls with DMR related to that request for information, the latest as recently as June 16, 2010 with the Bureau of Sea Run Fisheries and Habitat. As a result of those discussions, Calais LNG has had to undertake additional research on certain diadromous fish (e.g., river herring). In addition, these DMR comments have required Calais LNG to evaluate the list of studies and conservation projects for benthic marine resources and lobster. Last, Calais LNG is still evaluating the Marine Patrol resources issue, which is made more difficult in light of the absence of the U.S. Coast Guard's issuance of a Waterway Suitability Recommendation for the project. Despite our best efforts to generate the information and provide it to the DMR and DEP, Calais LNG has not yet been able to do so.

Calais LNG would note parenthetically that a postponement also would allow the Board to address a number of outstanding issues associated with the hearings as currently postured, including such things as the fact that the parties have not had the time to narrow the issues for the hearing via stipulation or excusing of witnesses, that the parties currently have 104 witnesses to get before the

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Board and cross examine in a five day period, and that motions to strike (including that with regard to Law Professor Van Dyke) will not be heard until the morning of the first day of the hearing.

Again, Calais LNG does not make this request lightly. It is convinced, however, that postponing the hearing until the fall will allow the Board, the Department and the parties to have a more efficient and effective proceeding.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. B. Van Slyke", followed by a long horizontal line extending to the right.

David B. Van Slyke

cc: David P. Littell
Service List