

**UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY**

Versant Power

Docket No. PP-12-1

**APPLICATION OF VERSANT POWER
TO RESCIND PRESIDENTIAL PERMIT PP-12 AND
FOR THE COINCIDENT ISSUANCE OF PRESIDENTIAL PERMIT**

Pursuant to Executive Order No. 10485, as amended by Executive Order No. 12038, Section 202(e) of the Federal Power Act, 16 U.S.C. § 824a(e), and Section 320, *et seq.*, of the Rules of Administrative Procedure of the Department of Energy (the “Department”), 10 C.F.R. §§ 205.320, *et seq.*, Versant Power (formally known as Emera Maine) hereby tenders for filing the instant Application and respectfully requests that the Department:

- (1) rescind Presidential Permit PP-12 covering certain transmission facilities (collectively, the “Interconnection Facilities”) described, *infra*, that currently interconnect Versant Power’s bulk power electrical transmission system with the transmission facilities owned by NB Power and located in the Province of New Brunswick, Canada; and
- (2) coincidentally issue a Presidential Permit for the Interconnection Facilities to Versant Power.

Applicant Versant Power seeks to ensure that the provisions contained in Presidential Permit PP-12 authorizing the interconnection, maintenance and operation of certain specified electric transmission facilities located at the international border of the United States and Canada remain in effect during the voluntary rescission and reissuance of the Presidential Permit.

I. BACKGROUND

Presidential Permit PP-12 had originally been held by Maine Public Service Company (“Maine Public”). On November 29, 2012, Maine Public and Bangor Hydro Electric Company (“Bangor Hydro”) submitted a filing with the Maine Public Utilities Commission (“MPUC”) requesting approval of a merger between Maine Public and Bangor Hydro, both of which were indirect subsidiaries of Emera Incorporated. On March 19, 2013, Bangor Hydro and Maine Public filed with the Federal Energy Regulatory Commission (“FERC”) an application under Section 203 of the Federal Power Act seeking authorization for the merger of Bangor Hydro and Maine Public. On July 18, 2013, FERC issued an order authorizing the proposed merger. On December 17, 2013, the MPUC conditionally approved the corporate merger of Bangor Hydro and Maine Public. Emera Maine became the surviving corporation following the merger of Bangor Hydro and Maine Public on January 1, 2014. Following the merger, Emera Maine remained an indirect subsidiary of Emera Inc.

On December 30, 2013, prior to the merger of Maine Public and Bangor Hydro, the two companies jointly filed with the Department an application to rescind PP-12 and to reissue that permit in the name of Emera Maine.¹ Maine Public and Bangor Hydro requested that the issuance of the permit be made effective upon the merger of the companies, which occurred on January 1, 2014. That application was noticed in the Federal Register on April 22, 2014. However, no action has been taken by the Department on the application. Presidential Permit PP-12 remains in the name of Maine Public.

¹ On December 30, 2013, Maine Public and Bangor Hydro also submitted a joint application for the reissuance of three other Presidential Permits to Emera Maine: PP-29-2, PP-81, and PP-89-2. Concurrent with the present filing, Versant Power is also filing applications with the Department for the reissuance of these three Presidential Permits to Versant Power.

On March 24, 2020, ENMAX Corporation (“ENMAX”) indirectly acquired from Emera Inc. all interests in BHE Holdings Inc. (“BHE Holdings”), a Delaware corporation and the parent company of Emera Maine. More specifically, under the terms of the sale, Emera Inc.’s equity interests in BHE Holdings were sold to 3456 Inc., a wholly-owned indirect subsidiary of ENMAX. As a result, ENMAX now indirectly controls 100 percent of BHE Holdings. BHE Holdings was the direct and sole parent company of Emera Maine. Under the terms of the sale, Emera Maine was required to change its name. Thus, Emera Maine announced in May 2020 that it had been renamed Versant Power. The contents of the Articles of Incorporation and Bylaws of Emera Maine, as well as the terms of office of the Directors and Officers of the corporation, did not change as a result of the sale and subsequent name change. Versant Power will operate as a stand-alone utility, as had Emera Maine.

The exact legal name of the applicant is Versant Power. Versant Power is a Maine Corporation formed under Maine law with its principal place of business at 970 Illinois Avenue, Bangor, Maine. Versant Power is primarily engaged in the transmission and distribution of electric energy and related services in eastern and coastal Maine and in northern Maine. Versant Power retains all of Emera Maine’s system: approximately 1,265 miles of transmission lines that includes the United States portion of four transmission lines that run from Aroostook County to New Brunswick, Canada, as well as the United States portion of the Northeast Reliability Interconnect, a 345 kV transmission line, which runs from the Bangor area to New Brunswick, Canada.

II. INFORMATION REGARDING APPLICANT

A. Versant Power

Versant Power is a Maine corporation in the business of the purchase, sale, transmission

and distribution of electricity in the state of Maine. Versant Power is engaged in the transmission and distribution of electric energy and related services to approximately 159,000 retail customers in portions of northern, eastern, and coastal Maine. It installs, operates, and maintains transmission and distribution infrastructure including poles and wires, substations and meters and provides programs to help customers learn about efficient energy use. Versant Power maintains electricity transmission infrastructure and conducts inspections, but it does not generate electricity. It services areas in eastern, coastal, and northern Maine. Versant Power is the principal operating subsidiary of BHE Holdings, and in 2019 had approximately U.S. \$204 million in total operating revenue and employed approximately 400 people.

Versant Power provides transmission service and electric delivery service to two areas – the Bangor Hydro District and the Maine Public District – under two separate Open Access Transmission Tariffs (“OATTs”) on file with FERC. The Bangor Hydro District includes Hancock, Piscataquis and Washington Counties and most of Penobscot County. The Maine Public District serves Aroostook County and a small piece of Penobscot County. Open access to the Bangor Hydro District is provided pursuant to the ISO New England Inc. Open Access Transmission Tariff. More specifically: (a) transmission service over Versant Power’s facilities designated as Pool Transmission Facilities (“PTF”) is provided pursuant to Section II of the ISO-NE Tariff and (b) transmission service over Versant Power’s non-PTF assets is provided pursuant to Schedule 21-VP of the ISO-NE Tariff.² Open access to the Maine Public District (“MPD”) is provided pursuant to the Open Access Transmission Tariff for Maine Public District. The transmission facilities in Versant Power’s two districts are not directly interconnected.

² In addition, transmission service over HVDC facilities known as the Hydro-Quebec Interconnection is provided pursuant to Schedule 20A-VP of the ISO-NE Tariff.

Indeed, the MPD transmission system is not directly interconnected with any portion of the United States transmission grid. Rather, entities interconnected with the MPD transmission system can only access the ISO-NE system or other parts of the U.S. transmission grid over transmission facilities in New Brunswick, Canada.

Versant Power owns no generating facilities, but has long-term energy purchase contracts for certain qualifying facilities. All energy produced from these facilities is sold into the markets operated by ISO-NE.³

Versant Power holds direct interests in the following companies: Bangor Line Company (100%); Bangor Fiber Company, Inc. (100%); The Pleasant River Gulf Improvement Company (100%); East Branch Improvement Company (60%); Bangor Var Co., Inc. (100%), Maine Electric Power Company, Inc. (21.7%), Maine Yankee Atomic Power Company (12%). In turn, Bangor Var Co., Inc. owns 50% of Chester SVC Partnership.

BHE Holdings does not have business activity independent of its subsidiary Versant Power. BHE Holdings owns all the issued and outstanding common stock of Versant Power.

BHE Holdings is directly owned by 3456 Inc., a wholly-owned special purpose subsidiary of ENMAX. ENMAX is owned by the City of Calgary, but operates as an independent private corporate entity and is not controlled by the City. ENMAX provides electricity and energy services in Alberta, Canada. ENMAX Power Corporation (“ENMAX Power”), a wholly-owned subsidiary of ENMAX, owns the electric transmission and distribution system in the Calgary

³ Versant Power has received market-based rate authority from FERC. Bangor Hydro Elec. Co., Docket No. ER14-264-000, Letter Order dated Dec. 19, 2013.

area. ENMAX Energy Corporation (“ENMAX Energy”), a wholly-owned subsidiary of ENMAX, is a licensed and registered energy retailer in the Province of Alberta, Canada, and provides energy and energy-related products and services to residential, commercial, and industrial customers throughout Alberta.

B. Communications

Communications regarding this Application should be addressed to the following persons:

Versant Power

Philip C. Smith
Corporate Counsel
Versant Power
P.O. Box 932
Bangor, ME 04401-0932
philip.smith@versantpower.com

Suchman Law LLC

Bonnie A. Suchman
Suchman Law LLC
8104 Paisley Place
Potomac, Maryland 20854
(202) 236-8859
bonnie@suchmanlawllc.com

A signed opinion of counsel, stating that the construction, connection, operation, and maintenance of the proposed facilities will be within the corporate powers of Versant Power and that Versant Power has complied with or will comply with all pertinent federal and state laws, is attached hereto as Attachment B.

C. Foreign Ownership and Affiliations

Versant Power is a wholly-owned subsidiary of BHE Holdings. ENMAX Corporation, acting through its wholly-owned indirect subsidiary 3456 Inc., acquired all interests in BHE Holdings. Following the transaction, ENMAX indirectly controls 100% of BHE Holdings, and BHE Holdings remains the sole, direct parent company of Versant Power. Versant Power operates as a stand-alone utility, as had Emera Maine.

ENMAX Corporation is headquartered in Calgary, Alberta, Canada, and is a wholly-owned corporate subsidiary of the City of Calgary. Through its subsidiaries, ENMAX generates, transmits, distributes and sells electricity to residential, small business and large commercial customers with approximately \$5.6 billion CAD in assets and revenues of \$2.4 billion CAD in 2018. ENMAX operates through two main business segments, ENMAX Energy and ENMAX Power. ENMAX Energy includes the competitive generation and sale of electricity. ENMAX Power owns and operates electric transmission and distribution infrastructure. Through its subsidiaries, ENMAX offers a range of innovative energy solutions to over 669,000 customers across Alberta including electricity, natural gas, renewable energy and other services. ENMAX operates as an independent private corporate entity and is not controlled in any manner by the City of Calgary.

On May 29, 2019, ENMAX Corporation informed the Committee on Foreign Investment in the United States (“CIFIUS”) about the expected acquisition of BHE Holdings by ENMAX Corporation. CIFIUS determined that there were no unresolved national security concerns with such acquisition.⁴

D. Existing Contracts with Foreign Governments or Foreign Private Concerns

As discussed above, Versant Power is a wholly-owned subsidiary of BHE Holdings, which is indirectly controlled by 3456 Inc., which in turn is an indirect subsidiary of ENMAX Corporation. In addition, Versant Power provides transmission service from time to time to NB Power, a New Brunswick Crown corporation, pursuant to two agreements subject to FERC.

⁴ See July 18, 2019 letter from Thomas P. Feddo, Deputy Assistant Secretary, Investment Security, Department of the Treasury.

III. THE INTERCONNECTION FACILITIES

The Interconnection Facilities are currently identified as follows:

- (a) one 69-kV transmission line, running to a point on the international boundary 0.5 miles north of the Four Falls, New Brunswick, custom office where it connects with a similar line of the Maine and New Brunswick Electrical Power Company, Limited; and
- (b) one 69-kV transmission line running to a point on the international boundary 300 feet south of the point where the Aroostook River crosses the international boundary at Fort Fairfield, Maine, where it will connect with a similar line constructed, owned, and operated by the Maine and New Brunswick Electrical Power Company, Limited.

The original Presidential Permit was issued on March 5, 1948. The Federal Power Commission issued an order on October 17, 1957, approving operation of the facilities in the Permit. The Federal Power Commission approved an amendment to the Permit on December 5, 1963. Subsequent changes were made to the Permit on February 21, 1964, November 20, 1964 and January 1, 1965.

The Interconnection Facilities currently identify lines owned by the Maine & New Brunswick Electrical Power Company, Limited. Maine & New Brunswick Electrical Power Company, Limited was an inactive Canadian subsidiary of Maine Public, which, prior to deregulation and generation divestiture, owned Maine Public's Canadian electric generation assets. In 2003, the MPUC authorized the dissolution of Maine & New Brunswick Power Co., Ltd. In a letter dated September 3, 2008, Maine Public notified the MPUC that it had substantially wound-up the business of Maine & New Brunswick Power Co., Ltd., but it had not yet dissolved the corporation. As part of the merger of Maine Public and Bangor Hydro to form Emera Maine, Maine & New Brunswick was dissolved and its assets were distributed to Maine Public, its sole shareholder, which were then subsequently merged into Bangor Hydro.

In the new Presidential Permit to be issued to Versant Power, the interconnection facilities will need to be identified as follows:

- (a) one 69-kV transmission line, running to a point on the international boundary 0.5 miles north of the Four Falls, New Brunswick, custom office where it connects with a similar line of Versant Power; and
- (b) one 69-kV transmission line running to a point on the international boundary 300 feet south of the point where the Aroostook River crosses the international boundary at Fort Fairfield, Maine, where it will connect with a similar line constructed, owned, and operated by Versant Power.

All maps used in support of the original Presidential Permit application, and any amendments thereto, continue to show accurately the physical location (longitude and latitude) and ownership of the facilities on the international border, except as otherwise provided in this Application. There will be no changes in bulk power system information regarding the interconnection facilities.

IV. REASONS FOR CHANGES IN CORPORATE STRUCTURE

The application filed by Bangor Hydro and Maine Public for issuance of a new Presidential Permit on December 30, 2013, explained that the requested transfer of the permit was due to the merger of Maine Public and Bangor Hydro. The utilities noted that, following the merger, Emera Maine would administer the appropriate Open Access Transmission Tariffs and that Emera Maine would maintain two OATTs following consummation of the merger – one for the “Northern Division” (former Maine Public transmission facilities) and one for the “Southern Division” (legacy Bangor Hydro transmission facilities). The utilities further noted that, following consummation of the merger, Emera Maine would operate two separate transmission systems that are not directly interconnected (and not interconnected at all but through transmission facilities owned by NB Power). Bangor Hydro’s legacy facilities remain under the functional control of ISO-NE and service over them is provided pursuant to the ISO-NE Tariff.

The former Maine Public transmission facilities were not to come under the functional control of ISO-NE as part of the merger. Rather they were to remain in the New Brunswick System Operator Balancing Authority Area and subject to the oversight of the Northern Maine Independent System Administrator, both of which are wholly separate from ISO-NE and its Balancing Authority Area. Consistent with these representations, since consummation of the merger, Emera Maine had operated two separate transmission systems that are not directly interconnected and not interconnected at all but through transmission facilities owned by NB Power, the transmission owning utility in the Province of New Brunswick, Canada.

The Maine Public Utilities Commission approved the indirect purchase by ENMAX Corp. of BHE Holdings' shares on March 17, 2020. As a condition of that transaction, it was agreed that Emera Maine's name would be changed. Accordingly, in May 2020, it was announced that Emera Maine's name was changed to Versant Power. No other changes were made to the utility or the manner in which it conducts its business.

V. ENVIRONMENTAL IMPACT INFORMATION

This Application for rescission and the coincident issuance of a Presidential Permit will have no effect on any of the subject facilities. Accordingly, since there will be no physical change in the facilities and no change in the way the facilities will be operated, Versant Power anticipates no environmental impacts whatsoever as a result of the requested actions.

VI. SERVICE AND FEE

In accordance with the requirements of 10 C.F.R. § 205.326, copies of this application will be provided to the following:

Ms. Kimberly D. Bose	Maine Public Utilities Commission
Secretary	242 State Street
Federal Energy Regulatory Commission	18 State House Station
888 First Street, N.W.	Augusta, Maine 04333-0018
Washington, D.C. 20426	

A check in the amount of \$150.00 made payable to the Treasurer of the United States is enclosed in payment of the fee specified in 10 C.F.R. § 205.326.

VII. EXHIBITS

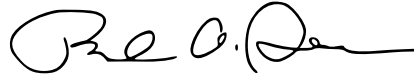
The following exhibits are included:

- Exhibit A Presidential Permit PP-12
- Exhibit B Opinion of Counsel for the Applicant

VIII. CONCLUSION.

Versant Power respectfully requests that the Department rescind and coincidentally issue the Presidential Permit pursuant to the terms and conditions set forth in this Application.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bonnie A. Suchman". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Bonnie A. Suchman, Esq.
Suchman Law LLC
8104 Paisley Place
Potomac, Maryland 20854
(202) 236-8859

*Attorney for
Versant Power*

Dated: October 7, 2020

ATTACHMENT A

PRESIDENTIAL PERMIT PP-12

12/5/63

AMENDMENT TO PRESIDENTIAL PERMIT
AUTHORIZING, PURSUANT TO EXECUTIVE ORDER NO. 10485,
MAINE PUBLIC SERVICE COMPANY
TO CONSTRUCT, OPERATE, MAINTAIN, AND CONNECT
FACILITIES FOR THE TRANSMISSION OF ELECTRIC ENERGY AT
THE INTERNATIONAL BORDER BETWEEN
THE UNITED STATES AND CANADA

(Federal Power Commission - Docket No. IT-6027)

Maine Public Service Company, (Permittee), by application filed August 19, 1963, seeks an Amendment to the Presidential Permit signed by the President of the United States on January 3, 1948, and accepted by the Permittee on March 5, 1948, wherein Permittee was authorized to construct, operate, maintain and connect electric transmission facilities at the international border between the United States and Canada for the importation of electric energy into the United States from Canada and for the transmission of such imported electric energy between the United States and Canada. By order of the Commission issued October 17, 1957, in Docket Nos. E-6408, E-6409, and E-6751, (18 FPC 504) operation of the facilities in the above-mentioned Permit to transmit energy to Canada from the United States, regardless of source, was approved. Permittee now seeks authority pursuant to Executive Order No. 10485 dated September 3, 1953, to construct, operate, maintain, and connect certain additional facilities, convert one of its existing facilities, and remove certain of its existing facilities, some of which are presently

out of operation, and some which will be phased out of operation pending construction of new facilities by Permittee, by Permittee's Subsidiary in Canada, the Maine and New Brunswick Electrical Power Company, Limited, a corporation organized under the laws of the province of New Brunswick, Canada, (hereinafter called the Subsidiary) and by Permittee's customer in Canada, the New Brunswick Electric Power Commission, a statutory body created by an act of the legislature of the Province of New Brunswick, Canada, (hereinafter called the "New Brunswick Commission").

The additional facilities proposed by the Permittee consist of a 69,000 volt, 60 cycle, three-phase wood pole transmission line running to a point on the international boundary 300 feet south of the point where the Aroostook River crosses the international boundary at Fort Fairfield, Maine, where it will connect with a similar line to be constructed, owned, and operated by its Subsidiary. (To be listed in paragraph (j) of the Amended Permit.)

The existing facilities to be converted by the Permittee consist of a 69,000 volt, 60 cycle, three-phase wood pole transmission line, now operated at 34.5 kv but to be converted to 69 kv operation in 1964, running to a point on the international boundary 0.5 miles north of the Four Falls, New Brunswick, custom office where it connects with a similar line of the Subsidiary. (One of two lines listed in paragraph (e) of Article 2 of the Permit and to be described in paragraph (i) of the Amended Permit.)

Three lines operating respectively at 13,200 volts, 7,200 volts, and 33,000 volts, listed in paragraphs (c), (d), and (h) of Article 2 of the Permit are presently out of operation and the Permittee proposes to remove them in the near future.

One of two lines operating nominally at 33,000 kv described in paragraph (e) of Article 2 of the Permit, three lines operating at 33,000 volts listed in paragraph (f) of Article 2 of the Permit, and one of two lines operating at 11,000 volts listed in paragraph (g) of Article 2 of the Amended Permit will be removed after construction and conversion by Permittee of the facilities described above and similar facilities in Canada by its Subsidiary.

One 11,000 volt line described in paragraph (g) of Article 2 of the Permit will be removed by Permittee after construction of a line by its Subsidiary.

One 7,200 volt line listed in paragraph (b) of Article 2 of the Permit will be removed by Permittee after construction of a line by the New Brunswick Commission.

By letter dated Nov. 14, 1963, the Secretary of State and by letter dated Nov. 5, 1963, the Secretary of Defense favorably recommended that the aforesaid Presidential Permit be amended as hereinafter provided.

Upon consideration of this matter, the Commission finds that this issuance of an Amendment to the aforesaid Presidential Permit, as hereinafter provided, for the purpose of permitting Permittee

to (1) construct (convert), operate, maintain and connect at the international boundary the aforesaid facilities for the transmission of electric energy from the United States to Canada and from Canada to the United States and (2) remove the aforementioned electric transmission lines and supporting structures previously authorized by that Presidential Permit, is appropriate and consistent with the public interest.

Pursuant to the provisions of Executive Order No. 10485, dated September 3, 1953, and the Commission's General Rules and Regulations, the aforesaid Presidential Permit is amended by substituting the following for Article 2 as therein contained; provided that all other terms and conditions of that Presidential Permit shall remain in full force and effect:

Article 2. The facilities covered by and subject to this permit shall include, in addition to the following, all lands and supporting structures within the rights-of-way occupied by such facilities:

(a) One 7,200 volt, 60 cycle, three-phase line running to the Saint John River at a point 1.0 miles north of the international bridge between Fort Kent, Maine, and Clair, New Brunswick, and connecting at the international boundary with a similar line of the New Brunswick Electric Power Commission;

(b) One 3-phase line operating nominally at 7,200 volts, 60 cycles, located on the shore of the Saint John River at the international boundary at Frenchville, Maine;

Removed from
Series 9-15-64
See letter
?
11-20-64

Retired
6-16-64
See letter of
7-3-64

(c) One 3-phase line operating nominally at 13,200 volts, 60 cycles, located on the shore of the Saint John River at the international boundary at Madawaska, Maine;

removed on 8/20/64

(d) One 3-phase line operating nominally at 7,200 volts, 60 cycles, located on the shore of the Saint John River at the international boundary at Grand Isle, Maine;

See letter 8/21/64

(e) One 3-phase line operating nominally at 33,000 volts, 60 cycles, located at the international boundary at a point north of the place where the Aroostook River flows from Maine into New Brunswick and near Limestone, Maine;

Converted to 69 kv operation on 9-15-64 and on that date became fine referred to under Article 2(2) See letter 9/11-20-64

(f) Three 3-phase lines operating nominally at 33,000 volts, 60 cycles, located at the international boundary at a point south of the place where the Aroostook River flows from Maine into New Brunswick and near Fort Fairfield, Maine;

Two circuits removed 7-20-64 1 - Circuit removed 8-25-64 See letter 9/11-20-64

(g) Two 3-phase lines operating nominally at 11,000 volts, 60 cycles, located at the international boundary at a point south of the place where the Aroostook River flows from Maine into New Brunswick and near Fort Fairfield, Maine;

One circuit removed 8-3-64 One remained 11-5-64 See letter 9/11-20-64

(h) One 3-phase line operating nominally at 33,000 volts, 60 cycles, located at the international boundary near Bridge-water Corner, Maine;

Removed 12-30-64 See letter 9/1-5-65

(i) One 69,000 volt, 60 cycle, 3-phase wood pole transmission line, now operated at 34.5 kv but to be converted to 69 kv operation in 1964, running to a point on the international boundary 0.5 miles north of the Four Falls, New Brunswick, custom office where it connects with a similar line of the Maine and New Brunswick Electrical Power Company, Limited.

X

(j) One 69,000 volt, 60 cycle, 3-phase wood pole transmission line running to a point on the international boundary 300 feet south of the point where the Aroostook River crosses the international boundary at Fort Fairfield, Maine, where it will connect with a similar line to be constructed, owned, and operated by the Maine and New Brunswick Electrical Power Company, Limited.

which facilities are more specifically shown and described in the application filed with the Federal Power Commission (hereinafter called the "Commission") on August 19, 1963.

With the exception of facilities described in Paragraphs (b) through (i) above, no substantial change shall be made hereafter in the above described facilities and operations thereof authorized by this Permit until such change shall have been approved by this Commission. With respect to the facilities described in Paragraphs (b) through (h) above, they shall be deemed covered by and subject to this Permit until they shall have been removed by the Permittee. The date of completion of such removal shall be reported to this Commission by the Permittee within 15 days thereafter. With respect to the facilities described in Paragraph (i), the conversion to 69 kv operation shall be reported by the Permittee within 15 days thereafter.

IN WITNESS WHEREOF, I, Joseph C. Swidler, have hereunto signed my name this 5th day of Dec. 1963, in the City of Washington, District of Columbia.

S/ Joseph C. Swidler
Chairman of the Federal Power Commission

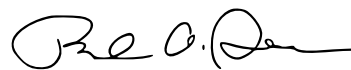
ATTACHMENT B

OPINIONS OF COUNSEL

Statement and Opinion of Counsel

The undersigned, being Counsel for Versant Power, states and gives his opinion, pursuant to 10 CFR Section 205.322(a)(6), as follows: (a) that he has examined and is familiar with the corporate powers of Versant Power, pursuant to its Articles of Organization and Operating Agreement; (b) that he has examined and is familiar with the contents of this “Application of Versant Power to Rescind Presidential Permit PP-12 and for the Coincident Issuance of Presidential Permit,” to which this statement and opinion is attached as an exhibit; (c) that in his opinion the construction, connection, operation and maintenance of the facilities as proposed in the Application will be within the corporate power of Versant Power; and (d) that, with respect thereto, Versant Power has complied or will comply with all pertinent federal and state laws.

DATED: October 7, 2020



Bonnie A. Suchman