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June 2, 2022

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*REGISTERED TO PRACTICE BEFORE
U.S. PATENT AND TRADEMARK OFFICE

** NOT ADMITTED IN D. C.; SUPERVISION
BY PRINCIPALS OF THE FIRM, MEMBERS
OF THE DC BAR

Christopher Lawrence
U.S. Department of Energy
Office of Electricity
1000 Independence Avenue, SW
Washington, D.C. 20585
(202) 586-5260

RE: Application for Presidential Permit
Eastern Maine Electric Cooperative, Inc.
Loon Bay Distribution Line (Maine/Canada Border)

Dear Mr. Lawrence:

In accordance with Executive Order 10485, as amended by Executive Order 12038, and the United States Department of Energy's ("DOE") regulations, 10 C.F.R. § 205.320 *et seq.*, please find enclosed for filing Eastern Maine Electric Cooperative Inc.'s ("EMEC") Application for Presidential Permit for the existing Loon Bay Distribution Line. Also, please know that the filing fee of \$150 USD was paid via credit card on pay.gov.

As discussed more fully in the Application, EMEC respectfully requests approval of a Presidential Permit to distribute power on the Loon Bay Distribution Line, which crosses the Maine, United States/New Brunswick, Canada border. The Loon Bay Distribution Line is an existing line that distributes power from New Brunswick, Canada border to certain camps located within EMEC's service territory in the State of Maine. The Loon Bay Distribution Line was previously operated and maintained for decades by New Brunswick Power Corporation ("NB Power"). However, NB Power would like to cease retail service to the camps, and EMEC would like to acquire, operate, and maintain the NB Power facilities used to serve these seasonal

camps. Because all assets have been constructed and in operation for decades, EMEC only requests permission to acquire, operate, and maintain facilities already in existence.

As such, EMEC submits this Application for Presidential Permit to continue supplying these Maine seasonal camps with power from New Brunswick, Canada. As stated in the Application, EMEC does not intend to alter the existing distribution line, and therefore expects no environmental impact to extend from this change in corporate operation. The Loon Bay Distribution Line will continue to be operated and maintained as it has previously; the only difference being the entity owning, operating, and maintaining the distribution line. Accordingly, EMEC respectfully requests DOE approve its Application for Presidential Permit and allow EMEC to distribute power across the United States/Canada border as soon as practicable.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,
/s/ Michael Postar

Michael Postar, Esq.
Attorney for
Eastern Maine Electric Cooperative, Inc.

UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY

DOCKET NO. PP- _____

APPLICATION OF
EASTERN MAINE ELECTRIC COOPERATIVE, INC.
FOR A PRESIDENTIAL PERMIT

June 2, 2022

Pursuant to Executive Order 10485, as amended by Executive Order 12038, Eastern Maine Electric Cooperative, Inc. hereby applies to the United States Department of Energy for a Presidential Permit authorizing the acquisition, operation, and maintenance of facilities for the distribution of electric energy at the international border between the United States of America and Canada. This application is made pursuant to the United States Department of Energy's applicable administrative procedures (10 C.F.R. §§ 205.320, *et. seq.*).

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INTRODUCTION

Eastern Maine Electric Cooperative (“EMEC”) respectfully submits this instant Application for Presidential Permit in order to import a small amount of energy from New Brunswick, Canada to serve two small seasonal camps that are in EMEC’s service territory near the Canadian border. Previously, the two camps have been served by New Brunswick Power Corporation (“NB Power”) for decades. The two camps are extremely remote from any EMEC or other US electric facilities. The only minor distribution facilities serving these customers are located in Maine and connect to a NB Power distribution pole located on an island in the river, which divides the United States and Canada. NB Power would like to cease retail service to the camps, which necessitates an application by EMEC to import energy to serve the two camps during their brief summer operations. All assets have been constructed, and as stated above, have been in use by NB Power for decades. Therefore, EMEC seeks to acquire, operate, and maintain facilities already in existence.

SECTION 1
INFORMATION REGARDING THE APPLICANT

1.1 Legal Name and Description of Applicant

Eastern Maine Electric Cooperative, Inc. (“EMEC”) is a nonprofit utility built by and belonging to the communities it serves in Aroostook County, Penobscot County, and Washington County, Maine, which are located on Maine’s Eastern Border with Canada.

1.2 Legal Name of All Partners

EMEC is the sole applicant for this Presidential Permit.

1.3 Correspondence and Communications

All correspondence and communications should be directed to the following representatives:

Scott Hallowell, CEO
Eastern Maine Electric Cooperative, Inc.
PO Box 425
Calais, ME 04619
(207) 454 - 1528
scotth@emec.com

Michael Postar, Esq.
Ellen Hill, Esq.
Duncan, Weinberg, Genzer & Pembroke, P.C.
1667 K Street, NW, Suite 700
Washington, DC 20006
(202) 791 - 3729
mrp@dwgp.com
elh@dwgp.com

1.4 Foreign Ownership and Affiliations

Applicant (*i.e.*, EMEC) is not owned by a foreign government. The distribution assets to be acquired by EMEC are owned by New Brunswick Power Corporation (“NB Power”), which is a vertically-integrated Crown Corporation wholly owned by the Government of New Brunswick, Canada.

1.5 Existing Contracts with Foreign Entities for Purchase, Sale or Delivery of Electricity Energy

EMEC has an agreement with New Brunswick Energy Marketing Corporation for the purchase of electric energy. The agreement is dated March 17, 2020, with an effective period of November 1, 2020 through October 31, 2025.

1.6 Opinions of Counsel – Corporate Authority and Compliance with Laws

The Opinions of Counsel stating EMEC's compliance or future compliance with Federal and State laws are attached hereto as Exhibit 1.

SECTION 2

INFORMATION REGARDING TRANSMISSION LINES TO BE COVERED BY THE PRESIDENTIAL PERMIT

2.1 Project Overview and General Project Description

There are two small seasonal camps located within EMEC's service territory near the Canadian border. Previously, the two camps have been served by NB Power for decades. During this time, NB Power has operated and maintained minor distribution facilities that enable NB Power to serve these Maine customers via a connection to a NB Power distribution pole located on an island in the Saint Croix River, which divides the United States and Canada. The two camps are extremely remote from any EMEC facility or other United States electric facilities.

NB Power would like to cease retail service to the camps, which necessitates an application by EMEC to import energy from Canada to serve the two camps during their brief summer operations.

All assets have been constructed. Therefore, EMEC only seeks to acquire, operate, and maintain facilities already in existence.

2.2 Location, Design, and Construction Methods

The as-constructed distribution facilities are located along the Maine, United States and New Brunswick, Canada border, as well as a distribution pole located on an island in the Saint Croix River.

Please also see the aerial views of the existing distribution facilities, attached hereto as Exhibits 2 and 3.

2.3 Technical Description

The asset consists of one single phase overhead circuit, which is a 7200 volt distribution line, 60Hz. The conductor size is either #6 or #4 wire. It is a single phase line with a neutral.

The overhead line was constructed in the 1950's and has been in operation since. It appears that over the years the line has been maintained such that the line is in a good operating condition. The line leaves the Canadian side of the border, goes to an island in the middle of the Saint Croix River, and then to a pole on the U.S. side of the border. The total length of the line is approximately 940 feet. The poles were replaced in the year 2004.

Most recently, the overhead line has been operated under a border accommodation export permit (EPE-28) with the Canada Energy Regulator (formerly, the National Energy Board) and over an international power line authorized by certificate EC-3, which has been in place since 1991.

To facilitate EMEC's acquisition and operation of the distribution assets, NB Power has applied to the Canadian Energy Regulator for a border accommodation export permit, anticipated to be issued in 2022.

The line serves two seasonal dwellings. It is anticipated that the annual kilowatt hours transmitted will be less than 10,000 kilowatt hours.

The wind and ice loading design parameters are not available. Given the age of the original construction of the line, the typical supporting structure including strength specifications not available. Given the age of the original construction of the line, the structure spacing with typical ruling and maximum spans is not available.

This distribution line is a single phase line. Given the age of the original construction of the line, the conductor spacing is not available. From viewing the line, the spacing between the phase and neutral appear to be appropriate.

2.4 Construction and Permit Schedule

All assets are constructed.

2.5 Bulk Power System Information

Not applicable because the assets at issue are not to be operated at 138 kilovolts.

SECTION 3

INFORMATION REGARDING ENVIRONMENTAL IMPACTS

3.1 Assessment of Environmental Impacts

The existing facilities have been constructed and are in operation. No additional facilities beyond those in existence are proposed for this permit application. There are no environmental impacts from the existing facilities. Since the existing facilities are in operation and would not result in environmental impacts, the potential of environmental impacts of alternatives were not investigated, as they would likely result in an increase in environmental impacts.

There are no known Historic Places which may be eligible for the National Register of Historic Places for the existing facilities. Since the existing facilities are in operation, the potential of Historic Places with alternatives was not investigated.

If a new single phase line was constructed as an alternative, the minimum right-of-way width would be 30 feet, which is EMEC's specifications for single phase new construction. However, as stated above, the existing facilities are in place and in operation. The overhead line currently crosses the Saint Croix River and therefore, there are no right-of-way considerations for the existing facilities.

Additionally, there are no threatened or endangered wildlife or plant life associated with the existing facilities. Since the existing facilities are in operation and does not impact threatened or endangered wildlife or plant life, these items were not investigated for the alternatives.

To conclude, there are no practical alternatives; particularly given that the proposed facilities are already constructed and have been in operation for decades. Thus, there will be no environmental impact associated with the proposed facility, as it is simply a change in ownership of the electric distribution facilities.

SECTION 4

ALTERNATIVES TO THE PROPOSED FACILITY

4.1 Alternative Actions

While EMEC believes that any alternative would not be practical, EMEC lists two possible alternatives here in accordance with the application requirements.

First Alternative: Clear right of way and build new electric facilities for a distance of approximately 12 miles, which would connect with existing electric facilities. This is not practical because there are existing facilities in place that have been in service for over sixty years. This alternative route would result in the need to cut new right of way thirty feet wide for approximately 12 miles, which totals approximately 43 acres. There is no need to disturb this much of an area, given there are existing facilities in place.

Second Alternative: Install self-generation at the location. This is not practical because it would result in fuel emissions from the generator, which would have a greater environmental impact than the current operation of the existing distribution facilities.

CONCLUSION

Eastern Maine Electric Cooperative, Inc.'s Application for Presidential Permit is consistent with the public interest. EMEC's acquisition, operation, and maintenance of the existing distribution facilities would have little to no effect on the operating reliability of the U.S. electric power supply system. Additionally, because the assets are already constructed and have been in operation for decades, there are no environmental consequences associated with issuing a Presidential Permit for this instant proposed import of power across the international border location.

Exhibit 1

Joseph G. Donahue
jdonahue@preti.com
207.791.3293

May 19, 2022

Office of Electricity Delivery and Energy Reliability
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

RE: Loon Bay Distribution Line

This letter is provided with respect to the Application of Eastern Maine Electric Cooperative, Inc. ("EMEC") for a Presidential Permit for a distribution line from the Maine/New Brunswick border to certain camps located in Maine (the "Loon Bay Distribution Line"). We have been requested to provide an opinion of counsel that the construction, connection, operation or maintenance of the proposed facility is within the corporate power of EMEC, and that EMEC has complied with or will comply with all pertinent Federal and State laws. Preti Flaherty serves as regulatory counsel for EMEC before the Maine Public Utilities Commission ("MPUC"), and as counsel for energy, environmental and legislative matters as requested.

We have reviewed EMEC's Certificate of Organization, Articles of Conversion and Amendment of Articles of Incorporation, as provided to us by EMEC, which we accept as accurate and complete documentation regarding EMEC's corporate power, and also Chapter 281 of the Maine Public Laws of 1941 and the Maine Public Utilities Laws in Title 35-A M.R.S.. Based on that review we are of the opinion that the construction, connection, operation or maintenance of the proposed facility is within the corporate power of EMEC. In addition, based on our discussion with EMEC regarding its plans with respect to the Loon Bay Distribution Line, we are of the opinion that EMEC has complied with or will comply with all pertinent State laws. Please note that we do not serve as counsel for EMEC with respect to compliance with Federal laws and render no opinion in that regard.

This opinion is intended solely for EMEC's use in support of the submission of its Application for Presidential Permit and may not be used nor relied upon for any other purpose.

Sincerely,



Joseph G. Donahue
Preti, Flaherty, Beliveau & Pachios, LLP

JGD:apl



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May 27, 2022

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Office of Electricity
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

RE: Loon Bay Distribution Line

As required by the U.S. Department of Energy's regulations, 10 C.F.R. § 205.322(a)(6), the undersigned provides this Opinion of Counsel in support of Eastern Maine Electric Cooperative, Inc.'s ("EMEC") Application for Presidential Permit for a distribution line extending from the Maine, United States/New Brunswick, Canada border to certain seasonal camps located within EMEC's service territory (the "Loon Bay Distribution Line"). Upon request from EMEC, the undersigned has objectively evaluated whether EMEC has complied with or will comply with all pertinent Federal laws for the construction, operation, and maintenance of the existing Loon Bay Distribution Line. The undersigned serves as Federal regulatory counsel for EMEC before the Federal Energy Regulatory Commission ("FERC"), and as counsel for various other energy matters as required.

The undersigned has discussed the existing Loon Bay Distribution Line in detail with EMEC and has assisted in the preparation of the instant Application for Presidential Permit. The undersigned is familiar with EMEC's request and proposed action. It is the opinion of the undersigned counsel that EMEC has complied with or will comply with all pertinent Federal laws with respect to the existing Loon Bay Distribution Line. Please note that the undersigned does not serve as counsel for EMEC with respect to compliance with State laws and renders no opinion in that regard.

This opinion is intended to be used solely for EMEC's use in support of its instant Application for Presidential Permit and shall not be used nor relied upon for any other purpose.

Respectfully,

/s/ Michael Postar



Michael Postar, Esq.

Exhibit 2

Loon Bay

Border Crossing From New Brunswick Canada to Maine USA

Legend

-  NB Route on Loon Bay
-  Pole

NB Take off 45.408906°, -67.449818° Has Cutout

540 Feet

Island Pole (EMEC) 45.408182°, -67.451653°

400 Feet

POLE 1 45.407497°, -67.452832° Has Cutout





Exhibit 3


Loon Bay

Border Crossing From New Brunswick Canada to Maine USA

Legend

 Pole

 NB Route on Loon Bay


 Saint Croix River Islands

NB Take off 45.408906°, -67.449818° Has Cutout
Island Pole (EMEC) 45.408182°, -67.451653°
POLE 1 45.407497°, -67.452832° Has Cutout

CANADA

Beaconsfield

745

 Canoose Outpost
Canoose

745



2 mi

VERIFICATION

I, Scott Hallowell, being authorized to execute this verification as an officer of Eastern Maine Electric Cooperative, Inc. and having knowledge of the matters set forth in this Application for Presidential Permit, hereby verify that the contents thereof are true and correct to the best of my knowledge and belief.

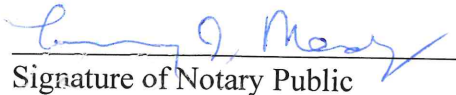
Dated: 5/31/2022



Scott Hallowell

CEO

Eastern Maine Electric Cooperative, Inc.


Signature of Notary Public

TAMMY J. MOODY

Notary Public, Maine

My Commission Expires February 8, 2025

My commission expires: _____