December 15, 2020

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Transmission Permitting and Technical Assistance Division
Office of Electricity Delivery and Energy Reliability
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Central Maine Power Company,
Docket No. PP-438

Dear Mr. Lawrence:

The purpose of this letter is to confirm: (i) the final border-crossing coordinates for the Project and (ii) that the New England Clean Energy Connect Project ("NECEC" or the "Project") has been structured to provide open access to the transmission facilities across the border in a non-discriminatory manner in accordance with the Federal Power Act and applicable precedent of the Federal Energy Regulatory Commission ("FERC").

**Border Crossing Coordinates**

For purposes of the Presidential Permit, the final border crossing coordinates for the NECEC are:

Latitude 45-30-56.39 [= 45.515664 degrees]
Longitude 70-43-15.48 [= 70.720964 degrees]

**Open Access**

Under FERC precedent, the NECEC is a participant funded transmission facility, with the allocation of transmission capacity determined by bilateral negotiations.1 FERC has recognized that participant funding of a

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1 Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities, Order No. 1000, FERC Stats. & Regs. ¶ 31,323, at P 724 (2011), order on reh’g, Order No. 1000-A, 139 FERC ¶ 61,132, order on reh’g and clarification, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), aff’d sub
transmission facility with priority rights to use the relevant transmission
capacity is consistent with well-established FERC policies and does not
constitute undue discrimination or preference.\textsuperscript{2}

Transmission service on the NECEC will be provided to the participating
transmission customers (i.e., the three electric distribution companies of
Massachusetts (Eversource, National Grid and Unitil), and H.Q. Energy
Services (U.S.) Inc.) pursuant to seven Transmission Service Agreements
(“TSAs”).\textsuperscript{3} FERC accepted these TSAs by an order dated October 20, 2018.\textsuperscript{4}

As discussed in CMP’s filing of the TSAs with FERC, the rates, terms, and
conditions of these agreements are designed to be consistent with the
Commission’s open access principles and policies,\textsuperscript{5} and will permit service on
the NECEC to be provided in accordance with these principles and policies.\textsuperscript{6}

Under the terms of the TSAs and in accordance with FERC policy, operation
of the NECEC will be turned over to ISO-NE pursuant to a Transmission
Operating Agreement. In addition, unused capacity will be released to third
parties on a daily and hourly basis through an open access same-time
information system (“OASIS”) site maintained by the transmission provider
or an affiliate. Article 10 of each TSA specifically provides that, if the
transmission capacity made available to the participant pursuant to the TSA
exceeds the participant’s needs, the participant shall offer to resell such
unused capacity in accordance with applicable law, including the terms and

\textsuperscript{2} See Northeast Utilities Service Co., 127 FERC ¶ 61,179, order on reh’g, 129 FERC ¶ 61,279 (2009).

\textsuperscript{3} The party responsible for providing transmission service under the TSAs as originally agreed upon is
CMP. As part of the transfer of the Project, the TSAs will be assigned to NECEC Transmission LLC, and
it will be the party responsible for providing transmission service going forward. By an Order dated
March 13, 2020, FERC has authorized the transfer of the TSAs to NECEC Transmission LLC. See Central

\textsuperscript{4} See Central Maine Power Co., Order Accepting Transmission Service Agreements, 165 FERC ¶ 61,034
(2018).

\textsuperscript{5} See, e.g., Central Maine Power Co., Bilateral Cost-Based Transmission Service Agreements, Docket
No. ER18-2256-000, ER18-2257-000, ER18-2258-000, ER18-2259-000, ER18-2260-000, ER18-2261-000,
ER18-2262-000 (Aug. 20, 2018).

\textsuperscript{6} See Northern Pass Transmission LLC, Presidential Permit No. PP-371, at 5 (Nov. 16, 2017).
conditions of FERC Order No. 890. Each of the TSAs also provides that CMP (ultimately, its successor NECEC Transmission LLC), or one of its affiliates, shall establish and administer an OASIS site in accordance with applicable FERC requirements. The TSA provisions regarding the resale of excess transmission service are consistent with FERC’s policy that the creation of a competitive market for secondary transmission capacity would result in existing transmission facilities being used more efficiently and would “send[] more accurate price signals to identify the appropriate location for construction of new transmission facilities...” These provisions are also consistent with the terms of Order No. 890 regarding the oversight and monitoring of the reformed secondary market for transmission capacity, including the requirement that all sales or reassignments of capacity be conducted through, or otherwise posted on, the transmission provider’s OASIS, on or before the date reassigned service commences.

Please do not hesitate to contact the undersigned if you have any questions or comments.

Very truly yours,

/s/ Randall S. Rich

Randall S. Rich

Attorney for
CENTRAL MAINE POWER COMPANY
NECEC TRANSMISSION LLC

Enclosures

cc: Thorn Dickinson
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8 Id. P 808.

9 Id. P 815.