

5-23-65
PP-20-1

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Commissioners: Joseph C. Swidler, Chairman; L. J. O'Connor, Jr.,
and David S. Black.

Eastern Maine Electric Cooperative, Inc.) Docket No. E-6475

ORDER SUBSTITUTING HOLDER OF PRESIDENTIAL PERMIT

(Issued May 25, 1965)

The Eastern Maine Electric Cooperative, Inc. (Eastern Maine), incorporated under the laws of the State of Maine and doing business in the State of Maine with its principal place of business in Calais, Maine, filed an application on April 12, 1965 for the substitution of the holder of the Presidential Permit issued to the Kingman Electric Cooperative of Kingman, Maine on May 27, 1953. Eastern Maine states that it recently acquired the assets and liabilities of the Kingman Electric Cooperative (Kingman) which includes facilities for the transmission of electric energy from New Brunswick, Canada to Forest City, Maine which were originally owned and operated by Kingman and authorized pursuant to a Presidential Permit issued May 27, 1953, under Docket No. E-6475.

Eastern Maine further states that no change in the physical connection at the boundary or in the contracts involved with the transfer of power has been made as a result of this consolidation and change of ownership. It appears that Eastern Maine does not intend to export electric energy from the United States to Canada over the facilities in question. Eastern Maine in effect only seeks a substitution of the holder of the Presidential Permit.

The Commission finds:

Amendment of the Presidential Permit issued in Docket No. E-6475 to reflect the change of name of the Permittee, Kingman Electric Cooperative by reason of its acquisition by Eastern Maine Electric Cooperative, Inc. will not be inconsistent with the terms of the permit.

The Commission orders:

- (1) The Presidential Permit signed by the President of the United States on May 27, 1953 in Docket No. E-6475 be amended to change the name of the Permittee from Kingman Electric Cooperative to Eastern Maine Electric Cooperative, Inc.

(2) The Presidential Permit, described above be further amended to incorporate the following Article:

Article 11. The Permittee shall report annually to the Commission on or before February 15, in triplicate, the amount of energy imported during each month of the preceding calendar year, the maximum rate of importation and the consideration therefor.

By the Commission.

(S E A L)

Joseph H. Gutride,
Secretary.

PRESIDENTIAL PERMIT

AUTHORIZING

~~KINGMAN ELECTRIC COOPERATIVE~~ (*Now: Eastern Maine Electric Co-operative, Inc.*)
 TO OPERATE AND MAINTAIN
 ELECTRIC TRANSMISSION FACILITIES
 AT THE INTERNATIONAL BORDER BETWEEN
 THE UNITED STATES AND CANADA

See order 5-25-65

(FEDERAL POWER COMMISSION--DOCKET NO. E-6475)

By virtue of the authority vested in me as President of the United States and by reason of the acceptance of the provisions, terms and conditions hereinafter specified, permission is hereby granted to Kingman Electric Cooperative, a Maine corporation, with principal office in Kingman, Penobscot County, Maine (hereinafter referred to as "Permittee"), to operate and maintain electric transmission facilities (more specifically described below) at the international border between the United States and Canada at or near Forest City, Washington County, Maine, for the transmission of electric energy from Canada to the United States, as set forth in the application for Presidential Permit filed with the Federal Power Commission (hereinafter called the "Commission") on February 9, 1953 as amended March 26, 1953, pursuant to the provisions of Executive Order No. 8202 dated July 15, 1939, and the rules and regulations of the Commission.

Article 1. It is expressly agreed by the Permittee that the facilities herein described shall be subject to all conditions, provi-

sions and requirements of this permit; Permittee agrees that this permit may be terminated at the will and pleasure of the President of the United States, with or without cause, and that it may be amended by the President of the United States upon proper application therefor.

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:

one single-phase electric line operating nominally at 6900 volts, 60 cycles, located over the thoroughfare between East Grand Lake and Mud Lake adjacent to the bridge at the international boundary between Forest City, Washington County, State of Maine and Forest City Province of New Brunswick, Canada;

which facilities are more specifically shown and described in the application. No substantial change shall hereafter be made in the facilities and operation authorized by this permit until such change shall have been approved by the Commission.

Article 3. The operation and maintenance of the aforesaid facilities shall be subject to the inspection and approval of the District Engineer, Corps of Engineers, United States Army, in charge of the District affected herein and a representative of the

Commission, both of whom shall be authorized representatives of the United States for such purposes. The Permittee shall allow officers or employees of the United States showing proper credentials free and unrestricted access into, through, and across lands occupied by said facilities in the performance of their official duties.

Article 4. In the operation and maintenance of the facilities herein specified, the Permittee shall place and maintain suitable structures to reduce to a reasonable degree the liability of contact or inductive interference between its transmission line and any other facilities not owned by the Permittee.

Article 5. The Permittee shall be liable for all damages occasioned to the property of others by the construction, operation or maintenance of the aforesaid facilities, and in no event shall the United States be liable therefor. The Permittee shall do everything reasonably within its power to prevent or suppress fires on or near the lands occupied under this permit.

Article 6. Permittee agrees to file with the Commission, under oath and in such detail as the Commission may require, such statements or reports with respect to the energy transmitted or the facilities authorized herein, as the Commission may, from time to time, request. Such information may be made available to any Federal, State, or local agency requesting such information.

Article 7. Permittee agrees to comply promptly with any regulations or instructions affecting the facilities, or any part

thereof, covered by this permit which may be issued by the President of the United States or any government department or agency of the United States for the aid and protection of aerial navigation.

Article 8. Neither this permit nor the facilities, or any part thereof, covered by this permit shall be transferable or assignable, but the permit shall continue in effect temporarily for a reasonable time thereafter in the event of the involuntary transfer of the facilities by operation of law (including such transfers to receivers, trustees, or purchasers under foreclosure or judicial sale) pending the making of an application for a new Presidential Permit and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the facilities authorized by this permit remain substantially the same as before the transfer. The Permittee shall maintain the facilities, or any part thereof, in a condition of repair for the efficient operation of said facilities in the transmission of electric energy, and shall make all necessary renewals and replacements.

Article 9. Upon the termination, revocation or surrender of this permit the facilities including the supporting structures herein authorized shall be removed within such time as the Commission may specify and at the expense of the Permittee. Upon failure of the Permittee to remove such facilities or any portion thereof, the Commission may direct that possession of the same be taken and the facilities removed at the expense of the Permittee, and the Permittee shall have no claim for damages by reason of such possession or removal.

Article 10. The Permittee agrees that when in the opinion of the President of the United States, evidenced by a written order addressed to it as holder of this permit, the safety of the United States demands it, the United States shall have the right to enter upon and take possession of the facilities, or any part thereof, maintained or operated under this permit, and all contracts covering the transmission of electric energy by means of said facilities, or any part thereof, to retain possession, management, and control thereof for such length of time as may appear to the President to be necessary to accomplish said purpose and then to restore possession and control to the Permittee; and in the event that the United States shall exercise such right it shall pay to the Permittee just and fair compensation for the use of said facilities as may be fixed by the Commission upon the basis of a reasonable profit in time of peace, and the cost of restoring said facilities to as good condition as existed at the taking over thereof, less the reasonable value of any improvements that may be made thereto by the United States and which are valuable and serviceable to the Permittee.

IN WITNESS WHEREOF, I, Dwight D. Eisenhower, have hereunto signed my name this 27th day of May, 1953, in the City of Washington, District of Columbia.


President of the United States

IN TESTIMONY OF ACCEPTANCE of all the provisions, conditions, and requirements of this permit, the Permittee this 15th day of June, 1953, has caused its name to be signed by Laurence A. Averill, its _____ President, and its corporate seal to be affixed hereto and attested by Donald H. Wescott, its _____ Secretary, pursuant to a resolution of its Board of Directors duly adopted on the 13th day of June, 1953, a certified copy of the record of which is attached hereto.

KINGMAN ELECTRIC COOPERATIVE
Permittee

By Laurence A. Averill

Attest: Donald H. Wescott
Secretary


Executed in triplicate



6-15-53

At the directors meeting held 6-13-53, it was

RESOLVED: To authorize the President to sign the Presidential
Permit to import power for Forest City.



Donald H. Wescott, Secretary

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FEDERAL POWER COMMISSION