

PRESIDENTIAL PERMIT PP-81  
AUTHORIZING  
THE MAINE PUBLIC SERVICE COMPANY  
TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN  
ELECTRIC TRANSMISSION FACILITIES ACROSS  
THE INTERNATIONAL BORDER BETWEEN  
THE UNITED STATES AND CANADA

BACKGROUND

On April 25, 1984, Maine Public Service Company (MPS) filed an application with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) for a Presidential Permit pursuant to Executive Order 10485, as amended by Executive Order 12038. MPS requested authority to construct, connect, operate and maintain at the international border of the United States and Canada one single phase, 7.2 kilovolt (kV) electric distribution line. The line is required to provide electric service to a residential customer in the United States. Electric service will be provided by the New Brunswick Electric Power Commission (NBEPCC) of Canada.

Since these facilities will not be connected to any portion of the U.S. electric supply system, DOE staff has concluded that the subject facilities will not impact adversely on the reliability of the U.S. electric power supply system.

On July 3, 1984, after a review of the subject application with respect to the requirements of the National Environmental Policy Act of 1969 (NEPA), DOE determined that the issuance of the Permit would not constitute a major Federal action significantly affecting the quality of the human environment, as defined in Section 102 of NEPA, 42 U.S.C. 4321 et seq. Accordingly,

neither an environmental assessment nor an environmental impact statement was required and the conditions of the NEPA were satisfied.

The Secretary of State by letter dated August 3, 1984 and the Secretary of Defense by letter dated July 10, 1984 have recommended that the Presidential Permit be granted. Upon consideration of this matter, the Administrator of ERA finds that the issuance of this Presidential Permit, as provided hereafter, is appropriate and consistent with the public interest.

#### AUTHORIZATION

Pursuant to the provisions of Executive Order 10485, as amended by Executive Order 12038, and the Rules and Regulations, (Title 10, Code of Federal Regulations, section 205.320 et seq.), permission hereby is granted to MPS to construct, connect, operate and maintain at the international border of the United States and Canada, one 7.2 kV single phase distribution line as further described in Article 2 below, upon the following conditions.

Article 1. The facilities herein described shall be subject to all conditions, provisions and requirements of this Permit. This Permit may be modified or revoked by the President of the United States without notice, or by DOE after public notice, and may be amended by DOE after proper application thereto.

Article 2. The facilities covered by and subject to this Permit shall include the following facilities and all

supporting structures within the right-of-way occupied by such facilities.

One 7.2 kV single phase distribution line energized by the NBEPC and crossing the U.S.-Canadian international border in the Town of Easton, Aroostook County, Maine. MPS will make the interconnection to NBEPC's existing facilities at this tie point and extend the 7.2 kV single phase distribution line along a public way for approximately 436 feet with a service drop of approximately 200 feet.

The facilities authorized by this Permit are more specifically shown and described in the application filed by MPS with the DOE on April 25, 1984.

Article 3. No change shall be made in the facilities covered by this Permit or in the authorized operation of these facilities unless such change has been approved by DOE.

Article 4. MPS or its agent shall at all times maintain the facilities covered by this Permit in a satisfactory condition so that all requirements of the National Electric Safety Code in effect at the time of construction are fully met.

Article 5. The operation and maintenance of the facilities covered by this Permit shall be subject to the inspection and approval of a properly designated representative of the DOE, who shall be an authorized representative of the United States for such purposes. MPS shall allow officers or employees of the United States with written authorization free and unrestricted access into, through and across any lands occupied by these facilities in the performance of their duties.

Article 6. MPS shall investigate any complaints from nearby residents of radio or television interference identifiably caused by the operation of the facilities covered by this Permit. MPS shall take appropriate action to mitigate such situations. Complaints from individuals residing within one-half mile of the center of the transmission circuits are the only ones which must be resolved. MPS shall maintain written records of all complaints received and of the corrective actions taken.

Article 7. The United States shall not be responsible or liable for damages to or loss of the property of, or injuries to, persons; or for damages to or loss of the property of MPS; or for damages to or loss of the property of, or injuries to, MPS's officers, agents, servants or employees, or others who may be on said premises, any of which may arise from or be incident to the exercise by MPS of the privileges granted herein. MPS shall hold the United States harmless from any and all such claims.

Article 8. MPS shall arrange for the installation and maintenance of appropriate metering equipment to record permanently the hourly flow of all electric energy transmitted between the United states and Canada over the facilities authorized herein. MPS shall prepare, maintain and preserve complete and accurate records concerning the transfer of such electric energy; and shall furnish to DOE an annual report, which will be due on or before February 15th of each year, detailing the transmission of such electric energy, as follows: (1) the gross amount

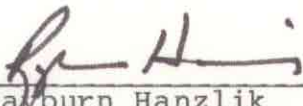
of kilowatt-hours of electric energy received and delivered;  
(2) the maximum hourly rate of transmission in kilowatts;  
and (3) the consideration paid and received for such energy during  
each month of the preceding calendar year.

Article 9. Neither this Permit nor the facilities covered by this Permit, or any part thereof, shall be transferable or assignable, except in the event of the involuntary transfer of the facilities by the operation of law. In the case of such an involuntary transfer, this Permit shall continue in effect for a period of sixty days and then shall terminate unless an application for a new Permit pursuant to Title 10, Code of Federal Regulations, section 205.323, has been received by DOE. Upon receipt by DOE of such an application, this existing Permit shall continue in effect pending a decision on the new application. During this decision period, the facilities authorized herein shall remain substantially the same as before the transfer.

Article 10. Upon the termination, revocation or surrender of this Permit, the 7.2 kV primary distribution line which is owned, connected, operated and maintained by MPS and described in Article 2 of this Permit, shall be removed within such time as DOE may specify and at the expense of MPS. If MPS fails to remove such facilities or any portion thereof authorized by this Permit, DOE may direct that actions be taken for the removal of the facilities or the restoration of same at the expense of MPS. MPS shall have no claim for damages by reason of such possession, removal or repair.

Article 11. This Permit shall be valid upon receipt by DOE of the Testimony of Acceptance properly executed.

In Witness Whereof, I, Rayburn Hanzlik, Administrator, Economic Regulatory Administration, hereunto sign my name, this 21<sup>st</sup> day of September 1984, in the city of Washington, District of Columbia.

  
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Rayburn Hanzlik  
Administrator  
Economic Regulatory Administration

TESTIMONY OF ACCEPTANCE  
OF  
PRESIDENTIAL PERMIT PP-81  
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IN TESTIMONY OF ACCEPTANCE of all the provisions and  
conditions of Presidential Permit PP-81 dates September 24, 1984,  
Maine Public Service Company, this 24th day of October, 1984, has  
caused its name to be signed and its corporate seal to be affixed  
hereto by Frederick C. Bustard, its duly authorized,  
Vice President, and attested by Paul R. Cariani, its  
Secretary.

MAINE PUBLIC SERVICE COMPANY

By

FC Bustard

Vice President

ATTEST:

By

PR Cariani

Secretary