



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JUN 24 2008

VIA FAX [(202) 639-7890 AND (617) 727-9665] AND U.S. MAIL

Mr. Bruce F. Kiely, Esq.
Baker Botts LLP
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Ms. Carol Iancu, Esq.
Assistant Attorney General
Office the Attorney General
One Ashburton Place
Boston, MA 02108

RE: Consistency Appeals of Weaver's Cove Energy, LLC and Mill River Pipeline, LLC

Dear Mr. Kiely and Ms. Iancu:

Please be advised that on May 5, 2008, the decision record for the above appeal was closed. Closure of the record by this date was required pursuant to 16 U.S.C. § 1465(b).

We have supplemented the record with the following documents, which were received prior to the close of the decision record and deemed necessary to complete the appeal:

- Two letters from Elizabeth A. Kouloheras, Massachusetts Department of Environmental Protection (MassDEP), to Ted Gehrig, Weaver's Cove Energy, LLC (WCE), dated April 18, 2008, regarding Fall River and Somerset Conservation Commission Superseding Orders of Conditions.
- Letter from John K. Winkler, MassDEP, to Ted Gehrig, WCE, dated March 13, 2008, regarding conditional approval under Massachusetts's air pollution control regulations.
- Letter from WCE to FERC, dated April 18, 2008, regarding initiation of Federal Energy Regulatory Commission (FERC) National Environmental Policy Act pre-filing review for its berthing proposal (Pre-Filing Request).
- Letter from WCE to FERC, dated April 21, 2008, asking that FERC replace attachment 9 to WCE's Pre-Filing Request with a revised/corrected version.



- Letter from Theodore A. Barten, Epsilon Associates, Inc., to Theodore M. Lento, U.S. Army Corps of Engineers (Corps), New England District, dated June 29, 2005.
- Letter from Karen Kirk Adams, Corps, to Ted Gehrig, WCE, dated April 5, 2006.
- WCE's Response to SSFATE Modeling Questions from the MassDEP, dated July 26, 2006.
- Letter from Michael D. Howard and Theodore A. Barten, Epsilon Associates, Inc., to Ken Chin, MassDEP, dated April 25, 2007.
- Letter from Michael D. Howard, Epsilon Associates, Inc., to Ken Chin, MassDEP, dated May 3, 2007.
- Elutriate Dilution Analysis, dated May 31, 2007.
- FERC report entitled *Northeast Natural Gas Market: Overview and Focal Points*, dated April 2008.
- The Honorable Samuel Bodman, Secretary of Energy's Prepared Remarks for the Opening of the Cheniere Sabine Pass LNG Regasification Facility, dated April 21, 2008.
- ISO New England, Inc. report styled *2007 Regional System Plan*, dated October 18, 2007.
- ISO New England, Inc. report entitled *New England Electricity Scenario Analysis*, dated August 2, 2007.
- Report entitled *World Gas Prices Reflect Regional Split*, dated February 4, 2008.
- Report entitled *Natural Gas, Oil Prices Set to Hit Consumers Hard*, dated March 11, 2008.
- FERC report entitled *LNG Market*, dated April 4, 2008.
- FERC report entitled *LNG Market*, dated January 9, 2008.
- Letter from Gordon Shearer, WCE, to Raymond J. Perry, U.S. Coast Guard, dated April 30, 2008 (Letter of Intent).

- White House National Economic Council, *Advanced Energy Initiative* (Feb. 2006).

If you have any questions, please contact Brett Grosko, NOAA Office of General Counsel for Ocean Services, at Brett.Grosko@noaa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jane C. Luxton".

Jane Luxton
General Counsel