

The Honorable Magalie R. Salas  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A East  
Washington, DC 20426

Re: (Rebuttal of Comments made by Oceana Energy Company)  
P-12664-000 New Hampshire – Portsmouth Area Tidal Energy Project  
P-12697-000 Alaska – Wrangell Narrows Tidal Energy Project  
P-12696-000 Alaska – Gastineau Channel Tidal Energy Project  
P-12695-000 Alaska – Icy Passage Tidal Energy Project  
P-12694-000 Alaska – Katchemack Bay Tidal Energy Project  
P-12705-000 Alaska – Cook Inlet Tidal Energy Project  
P-12672-000 Oregon – Columbia Tidal Energy Project  
P-12670-000 Massachusetts – Cape and Islands Tidal Energy Project  
P-12668-000 Maine – Penobscot Tidal Energy Project  
P-12666-000 Maine – Kennebec Tidal Energy Project  
P-12665-000 New York – Astoria Tidal Energy Project  
P-12663-000 Washington – Deception Pass Tidal Energy Project.

Dear Ms. Salas:

The intent of the ambitious dialogue taking place by many interested parties concerning Tidal In-Stream Energy permitting is likely based on a common desire of most people to avoid a repeat of a “wild west” scenario in which claims to a resource were staked solely on a fist come, first served basis. Many have mentioned analogies to the FCC auctions of limited bandwidth permits which were snapped up by individuals with advanced knowledge and easy access to financial resources but no real interest or expertise in the communications industry; or the unsettling result of issuing internet domains in a similar manner to individuals and companies who are simply holding them for ransom.

The majority involved in this discussion quite possibly hope for the successful implementation of TISEC technology in a thoughtful, considerate and fair manner by the experienced and capable staff of the Federal Energy Regulatory Commission. Seeking clear and accurate information is in the best interest of virtually everyone.

The principal cautionary flag in these filings is the remarkable lack of information regarding the applicant, its resources, expertise and intent. Oceana Energy and its named principals simply did not appear in my personal knowledge base as contributors to in-stream tidal energy conversion technology – in any capacity. Despite recent claims of proprietary technology too valuable to share, Oceana Energy still does not appear to have filed anything with the United States Patent Office. It is simply too easy to see smoke and mirrors but no tangible accomplishments beyond attempting to tie up vast energy resources. If this is a lapse or shortcoming of my own investigations, then I can only gain by participation in this dialogue.

With this in mind, kindly accept the following responses to points made by Oceana Energy in their rebuttal of my earlier comments.

- A. **“We (Oceana) are unaware of any requirement under the Federal Power Act or the associated FERC regulations that require an applicant to reveal the identities of the principals of corporate entities or to furnish information relating to the expertise of financial capabilities...”**

***Response:*** *The Federal Energy Regulatory Commission is providing priority of application for a three year period to a potentially extremely valuable and limited resource. Whether this information is required or not, it seems to be in the best interest of the applicant to provide as much positive and supportive information as*

*possible. FERC must make a determination in the best interest of the public and must weigh the merit of competitive applications. What better information could anyone have other than their identity, expertise, resources and capabilities. This information is most definitely of interest to the public who are welcome to respond in various ways to applications. In the absence of this valuable information, the intent and merit of the applicant can be called into question.*

*Only by request and risk of permit denial did Oceana offer identities and further information. For example:*

*The Technology Consultant for Oceana, Ned Hansen, is a roller coaster and amusement ride design consultant and noteworthy - a Ph.D. in Mechanical Engineering while the competitive applicant for the same resource (the Piscataqua River) is Philippe Vauthier who has worked in the field of low impact hydrokinetic turbines since 1981 (25 years).*

*It is important for the public to know that one person named Mike J. Hoover, is a twenty-eight year old attorney and 100% shareholder in Oceana Energy controlling many millions of shares of stock and who with the validity of these FERC permits could ultimately control much of the high energy potential moving waters in seven states.*

*It is important for the public to know that all of the Tidal Energy Companies named after US States are incorporated in Cheyenne, Wyoming - billed on the internet as "a tax haven within the United States with no income taxation, anonymous ownership and bearer sales." Again, this insightful information was only revealed when pressed by FERC.*

*This is, in my opinion, the type of relevant information upon which to base a thoughtful and considerate determination – whether it is required or not.*

*Lastly, Oceana and FERC will recognize that the applicants for these permits are surveying coastal waters, near populated areas, with the intent of installing large submerged devices. Especially during a time of heightened security concerns - knowing the applicant, their capabilities and intent seems particularly relevant.*

**B. NHTidal and Oceana have identified places where flowing water may potentially be extracted and converted into usable electricity. Whether these are "sites" or "large tracks of water" is indistinguishable to the companies.**

*Response: It is noted that my comments were correct and "sites" for the installation of TISEC devices are not clearly delineated by the applicant despite the use of the term as well as Eastings and Northings which would imply specific areas of proposed installation.*

*This addresses a major point of concern regarding the in-stream hydroelectric permitting process. The kinetic energy of ANY moving water is capable of being converted to electricity. It is in the best interest of FERC, the public and the applicant to require the clear specification of proposed sites. The Verdant application for the East River of NY by example did just that. The coordinates and configuration were clearly defined and easy to understand and this information would likely support the granting of an application.*

*A plethora of issues may continue to arise as speculators permit sites upstream and downstream of granted permits and areas of lower energy potential are used by individual homeowners and industries. Unlike other hydroelectric projects, in-stream tidal may require very little expense or expertise to implement.*

*Given the newness of this technology, a review of the process at this time may be pertinent. Lack of clarity with respect to the proposed site is a most relevant and important consideration.*

**C. "In order for NHTidal or Oceana to provide a precise physical description of the devices and their installation configuration, the companies must first undertake to perform the physical and environmental site studies as outlined in the Preliminary Permit applications. " ... "Furthermore Oceana has refrained from releasing detailed information regarding its own technology while requesting permit applications because we consider technical aspects of the system proprietary."**

*Response: It is duly noted that NHTidal and Oceana do not describe the technology to be implemented despite the availability of technical specifications of TISEC devices which including energy conversion efficiencies, size, mooring requirements and etc. from a range of manufacturers and clearly delineated in the EPRI reports along with tidal current measurements from many of the proposed areas.*

*Again, Oceana Energy does not appear to have conducted preliminary testing, feasibility studies, demonstration projects or anything of a technical nature upon which the public could base its support of these permits.*

**D. Neither NHTidal nor any of the other Oceana applicants claims or has claimed the ability to deliver the estimated energy output contained within the applications.**

*Response: Right. The power estimates are unreliable and inconsistent with published data. From the NHTidal and other permit applications submitted on behalf of Oceana: "Therefore, each TISEC device is capable of providing power to about 750 homes." This "claim" or "estimate" has been used extensively by the media often in support of these projects. In the absence of current measurements, equipment specifications and proper sitings it is profoundly irresponsible to make such a statement in a public application.*

**F. "Mr. Cinq-Mars may not understand that in order for a start up company to secure financing to undertake any meaningful advances in this industry, investors require potential for growth before committing risk capital, regardless of the potential beneficial environmental possibilities."**

*Response: Mr. Cinq-Mars does understand the requirements for securing capital in a start up company and hopes that the same investors understand the value of expertise in the form of a single successful demonstration project. Oceanas response could be rephrased in the following way: "It is OK to blanket permit if one is doing so to raise capital."*

**Conclusion: "Mr. Cinq-Mars .... has his own agenda and would prefer to be conducting his own research"**

*Response: Mr. Cinq-Mars is an experienced, concerned citizen with a unique convergence of relevant skills in the area of in-stream tidal power generation including education, experience, employment and independent study. Please allow me to set the record straight with regard to intent. I believe in the potential of tidal in-stream energy conversion and hope to see that it will be done in a way that is in the best interest of the public, industry and private investors. I found the Oceana applications to be profoundly deficient and misleading. My intent and hope is that the Federal Energy Regulatory Commission will seek and obtain full, complete and accurate information prior to making a determination regarding these valuable permits in an industry in which many people, including myself deeply care.*

Thank you for the kindness of your consideration in this matter,

*Robert S. Cinq-Mars*

Robert S. Cinq-Mars  
Electrical Engineer  
1 Captain Parker Drive  
Lee, NH 03824  
Tel: (603) 862-0174  
Email: [RobertCinqMars@comcast.net](mailto:RobertCinqMars@comcast.net)

Submission Contents

Rebuttal of comments made by Oceana Energy	
OceanaRebuttal.doc.....	1-3