

October 19, 2006

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 Senator Orrin G. Hatch)
P-12663-000 Washington – Deception Pass Tidal Energy Project
P-12664-000 New Hampshire – Portsmouth Area Tidal Energy Project
P-12665-000 New York – Astoria Tidal Energy Project
P-12666-000 Maine – Kennebec Tidal Energy Project
P-12668-000 Maine – Penobscot Tidal Energy Project
P-12670-000 Massachusetts – Cape and Islands Tidal Energy Project
P-12672-000 Oregon – Columbia Tidal Energy Project
P-12694-000 Alaska – Katchemack Bay Tidal Energy Project
P-12695-000 Alaska – Icy Passage Tidal Energy Project
P-12696-000 Alaska – Gastineau Channel Tidal Energy Project
P-12697-000 Alaska – Wrangell Narrows Tidal Energy Project
P-12705-000 Alaska – Cook Inlet Tidal Energy Project

Dear Ms. Salas:

The comments of Senator Orrin Hatch and George Frampton (Former Chairman of the White House Council on Environmental Quality) have now made it both clear and well documented, that the principals of Oceana Energy are politically well connected. Regrettably, what remains is any indication that Oceana or its principals have the expertise, capabilities or resources necessary to succeed in the tidal energy conversion industry - for which they have applied for copious and profoundly excessive natural resources.

While Senator Hatch views the "potential development of tidal energy in the United States as an important priority", his comments do not address the remarkable lack of specificity found in Oceana's applications. Further, the Senator does not acknowledge, much less address the capabilities and resources of the many other applicants for these and other tidal energy resources. The Senators comments are not a serious, thoughtful or critical analysis of the capabilities or limitations of various applicants. He does not compare or contrast one applicant's expertise, organization, technology or potential to succeed, to another. It appears that Senator Hatch's support for Oceana is based largely on their stated intent to design and manufacture in Utah. As it should be, the Senator is promoting manufacturing and development in his home state. If Oceana was requesting the tidal energy resources of Utah - that would be a dream come true. However, that is not the case.

I kindly and sincerely ask the Federal Energy Regulatory Commission to limit both the quantity and scope of preliminary permits granted at this time. There are many individuals and organizations working aggressively to develop and test competing designs and systems for tidal energy conversion. These serious, hard working and industrious individuals and groups will want and deserve access to the resources now being sought for permitting. The actions of the Federal Energy Regulatory Commission in this matter can encourage and promote the thoughtful, considerate and responsible use of these valuable and limited resources; or they can tie them up in a discouraging, costly and highly political process.

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

Robert S. Cinq-Mars

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