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From: Dunn, Michael
Sent: Thursday, November 14, 2019 4:47 PM
To: 'cossette.elene@hydro.qc.ca' <cossette.elene@hydro.qc.ca>; 'leblanc.nicolas2@hydro.qc.ca' <leblanc.nicolas2@hydro.qc.ca>
Cc: Lavin, Paul <Paul.Lavin@maine.gov>
Subject: Hydro Quebec Maine Committee Questions

Hello Helene and Nicolas:

It was a pleasure speaking with both of you today. Please accept this email as my documentation of our conversation and supplemental information requested during the phone call. As I indicated during the phone call, I am only able to speak regarding Maine Law; there may be concerns regarding federal law which I cannot address. It is my understanding that you will be speaking with counsel regarding federal requirements/prohibitions.

Under Maine Law, Hydro Quebec (HQ) may influence a Maine Election. HQ would be required to register as a Ballot Question Committee (BQC) within seven (7) days of spending more than \$5,000 towards influencing a Maine election. The treasurer and principal officer can be non-US citizens. While not required to have a separate bank account, I encourage the BQC to setup and maintain a separate account to ensure accuracy of information and clarity in the event the Commission seeks to audit the account. The bank account can be located anywhere in the United States.

Under the Commission's guidance, which can be found at https://www.maine.gov/ethics/sites/maine.gov.ethics/files/inline-files/pdf/bqc_guidance_05222017.pdf, paid staff time does count towards the \$5,000 threshold. The contribution of paid staff time is generally calculated by the individual's hourly rate multiplied by the number of hours the individual has contributed towards the New England Clean Energy Corridor (NECEC) campaign. If you believe that you have already crossed this \$5,000 threshold, I would encourage you to register as soon as possible to minimize any penalties for late filing. You may email me a paper registration which can be found at <https://www.maine.gov/ethics/forms/pacs> or you may register online at <https://mainecampaignfinance.com/#/index>.

You indicated that HQ would be the source of the funds and that you would primarily be taking out advertisements in support of the NECEC. Under 21-A MRS sec. 1055-A all advertisements would need to include the name and address of the person who financed the communication. As we discussed, "Person" is a broadly defined term and in this instance it would be the name and address of the Committee that would be included on the ad.

The Major Contributor requires that an organization, like HQ, who contributes more than \$100,000 to a committee file a one time report. As I indicated, this report is not currently available but should be within the next couple of weeks. If you cross that threshold in the meantime please let me know.

If you have further questions please feel free to contact me either by phone or email.

Sincerely,

Michael J. Dunn, Esq.
Political Committee and Lobbyist Registrar
Maine Ethics Commission
135 State House Station
Augusta, Maine 04333
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