

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

In re:

CAPE WIND ASSOCIATES, LLC

**Appeal No. OCS 11- 01  
EPA Permit No. OCS-R1-01**

**CAPE WIND ASSOCIATES, LLC'S NOTICE OF SUPPLEMENTAL AUTHORITY**

Cape Wind Associates, LLC ("CWA") hereby requests that the Board take notice of the Commonwealth of Massachusetts Department of Public Utilities decision dated November 22, 2010, approving the National Grid's long-term contract to purchase 50 percent of the output of the Cape Wind project ("DPU Decision"). The DPU Decision can be found at <http://www.env.state.ma.us/dpu/docs/electric/10-54/112210dpufnord.pdf>. The DPU Decision fully and finally adjudicated any and all issues related to the economic benefits of the Cape Wind project. The Alliance was a party to the DPU proceedings and is therefore precluded from re-litigating these issues before this Board or any other tribunal.

Respectfully submitted,

/s/ Geraldine E. Edens

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This 29th day of March, 2011

Attorneys for Cape Wind Associates, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2011, a copy of the foregoing Notice of Supplemental Authority was filed electronically via the Environmental Appeals Board of the U.S. Environmental Protection Agency's Central Data Exchange system.

I further certify that on March 29, 2011, a copy of the foregoing Notice of Supplemental Authority was served via U.S. Mail on the following counsel:

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