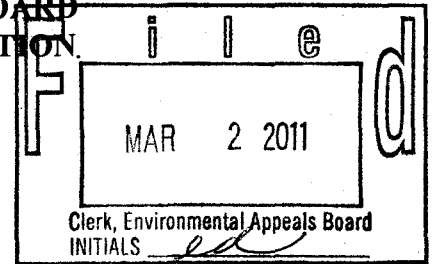


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION
WASHINGTON, D.C.



In re:

Cape Wind Associates, LLC

Permit No. OCS-R1-01

OCS Appeal No. 11-01

**ORDER GRANTING CAPE WIND ASSOCIATES LLC'S MOTION FOR LEAVE TO
INTERVENE AND REQUEST FOR LEAVE TO RESPOND TO BRIEFING**

By motion dated February 24, 2011, Cape Wind Associates ("Cape Wind") seeks leave to intervene in the above-captioned matter and to respond to the petition for review filed by the Alliance to Protect Nantucket Sounds and the Wampanoag Tribe of Gay Head on February 9, 2011. The petition challenges the decision by U.S. Environmental Protection Agency, Region 1 ("Region"), to issue a Clean Air Act Outer Continental Shelf ("OCS") permit to Cape Wind to construct and operate a wind energy facility on Horseshoe Shoal in Nantucket Sound, off the coast of Massachusetts.

In support of its motion, Cape Wind states that it is the holder of the OCS permit authorizing preconstruction, construction and operation activities of the wind energy facility. As the permit holder, Cape Wind states that it possesses an interest in this matter that is independent of the interests of the Region and may not be adequately represented by the Region. Cape Wind contends that its ability to proceed with the proposed project as currently permitted may be affected by the disposition of this matter.

Accordingly, for good cause shown, Cape Wind's motion to participate as a party in this matter is hereby **GRANTED**. Consistent with the deadline for the Region to file a response, Cape Wind shall file¹ its response to the petition no later than March 15, 2011.

So ordered.

Dated: March 2, 2011

ENVIRONMENTAL APPEALS BOARD

By: Anna L. Wolgast
Anna L. Wolgast
Environmental Appeals Judge

¹ Documents are considered filed on the date they are received by the Clerk of the Board. Filing may be accomplished electronically pursuant to the Board's standing order of January 28, 2010, as well as by paper.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Cape Wind Associates LLC's Unopposed Motion for Leave to Intervene in the matter of *Cape Wind Associates, LLC*, OCS Appeal No. 11-01, were sent to the following persons in the manner indicated:

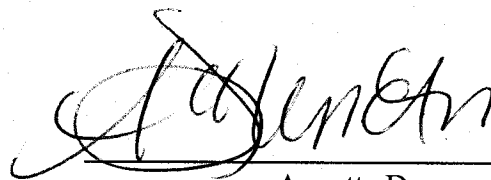
By U.S. First Class Mail and Facsimile:

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Date: MAR - 2 2011



Annette Duncan
Secretary