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by Kathryn Ross  
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ANGUS KING FOR US SENATE CAMPAIGN  
PO Box 368  
114 Maine Street, Suite 1  
Brunswick, Maine 04011

April 30, 2019

Delivered via email to cela@fec.gov

Federal Election Commission  
Office of Complaints Examination  
& Legal Administration  
Attn: Kathryn Ross, Paralegal  
1050 First Street, NE  
Washington, DC 20463

RE: FEC MUR 7594 – Response of Angus King for US Senate Campaign

Dear Sir or Madam,

This letter provides the response of the Angus King for US Senate Campaign (“Campaign”) to the letter dated April 18, 2019 from Jeff S. Jordan, Assistant General Counsel, Complaints Examination & Legal Administration (CELA), Federal Election Commission (FEC). The response is timely filed, within 15 days of the Campaign’s April 22, 2019 receipt of the letter.

**Background**

The FEC letter forwards a complaint filed by Alexander Austin dated April 8, 2019 alleging that he “suspects” that a Canadian company, Enbridge, Inc., made direct contributions to many “American” political campaigns and political parties, enclosing “summaries of supporting documentation ... with as much specificity as [he] believes is required for authorities to decide whether to pursue this matter further.” The complainant notes that he is not a lawyer and has not consulted legal counsel in drafting the complaint. He further admits that his letter must be “critically examined by professionals to determine their validity,” while making clear that he does not intend to falsely accuse innocent parties.

The complaint makes no direct complaint against the Campaign. Instead, it states a vague and baseless suspicion that Enbridge, Inc. has contributed directly to United States political campaigns, and attaches as a list of campaigns in Appendix B Figure 4, “Federal Committee Identification” including, among many others, the Angus King for US Senate Campaign. This list does not reveal source of the list of the name of any contributing party. The complaint “Background Information” section lists several names, including Enbridge (U.S.) Inc., noting that its articles of incorporation are filed in Delaware, as well as “Enbridge (U.S.) Inc. Political Action Committee (Enbridge-DCP PAC)” noting that the PAC is registered to Enbridge (U.S.) Inc. in Texas.

The complaint makes no direct or specific allegation of any unlawful activity by the Campaign. Instead, the complaint merely asserts a suspicion that the fact that Enbridge (U.S.) Inc. is a wholly-owned subsidiary of a Canadian parent corporation, Enbridge, Inc. is a sufficient basis for the FEC to investigate all the parties listed in the attachments for unlawful foreign corporate donations.

The FEC should summarily dismiss this speculative complaint, for the reasons explained below.

### **Campaign Response**

The Campaign requests that the FEC CELA staff determine that there is no basis for the complaint's speculative suggestion that the Campaign accepted an illegal contribution from Enbridge, Inc., a Canadian corporation. The FEC's own records demonstrate that the Campaign has accepted three lawful contributions from the FEC-registered PAC Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC), a multicandidate committee; and (2) that this PAC is a separate, segregated fund, affiliated with a Delaware corporation, Enbridge (U.S.) Inc.

The Campaign requests that the CELA staff determine that: (1) no enforcement action should be taken against the Campaign; (2) there is no factual or legal basis for the complaint suggestion that a Canadian corporation made a contribution to the Campaign; and (3) no further expenditure of FEC resources on this speculative and baseless complaint is warranted and this matter should be dismissed immediately.

The public record clearly demonstrates that the Campaign has acted lawfully given that:

- (1) The Campaign accepted two contributions totaling \$5,000 from Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) for the Primary Campaign and properly reported those contributions, received on January 3, 2018 in the Campaign's April 2018 Quarterly Report. The Campaign received a third contribution for \$1500 from Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) for the General Campaign and properly reported this contribution, received on March 31, 2018, in the Campaign's April 2018 Quarterly Report [See Attachment 1 – check copies of PAC contributions and screenshot of excerpt from FEC Campaign Finance search results on Angus King Campaign April 2018 Quarterly Report showing three Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) contributions];
- (2) Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) is registered as a Qualified, Lobbyist/Registrant PAC, assigned ID number C00429662 by the FEC. The FEC's records contain a February 27, 2017 FEC Form 1 Statement of Organization filed by this PAC, declaring its status as a "separate, segregated fund" and a Lobbyist/Registrant PAC, with a connected organization, listed as the Enbridge (U.S.) Inc. corporation of Houston Texas. [See Attachment 2 –Screenshot of Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) Form 1 Filing FEC-1151436 taken April 30, 2019]; and

- (3) The Delaware Department of State Division of Corporations public records available online confirm that Enbridge (U.S.) Inc. is registered as a Delaware corporation, with the same Houston, Texas address listed in the FEC Form 1 described above. [See Attachment 3 –Screenshot of Delaware Department of State Division of Corporations Corporate Records online taken April 30, 2019].

The Campaign has acted lawfully, relying upon the FEC's records of the qualified PAC status of Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) in accepting the contribution and properly reporting the contributions. Therefore, there is no basis to undertake any further investigation of the matter with regard to the Campaign.

If you have any further questions, please contact Elizabeth Butler, Esq. of Butler Law Offices, who serves as legal counsel to the Campaign as detailed in the attached FEC Form filing.

Sincerely,

*Rebecca London*

Rebecca London  
Treasurer, Angus King for US Senate Campaign

Attachment 1 – Check copies and Campaign April 2018 Quarterly Report excerpt  
Attachment 2 – Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC) Form 1 Filing FEC-1151436  
Attachment 3 – Delaware Dept of State Division of Corporations Enbridge (U.S.) Inc. record

ATTACHMENT 1

PAC Check Contributions and Campaign 2018Q1 Report Excerpt

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC)  
5400 WESTHEIMER COURT  
HOUSTON, TX 77056  
FEC ID C00429662  
THIS PAC IS REGISTERED AS A MULTI-CANDIDATE CMTE.

COMERICA BANK  
09-009/720

4167

Date: 12/20/2017

PAY TO THE ORDER OF Angus King For US Senate Campaign

\$ 1,000.00

One thousand and xx / 100 \*\*\*\*\*

DOLLARS

MEMO 2018 General

Void in 90 Days

*Ritu Talwar*

6:19 PM

Details on Back

Intuit® CheckLock™ Secure Check

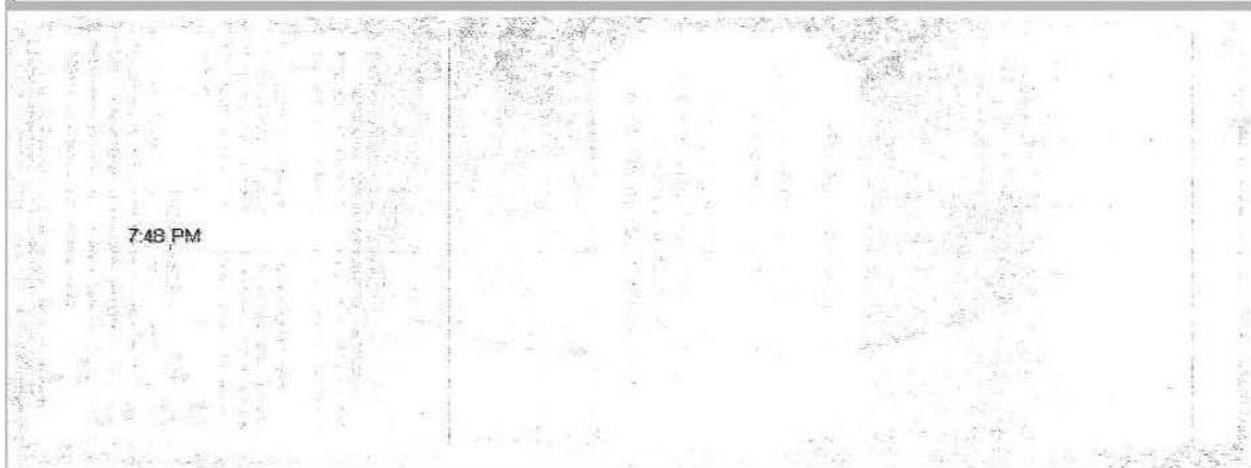
CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

<p><b>Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC)</b>          5400 WESTHEIMER COURT          HOUSTON, TX 77056          FEC ID C00429662          THIS PAC IS REGISTERED AS A MULTI-CANDIDATE CMTE.</p>	<p><b>COMERICA BANK</b>          09-009720</p>	<p><b>4166</b></p>
<p>PAY TO THE ORDER OF <u>Angus King For US Senate Campaign</u></p>		<p>Date: <u>12/20/2017</u></p>
<p><u>Four thousand and xx / 100 *****</u></p>		<p><b>\$ 4,000.00</b></p>
<p>MEMO <u>2018 Primary</u></p>		<p>DOLLARS</p>
		<p>Void in 90 Days  <i>Ritu Talwar</i></p>



CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

<p><b>Enbridge (U.S.) Inc. PAC (Enbridge-DCP PAC)</b>                  5400 WESTHEIMER COURT                  HOUSTON, TX 77056                  FEC ID C00429662</p> <p>THIS PAC IS REGISTERED AS A MULTI-CANDIDATE CMTE.</p>	<p>COMERICA BANK                  09-009/720</p>	<p>4194</p> <p>Date: 03/23/2018</p>
<p>PAY TO THE ORDER OF <u>Angus King For US Senate Campaign</u></p>		<p>\$ 1,500.00</p>
<p style="text-align: center;">One thousand five hundred and xx / 100 *****</p>		<p>DOLLARS</p>
<p>MEMO: 2018 General</p>		<p>Void in 90 Days  <i>Ritu Talwar</i></p>



**ANGUS KING FOR US SENATE COMMITTEE APRIL 2018 Q1 FEC FORM 3 REPORT  
 EXCERPT FROM FEC CAMPAIGN FINANCE WEBSITE  
 ENBRIDGE (U.S.) INC. PAC (ENBRIDGE-DCP-PAC) CONTRIBUTIONS  
 TAKEN APRIL 30. 2019**

ENBRIDGE, INC. POLITICAL ACTION COMMITTEE	5400 WESTHEIMER CT, HOUSTON TX 770565353	01/03/2018	\$1000.00	PRIMARY	\$5000.00	<a href="#">201804180200292808</a>
ENBRIDGE, INC. POLITICAL ACTION COMMITTEE	5400 WESTHEIMER CT, HOUSTON TX 770565353	01/03/2018	\$4000.00	PRIMARY	\$5000.00	<a href="#">201804180200292808</a>
ENBRIDGE, INC. POLITICAL ACTION COMMITTEE	5400 WESTHEIMER CT, HOUSTON TX 770565353	03/31/2018	\$1500.00	GENERAL	\$6500.00	<a href="#">201804180200292808</a>

## ATTACHMENT 2

ENBRIDGE (U.S.) INC. PAC (ENBRIDGE-DCP-PAC)  
 FORM 1 FILING FEC-1151436  
 SCREENSHOT FROM FEC RECORDS TAKEN APRIL 30, 2019

HOME / CAMPAIGN FINANCE DATA / COMMITTEE DETAILS / HTML VIEWER

**FEC FORM 1**

**STATEMENT OF ORGANIZATION**

**FILING FEC-1151436**

**1. Enbridge (U.S.) Inc. Political Action Committee (Enbridge-DCP PAC)**

**NOTE: Committee Name is different than previously reported**  
 5400 Westheimer Court  
 Houston, TX 77056  
 Email: pacservices@ddcadvocacy.com

**2. Date: 02/27/2017**

3. FEC Committee ID #: C00429662 This committee is a separate segregated fund. Its connected organization is a Corporation  
 In addition, this committee is a Lobbyist/Registrant PAC.

**Affiliated Committees/Organizations**  
 Enbridge (U.S.) Inc.  
 5400 Westheimer Court  
 Houston, Texas 77056  
 Affiliated Relationship Code: Connected Organization

**Custodian of Records:**  
 Ritu K Talwar  
 5400 Westheimer Court  
 Houston, TX 77056  
 Title: Treasurer  
 Phone # (713) 989-1784

**Treasurer:**  
 Ritu K Talwar  
 5400 Westheimer Court  
 Houston, Texas 770563353  
 Title: Treasurer  
 Phone # (713) 989-1784

**Designated Agent(s):**  
 Rita Nguyen  
 5400 Westheimer Court  
 Houston, Texas 77056  
 Title: Assistant Treasurer  
 Phone # (713) 989-8446

**Banks or Depositories**  
 Comerica Bank  
 P.O Box 75000  
 Detroit, Michigan 48275

**Signed: Ritu K Talwar**  
**Date Signed: 03/06/2017**

**(End FEC FORM 1)**

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ATTACHMENT 3

DELAWARE DEPARTMENT OF STATE DIVISION OF CORPORATIONS CORPORATE RECORDS  
ENBRIDGE (U.S.) INC. DELAWARE REGISTRATION  
SCREENSHOT TAKEN APRIL 30, 2019

State of Delaware  
The Official Website of the First State

Department of State Division of Corporations

Entity Details

**THIS IS NOT A STATEMENT OF GOOD STANDING**

File Number	2561207	Incorporation Date	11/01/1995
		Expiration Date	(mm/dd/yyyy)
Entity Name	ENBRIDGE (U.S.) INC.		
Entity Kind	Corporation	Entity Type	General
Residency	Domestic	State	DELAWARE

**REGISTERED AGENT INFORMATION**

Name	THE CORPORATION TRUST COMPANY		
Address	CORPORATION TRUST CENTER 1209 ORANGE ST		
City	WILMINGTON	County	New Castle
State	DE	Postal Code	19801
Phone	302-438-7381		

Additional information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like:  Status  Status, Tax & History Information

Submit

View Search Results      New Entity Search



FEDERAL ELECTION COMMISSION  
1050 First Street, NE  
Washington, DC 20463

### STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL [cela@fec.gov](mailto:cela@fec.gov)

FAX 202-219-3923

AR/MUR/RR/P-MUR# MUR-7494

Name of Counsel: Elizabeth R. Butler, Esq.

Firm: Butler Law Offices, LLC

Address: Brunswick Business Center, Suite 351

18 Pleasant St. Brunswick, ME 04011

Office#: 207-373-3911 x 351 Fax#: 207-373-9333

Mobile#: 207-798-1809 (Preferred Contact

E-mail: ebutler@ebutlerllc.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

04/30/2019

Date

Rebecca London

(Signature - Respondent/Agent/Treasurer)

Treasurer, Angus King for US Senate

Title

Rebecca London

(Name - Please Print)

**RESPONDENT:** Angus King for US Senate

(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: PO Box 368  
(Please Print)

114 Maine Street, Suite 1, Brunswick ME 04011

Home#: \_\_\_\_\_ Mobile#: \_\_\_\_\_

Office#: 207-253-0568 Fax#: \_\_\_\_\_

E-mail: rlondon@angusformaine.com

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.