

BEFORE THE CONNECTICUT SITING COUNCIL

In re: NTE Connecticut, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 550-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut

Docket No. 470

Filed: December 22, 2016

MOTION FOR LEAVE TO FILE SURREBUTTAL TESTIMONY

Pursuant to Connecticut Siting Council Rule of Practice § 16-50j-22a, the Sierra Club and Not Another Power Plan (hereinafter “Moving Parties”) respectfully move the Siting Council for leave to file the attached Surrebuttal Testimony of Robert M. Fagan, Synapse Energy Economics.

Good cause supports the filing of this motion. On December 8, 2016, NTE submitted rebuttal testimony from Ethan Paterno and Michael Bradley (“NTE Rebuttal Testimony”) responding to the Direct Testimony of Robert Fagan, Synapse Energy Economics, which was filed in this proceeding on November 15, 2016. As addressed in the attached proposed filing, the NTE Rebuttal Testimony misapprehends and mischaracterizes important aspects of Mr. Fagan’s direct testimony. Absent the opportunity to file this succinct surrebuttal, the structure and format of the Siting Council’s proceeding provide no opportunity for Mr. Fagan or the Moving Parties to identify for the Siting Council the errors in the NTE Rebuttal Testimony.

Correcting the NTE Rebuttal Testimony will aid the Commission’s consideration of the important issue of whether NTE has demonstrated a need for the KEC facility. Moreover, given that this surrebuttal is being filed nearly three weeks in advance of the January 10, 2017 hearing date at which the Commission, NTE, and the other parties and intervenors to the proceeding will

have the opportunity to cross-examine Mr. Fagan on both his Direct Testimony and the content of this proposed filing, there is no prejudice to any participant as a result of this filing.

RESPECTFULLY SUBMITTED this 22nd day of December, 2016.



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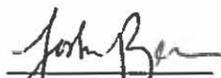


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I HEREBY CERTIFY that a copy of the foregoing document was electronically mailed to the following service list on December 22, 2016:

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This 22nd day of December, 2016.



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