



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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### VIA ELECTRONIC MAIL

January 16, 2015

TO: Parties & Intervenors

FROM: Melanie Bachman, Executive Director *MAB*

RE: **DOCKET 192B-** CPV Towantic, LLC Motion to Reopen and Modify the June 23, 1999 Certificate of Environmental Compatibility and Public Need based on changed conditions pursuant to Connecticut General Statutes §4-181a(b) for the construction, maintenance and operation of a 785 MW dual-fuel combined cycle electric generating facility located north of the Prokop Road and Towantic Hill Road intersection in the Town of Oxford, Connecticut.

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### 1. Intervenor Requests, Objection and Motion

During the public hearing held by the Connecticut Siting Council (Council) on January 15, 2015, the Council voted on the following intervenor requests, objection and motion:

#### a. Requests for Intervenor Status:

- i. Quassy Amusement Park's request for intervenor status, dated January 7, 2015 was granted.
- ii. Middlebury Bridle Land Association's request for intervenor status, dated January 8, 2015 was granted and pursuant to Conn. Gen. Stat. §16-50n(c), Middlebury Bridle Land Association was grouped with the Pomperaug River Watershed Coalition group.
- iii. Dennis Kocyla's request for intervenor status, dated January 8, 2015 was granted and pursuant to Conn. Gen. Stat. §16-50n(c), Mr. Kocyla was grouped with the Pomperaug River Watershed Coalition group.
- iv. Naugatuck Valley Audubon Society's request for intervenor status, dated January 8, 2015 was granted and pursuant to Conn. Gen. Stat. §16-50n(c), Naugatuck Valley Audubon Society was grouped with the Pomperaug River Watershed Coalition group.
- v. Oxford Flying Club's request for intervenor status, dated January 9, 2015 was granted.

#### b. CPV Towantic, LLC Objection to the filing by Wayne McCormack of Stop Towantic Power Petition, dated January 13, 2015.

Mr. McCormack withdrew his submission of the Stop Towantic Power petition, received January 13, 2015, which rendered the objection moot. The petition filed by Mr. McCormack on January 13, 2015 shall be retained in the public comment file for this matter.

#### c. Town of Middlebury Motion for Continuance of the Public Hearing, dated January 15, 2015.

The Town of Middlebury's Motion for Continuance of the Public Hearing, dated January 15, 2015 was denied on the basis that additional opportunities for pre-filed testimony and interrogatories will be announced for continued evidentiary hearings that will be scheduled within the next few months that will apply to all parties and intervenors in this matter including, but not limited to, the Town of Middlebury and the above-referenced intervenors who were granted status during the public hearing held on January 15, 2015.



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**2. CPV Towantic, LLC Changes to Exhibits, Late-Filed Exhibits and Council Requests for Additional Information.**

CPV Towantic, LLC shall submit the following on or before the close of business on **January 22, 2015**:

- a. Changes to exhibits that were identified by the CPV Towantic, LLC witnesses during the exhibit verification process at the January 15, 2015 public hearing;
- b. Updated FAA materials;
- c. Sign Posting Affidavit;
- d. Winter efficiency of the combined cycle facility with duct firing operational;
- e. Acreage of seasonal and year round predicted visibility;
- f. Equipment upgrades required for black start capability (ex. size of back-up generator in megawatts, etc.);
- g. Feasibility of utilizing a gas insulated switchyard and a comparative cost analysis and space requirements for a gas insulated switchyard and for the proposed air insulated switchyard; and
- h. Quantities of cut and fill in cubic yards and the feasibility of using the fill material as a berm for sound attenuation and reduction of visibility.

CPV Towantic, LLC may submit to the Council a written request for an extension of time to submit any of the above-mentioned materials and information pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

**3. Continuation of the Evidentiary Hearing**

The Council shall continue the evidentiary hearing for the above-referenced proceeding on Thursday, January 29, 2015, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut, beginning at **11:00 a.m.**

The hearing shall commence with the continued cross examination of the Certificate Holder by the Council followed by cross examination of the Certificate Holder by the parties and intervenors in the order listed on the January 15, 2015 Hearing Program.

To save the time and expense of the parties, intervenors and the public, and to conclude this proceeding in a timely and efficient fashion, the Council requests that all parties and intervenors submit interrogatories to the Certificate Holder and other parties and intervenors on or before the close of business on **January 27, 2015**.

Also to save the time and expense of the parties, intervenors and the public, and to conclude this proceeding in a timely and efficient fashion, the Council requests that all parties and intervenors submit responses to interrogatories and pre-filed testimony on or before the close of business on **February 3, 2015**.

**All testimony is required to be pre-filed in writing and distributed to the service list in accordance with the above schedule. Direct testimony at the hearings is not permitted.**

Any request for an extension of time to submit pre-filed testimony and responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulation of Connecticut State Agencies.

If you have any questions about Council procedures, please do not hesitate to contact me at the Council office at 860-827-2935.

Thank you.

MAB/MP/cm