



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

December 19, 2014

TO: Parties and Intervenors

FROM: Melanie Bachman, Acting 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.

At a pre-hearing conference held on December 18, 2014, at the Connecticut Siting Council's (Council) office, the Council requested that the following format be used for the public hearing scheduled on January 15, 2015.

Pre-hearing Procedure

1. On or before December 23, 2014, all parties and intervenors are requested to exchange pre-hearing interrogatories with all other parties and intervenors. Additional interrogatories and pre-filed testimony submission deadlines will be announced as continued evidentiary hearings are scheduled.
2. On or before January 8, 2015, all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before January 8, 2015.
4. The Council may, at its discretion, group parties and intervenors with similar interests.
5. All filings are to be in accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies the Council requires an original and 15 copies of all filings. The Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.
6. Copies of all filings must be provided to the service list at the same time they are filed with the Council.



7. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, at least ten business days prior to the public hearing, the Certificate Holder shall erect and maintain, in a legible condition, a sign not less than six feet by four feet at the entrance to the property from a public road where the facility is to be located. The sign shall set forth the name of the Certificate Holder, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number). The sign shall be placed near the intersection of Woodruff Hill Road and the driveway to Algonquin/Spectra Energy.
8. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.

Hearing Procedure

9. A public field review of the site will be held on Thursday, January 15, 2015, beginning at 1:30 p.m. The Certificate Holder will fly a balloon at each stack location between the hours of 7:00 a.m. and 4:00 p.m., weather permitting, during the field review.
10. All participants will park on Woodruff Hill Road. We will meet at the cul-de-sac of Woodruff Hill Road.
11. The site walk is weather dependent. Boots are recommended.
12. The 3:00 p.m. hearing session on January 15, 2015 will provide the Certificate Holder, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The Certificate Holder will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the Certificate Holder and all other parties and intervenors.
13. All participants are requested to place nameplates on the table in front of each witness at the hearing.
14. The order of appearances and cross-examination will be governed by a hearing program developed by the Council for the proceeding. The Council may issue a draft version of the hearing program to parties and intervenors prior to the hearing.
15. The 6:30 p.m. hearing session on January 15, 2015, will be reserved for the public to make brief statements into the record. The Council requests that the Certificate Holder conduct a brief presentation prior to public comment using a power point presentation or using 24-inch by 36-inch diagrams depicting site features, including a map showing abutting properties. The diagrams must be from materials already submitted into the record. If a power point presentation is used, hard copies shall be submitted to the Council and service list on or before January 8, 2015. Drawings on easels in the lobby for the convenience of the public are suggested.
16. If time remains, the 6:30 p.m. hearing session may provide the Certificate Holder, parties, and intervenors an opportunity to continue their appearances and cross-examination that began during the 3:00 p.m. hearing session. Sign-up sheets for this session will be available beginning at 6:00 p.m.

17. The Council will provide public officials who have not been granted party or intervenor status an opportunity to make a statement.
18. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
19. Pursuant to Section 16-50j-15b of the Regulations of Connecticut State Agencies, any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written statements into the record.
20. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants. Public statements will be limited to 3 minutes in fairness to everyone that wishes to speak.
21. **Inclement weather contingency.** Hearing date will be Thursday, January 29, 2015. The field review of the site begins at 1:30 p.m. The afternoon evidentiary hearing begins at 3:00 p.m. in the Town of Oxford (location TBD) and the public comment hearing session begins at 6:30 p.m. Otherwise, January 29, 2015, will be a continued evidentiary hearing commencing at 11:00 a.m. in Hearing Room One at the Council's offices in New Britain.

Post-hearing procedure

22. A verbatim transcript of the hearing session will be made and deposited with the Oxford and Middlebury Town Clerk's Office for the convenience of the public.
23. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the final evidentiary hearing.
24. Members of the public will be allowed to submit public statements into the record within 30 days after the close of the final evidentiary hearing.
25. Deadlines for briefs, proposed findings of fact, and public statements will be final and no extensions will be granted.

Thank you for your cooperation.

MB/cm

Enclosure: Administrative Notice List