

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

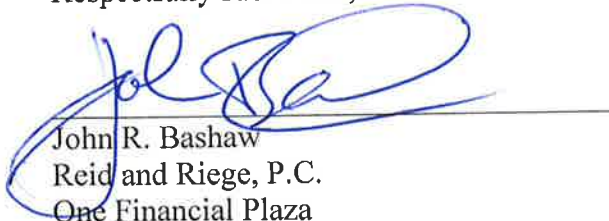
Filed: December 23, 2016

MOTION TO APPEAR *PRO HAC VICE* OF JOSHUA BERMAN

The undersigned counsel, a member in good standing of the State of Connecticut Bar and serving as attorney of record in this proceeding for Not Another Power Plant and the Wyndham Land Trust, hereby moves pursuant to Section 2-18 of the Connecticut Practice Book for the admission *pro hac vice* of Joshua Berman, Esq. Based on the attached affidavit, Mr. Berman is a member in good standing of the District of Columbia Bar, the State Bar of California, the Fourth Circuit Court of Appeals, the D.C. Circuit Court of Appeals, and the U.S. District Court for the District of Columbia. There is good cause for Mr. Berman to be admitted *pro hac vice* to serve as counsel on behalf of the Sierra Club because he is an in-house attorney at the Sierra Club, intimately familiar with the Sierra Club's policies and practices, and this proceeding involves issues of environmental and energy law, areas in which Mr. Berman is a specialist. I agree to be present at all proceedings and to sign all pleadings, briefs, and other papers filed with the

Connecticut Siting Council for this proceeding on behalf of the Sierra Club. I assume full responsibility for such filings and for the conduct of Mr. Berman.

Respectfully submitted,

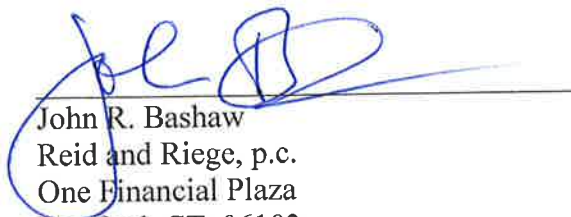


John R. Bashaw
Reid and Riege, P.C.
One Financial Plaza
Hartford, CT 06103
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Juris No. 307103
Email: jbashaw@rrlawpc.com

CERTIFICATION OF SERVICE

I hereby certify that I have this day served by electronic mail a copy of the foregoing Motion for Admission *Pro Hac Vice* on all parties set forth on the attached service list.

Dated at Hartford, CT, this 23rd day of December, 2016.



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**AFFIDAVIT IN SUPPORT OF MOTION
TO APPEAR *PRO HAC VICE* OF JOSHUA BERMAN**

Washington)
) ss.
District of Columbia)

I, Joshua Berman, being duly sworn according to law, depose and say:


1. I am an attorney employed by the Sierra Club at 50 F St. NW, 8th Floor, Washington, DC 20001 with phone number (202) 650-6062 and email josh.berman@seirraclub.org.

2. I am an attorney in good standing with the bar of the District of Columbia (Bar No. 1005482) to which I was admitted on January 6, 2012. I am also an inactive member in good standing of the State Bar of California (Bar No. 262654), to which I was admitted on March 30, 2009, and took inactive status on January 13, 2012. I have been admitted and am in good standing with the Fourth Circuit Court of Appeals, the District of Columbia Court of Appeals, and the U.S. District Court for the District of Columbia.

3. I do not have a grievance pending against me in any jurisdiction. I have never been reprimanded, suspended, placed on inactive status, disbarred, or otherwise disciplined. I have never resigned from the practice of law.
4. Sierra Club has requested my representation in this matter.
5. There is good cause for my admission *pro hac vice* because I have an existing and long-standing relationship with Sierra Club as an attorney employed by the organization, I am intimately familiar with the organization's policies and practices, and the proceeding in which I seek admission involves issues of environmental and energy law, fields of law in which I am a specialist.
6. I have not previously appeared *pro hac vice* in proceedings of any court of the State of Connecticut and have not previously been assigned a juris number.
7. If this application to appear *pro hac vice* is granted, I agree to:
 - a. comply with the requirements of Sections 2-68 and 2-70 of the Connecticut Superior Court Rules and pay any fees, including the client security fund fee, when due as prescribed by those sections;
 - b. consent to the appointment of the chief clerk of the New Britain Superior Court as agent upon whom service of process may be made for all actions against me or my organization that may arise out of my participation in this matter;
 - c. register with the Connecticut Statewide Grievance Committee in accordance with Section 2-16 of the Connecticut Superior Court Rules while appearing in Connecticut for this proceeding, and for two years after the completion of this

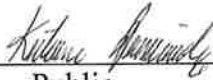
proceeding, and to notify the Connecticut Statewide Grievance Committee of the expiration of the two year period;

- d. have all pleadings, briefs, and other papers filed with the Connecticut Siting Council signed by the attorney of record.



Joshua Berman
Staff Attorney
Sierra Club
50 F St. NW, 8th Floor
Washington, DC 20001
(202) 650-6062
josh.berman@sierraclub.org


SUBSCRIBED AND SWORN to before me this 21 day of December, 2016.



Notary Public



District of Columbia: SS
Subscribed & Sworn to before me this 21 date of
December, 2016



Notary Public
My Commission Expires: 09/30/2020

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> E-mail	NTE Connecticut LLC	<p>Kenneth C. Baldwin, Esq. Earl W. Phillips, Jr., Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 kbaldwin@rc.com ephillips@rc.com</p> <p>Mark Mirabito, Vice President NTE Connecticut, LLC 24 Cathedral Place, Ste. 300 St. Augustine, FL 32804 mmirabito@nteenergy.com kec.notices@nteenergy.com</p> <p>Chris Rega, Senior Vice President Engineering & Construction NTE Energy, LLC 800 South Street, Ste. 620 Waltham, MA 02453 crega@nteenergy.com</p>
Party & CEPA Intervenor (Approved 9/29/16)	<input checked="" type="checkbox"/> E-mail	Not Another Power Plant	<p>John Bashaw, Esq. Mary Mintel Miller, Esq. Reid and Riege, P.C. One Financial Plaza, 21st Floor Hartford, CT 06103 jbashaw@rrlawpc.com mmiller@rrlawpc.com</p>
Party (Approved 9/29/16)	<input checked="" type="checkbox"/> E-mail	Town of Killingly	<p>Sean Hendricks Town Manager Town of Killingly 172 Main Street Killingly, CT 06239 shendricks@killinglyct.org</p>
Party & CEPA Intervenor r (Approved 11/3/16)	<input checked="" type="checkbox"/> E-mail	Sierra Club	<p>Joshua Berman Staff Attorney Sierra Club 50 F Street NW., 8th Floor Washington, DC 20001 josh.berman@sierraclub.org</p>

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p>Party (Approved 11/3/16)</p>	<p><input checked="" type="checkbox"/> E-mail</p>	<p>Connecticut Fund for the Environment</p>	<p>John Looney, Esq. Roger Reynolds, Esq. Connecticut Fund for the Environment 900 Chapel Street, Upper Mezzanine New Haven, CT 06510 jlooney@ctenvironment.org rreynolds@ctenvironment.org</p>
<p>Party & CEPA Intervenor (Approved 11/3/16)</p>	<p><input checked="" type="checkbox"/> E-mail</p>	<p>Wyndham Land Trust, Inc.</p>	<p>John Bashaw, Esq. Mary Mintel Miller, Esq. Reid and Riege, P.C. One Financial Plaza, 21st Floor Hartford, CT 06103 jbashaw@rrlawpc.com mmiller@rrlawpc.com</p>