



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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February 27, 2017

Mr. Benjamin Williams
President
Wyndham Land Trust
P.O. Box 302
Pomfret Center, CT 06259

RE: DOCKET NO. 470 – 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.

Dear Mr. Williams:

The Connecticut Siting Council (Council) is in receipt of your correspondence dated February 6, 2017, a copy of which is enclosed for convenience. The Wyndham Land Trust (WLT) requested party status and Connecticut Environmental Protection Act (CEPA) status in the above-referenced matter on October 27, 2016. At that time, the Council acknowledged receipt of WLT's request for party status and CEPA status in writing and enclosed a copy of the Council's Information Guide to Party and Intervenor Status. The Council's Information Guide to Party and Intervenor Status clearly indicates that pre-filed testimony is the only chance for parties and intervenors to make a statement of position and that oral or written limited appearance statements are reserved for members of the public who are not parties and intervenors in the proceeding. The Council granted WLT party status and CEPA status in the above-referenced proceeding on November 3, 2016.

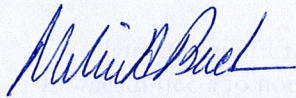
Please be advised that pursuant to Connecticut General Statutes §4-177a, Connecticut General Statutes §16-50n(f) and Regulations of Connecticut State Agencies §16-50j-15b, **oral and written limited appearance statements are reserved for members of the public who are not parties or intervenors in the proceeding.** Parties and intervenors to a proceeding, such as WLT, have specific legal rights and obligations while the evidentiary record is open and subject to the proceeding schedule developed by the Council to introduce pre-filed testimony and evidence and conduct cross examination of the applicant and other parties and intervenors, as well as to be cross examined by the applicant, the Council and other parties and intervenors. **A person or entity may not be a party to the proceeding and also submit written limited appearance statements.**

The final deadline for pre-filed testimony in this proceeding was December 8, 2016. The evidentiary record for this matter closed on January 26, 2017. WLT is a party to this proceeding and may not also submit written limited appearance statements into the record. Therefore, the February 6, 2017 correspondence from WLT constitutes extra-record, post-filed testimony as it was submitted by a party after the close of the evidentiary record. It will not become part of the record as a written limited appearance statement since it was submitted by a party nor will it become part of the evidentiary record as testimony since the evidentiary record in this matter closed on January 26, 2017.

In the event that the evidentiary record for this matter is reopened and a new schedule for pre-filed testimony is developed, WLT, an entity that has been granted party status and CEPA status, may resubmit its February 6, 2017 correspondence as pre-filed testimony and be subject to cross examination thereon by the applicant, the Council and other parties and intervenors during any subsequent evidentiary hearing held on this matter.

Thank you.

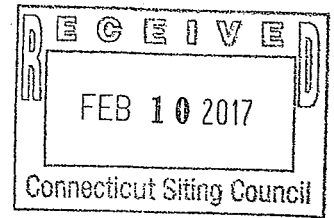
Sincerely,



Melanie A. Bachman
Executive Director

Enclosure

cc: Council Members
Service List



February 6, 2017

Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Docket No. 470

Dear Chairman Stein, Vice Chairman Murphy, Executive Director Bachman, and distinguished members of the Connecticut Siting Council:

I wish to comment on the application by NTE to build a power plant off Lake Road in Killingly.

My name is Ben Williams. I am chairman of the Regional Board of Connecticut Audubon in Pomfret and am President of the Wyndham Land Trust.

As a committed steward of the environment, I have spoken in opposition to the proposed 550 megawatt power plant on two occasions. One serious negative impact of noise pollution that, to my knowledge, has not previously been considered would affect owls. The area where the plant would be located, much of it owned and protected by the Wyndham Land Trust, is heavily wooded and is excellent habitat for owls. All owl species hunt primarily by relying on sound, not sight. Noise pollution would make it more difficult for owls to target prey. The problem would be the most serious in the spring when the owls are rearing their young.

The negative environmental impact the proposed plant would have on all life forms and their complex and fragile habitats has already been pointed out and I will not repeat them here but I ask you to take the owl issue into particular consideration in your decision-making process.

Respectfully submitted,

Ben Williams

BW/lct