



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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### VIA ELECTRONIC MAIL

November 16, 2016

TO: Parties & Intervenors

FROM: Melanie A. Bachman, Executive Director *LAB*

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.

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### 1. Requests and Motions

During the evidentiary hearing session held by the Connecticut Siting Council (Council) on November 15, 2016, the Council voted on the following requests:

- a. **Sierra Club First Supplemental Request for Administrative Notice Items, dated November 8, 2016; and**
- b. **Sierra Club Second Supplemental Request for Administrative Notice Items, dated November 14, 2016**

Sierra Club's requests for administrative notice were granted.

### 2. NTE Late-Filed Exhibits

NTE shall submit the following on or before the close of business on **December 8, 2016**:

- a. An analysis of the feasibility of constructing one electrical switchyard as opposed to two;
- b. An analysis of the feasibility of constructing a Gas Insulated Substation/Switchyard;
- c. An analysis of the feasibility of an underground 345-kV interconnection;
- d. A description of how NTE would access the stormwater basins;
- e. Identification of the amount of dual-fuel electric generating capacity in the ISO-NE Region;
- f. Identification of the preservative that is used in the ULSD tank; and
- g. Submission of CWC's available water supply adequacy analysis.

NTE 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 Hearings

#### a. December 15, 2016

The Council shall continue the evidentiary hearing on **Thursday, December 15, 2016**, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut, beginning at **11:00 a.m.**

The hearing shall commence with cross examination of the applicant by the **Town of Killingly** to be followed by the continued cross examination of the applicant by the Grouped Parties – NAPP, Sierra Club, and Wyndham Land Trust.

At **2:00 p.m. on December 15, 2016** in Hearing Room One, the Council will hold a **closed proceeding** for parties who have executed a Non-Disclosure Agreement pursuant to the Protective Order issued on November 1, 2016 to cross examine NTE on the responses to NAPP's Interrogatories 1, 3, 4, 5, 8, 10, and 11 consistent with the Council's response to Question 4 of NAPP's Request for Clarification dated October 31, 2016 and to cross examine NAPP's expert, Mr. Fagan on portions of his pre-filed testimony dated November 15, 2016 related to the confidential information that is subject to the Protective Order issued on November 1, 2016.

The final deadline for submission of interrogatories is on or before the close of business on **Thursday, December 1, 2016**. This applies to all parties and intervenors, including the applicant.

The final deadline for submission of pre-filed testimony and responses to interrogatories is on or before the close of business on **Thursday, December 8, 2016**. This applies to all parties and intervenors, including the applicant.

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

#### b. January 10, 2017

The Council shall continue the evidentiary hearing on **Tuesday, January 10, 2017**, 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 applicant by the Grouped Parties – NAPP, Sierra Club, and Wyndham Land Trust, if applicable, to be followed by cross examination of the applicant by the Connecticut Fund for the Environment.

Party and intervenor appearances will commence thereafter and continue during the next evidentiary hearing on Thursday, January 26, 2017. A revised schedule is attached hereto for convenience.

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.

Enclosure: Revised Schedule, 11/16/16

c: BCT Reporting, LLC

MAB/MP/laf



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### REVISED SCHEDULE

**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.

Application received	08/17/2016
Completeness review	09/15/2016
Council Interrogatories	
Set-One Filed	09/23/2016
Set-One responses due	10/07/2016
Set-Two Filed	10/17/2016
Set-Two responses due	10/27/2016
Set-Three Filed	11/23/2016
Set-Three responses due	12/08/2016
Pre-hearing conference 10:00 a.m.	09/28/2016
Exchange of Interrogatories between Participants	10/20/2016
Pre-filed testimony due	10/27/2016
Deadline to request Party/Intervenor status	10/27/2016
Public Field review in Killingly (3:30 p.m.)	10/20/2016
Public Comment Session in Killingly (6:30 p.m.)	10/20/2016
Evidentiary Hearing in New Britain (11:00 a.m.)	11/03/2016
Continuation of Public Comment Session in New Britain (2:00 p.m.), <b>if necessary</b>	11/03/2016
Additional Pre-filed testimony due	11/08/2016
First Continued Evidentiary Hearing in New Britain (11:00 a.m.)	11/15/2016
<b>Final Exchange</b> of Interrogatories between Participants	12/01/2016
<b>Final Deadline</b> for additional interrogatory responses/late-filed exhibits and Additional Pre-filed testimony	12/08/2016
Second Continued Evidentiary Hearing in New Britain (11:00 a.m. to 1:00 p.m.)	12/15/2016
<b>Closed Proceeding open to parties that executed a Non-disclosure Agreement</b> in New Britain (2:00 p.m.)	12/15/2016
Third Continued Evidentiary Hearing in New Britain (11:00 a.m.)	01/10/2017
Fourth Continued Evidentiary Hearing in New Britain (11:00 a.m.)	01/26/2017
Additional Continued Evidentiary Hearings	TBD
Close of Record	02/27/2017
Draft Findings of Fact	03/02/2017
Draft Findings of Fact, Opinion and Decision & Order	03/16/2017
Deadline for Decision	02/13/2017

Siting Analyst: Michael Perrone