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March 26, 2013

Robert Stein, Chairman
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

ORIGINAL

CONNECTICUT
SITING COUNCIL

Re: Dockets No. 190 and No. 190A – Meriden Gas Turbines, LLC – Withdrawal of
Certificate of Environmental Compatibility and Public Need


Dear Chairman Stein:

Jane K. Warren
Partner
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So as to avoid any uncertainty as to the effect of our withdrawal of the Certificate,
and the Petition recently filed by the City of Meriden, we wish to bring to your
attention the Stipulation enclosed herewith. The Stipulation sets forth the
agreement of Meriden Gas Turbines, LLC ("MGT") and the City regarding the effect
of MGT's surrender of permits, including its withdrawal of the captioned Certificate.

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Very truly yours,


Jane K. Warren
JKW/kam

Enclosures

cc: Service List, Docket No. 190 (w/enc.)
Phillip Small, Esq. (w/enc.)
Deborah Moore, Esq. (w/enc.)

BOSTON

HARTFORD

NEW YORK

NEWARK

PHILADELPHIA

STAMFORD

WILMINGTON

CERTIFICATION

I hereby certify that a copy of the foregoing document was mailed to the following service list on March 26, 2013.

Applicant

Meriden Gas Turbines, LLC

Its Representatives

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Mahendra Churaman
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Intervenor

The Connecticut Light and Power Company

Its Representatives

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Intervenor

Rivers Alliance of Connecticut/
Farmington River Watershed Association

Its Representatives

Eric Hammerling, President
Rivers Alliance of Connecticut
P.O. Box 1797
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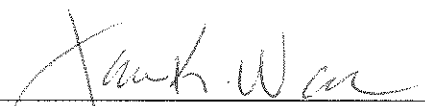
Kevin Case
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749 Hopmeadow Street
Simsbury, CT 06070

Party

Quinnipiac River Watershed Association

Its Representatives

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Executive Director
Quinnipiac River Watershed Association
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(860) 275-6781

NO. NNI-CV-05-4003243S

MERIDEN GAS TURBINE LLC)	SUPERIOR COURT
)	
v.)	JUDICIAL DISTRICT OF NEW HAVEN
)	AT MERIDEN
)	
CITY OF MERIDEN)	MARCH 25, 2013

STIPULATION

Plaintiff Meriden Gas Turbine LLC (“MGT”) and Defendant City of Meriden (“City”),
by their respective counsel, hereby stipulate to the following:

1. Both the prior lawsuit with MGT’s motion to enforce and MGT tax appeal on the real estate shall be transferred to the Tax Court docket of the Superior Court in New Britain, and MGT’s tax appeal on the personal property shall be transferred as well once it is filed.
2. The City will file its brief in opposition to MGT’s motion to enforce by April 5.
3. The City will withdraw its motion to dismiss now, with the understanding that if MGT has not completed the abandonment of the material permits, the City can reassert that motion. Once MGT has surrendered the material permits, the City shall stipulate that MGT has abandoned the Project for purposes of the Stipulated Judgment and Settlement Agreement.

4. Other than as noted in this paragraph, the City agrees that it will not assert any preconditions to MGT's abandonment of its permits or approvals and the City will not seek to assert any delay of the effective date of the abandonments including as a consequence of any claim that surrender of a permit requires agency approval or justified other agency action. While the City and MGT agree that the surrender or abandonment or relinquishment of those permits are effective for purposes of the abandonment provided for in Paragraph 6 of the Property Tax Settlement Agreement, the City and MGT reserve their rights as to any other claims or defenses regarding such permits and the surrender of such permits, including any claim that permit surrender does or does not require agency approval, or that any conditions or obligations may or may not survive surrender of any permit. No such claims or defenses are established or conceded by this agreement, and the parties will address such matters at another time or times. As to those the City may assert that MGT will have some continuing obligations under those permits even after they are abandoned, but those continuing obligations will not delay the effective date of the abandonment.

5. MGT will immediately inform the Siting Council in writing, with copies to counsel for the City, that the effective date of its surrender or relinquishment of its certificate is April 3, 2013.

The City does not and will not contend that any actions by the Siting Council can have the effect of delaying the date of abandonment for purposes of Paragraph 6 of the Property Tax Settlement Agreement.

PLAINTIFF,
MERIDEN GAS TURBINES LLC

Dated: March 25, 2013

By: /s/ Timothy S. Fisher
Timothy S. Fisher
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Juris # 41909

Its Attorneys

DEFENDANT,
THE CITY OF MERIDEN

Dated: March 25, 2013

By: /s/ Philip M. Small
Philip M. Small
Lee S. Sharp
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Its Attorneys

CERTIFICATION

The undersigned hereby certifies that a copy of the foregoing was sent electronically and via U.S. Mail, postage prepaid to the following counsel of record this 25th day of March, 2013:

Timothy S. Fisher
Charles D. Ray
McCarter & English, LLP
185 Asylum Street
Hartford, CT 06103

/s/ Philip M. Small
Philip M. Small

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