

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

Daniel F. Caruso
Chairman

DATE: February 2, 2009

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 370** – The Connecticut Light and Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. **Letter Regarding Towantic Energy.**

The Council is in receipt of the enclosed correspondence from GE Energy Financial Services (GEEFS) with an inquiry and request in connection with the Council's review responsibilities, in regards to the above-referenced proceeding, and pursuant to the provisions of C.G.S. 16-501(a)(3).

The Council invites comment from the participants in the above-referenced proceeding relative to the GEEFS proposal. Such comments, if they are to be provided, are requested to be submitted to the Council by February 20, 2009, in order that the Council may incorporate them for review and consideration by the Council. If you have any questions or concerns, please call the office at 860-827-2935. Thank you.

SDP/laf

Enclosure



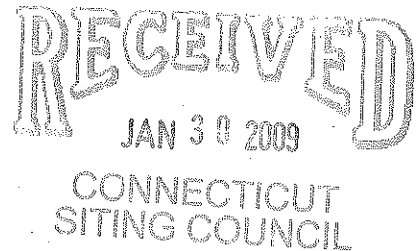
GE
Energy Financial Services

Amy H. Fisher
Managing Director

800 Long Ridge Road
Stamford, CT 06927
United States of America

T 203 357 4417
F 203 357 6632
Amy.fisher@ge.com

S. Derek Phelps
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051



January 30, 2009

Re: Towantic Energy Center – Response to CEAB RFP

Dear Mr. Phelps:

As you know, GE Energy Financial Services, Inc. (“GE EFS”) has submitted a proposal on behalf of its Towantic Energy Center project pursuant to a Request for Proposal (“RFP”) from the Connecticut Energy Advisory Board (“CEAB”). The analysis by CEAB is part of the pending review of the NEEWS transmission project submitted to the Connecticut Siting Council (the “Council”) by Connecticut Light and Power (Northeast Utilities).

We understand that Towantic’s submission requires the Council to evaluate the Towantic proposal relative to the NEEWS transmission project¹ in accordance with a process set forth in the Public Utility Environmental Standards Act (“PUESA”)². PUESA contemplates that a project which has responded to a CEAB RFP might want to initiate a certification process with the Council as the most efficient way to coordinate its CEAB response with its obligation to obtain from the Council a Certificate of Environmental Compatibility and Public Need (a “Certificate”) for its project.

The statute is clear that such application process is discretionary, at the option of the project responding to the RFP, and states, “...an entity that has submitted a proposal pursuant to the request for proposal process *may* initiate a certification proceeding by

¹ Conn. Gen. Stat. Section 16-50p(3)(F).

² Conn. Gen. Stat. Section 16-50j, et seq.

filing with the council an application..."(emphasis added).³ Furthermore, the provisions regarding the CEAB RFP process contemplate that the application is discretionary, stating that a proposal provider is exempt from certain requirements of the CEAB RFP process if that entity, "chooses to file an application pursuant to subdivision (3) of subsection (a) of section 16-50l..."(emphasis added).⁴

The Towantic project, however, had previously filed its application for a Certificate, which application was granted by the Council,⁵ and we believe no efficiency is to be gained by either the project or the Council by beginning a second application process at this time.

We understand that the Council must officially have cognizance of the project responding to this CEAB RFP as well as the ability to obtain such additional information about the project as will permit the Council to render a decision in the instigating NEEWS docket. We believe Section 16a-7c(f) provides such cognizance when it requires the CEAB to "issue a report that evaluates each proposal received, including any proposal contained in an application to the council that initiated a request-for-proposal, ... for conformance with the infrastructure criteria guidelines created pursuant to section 6a-7b. The board shall forward the results of such evaluation process to the Connecticut Siting Council."⁶ To provide the Council with the ability to obtain additional information about the Towantic project and its CEAB RFP response, we respectfully propose that the Towantic project provide an undertaking to the Council that, so long as its response to the CEAB RFP is under consideration, it will provide such information as the Council requests in connection with the NEEWS docket and will make its representatives available for Council questions regarding its RFP response. We would ask that the Council agree that such undertaking would not reopen Council Docket 192 (Towantic Energy, LLC – Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a 512 megawatt electric generating facility located in the Town of Oxford, Connecticut).

We appreciate the time and effort that you and your staff have invested in this matter and we thank you for your consideration of this proposal. We will gladly consider any other proposal you and your staff may have to address this matter.

Very truly yours,


Amy H. Fisher
Managing Director

³ Conn. Gen. Stat. Section 16-50l(a)3.

⁴ Conn. Gen. Stat. Section 16a-7c(e)

⁵ See Docket 192 – Towantic Energy, LLC – Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a 512 megawatt electric generating facility located in the Town of Oxford, Connecticut

⁶ Conn. Gen Stat. Section 16a-7c(f)

**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"/> U.S. Mail | The Connecticut Light & Power Co. P.O. Box 270 Hartford, CT 06141-0270 | Robert E. Carberry, Manager NEEWS Projects Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 carbere@nu.com |
| | <input checked="" type="checkbox"/> E-mail | | Duncan MacKay, Esq. Legal Department Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3495 mackadr@nu.com |
| | <input checked="" type="checkbox"/> U.S. Mail | | Jeffrey Towle, Project Manager Transmission, NEEWS Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3962 towlejm@nu.com |
| | <input checked="" type="checkbox"/> U.S. Mail | | Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP P.O. Box 1950 New Haven, CT 06509 (203) 777-5501 afitzgerald@carmodylaw.com bhenebry@carmodylaw.com |
| Party (granted November 20, 2008) | <input checked="" type="checkbox"/> E-mail | Richard Blumenthal Attorney General | Michael C. Wertheimer Assistant Attorney General Attorney General's Office 10 Franklin Square New Britain, CT 06051 (860) 827-2620 (860) 827-2893 Michael.wertheimer@po.state.ct.us |

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

| Status Granted | Document Service | Status Holder (name, address & phone number) | Representative (name, address & phone number) |
|--|--|---|--|
| Party (granted November 20, 2008) | <input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> U.S. Mail | Town of East Granby | <p>Donald R. Holtman, Esq. Katz & Seligman, LLC 130 Washington Street Hartford, CT 06106 (860) 547-1857 (860) 241-9127 dholtman@katzandseligman.com</p> <p>The Honorable James Hayden First Selectman Town of East Granby P.O. Box 1858 East Granby, CT 06026</p> |
| Party (granted November 20, 2008) | <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail | Town of Suffield | <p>Edward G. McAnaney, Esq. McAnaney & McAnaney Suffield Village 68 Bridge Street Suffield, CT 06078 (860) 668-2000 (860) 668-2666 – fax</p> <p>The Honorable Scott R. Lingenfelter First Selectman Suffield Town Hall 83 Mountain Road Suffield, CT 06078</p> |
| Intervenor (granted December 4, 2008) | <input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> U.S. Mail | ISO New England Inc. | <p>Anthony M. Macleod Whitman Breed Abbott & Morgan LLC 500 West Putnam Avenue, P.O. Box 2250 Greenwich, CT 06830-2250 (203) 862-2458 amacleod@wbamct.com</p> <p>Kevin Flynn, Esq. Regulatory Counsel ISO New England One Sullivan Road Holyoke, MA 01040 (413) 535-4177 kflynn@iso-ne.com</p> |

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

| Status Granted | Document Service | Status Holder (name, address & phone number) | Representative (name, address & phone number) |
|---|---|---|--|
| Party (granted on January 8, 2009) | <input checked="" type="checkbox"/> U.S. Mail | Office of Consumer Counsel | Mary J. Healey Consumer Counsel Ten Franklin Square New Britain, CT 06051 Mary.healey@ct.gov |
| | <input checked="" type="checkbox"/> U.S. Mail | | Bruce C. Johnson Principal Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Bruce.johnson@ct.gov |
| | <input checked="" type="checkbox"/> E-mail | | Victoria Hackett Staff Attorney Office of Consumer Counsel 10 Franklin Square New Britain, CT 06051 860-827-2922 860-827-2929 - fax victoria.hackett@ct.gov |
| | <input checked="" type="checkbox"/> E-mail | | Paul Chernick, President Resource Insight, Inc. 5 Water Street Arlington, MA 02476 (781) 646-1505 ext. 207 (781) 646-1506 - fax pchernick@resourceinsight.com |
| Intervenor (granted on January 22, 2009) | <input checked="" type="checkbox"/> E-mail | Ice Energy, Inc. | Stephen J. Humes, Esq. McCarter & English LLP 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 - fax Shumes@mccarter.com |
| Party (if granted on February 19, 2009) | <input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail | Town of Enfield | Kevin M. Deneen, Town Attorney Office of the Town Attorney 820 Enfield Street Enfield, CT 06082-2997 (860) 253-6405 (860) 253-6362 - fax |

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

| Status Granted | Document Service | Status Holder (name, address & phone number) | Representative (name, address & phone number) |
|--|--|---|--|
| <p>Intervenor (if granted on February 19, 2009)</p> | <p><input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail</p> | <p>NRG Energy, Inc.</p> | <p>Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6180 (860) 240-5723 – fax alord@murthalaw.com</p> |
| | | | |
| | | | |
| | | | |