

CARMODY & TORRANCE LLP
Attorneys at Law

195 Church Street
Post Office Box 1950
New Haven, Connecticut
06509-1950
Telephone: 203 777-5501
Facsimile: 203 784-3199
afitzgerald@carmodylaw.com

Anthony M. Fitzgerald

By Hand Delivery

September 11, 2009

S. Derek Phelps
Executive Director
State of Connecticut
Connecticut Siting Council
10 Franklin Square
New Britain CT 06051

Re: Docket No. 370B: NRG Energy, Inc. Application Pursuant to
C. G.S. § 16-50/(a)(3) for Consideration for a 530 MW Combined
Cycle Generation Plant in Meriden, CT.

Docket No. 370A: CL&P Application for the Greater Springfield
Reliability Project and the Manchester to Meekville Jct. Circuit
Separation Project

Dear Mr. Phelps,

I write on behalf of the Applicant in Docket 370A to respond to your notice of September 4, 2009 inviting additional comment on NRG's request for production of additional detail data underlying the modeling of London Economics, Inc. I will also take this opportunity to comment on the letter of Andrew Lord dated September 2, 2009 seeking permission to take yet additional discovery with respect to CL&P Exhibits 29 – 36, which were prepared at the request of NRG; and discovery with respect to the requested underlying data, should the Council order it produced.

NRG's Request for LEI Data

CL&P reiterates its opposition to NRG's unnecessary and burdensome data production request, as set forth in its letter of August 31, 2009. CL&P here supplements that submission only to agree that, should the Council order production of the data, it should do so only pursuant to a protective order in the form of that attached as Exhibit A to NRG's submission of September 2, 2009, revised only as necessary to make the order applicable to this proceeding rather than the DPUC proceeding in which it was previously proposed.

S. Derek Phelps, Executive Director
Connecticut Siting Council
September 11, 2009
Page 2

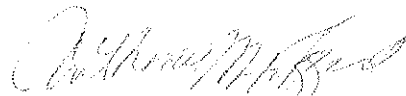
Specifically, as provided in Paragraph 3 of Exhibit A to the NRG submission, any order issued in this case should provide that copies of the information be given only to Siting Council members, staff and consultants who are bound by the terms of the order; and that the materials may be “made available to” – that is, shown to – the Office of Consumer Council and its consultants, the Attorney General’s Office, the CEAB’s consultants, NRG and NRG’s counsel, all of whom shall execute a Nondisclosure Agreement substantially in the form provided by NRG and by the terms of the protective order. Such other participants could review the material at the Council’s office.

NRG’s Further Requests

CL&P provided Exhibits 29 – 36 to NRG and other Docket participants a full week before the resumption of Ms. Frayer’s cross examination. Exhibit 36 responded to a request for data by a Council member. Exhibits 29-35 provided information precisely as requested by NRG, and in the form requested by NRG. Having now gotten the information it asked for, NRG wants to start the discovery process again. It also wants permission to ask interrogatories about information it has not yet received and may well never receive. NRG has not explained why the additional data information it wants, or may want, is “relevant and material” – nor could it, since it does not know what it wants – except the opportunity to ask more questions.

Meanwhile, NRG has yet to provide evidence that its generation project will address the same need as that which the Greater Springfield Reliability Project is designed to meet. Its demands for more and more discovery opportunities should be viewed in this context, and should be denied.

Very truly yours,



Anthony M. Fitzgerald

AMF/kas
cc: DKT 370 Service List dated 8.24.2009