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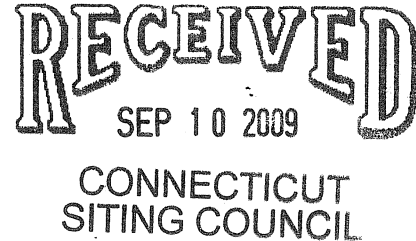
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September 10, 2009

S. Derek Phelps
Executive Director
Connecticut Siting Council
Ten Franklin Square
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OCC Comments **On Procedural Issues**

Re: CL&P Application for the Greater Springfield Reliability Project and the Manchester to Meekville Junction Circuit Separation Project
Docket No. 370A (Consolidated Docket)
&
NRG Energy, Inc. Application Pursuant To CGS § 16-50l(a)(3) For Consideration Of A 530 MW Combined Cycle Generating Plant In Meriden, Connecticut
Docket No. 370B (Consolidated Docket)

Dear Mr. Phelps:

The Office of Consumer Counsel ("OCC") is a party to the above-captioned proceeding. OCC is in receipt of copies of three notices recently issued by the Connecticut Siting Council ("CSC"). Two of those notices, each dated September 1, 2009, concern the joint hearings to be held September 22-23, 2009 in Enfield, before CSC and the Massachusetts Energy Facilities Siting Board ("EFSB"). The third CSC notice, dated September 4, 2009, concerns a procedural request made by NRG Energy, Inc. ("NRG").

OCC herewith files its comments on these procedural issues.

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Joint Panel. CSC and EFSB invite comments on the potential appearance of a joint CL&P/WMECO panel at the joint evidentiary hearings.

OCC has no objection to such a joint panel, and in fact considers that such a joint panel would be helpful to CSC, to EFSB, and to participants in both state dockets.

OCC Participation. OCC intends to participate in the joint hearings, on both days. At present, given the subject matter focus for these hearings, OCC expects that our agency's participation will not include cross-examination of the joint panel. However, depending on specific developments during these hearing days, this could change.

The NRG Request. The 9/4/09 CSC notice offers docket participants an opportunity to comment on NRG's 9/2/09 request to reserve the right to submit interrogatories on certain late-filed exhibits sponsored by CL&P.

The CSC should grant this NRG request. OCC's basis for so stating is similar to that given in the OCC's 9/1/09 letter in this docket, respecting what has been termed NRG's motion for access. Basically, CSC must take care to assure that the administrative record in this docket is complete and balanced in every important respect, and that all docket participants are afforded their full procedural due process rights.

At the same time, OCC notes that NRG's 9/2/09 request is narrow --- involving only a right to submit interrogatories if necessary. Should NRG actually propound any fresh interrogatory questions, it would remain open for CSC to evaluate, on a question-by-question basis, their relevance and propriety.

Very truly yours,

MARY J. HEALEY
CONSUMER COUNSEL

By 

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cc: Service List