

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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DATE: January 25, 2010

TO: Parties & Intervenors

FROM: S. Derek Phelps, Executive Director, Connecticut Siting Council

RE: **DOCKET 370** – Consolidated proceeding pursuant to the Connecticut Energy Advisory Board (CEAB) Request for Proposal (RFP) process under C.G.S. §16a-7c. **Original application:** The Connecticut Light & 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. **Competing application:** NRG Energy, Inc. application pursuant to C.G.S. §16-50/(a)(3) for consideration of a 530 MW combined cycle generating plant in Meriden, Connecticut. **Additional Council Administrative Notice Item.**

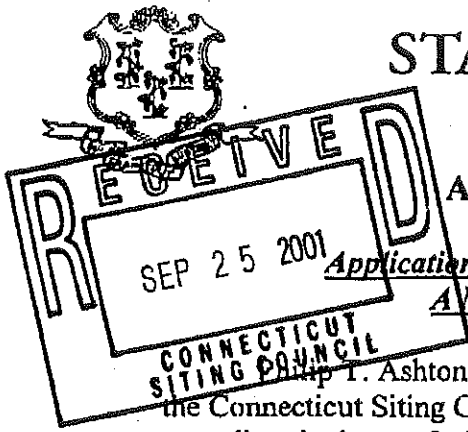
Please be advised that the Connecticut Siting Council (Council) seeks to take Administrative Notice of the State of Connecticut Ethics Commission Advisory Opinion No. 2001-20 dated September 14, 2001 and entitled, "Application of the Code's Conflict of Interests Provisions to a Member of the Connecticut Siting Council" in the above-referenced docket. A copy of the Ethics Opinion is attached hereto.

Any objections to the Council taking administrative notice of this item are requested to be submitted on or before the close of business on Tuesday, February 2, 2010.

To: Jooz
From: CTA
1 sheet
9/25/01

STATE OF CONNECTICUT

STATE ETHICS COMMISSION ADVISORY OPINION NO. 2001-20



Application Of The Code's Conflict Of Interests Provisions To A Member Of The Connecticut Siting Council

Mr. P. Ashton, recently appointed by the Governor to be a public member of the Connecticut Siting Council, has asked the Ethics Commission for an advisory opinion regarding the issue of whether he may have an interest in conflict with his official duties by virtue of his past association with the Northeast Utilities Service Company (NU) or the Yankee Energy System (Yankee).

Mr. Ashton has previously served as an officer of NU (from 1978-1989) and as the Chief Executive Officer of Yankee (from 1989-1995). After his retirement in 1995, he has had no employment relationship with either entity, except for a one day consulting assignment in 1996.

Pursuant to Conn. Gen. Stat. §16-50j(b), one of the five public members of the Siting Council may "...have affiliation, past or present, with any utility..." Given that Mr. Ashton's past affiliation with the utility industry is specifically allowed by statute, it cannot create an impermissible conflict under The Code Of Ethics For Public Officials.

By virtue of his prior employment Mr. Ashton has certain pension rights. However, these rights entail no obligation on his part and cannot be foreseeably affected by his actions as a member of the Siting Council. Therefore, again, no conflict exists which would restrict the performance of his official duties.

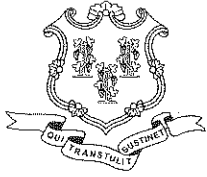
Finally, by letter of August 29, 2001, Mr. Ashton has detailed the finances of his immediate family (including his adult children). This disclosure makes clear that he has taken all necessary steps to avoid any potential or actual conflicts of interests, including divestiture of 1,509 shares of NU stock and directives to his investment account managers to avoid transactions involving NU securities and those of other companies subject to the jurisdiction of the Siting Council.

Mr. Ashton's conduct in addressing the ethical aspects of his public service is exemplary. As a consequence, he may, consistent with the requirements of the Ethics Code, perform the full range of duties of a public member of the Siting Council.

By order of the Commission,


Rosemary Giuliano, Chairperson

Dated 9/14/01



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NOTICE OF SERVICE

I hereby affirm that a photocopy of this document was sent to each Party and Intervenor on the service list dated November 13, 2009 with method of service to each party and intervenor listed via either e-mail or hard-copy on January 26, 2010.

Dated: January 26, 2010

A handwritten signature in black ink, appearing to read "Lisa Fontaine", written over a horizontal line.

Lisa Fontaine
Custodian of Docket No. 370