



# STATE OF CONNECTICUT

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August 20, 2009

S. Derek Phelps  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
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### **OCC's Joint Hearing Comments**

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 § 16-50/(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 a notice issued by the Connecticut Siting Council ("CSC") on August 17, 2009, by which the CSC notified parties to this docket of the joint (with Massachusetts) hearings to be held on September 22 & 23, 2009.

OCC herewith files its Joint Hearing Comments.

**Subject Matter for Joint Hearings.** On July 7, 2009, OCC filed the direct written testimony of its expert, Paul L. Chernick. That testimony addresses the need for the GSRP project. Such need of course must be shown before the GSRP project can be

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certificated either by Connecticut or by Massachusetts. Thus, OCC believes that project need is an appropriate subject for the joint hearings scheduled in Enfield.

Further, representatives of the Massachusetts Energy Facilities Siting Board (“EFSB”) previously contacted OCC to discuss [in light of our expert’s testimony in this CSC 370 docket] whether Mr. Chernick should appear before the EFSB to defend that same testimony. In this light, OCC believes it would be appropriate for Mr. Chernick to participate in the joint hearings.

**Time for OCC Witness.** OCC suggests that Mr. Chernick, our expert witness, should be scheduled as the first witness to appear at the outset of the joint hearings --- that is, at 11 a.m. on Tuesday, September 22. This is appropriate insofar as “need” is a threshold issue in both dockets, Connecticut CSC 370 and Massachusetts EFSB 08-2. Further, scheduling Mr. Chernick as the first witness would efficiently serve the interests of all participants in both dockets. It would avoid the possible duplication or gaps associated with separate appearances by Mr. Chernick in these two proceedings.

**Alternative Availability of OCC Witness.** In its August 17 Notice, the CSC also announced the planned dates for continuation of the evidentiary hearings in this docket (No. 370). In the event that Mr. Chernick does not participate in the September 22-23 joint hearings (as OCC requests), OCC notes the following concerning Mr. Chernick’s later availability.

CSC has announced three pairs of hearing dates in October and early November. As it happens, some of those hearing dates overlap with the present schedule for other work in which OCC and Mr. Chernick are engaged on a continuing basis.<sup>1</sup>

Given those prior commitments for Mr. Chernick, the most feasible time for him to be present during the October/November hearings would be on October 21, starting at 11 a.m. Stating this another way, it would be impossible for Mr. Chernick to be present at the October 27-28 hearings, and extremely difficult for him to be present on November 4-5.

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<sup>1</sup> Specifically, Connecticut’s two electric distribution companies [The Connecticut Light and Power Company & The United Illuminating Company] periodically must purchase power to serve their customers taking Standard Service and/or Last Resort Service. Since 2006, OCC has engaged Mr. Chernick to assist our agency’s review of each specific CL&P/UI procurement. These procurement activities, which include prompt DPUC review of proposed contracts following each price day, are scheduled months in advance.

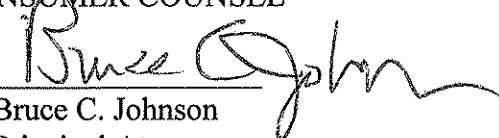
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Connecticut Siting Council  
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However, to reiterate, OCC's main proposal is that Mr. Chernick should participate in the joint hearings as the first witness, as discussed and justified just above.

Very truly yours,

MARY J. HEALEY  
CONSUMER COUNSEL

By

  
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Bruce C. Johnson  
Principal Attorney  
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cc: Service List