STATE OF CONNECTICUT

SITING COUNCIL

The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for (1) The Greater Springfield Reliability Project consisting of a new 345-kV electric transmission line and associated facilities from the North Bloomfield Substation in Bloomfield to the Connecticut/Massachusetts border, together with associated improvements to the North Bloomfield Substation, and potentially including portions of a new 345-kV electric transmission line between Ludlow and Agawam, Massachusetts that would be located in the Towns of Suffield and Enfield, Connecticut; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut.	DOCKET NO. 370A
APPLICATION OF NRG ENERGY, INC. PURSUANT TO CONNECTICUT GENERAL STATUTES § 16-50*l*(a)(3)	DOCKET NO. 370B APRIL 3, 2009

COMMENT OF THE CONNECTICUT LIGHT AND POWER COMPANY CONCERNING
COMPLETENESS REVIEW OF APPLICATION OF NRG ENERGY, INC.

I. PURPOSE OF THIS COMMENT

In his letter of March 26, 2009 to Andrew W. Lord, Esq., counsel for NRG Energy Inc. (NRG), Connecticut Siting Council Executive Director S. Derek Phelps stated that, apart from potential non-compliance with the municipal consultation requirement, "the application substantially complies with the requirements of R.C.S.A. §16-50*l*-2, which prescribes the form to be followed in the filing of applications with the

Council." (Phelps Letter, at 1). A "Completeness Review" of the NRG Application in Docket 370A is listed on the Council's Agenda for its April 7, 2009 meeting.

The purpose of these comments is to alert the Council to the fact that, in order for NRG's Application to be considered complete, it must meet certain requirements in addition to those of R.C.S.A. §16-50*l*-2.

II. DISCUSSION

A. The NRG Application Should Not Be Considered Complete Unless It Claims to Propose an Alternative Solution to the Need That Will Be Addressed by GSRP and MMP.

The NRG Application is made pursuant to Conn. Gen. Stats. 16-50*l*(a)(3), which authorizes an application by an entity that has submitted a proposal pursuant to the request for proposal process to apply to the Siting Council for approval of its proposed alternative (the "Alternative Project"), instead of the project proposed by the original applicant (the "Original Project"). As NRG acknowledges in its Application, pursuant to C.G.S. §16a-7c (b) an Alternative Project must provide "alternative solutions to the need that will be addressed by the proposed facility in [the] application that triggered the reactive RFP. In this proceeding, the subject facilities are the GSRP [Greater Springfield Reliability Project] and the MMP [Manchester to Meekville Circuit Separation Project." (NRG Application at 1, 2)

It is critically important that an Alternative Project meet the ***same*** need as that addressed by the Original Project, because (as NRG also notes), the statutes contemplate that only one of the Projects may be approved by the Council. NRG Application at 5; Conn. Gen. Stats. § 16-50p(a)(3)(F). Accordingly, CL&P submits that, in order to be considered "complete," an application for an Alternative Project must at least claim to meet the same need as that addressed by the Original Project. An Application that makes

such a claim creates an issue to be determined by the Council. But if an application for an Alternative Project does not even claim to meet the same need as the Original Project, there is no point in processing the application for the Alternative Project, and it should be rejected.

B. The NRG Application Does Not Claim To Meet the Need Addressed By the GSRP and MMP

1. The Need Addressed by the GSRP and MMP.

The Need addressed by the GSRP and MMP is summarized at page ES-2 of the CL&P Application:

> The existing transmission system serving the Greater Springfield geographical area is comprised largely of 115-kilovolt (kV) lines originally constructed from the 1940s through the early 1970s. This system does not meet current mandatory national and regional reliability criteria. Under conditions existing today, the system can become overloaded during normal conditions with all lines in service. In the event of the unscheduled outage of a system element, such as a transmission line or generator, the system is subject to extensive overload and voltage problems. These problems limit the available power within the Greater Springfield geographical area and the transfers of power over the 345-kV interstate tie line between Massachusetts and Connecticut. The problems become increasingly worse every year as electric usage increases and will be further exacerbated as older generation plants are retired.
>
> To alleviate these problems, CL&P and WMECO propose transmission system improvements in Connecticut and Massachusetts, both to the 115-kV system that transmits power to substations that serve local load, and to the 345-kV bulk-power supply system. The full scope of the proposed improvements, and of their potential route alternatives and variations, are illustrated in Figure ES-1. This filing seeks approval for the Connecticut portion of the proposed GSRP construction.
>
> The Greater Springfield additions will, on their own, improve the reliability of the electric transmission systems of western Massachusetts and north-central Connecticut by eliminating extensive violations of reliability criteria, eliminating transfer constraints on the existing transmission system over which power is imported into Connecticut from western Massachusetts, and by completing a 345-kV loop that will supply the North Bloomfield Substation from two directions. These improvements will both increase the security of electric supply to Connecticut customers, and provide them with better access to lower cost, low-emission, and renewable remote power sources. (p. ES-2)

The proposed improvements in Connecticut are designed to meet needs in both Connecticut and Massachusetts. As the Application explains:

> The flow of electricity does not respect state borders. Since key transmission lines in the system serving Greater Springfield terminate at substations in Connecticut, the resolution of the Springfield area problems necessarily involves improvements to portions of the electric grid in Connecticut as well. At the same time, the necessity of resolving these Springfield area problems offers an opportunity for reinforcing the reliability of electric supply to north-central Connecticut and to provide needed improvement in the power-transfer capacity between Massachusetts and Connecticut. (pp. F -20, 21)

Section F of the Application describes in detail the power-flow simulations performed to determine the non-compliance of the existing system with national and regional reliability standards, and the transmission improvements necessary to achieve compliance. Because of restrictions on the public disclosure of specific weaknesses of the electric grid, the detailed results of that analysis were filed under seal in a confidential appendix, awaiting the entry of a Protective Order in this Docket. However, this Confidential Energy Infrastructure Information (CEII) Appendix has at all times been available to industry participants willing to sign a standard CEII Confidentiality Agreement.[1]

A general summary of some of the results of those power-flow simulations can be provided without violating CEII restrictions:

- The simulation of the pre-GSRP system showed multiple thermal overloads on both the 115-kV and 345-kV systems in Massachusetts and Connecticut, including on six different lines serving six different substations in Connecticut.

- The simulation of the pre-GSRP system also showed multiple voltage violations on both the 115-kV and 354-kV systems in Massachusetts and Connecticut, including on lines serving ten different substations located in Connecticut.

- All of the overloads and voltage violations in both Massachusetts and Connecticut were eliminated by the addition of the GSRP and MMP, except for one N-1-1 double circuit contingency. This contingency will be eliminated by the construction of the anticipated future Central Connecticut Reliability Project or, if

[1] Accordingly, the CEII Appendix was made available to LaCapra Associates, the consultant to the CEAB. The CEAB then advised all RFP submitters to obtain the CEII Appendix from CL&P. GE Financial, the developer of the Towantic Plant, did so and elected not to file an application in this proceeding.

that project does not go forward for any reason, by a local area transmission improvement.

2. The Reliability Claims Made for the Meriden Plant in the NRG Application.

NRG's need claims appear at pages 2 – 11 of its Application. Stripped to their essentials, NRG's claim is:

- The need for the proposed GSRP improvements to resolve the "well documented" reliability problems in Massachusetts is irrelevant; only the need for improvements that will benefit "Connecticut residents" may be considered. *See,* NRG Application at 4,8,9,10

- The only benefit provided to Connecticut residents by GSRP is an unspecified amount of increased import capacity, and the Meriden Plant, by increasing in-state generation capacity, will provide an at least equivalent benefit. *See,* NRG Application at 5, 9, 10.[2]

C. NRG Does Not Claim to Meet the Need Addressed by the GSRP and MMP.

1. NRG Does Not Claim to Address the Reliability Problems on the Massachusetts Grid.

NRG makes no claim to address, or to assist with, any problems in Massachusetts, evidently on the theory that the Siting Council may consider reliability needs only as they relate to Connecticut residents. That is not the case.

The stated purposes of the Public Utility Environmental Standards include:

> To provide for…the need for adequate and reliable public utility services at the lowest reasonable to consumers…and to facilitate local, regional, state-wide and ***interstate*** planning to implement the foregoing purposes. Conn. Gen. Stats. § 16-50g (emphasis added).

Accordingly, the council will approve a transmission line only if it

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[2] At the same time, and on the same page, as it claims that the Meriden Plant would increase total CT capacity, NRG claims that the Meriden plant would "displace…older, inefficient units." NRG Application, p.5

conforms to a long-range plan for expansion of the electric power grid serving the ***state and interconnected utility systems***, that will serve the need for adequate, reliable and economic service." Conn. Gen. Stats. § 16-50*l* (a)(1)(A); 16-50p(2)(3)(D).

2. *NRG Does Not Claim to Resolve Reliability Problems on the Connecticut Transmission System, But Only to Provide Additional Capacity*

NRG seeks to redefine GSRP as a capacity only project – which serves no Connecticut need except for a claimed need for additional capacity. That dog will not hunt. The statements quoted above from the CL&P Application make clear that GSRP and MMP propose an integrated solution to thermal overloads and voltage violations that occur on lines serving both Connecticut and Massachusetts substations, and needed improvements in the security of the Connecticut grid. Added transfer capacity is only a part of the overall reliability improvement that will be effected by GSRP and MMP.

As the detail in the CEII Appendix makes abundantly clear , the overloads and voltage violations that will be addressed by the GSRP and MMP do not occur only on the portions of interstate lines that are located in Massachusetts. They occur on the Connecticut sections of the same lines and at Connecticut substations where the lines terminate. In some cases, they occur on lines that terminate at Connecticut substations at each end.

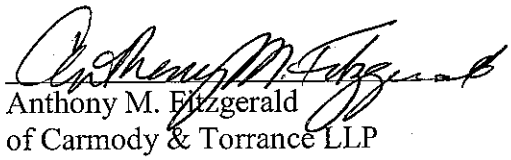
III. CONCLUSION

In determining whether or not the NRG Application is "complete," the Council should not make any finding that forecloses in any way the claim that the NRG Application is fatally deficient because it does not address the same need that will be addressed by the GSRP and MMP. Indeed, on the present state of the record, the Council

would be warranted in finding that the NRG Application does **not** purport to address that same need, and therefore should be rejected now. Alternatively, the Council may wish to await NRG's responses to the data request that CL&P recently directed to NRG on this subject, before making any determination. A copy of these data requests is attached hereto.

Respectfully submitted,

THE CONNECTICUT LIGHT AND POWER COMPANY

By: 

Anthony M. Fitzgerald
of Carmody & Torrance LLP
Its Attorneys
195 Church Street
New Haven, CT 06509-1950
(203) 777-5501

CERTIFICATION

This is to certify that a copy of the foregoing has been served on this 3rd day of April, 2009 upon all parties and intervenors as listed on the attached Service List, via the document service manner set forth therein.

Anthony M. Fitzgerald

STATE OF CONNECTICUT

SITING COUNCIL

The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for (1) The Greater Springfield Reliability Project consisting of a new 345-kV electric transmission line and associated facilities from the North Bloomfield Substation in Bloomfield to the Connecticut/Massachusetts border, together with associated improvements to the North Bloomfield Substation, and potentially including portions of a new 345-kV electric transmission line between Ludlow and Agawam, Massachusetts that would be located in the Towns of Suffield and Enfield, Connecticut; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut.	DOCKET NO. 370
APPLICATION OF NRG ENERGY, INC. PURSUANT TO CONNECTICUT GENERAL STATUTES § 16-50*l*(a)(3)	DOCKET NO. 370B March 24, 2009

FIRST SET
INTERROGATORIES AND DATA REQUESTS
ADDRESSED TO NRG ENERGY, INC.
BY THE CONNECTICUT LIGHT AND POWER COMPANY

Please provide answers to the following interrogatories and data requests by April 8, 2009.

A. DEFINITIONS

"GSRP" – Greater Springfield Reliability Project.

"ISO" or "ISO-NE" – Independent System Operator New England

"MMP" – Manchester Substation to Meekville Junction Project.

"NRG" – NRG Energy, Inc.

"RMR" – Reliability Must Run.

B. INTERROGATORIES / DATA REQUESTS

1. Does NRG propose the Meriden Plant as an alternative to the entirety of GSRP, including the major portion of GSRP to be located in Massachusetts?

2. Does NRG propose the Meriden Plant as an alternative to specific facilities or segments included within GSRP?

   a. If so, identify the specific facilities or segments that NRG contends could be displaced by the Meriden Plant.

3. Does NRG propose the Meriden Plant as an alternative to the MMP?

4. Is it NRG's position that the Siting Council may not find a "public need" for a portion of a transmission line to be constructed in the State of Connecticut based on the fact that the line will resolve reliability criteria violations of the electric power supply system in an adjacent state?

5. Does NRG acknowledge that its Meriden Plant would not address the "Springfield reliability need" that NRG characterizes in its application (p. 8) as "well documented."

   a. If the answer to the preceding question is anything other than "Yes," explain how and the extent to which construction of the Meriden plant would resolve such criteria violations and provide copies of all studies or other electronic or paper documents supporting that answer.

6. Tables FA 1 and FA 3 of the CEII Appendix to Section F of CL&P's Application list the thermal overloads that occurred in power-flow simulations using the assumptions identified in Section F. These include overloads on six different lines serving six different substations located in Connecticut. Would construction of the Meriden Plant eliminate any of these overloads?

   a. If your answer is in the affirmative, identify which overloads would be eliminated; identify the simulation software used; provide electronic copies of the "base cases" in Siemens PTI format, rev 29 or greater and all load flow cases (simulations) run; provide tables identifying all assumptions for load, generation dispatch and regional power transfer levels and outputs; and provide a copy of any report generated.

   b. If you can not say whether or not the Meriden Plant would address these overloads, explain the basis for your contention that the Meriden plant provides an alternative solution to the need that will be addressed by the GSRP.

7. Tables FA 2 and FA 4 of the CEII Appendix to Section F of CL&P's Application lists the voltage violations that occurred in power-flow simulations using the assumptions identified in Section F. These include voltage violations on seven different lines serving ten different substations located in Connecticut. Would construction of the Meriden Plant eliminate any of these voltage violations?

   a. If your answer is in the affirmative, identify which voltage violations would be eliminated; identify the simulation software used; provide electronic copies of the "base cases" in Siemens PTI format, rev 29 or greater and all load flow cases (simulations) run; provide tables identifying all assumptions for load, generation dispatch and regional power transfer levels and outputs; and provide a copy of any report generated.

   b. If you can not say whether or not the Meriden Plant would address these voltage violations, explain the basis for your contention that the Meriden plant provides an alternative solution to the need that will be addressed by the GSRP.

8. The Request for Proposals issued by the CEAB to which NRG responded stated (p.8):

   > Bidders are advised to perform their own information gathering and due diligence... including obtaining directly from CL&P certain Confidential Energy Infrastructure Information ("CEII") upon which CL&P based its filing and its conclusions.

9. Did NRG request such information from CL&P?

   a. If NRG claims that it did request such information from CL&P, provide a copy of each such written request, and as to any oral request, identify the person who made the request, the person to whom it was directed, the date of the request and the response given.

   b. If NRG did not request such information, explain why it did not do so before proposing the Meriden Plant as an alternative means of resolving the reliability need addressed by GSRP (or the portion of GSRP that NRG claims the Meriden Plant will displace.)

10. Has NRG performed or contracted for any studies analyzing whether the Meriden Plant would resolve any of the reliability criteria violations that will be addressed by GSRP and/or MMP?

    a. If your answer is in the affirmative, identify which criteria violations would be eliminated; identify the simulation software used; provide electronic copies of the "base cases" in Siemens PTI format, rev 29 or greater and all load flow cases (simulations) run; provide tables identifying all assumptions for load, generation dispatch and regional power transfer levels and outputs; and provide a copy of any report generated.

11. In order to provide the reliability benefits claimed for it, would the Meriden Plant have to be operated as an RMR unit?

    a. If not, explain why not.

12. Has the Meriden Plant received ISO approval under Section I.3.9 under the ISO-NE Transmission, Markets, and Services Tariff?

13. The Meriden Plant expects to receive ISO revenue under the Forward Capacity Market between $3.00 and $7.00/kW-month, see page 22. Has the Meriden Plant been qualified by ISO to participate in the Forward Capacity Market? Has the Meriden Plant been approved by ISO to supply capacity in any of the FCM Commitment Periods?

14. Pursuant to the ISO-NE tariff, Connecticut load will be responsible for approximately 27% of the cost of the facilities constructed in Massachusetts as part of the GSRP. Does NRG claim that, by supporting the construction of the Meriden Plant, Connecticut load would be excused from bearing its full share of the cost of the Massachusetts construction?

15. Would the Meriden Plant increase the reliability of the North Bloomfield Substation?

16. Would the Meriden Plant increase the reliability of the Agawam Substation?

17. Why has the Meriden Plant not been constructed in the nine years since it was approved by the Siting Council?

18. At pages 5 and 11 of its Application, NRG states that the Meriden Plant would displace "...older, less efficient units" or "resources."

    a. By "displaced," do you mean that you would expect the Meriden unit to be run in preference to the other generation, or are you referring to plant retirements?

    b. In either case, does NRG expect that plant retirements would occur as the result of "displacement" by the Meriden Plant?

        i. If so, identify which units you would expect to be retired and when you would expect those retirements to occur; or, if you are unable to identify specific units, describe the characteristics of the units you would expect to be retired, including their aggregate capacity capacity (including the likely aggregate capacity to be displaced) age, fuel source, heat rate, location, and NOx, SOx, and CO emissions, and the time when you would expect these retirements to occur.

        ii. If the Meriden Plant were built pursuant to a state contract, would NRG retire any of its own Connecticut plants? If so, which ones?

Respectfully submitted,

THE CONNECTICUT LIGHT AND POWER COMPANY

By: _____

Anthony M. Fitzgerald
of Carmody & Torrance LLP
Its Attorneys
195 Church Street
New Haven, CT 06509-1950
(203) 777-5501

CERTIFICATION

This is to certify that a copy of the foregoing has been served on this 24th day of March, 2009 upon all parties and intervenors as listed on the attached Service List, via the document service manner set forth therein.

Anthony M. Fitzgerald

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
Applicant	☒ 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
	☒ 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
	☒ 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
	☒ U.S. Mail		Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP P.O. Box 1915 New Haven, CT 06509 (203) 777-5501 afitzgerald@carmodylaw.com bhenebry@carmodylaw.com
Intervenor (granted on February 19, 2009) **Competing Applicant as of 03/19/2009**	☒ U.S. Mail	NRG Energy, Inc.	NRG Energy, Inc. c/o Julie L. Friedberg, Senior Counsel – NE 211 Carnegie Center Princeton, NJ 08540 Julie.friedberg@nrgenergy.com
	☒ U.S. Mail		Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6180

Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
			(860) 240-5723 – fax alord@murthalaw.com
	☒ U.S. Mail	NRG Energy, Inc. continued …	Jonathan Milley Vice President, NE Region NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-4680 (609)524-5160 fax Jonathan.milley@nrgenergy.com
	☒ E- Mail		Diana M. Kleefeld, Esq. Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6035 (860) 240-5974 dkleefeld@murthalaw.com
Party (granted November 20, 2008)	☒ 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
Party (granted November 20, 2008)	☒ E-mail	Town of East Granby	Donald R. Holtman, Esq. Katz & Seligman, LLC 130 Washington Street Hartford, CT 06106 860-547-1857 860-241-9127 dholtman@katzandseligman.com
	☒ U.S. Mail		The Honorable James Hayden First Selectman Town of East Granby P.O. Box 1858 East Granby, CT 06026

Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
Party (granted November 20, 2008)	☒ U.S. Mail ☒ U.S. Mail	Town of Suffield	Edward G. McAnaney, Esq. McAnaney & McAnaney Suffield Village 68 Bridge Street Suffield, CT 06078 (860) 668-2000 (860) 668-2666 – fax The Honorable Scott R. Lingenfelter First Selectman Suffield Town Hall 83 Mountain Road Suffield, CT 06078
Intervenor (granted December 4, 2008)	☒ E-Mail ☒ U.S. Mail	ISO New England Inc.	Anthony M. Macleod, Esq. Whitman Breed Abbott & Morgan LLC 500 West Putnam Avenue, P.O. Box 2250 Greenwich, CT 06830-2250 (203) 862-2458 amacleod@wbamct.com Kevin Flynn, Esq. Regulatory Counsel ISO New England One Sullivan Road Holyoke, MA 01040 (413) 535-4177 kflynn@iso-ne.com
Party (granted on January 8, 2009)	☒ U.S. Mail ☒ E-Mail	Office of Consumer Counsel	Mary J. Healey Consumer Counsel Ten Franklin Square New Britain, CT 06051 Mary.healey@ct.gov Bruce C. Johnson Principal Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Bruce.johnson@ct.gov

Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
	☒ E-mail ☒ E-mail	Office of Consumer Counsel Continued …	Victoria Hackett Staff Attorney Office of Consumer counsel 10 Franklin Square New Britain, CT 06051 860-826-2922 Fax: 860-827-2929 Victoria.hackett@ct.gov 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)	☒ E-mail	Ice Energy, Inc.	Stephen J. Humes McCarter & English LLP 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 shumes@mccarter.com
Party (granted on February 19, 2009)	☒ E-mail	Town of Enfield	Kevin M. Deneen Office of the Town Attorney Town of Enfield 820 Enfield Street Enfield, CT 06082-2997 (860) 253-6405 (860) 253-6362 townattorney@enfield.org
Party (if approved on 4/7/09)	☒ US Mail ☒ E-mail	City of Meriden	Deborah L. Moore, City Attorney City of Meriden City Hall, Department of Law 142 East Main Street Meriden, CT 06450-8022 (203) 630-4045 (203) 630-7907 dmoore@ci.meriden.ct.us