

HAROLD M. BLINDERMAN  
Attorney at Law

242 Trumbull Street  
Hartford, CT 06103

T: (860) 275 0357 F: (860) 881 2466  
[hmlinderman@daypitney.com](mailto:hmlinderman@daypitney.com)

March 11, 2011

**VIA HAND DELIVERY & ELECTRONIC MAIL**

Ms. Linda Roberts  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

Re: Docket No. NT-2010: Reopening of Final Decisions Pursuant to C.G.S. § 4-181a(b) for Jurisdictional Natural Gas-Fired Electric Generating Facilities Under C.G.S. § 16-50i(a)(3) and C.G.S. § 16-50k(a) Limited to Council Consideration of Changed Conditions and the Attachment of Conditions to the Certificates and Declaratory Rulings Consistent with the Findings and Recommendations in the Final Report Issued by the Kleen Energy Plant Investigation Review Panel (Nevas Commission) and the Findings and Recommendations in the Executive Report Issued by the Thomas Commission -- Suggested Revision to Draft Findings of Fact

Dear Ms. Roberts:

As relates to Petitions 943, 948, 949, 953 and 961, I write on behalf of UTC Power Corporation ("UTC Power") regarding the Draft Findings of Fact issued by the Connecticut Siting Council (the "Council") in connection with the above referenced proceeding. UTC Power appreciates the opportunity to have participated to date through (i) the submittal of Consolidated Responses to the Connecticut Siting Council's NT-2010 Pre-Hearing Interrogatories: Fuel Cells on November 18, 2010 (the "Consolidated Interrogatory Responses"); (ii) the filing of a Consolidated Witness and Exhibit List on November 23, 2010; and (iii) the admission into evidence of its Consolidated Interrogatory Responses ("Exhibit 1") and the testimony of Michael O. Brown, Vice President-Government Affairs and General Counsel for UTC Power during the Council's last public hearing session on December 14, 2010. Consistent with above submittals and testimony, UTC Power respectfully submits the following for the Council's consideration:

March 11, 2011  
Page 2

Draft Finding of Fact No. 25: The Certificate and Declaratory Ruling Holders have no objections to the Council's attachment of the Thomas Commission recommendations to the final decisions.

Comment: With respect to the recommendations of the Thomas Commission regarding the adoption of various codes and standards, not all such codes and standards apply to natural gas appliances. (Exhibit 1 at 2-4; December 14, 2010 Transcript at 122.)

Suggested Revision: For clarity, add "to the extent applicable" at the beginning of Draft Finding of Fact No. 25 as follows:

**To the extent applicable**, the Certificate and Declaratory Ruling Holders have no objections to the Council's attachment of the Thomas Commission recommendations to the final decisions.

Thank you for your consideration of the above.

Very truly yours,



Harold M. Blinderman

HMB/lmw

cc: Docket NT-2010 Service List