

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
jmiranda@rc.com
Direct (860) 275-8227

Also admitted in District of
Columbia and Massachusetts

Via Hand Delivery and Electronic Mail

January 13, 2011

Linda Roberts
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Docket No. NT-2010: Reopening of Final Decisions Pursuant to C.G.S. § 4-181(a)(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 (Nevan Commission) and the Findings and Recommendations in the Executive Report Issued by the Thomas Commission

Dear Ms. Roberts:

FuelCell Energy, Inc. ("FCE") hereby submits this letter in lieu of a brief in connection with the above-referenced proceeding. FCE appreciates the opportunity to participate in this important proceeding.

As indicated in the responses to the Connecticut Siting Council's ("Council") interrogatories, since the recommendations contained in the Thomas Commission report simply call for the adoption of various standards that FCE already employs, as appropriate, the implementation of those recommendations will not have a significant effect on the design, installation or operation and maintenance of the project. *See* FCE Exhibit 1, Response 4.



Law Offices

BOSTON

PROVIDENCE

HARTFORD

NEW LONDON

STAMFORD

WHITE PLAINS

NEW YORK CITY

ALBANY

SARASOTA

www.rc.com

ROBINSON & COLE_{LLP}

Linda Roberts
January 13, 2011
Page 2

Accordingly, FCE is willing to accept the attachment of the applicable Thomas Commission report recommendations, including without limitation a ban on the use of flammable gas to conduct "gas blows," to the Connecticut Siting Council's approval of the petition for declaratory ruling (Petition No. 923) for its facility. Moreover, in accordance with good engineering practices, to the extent there are future modifications of the FCE facility, FCE will design and construct those modifications in accordance with all applicable codes and standards.

Please feel free to contact me if you have any questions or require additional information. Thank you.

Sincerely,



Joey Lee Miranda

Copy to: Service List

