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VIA HAND DELIVERY & ELECTRONIC MAIL

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

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**CONNECTICUT
SITING COUNCIL**

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

Dear Ms. Roberts:

As relates to Petitions 943, 948, 949, 953 and 961, I write on behalf of UTC Power Corporation ("UTC Power") in connection with the above referenced proceeding before the Connecticut Siting Council (the "Council"). 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 reviews the following for the Council's consideration.

By way of background, each of the fuel cell installations described in the Petitions are stationary, distributed generation, natural gas appliances. (Exhibit 1 at 2) Typical of natural gas appliances, including home stoves and furnaces and commercial equipment including boilers, each such fuel cell operates on low, standard natural gas appliance pressure of less than ½ psig

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from the natural gas meter to the fuel cell. (Exhibit 1 at 4; December 14, 2010 Transcript at 75, 78) With respect to compliance with safety codes and standards, each such fuel cell meets applicable National Fire Protection Association ("NFPA") codes and related standards and provides a clean, safe, and efficient source of energy. (Exhibit 1 at 2-4; December 14, 2010 Transcript at 72-74, 88-89, 91) Moreover, neither gas venting nor gas blows for pipe cleaning are performed as part of construction, installation or maintenance activities. (December 14, 2010 Transcript at 76, 117, 122-123)

With respect to the Thomas Commission recommendations regarding the adoption of certain codes and standards, UTC Power, as regards the fuel cells subject to the Petitions, has no objection to the amendment of the declaratory rulings previously issued by the Council provided that such codes and standards specifically apply to all natural gas appliances. (Exhibit 1 at 2; December 14, 2010 Transcript at 73, 122) In this regard, NFPA 853 (Standard for the Installation of Stationary Fuel Cell Power Systems) and ANSI/CSA FC1-2004 (American National Standard for Fuel Cell Power Systems) directly apply. (Exhibit 1 at 2-3) NFPA 54 (National Fuel Gas Code), including Temporary Interim Amendment 09-3, applies with respect to the natural gas piping from the meter to the fuel cell. (Exhibit 1 at 2-3) Neither NFPA 37 (Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines) nor NFPA 850 (Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations) apply to fuel cell installations. (Exhibit 1 at 3) While ASME ("American Society of Mechanical Engineers") B31, Section 3 (Process Piping) applies, ASME B31.1 Appendices IV and V do not apply to fuel cell installations. (Exhibit 1 at 4; December 14, 2010 Transcript at 73-74)

Finally, with respect to the Petitions, as clarified at the December 14, 2010 public hearing, UTC Power is participating in the above referenced proceeding in its capacity as the applicant and holder of the declaratory rulings; UTC does not own or operate the facilities at which these fuel cells are operated. (December 14, 2010 Transcript at 68) Likewise, with respect to other petitions discussed with the Council on December 14, 2010, UTC Power provided information as to these installations solely in its capacity as the manufacturer and, as applicable, service provider through service contracts. With respect to such petitions, UTC is neither the applicant nor the facility owner or operator.

Thank you for your consideration of the above.

Very truly yours,


Harold M. Blinderman

HMB/jh
Enclosures

cc: Docket NT-2010 Service List