

PETITION NO. 784 – Plainfield Renewable Energy, LLC	}	Connecticut
petition for a declaratory ruling no Certificate of Environmental	}	Siting
Compatibility and Public Need is required for the proposed	}	
construction, maintenance, and operation of a 37.5 MW Wood	}	Council
Biomass Generating Project, Plainfield, Connecticut.	}	

June 7, 2007

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and operation of a 37.5 MW wood biomass generating project in Plainfield, Connecticut would not have substantial adverse environmental effect, would meet all applicable Environmental Protection Agency and Connecticut Department of Environmental Protection Ambient Air Quality Standards and therefore, would not require a Certificate of Environmental Compatibility and Public Need.

The facility shall be constructed, operated, and maintained substantially as specified in the Council’s record in this matter, and is subject to the following conditions:

1. The Petitioner shall provide a copy to the Council of all required final decisions and/or permits issued by the DEP, Army Corps of Engineers, and other federal or State regulatory agencies concerning the proposed project, when available. If there are provisions in any regulatory decision that are inconsistent with the Council's record in this matter, the Certificate holder shall notify the Council immediately.
2. The Petitioner shall not commence construction activities until securing Council approval of a Development & Management Plan that includes the following elements:
 - a. A detailed site plan showing the placement of access roads, structure foundations, building specifications, equipment and material staging areas, landscaping, and wetland buffers;
 - b. An erosion and sediment control plan, consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended;
 - c. Provisions for crossing inland wetland and watercourses;
 - d. Establishment of a 50-foot no-disturbance buffer around Wetlands 1 & 2;
 - e. Vegetative clearing plan; and,
 - f. Wetland restoration plan.
3. Site construction activities shall conform to all DEP recommendations regarding the eastern spadefoot toad, blue spotted salamander, and whip-poor-will.
4. The final site design of the facility shall not contain provisions for a secondary access road that directly impacts Wetland 6. If site constraints do not allow for accommodation of this request, the secondary access road shall be eliminated from the final site design.
5. The Petitioner shall retain an independent environmental consultant, subject to Council approval, to monitor and report on construction impacts to environmental resources during site development including site clearing and grading for plant construction and the installation of water intake structures and associated pipeline.

6. The Petitioner shall perform a post construction noise survey at the property boundaries and nearest residential receptors to ensure plant operations do not exceed regulatory criteria. Survey results shall be reported to the Council along with proposed noise mitigation measures, if applicable.
7. If The Connecticut Light and Power Company (CL&P) is requested and accepts or is required to construct or is required to assume ownership or operation of any portion of the interconnection transmission line not located on CL&P property, the following conditions shall apply to any portion to be owned by CL&P:
 - a. Petitioner shall provide the Council with a certification from CL&P to the effect that CL&P is satisfied (as determined by CL&P's in its sole discretion) as to the following conditions in subsections (i)-(iv) below;
 - i) That the transmission line design and studies of potential electric effects on railroad facilities to be done by the Petitioner's qualified consultant, by CL&P's consultant, or by CL&P employees, complies with applicable engineering, safety and other related laws, rules, regulations, standards and practices.
 - ii) The Petitioner has demonstrated to CL&P's satisfaction that the Petitioner has acquired all rights necessary to enable CL&P to access, construct, operate, repair, replace and maintain the transmission line. That further, there are no underlying encumbrances, environmental impairments or other obstacles to the construction and maintenance of the transmission line.
 - iii) All such necessary rights are assignable to CL&P;
 - iv) The Petitioner has undertaken, by agreement satisfactory to CL&P, to indemnify and protect CL&P against any expenses, resulting from the exercise by the property owner of any right to require relocation of the line.

The above conditions shall not apply if CL&P is not requested or required to construct and/or CL&P is not required to assume ownership or operation of any portion of the interconnection transmission line not located on its own property.

By this Decision, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Petitioner Plainfield Renewable Energy LLC Daniel Donovan, Vice President
Plainfield Renewable Energy LLC
20 Marshall Street, Suite 300
Norwalk, CT 06854

Bruce L. McDermott
Wiggin and Dana LLP
One Century Tower
New Haven, CT 06508-1832

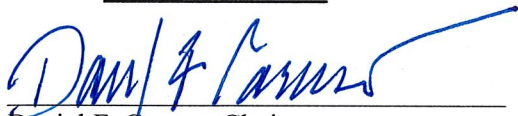
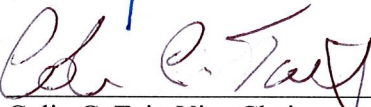
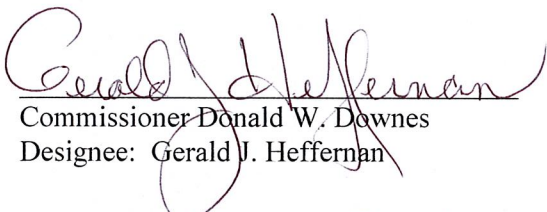

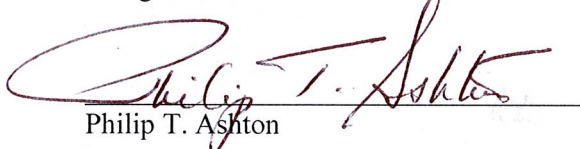
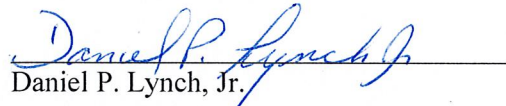
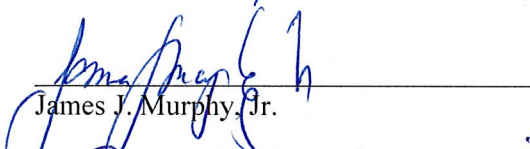
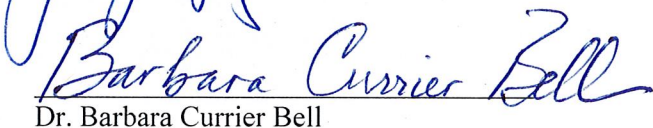
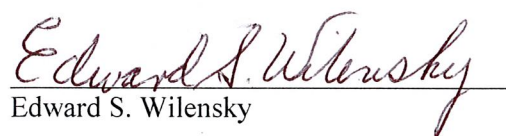
Intervenor The Connecticut Light and Power Company Paul Sousa
Senior Engineer – Transmission Interconnections
Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270

Kathleen A. Shea
Associate Counsel
Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270

Anthony M. Fitzgerald, Esq.
Carmody & Torrance LLP
P.O. Box 1950
195 Church Street, 18th floor
New Haven, CT 06509-1950

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **PETITION NO. 784** – Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut, and voted as follows to approve the proposed petition:

<u>Council Members</u>	<u>Vote Cast</u>
 Daniel F. Caruso, Chairman	Yes
 Colin C. Tait, Vice Chairman	Yes
 Commissioner Donald W. Downes Designee: Gerald J. Heffernan	Yes
 Commissioner Gina McCarthy Designee: Brian J. Emerick	Yes
 Philip T. Ashton	Yes
 Daniel P. Lynch, Jr.	Abstain
 James J. Murphy, Jr.	Yes
 Dr. Barbara Currier Bell	Yes
 Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, June 7, 2007.