

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

August 20, 2009

TO: Parties and Intervenors

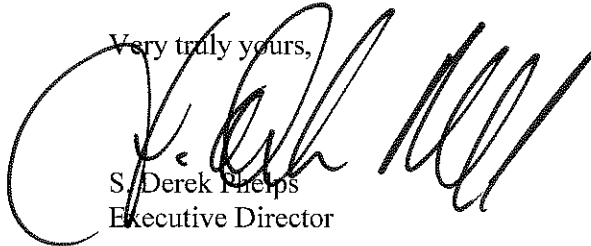
RE: **PETITION NO. 907** – Montville Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the retrofit and operation of a 40 MW Biomass-Fueled Generation Unit at the Montville Station in Uncasville, Connecticut.

The Connecticut Siting Council (Council) will hold a pre-hearing conference on procedural matters on Wednesday, September 2, 2009, in the Council's office, at Ten Franklin Square, New Britain, Connecticut, beginning at 10:00 a.m. All parties and intervenors are requested to attend. The purpose of this pre-hearing conference is to expedite the hearing procedure without sacrificing an informative record necessary for the Council to render a decision.

At the conference, parties and intervenors will be encouraged to discuss requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of pre-hearing interrogatories. To save the time and expense of the public, the Council wishes to avoid direct testimony at the hearing.

Each party and intervenor is requested to provide all other parties and intervenors in attendance a list of witnesses and the subjects their pre-filed testimony will address, a list of documents to be administratively noticed, and copies of any available exhibits to be offered at the hearing. The pre-hearing conference will also address the grouping of parties and intervenors and the order of presentations at the hearing.

Very truly yours,



S. Derek Phelps
Executive Director

SDP/RDM/laf

Enclosures

1. Hearing Notice
2. Service List



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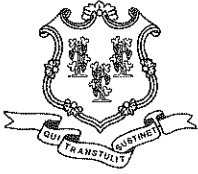
Connecticut Siting Council

Pre-hearing Conference, September 16, 2009, Hearing Procedure

PETITION NO. 907 - Montville Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the retrofit and operation of a 40 MW Biomass-Fueled Generation Unit at the Montville Station in Uncasville, Connecticut.

1. Before September 9, 2009, all parties and intervenors are encouraged to file pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
2. The 3:00 p.m., Wednesday, September 16, 2009 hearing session will provide the applicant, parties, and intervenors an opportunity to present exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by all parties and intervenors in the order that they were made parties and intervenors. All parties and intervenors will then be allowed to present their exhibits and witness panels in the order in which they were made parties and intervenors, and be subject to cross-examination by the applicant and all other parties and intervenors. The applicant will be allowed a final rebuttal. Arguments will be entertained in writing after the close of the last hearing session.
3. The 7:00 p.m. hearing session will be first reserved for the public to make brief statements into the record.
4. If time remains, the 7:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to complete their presentations and cross-examination.
5. The Council requests that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by September 9, 2009. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

6. The Council will provide an opportunity for the public officials to make a statement.
7. No repetition of facts will be allowed.
8. A verbatim transcript of the hearing session will be made and deposited with the Montville and Ledyard Town Halls for the convenience of the public.
9. Parties and intervenors will be allowed to submit briefs and proposed findings of facts within 30 days after the close of the hearing.
10. Members of the public will be allowed to submit public statements into the record within 30 days after the close of the hearing.
11. Deadlines for briefs, proposed findings of fact, and public statements will be final and no extensions will be granted.
12. The Council may, at its discretion, provide for the grouping of parties and intervenors with the same interest.
13. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
14. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before September 9, 2009.
15. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.
16. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.
17. A public field review of the proposed site will be held on Wednesday, September 16, 2009, beginning at 2:00 p.m.
18. At least ten business days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, a sign not less than six feet by four feet at the entrance to the property from a public road where the proposed facility is to be located. The sign shall set forth the name of the applicant, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number).
19. All participants are requested to place nameplates on the table in front of each witness at the hearing.



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Administrative Notice List
Petition No. 907

1. EMF, Electric and Magnetic Fields Associated with the Use of Electric Power. Questions and Answers. NIEHS 2002. <http://www.ct.gov/csc/niehs-emf>
2. Connecticut 1998 Report On Task Force Activities To Evaluate Health Effects From Electric And Magnetic Fields, The Interagency Task Force Studying Electric And Magnetic Fields, January 1998.
3. Electric and Magnetic Field Best Management Practices for the Construction of Electric Transmission Lines in Connecticut, Connecticut Siting Council, December 14, 2007.
Website Link: <http://www.ct.gov/csc/emf-bmp>
4. IEEE Standard Procedures for Measurement of Power Frequency Electric and Magnetic Fields From AC Power Lines, IEEE Std 644-1994, December 13, 1994.
5. IEEE Guide for the Design, Construction, and Operation of Safe and Reliable Substations for Environmental Acceptance, IEEE Std 1127-1998(2004), March , 2004.
6. National Electrical Safety Code, ANSI C2-2007, June 16, 2006.
7. Review of the Connecticut Electric Utilities Ten-Year Forecasts of Loads and Resources, Connecticut Siting Council, 2007. Website Link: <http://www.ct.gov/csc/fcast07>
8. Connecticut Guidelines for Soil Erosion and Sediment Control, May 2002, as amended.
<http://www.ct.gov/csc/ctsoil>
9. Conservation and Development Policies Plan for Connecticut 2005-2010, adopted by the Connecticut General Assembly. Website Link: <http://www.ct.gov/csc/cdplan>
10. Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992. National Research Council, 1999. <http://www.ct.gov/csc/pfresearch>
11. Energy Plan for Connecticut, Connecticut Energy Advisory Board, February 2006.
<http://www.ct.gov/csc/ceabplan07>
12. Power Generation and Fuel Diversity in New England, ISO-New England White Paper, August 25, 2005. <http://www.ct.gov/csc/nefuelmix>
13. Electricity Costs White Paper, ISO-New England, June 1, 2006.
<http://www.ct.gov/csc/elecsts>

14. Mail-A-Map Street Map, Montville, 2002.
15. Integrated Resource Plan for Connecticut. Prepared for CL&P and UI by The Brattle Group. January 1, 2008. <http://www.ct.gov/csc/ctirp>
16. CEAB Review of State Procurement Plan [Integrated Resource Plan]. Ongoing, January 4, 2008 <http://www.ct.gov/csc/irpreview>
17. Energy Efficiency: Investing in Connecticut's Future. Report of the Energy Conservation Management Board, Year 2006 Programs and Operations. March 1, 2007. <http://www.ct.gov/csc/energyinvest>
18. FY 2009 – FY 2010 Comprehensive Plan. Connecticut Clean Energy Fund. March 31, 2008. <http://www.ct.gov/csc/complan>
19. Public Act 09-221, “An Act Establishing Connecticut Heritage Areas.” Connecticut General Assembly. July 8, 2009. <http://www.cga.ct.gov/2009/ACT/PA/2009PA-00221-R00HB-06584-PA.htm>
20. Public Act 08-94, “An Act Concerning Environmental Justice Communities and the Storage of Asbestos-Containing Material.” Connecticut General Assembly. January 1, 2009. <http://www.cga.ct.gov/2008/ACT/PA/2008PA-00094-R00HB-05145-PA.htm>

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p align="center">Applicant</p>	<input checked="" type="checkbox"/> U.S. Mail	<p align="center">Montville Power LLC</p>	<p>Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, CT 06103 (860) 240-6180 (860) 240-6150 alord@murthalaw.com</p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Julie L. Friedberg, Esq. Senior Counsel NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-5232 (609) 524-4941</p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Judith Lagano Director – Asset Management NRG Energy, Inc. c/o Montville Power LLC 74 Lathrop Road Uncasville, CT 06382 (203) 854-3625 (203) 854-3658</p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Jonathan Baylor Senior Analyst, Development & Asset Management NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-4958 (609) 524-4941</p>
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		