



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

October 16, 2009

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

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.



Comments have been received from the Office of the Mayor, Town of Montville, dated October 16, 2009. Copies are attached for your review.

SDP/laf

c: Council Members

TOWN OF MONTVILLE

Office of the Mayor

310 Norwich-New London Turnpike
Uncasville, Connecticut 06382



October 16, 2009

RECEIVED
OCT 16 2009
CONNECTICUT
SITING COUNCIL

Honorable Daniel Caruso
Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition of Montville Power LLC for a Declaratory Ruling to Approve
the Retrofit and Operation of a 40MW Biomass Fueled Generation Unit
at Montville Station in Uncasville, Connecticut
Petition No. 907

Dear Chairman Caruso:

This letter is submitted to the Connecticut Siting Council (the "Council") jointly by Town of Montville (the "Town") and Montville Power LLC ("Montville Power") in response to the Council's directive issued during its September 16, 2009 public hearing in the above-referenced matter. Specifically, this letter updates the Council regarding the status of discussions between representatives of Montville Power and the Town, the concerns raised by Town residents and neighbors of Montville Station (the "Station") regarding the proposed biomass retrofit at the Station (the "Project"), and the plan jointly developed by the Town and Montville Power to address those concerns.

The parties note that the undersigned Mayor of the Town has received one phone call and have received some letters in opposition to this Project. Some residents have expressed support for the Project and its benefits to the community, including jobs and tax revenues. To date, representatives from Montville Power, residents of the Town, and elected and appointed officials from the Town have participated in several public meetings both before and after the Council's public hearing to raise and discuss concerns associated with the Project:

September 14, 2009	Briefing of Montville Town Council
September 15, 2009	Open House at Montville Station
September 16, 2009	Council's Site Visit and Public Hearing
September 22, 2009	Open Discussion at Montville Town Hall
October 6, 2009	Open discussion of mitigation options at Montville Town Hall

The same group of neighbors attended these meetings, and each of them noted that Montville Power has been a good neighbor since its acquisition of the Station in 1999. They did state, however, that their primary concern with the Project is the level of increased truck traffic associated with fuel transportation to the Project. Our discussions focused heavily on the issue of truck traffic and how it might be mitigated by Montville Power and the Town.

At these meetings, we also created the following comprehensive list of concerns expressed by neighbors:

- Truck emissions
- The safety of children playing in/near street
- Speeding on Lathrop Road
- Cars/trucks running the stop sign at Lathrop Road and Powerhouse Road
- Car traffic at changing of shifts at Montville Station
- Additional car traffic from construction workers
- Depreciation of home values in neighborhood due to additional truck traffic
- Mill rates (tax rates) going up without project
- Trucks idling – diesel fumes
- Noise from chipper on site
- Noise from trucks backing up
- Noise during the day – one neighbor sleeps during the day and works 3rd shift
- Noise from trucks stopping – air brakes
- No screening or noise barriers around neighbors' property
- Wear and tear on roads from truck traffic

Based on these concerns, the following list of mitigation options was suggested during the September 12, 2009 meeting:

- Install sidewalks
- Install noise buffers and screening around Montville Power property
- Off site parking for contractors during construction – bus them to the site
- Barge/train fuel to site
- Build alternative road to/from plant – route 32 to plant or power line right of way
- Road maintenance fund
- Move fuel handling area away from neighbors
- No truck Idling
- Use Montville Power trucks from off-site fuel handling area to MV Station to 1) control emissions and 2) control speed
- Post 20 MPH speed limit on Lathrop Road
- Sound barrier – not hedges
- Sound barrier around whole plant
- Turn off truck back up beepers
- Block view and sound around plant
- Build a kids playground and skate park nearby

- “Buck a truck” toll – money into fund to be allocated by neighbors
- Jobs to local people/contractors first
- No fuel deliveries during school bus hours
- No fuel deliveries on bad air days
- Sidewalks on Depot and Lathrop roads
- Cross walks at Route 163/Depot Road; Depot/Lathrop Road; Lathrop/Powerhouse Road; Lathrop/Dock Road; and at school bus stops.
- Cross walk lights at each cross walk so children can push a button to have traffic stop while they cross the road
- Crossing guards at bus stops during pick up and drop off of elementary and Jr. High students
- Fences and/or hedges in every yard for safety and sound barrier
- Build playground, skateboard park, basketball court, ½ mile jogging bike track and dog walking area
- Buy neighbors’ homes at 50% premium over FMV.

During the October 6, 2009 meeting, the undersigned Mayor led a discussion between the neighbors and Montville Power to prioritize the various concerns and mitigation options. Montville Power provided a suggested preliminary list of mitigation options, which was conveyed to the group of attendees. The Town discussed these options with Montville Power for over two and a half hours, at the end of which we had developed a more concise list of appropriate mitigation options. Accordingly, the Town respectfully requests that the Council include the following list of mitigation options (in order of priority to the Town) in its ultimate approval of the Project:

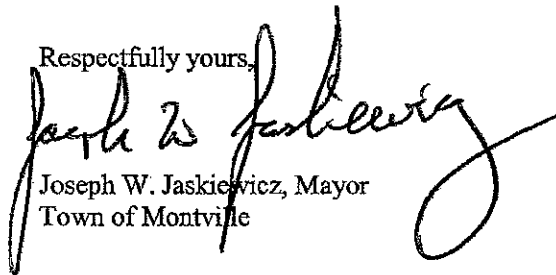
1. Montville Power must make an up front contribution to the Town in the amount of \$100,000 to install sidewalks on the truck route to the project on Lathrop Road between Dock Road and Powerhouse Road, to address the chief safety concerns of the neighborhood residents.
2. Montville Power will curtail fuel deliveries (no trucks) on school days during two periods per day: during the morning and afternoon school bus pick-up and drop-off period. A bus schedule for the neighborhood along the truck route has been provided to Montville Power.
3. Montville Power will pursue the suggestion by neighbors to move the current planned location of the fuel receiving area, to provide a greater distance between the facility and the closest neighbor’s house. Relocating this portion of the Project will go a long way to addressing noise and property value concerns of the neighbors. We recognize that Montville Power must first complete an engineering study of the revised location to determine whether this option is doable from engineering and economic perspectives.

4. For the duration of Montville Power's operation of the Project (i.e., from commissioning until retirement), Montville Power will contribute \$12,000 annually into a neighborhood fund to be established by the Town. This fund will be used to pay for projects in the neighborhood as prioritized by the neighbors with the Town. Note that this annual payment would be in addition to the property taxes paid by Montville Power.
5. Montville Power will install vegetative screening on Montville Power property to mitigate noise from the Project and to visually screen the project to the neighborhood.
6. Montville Power will adopt a policy that any fuel delivery driver cited for exceeding the speed limit within the neighborhood will be prohibited from making further deliveries to the Project.
7. Montville Power will encourage the general contractor for the Project to use local labor.
8. Montville Power will continue to evaluate alternative delivery routes in cooperation with the Town.

Finally, please note that several neighbors still have concerns about the potential impact of increased truck traffic and their property values. The undersigned Mayor has explained that the Town has a process in place for all taxpayers to raise concerns about declining property values through an appeal process with the Board of Assessment. Additionally, the undersigned Mayor has been working with the local police to address traffic violation issues (including speeding on Lathrop Road) raised by neighborhood residents.

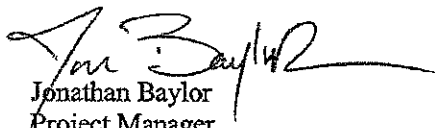
Thank you for your time and diligence on this matter. Please contact the undersigned representatives if you have any questions regarding the issues addressed in this letter.

Respectfully yours,



Joseph W. Jaskiewicz, Mayor
Town of Montville

On behalf of Montville Power,



Jonathan Baylor
Project Manager

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	Montville Power LLC	Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29 th Floor 185 Asylum Street Hartford, CT 06103 (860) 240-6180 (860) 240-6150 alord@murthalaw.com
	<input checked="" type="checkbox"/> U.S. Mail		Julie L. Friedberg, Esq. Senior Counsel NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-5232 (609) 524-4941
	<input checked="" type="checkbox"/> U.S. Mail		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
	<input checked="" type="checkbox"/> U.S. Mail		Jonathan Baylor Senior Analyst, Development & Asset Management NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-4958 (609) 524-4941
Party (granted on 9/16/09)	<input checked="" type="checkbox"/> U.S. Mail	The Connecticut Light and Power Company	John R. Morissette Manager – Transmission Siting & Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 morisjr@nu.com

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p style="text-align: center;">Party (granted on 9/16/09)</p>	<input checked="" type="checkbox"/> U.S. Mail	<p>The Connecticut Light and Power Company continued....</p>	<p>Jeffery D. Cochran, Esq. Senior Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3548 (860) 665-5504 fax cochrjd@nu.com</p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Robert S. Golden, Jr., Esq. Carmody & Torrance LLP P.O. Box 1110 50 Leavenworth Street Waterbury, CT 06721-1110 (203) 573-1200 (203) 575-2600 rgolden@carmodylaw.com</p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Anthony M. Fitzgerald, Esq. Carmody & Torrance LLP P.O. Box 1950 195 Church St., 18th Floor New Haven, CT 06509-1950 (203) 777-5501 afitzgerald@carmodylaw.com</p>