

# DRAFT

February 14, 2025

TO: Council Members

FROM: Melanie Bachman, Executive Director *UAB*

RE: **DOCKET NO. 470C** - NTE Connecticut, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 650-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut. **Reopening of this Certificate based on changed conditions specifically limited to the status of the existing Certificate, pursuant to Connecticut General Statutes §4-181a(b). Completeness Review.**

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## **I. Introduction**

On November 8, 2024, the Council rejected Windham Energy Center, LLC's (WEC) application for a certificate for construction, maintenance and operation of a 325-megawatt (MW) battery energy storage facility at 189 Lake Road in Killingly as incomplete due to the existence of a valid Council-issued Certificate of Environmental Compatibility and Public Need (Certificate) for NTE Connecticut, LLC's (NTE) 650-MW natural gas fueled electric generating facility at the same site.

On November 25, 2024, pursuant to the provisions of Connecticut General Statutes (CGS) §4-181a(b), WEC filed a Motion to Reopen and Modify the Council's June 7, 2019 final decision to issue a Certificate to NTE for the construction, maintenance and operation of a 650-MW natural gas-fueled electric generating facility at 180 and 189 Lake Road, Killingly, Connecticut, based on changed conditions specifically limited to the status of the existing Certificate (Motion to Reopen).

During a public meeting held on February 6, 2025, the Council voted to grant WEC's Motion to Reopen and to hold a public hearing based on changed conditions specifically limited to a determination as to the status of the existing Certificate.

## **II. Technical**

The Motion to Reopen and supporting materials meet statutory and regulatory technical requirements for processing. It would not require an outside consultant.

## **III. Administrative Review**

Pursuant to CGS §4-181a(b), all service and filing requirements have been fulfilled.

## **IV. Procedural**

The Council voted to hold a public hearing on this Motion to Reopen during its February 6, 2025 regular meeting.

Pursuant to CGS §16-50m, the Council must schedule a public hearing not less than 30 days and no more than 150 days after voting to reopen a proceeding. A public comment session shall be held after 6:30 PM for the convenience of the general public.

Staff recommends holding the public hearing via Zoom remote conferencing on April 1, 2025 and depositing the transcript in the Killingly Town Hall.

Enclosure: Schedule



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**SCHEDULE**

**DOCKET NO. 470C** - NTE Connecticut, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 650-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut. **Reopening of this Certificate based on changed conditions specifically limited to the status of the existing Certificate, pursuant to Connecticut General Statutes §4-181a(b).**

Motion to Reopen filed with the Council by Windham Energy Center, LLC	11/25/2024
Motion to Reopen granted by the Council	02/06/2025
Council Interrogatories <ul style="list-style-type: none"><li>• Set One Issued</li><li>• Set One Responses due</li></ul>	TBD TBD
Pre-hearing conference via Zoom remote conferencing – 11:00 a.m.	03/12/2025
Deadline for Exchange of Interrogatories between Parties and Intervenor	03/18/2025
Deadline for Pre-filed testimony and responses to interrogatories	03/25/2025
Deadline for State Agency Comments	03/25/2025
Deadline for Municipal Comments	03/25/2025
Deadline to request Party/Intervenor status	03/25/2025
<b>Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom remote conferencing</b> <b>(refer to Hearing Information section on Docket 470C webpage for Zoom remote conferencing log in/call in)</b>	<b>04/01/2025</b>
Continued Evidentiary Session(s) (if necessary)	TBD
Close of Evidentiary Record	TBD
Deadline for Party and Intervenor Post Hearing Briefs and Proposed Findings of Fact	TBD
Close of Public Comment Period	TBD
Draft Findings of Fact	TBD
Draft Findings of Fact, Opinion & Decision & Order	TBD
<b>Deadline for Final Decision</b>	<b>08/05/2025</b>