Wiggin and Dana LLP
One Century Tower
P.O. Box 1832
New Haven, Connecticut
06508-1832
www.wiggin.com

Bruce L. McDermott
203.498.4340
203.782.2889 fax
bmcdermott@wiggin.com

WIGGIN AND DANA

Counsellors at Law

February 9, 2005

S. Derek Phelps
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Docket 272

Dear Mr. Phelps:

The Connecticut Light and Power Company and The United Illuminating Company (the "Companies") are in receipt of a letter from Julie Donaldson Kohler to you in which Ms. Kohler confirms her understanding that the Council has agreed to grant the City of Milford (the "City") five (5) extra days to file its proposed findings of fact and brief. The Companies were not even aware of Ms. Kohler's request and were not given the opportunity to respond to the request when it was made. The Companies respectfully submit that the Council must require all parties and intervenors to comply with the same deadlines.

While the Companies appreciate that Ms. Kohler may have other personal or professional obligations that prevent her from being in Connecticut when the City's findings and brief are due, accommodating Ms. Kohler's schedule by granting her five extra days will prejudice the Companies (and the other parties and intervenors) who will file their briefs in accordance with the established deadline of March 11, 2005. The Council has appropriately given the docket participants more than enough time for completion of the proposed findings and briefs.

If an extension were granted, the City will have the unwarranted benefit of having additional time to prepare its filings in this large and complex docket. It will also have the unfair advantage of being able to review the findings and briefs of the other parties and intervenors before submitting its filings. This will effectively enable the City to submit a brief and reply brief, and proposed findings and counter-findings simultaneously.

Moreover, Ms. Kohler's letter indicates that this extension is also being granted for joint filings. While Ms. Kohler does not explain the nature of the joint filings, the letter seems to suggest that to the extent the City makes a filing with other municipalities, those municipalities will also receive the benefit of the extension. This compounds the prejudicial effect of an extension.

WIGGIN AND DANA

Counsellors at Law

For these reasons, the Companies respectfully request that the Council treat all parties and intervenors fairly so that no party is given procedural preferences and that there is not even the appearance that one party is receiving preferential treatment from the Council. The established March 11, 2005 date for filing briefs and proposed findings of fact should be applicable to all docket participants. In the alternative, if the Council wishes to provide a limited extension to the City of Milford in view of Ms. Kohler's circumstances, the Companies suggest that the filing deadline for the briefs of all participants be extended to March 16, but that the March 11 deadline continue to apply to all participants' proposed findings of fact.

Very truly yours,

Bruce L. McDermott

cc: Service List

\10705\1209\513698.3