



# 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](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

February 27, 2009

TO: Parties and Intervenors

FROM: S. Derek Phelps  
Executive Director

RE: **DOCKET NO. 370** – The Connecticut Light and Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut.

---

GE Energy Financial Services (GEEFS) submitted a letter dated January 30, 2009 seeking confirmation and/or guidance on GEEFS's interpretation of the CEAB RFP application requirement with regard to the above-referenced proceeding, and pursuant to the provisions of C.G.S. 16-50(a)(3). The Connecticut Siting Council (Council), in turn, requested comments from Parties and Intervenors, which were due February 20, 2009.

In response to comments received and based on the analysis of the statutory authority and legislative histories, the Council concluded that entities submitting a proposal in response to the CEAB RFP process must file an application in the form prescribed by the Council in its regulations despite the fact that a certificate has already been issued to a respondent. Please also note that the findings in the CEAB Evaluation Report submitted to the Council that further analysis should be conducted for the two previously certificated entities pertaining to the environmental impacts of particulate matter emissions associated with the projects.<sup>1</sup>

In order to facilitate fair and simultaneous consideration of multiple proposals for the same need, each competing entity must submit an application in a form that meets the minimum requirements set out in R.C.S.A. §16-50l-2.<sup>2</sup> In addition to the new application that meets those requirements, administrative notice may be taken of prior applications of previously certificated projects and referenced in the new application.<sup>3</sup>

Please also note that entities who submitted a proposal intending to file an application under C.G.S. §16-50l(a)(3) are also required under that provision to remit the filing fee for such

<sup>1</sup> CONN. ENERGY ADVISORY BD. EVALUATION REPORT TO THE CONN. SITING COUNCIL 39-40 (2009).

<sup>2</sup> CONN. AGENCIES REGS. §16-50l-2 (2007).

<sup>3</sup> Subject to Council jurisdiction according to C.G.S. §16-50i(a)(7) and §16-50l(a)(3).

application in accordance with C.G.S. §16-50t and the municipal participation fees to each municipality entitled to receive a copy of such application in accordance with C.G.S. §16-50bb.<sup>4</sup>

Please note further that under C.G.S. §16-a-7c(e), “Upon the submission of a proposal pursuant to a request for proposal, the person or entity submitting the proposal shall consult with the municipality in which the facility may be located and with any other municipality that would be required to be served with a copy of an application for such proposal under subdivision (1) of subsection (b) of section 16-50l ...”<sup>5</sup>

Fulfillment of these legal requirements necessarily places all of the applications submitted pursuant to the CEAB RFP process, as well as the application that triggered the RFP, on equal footing for simultaneous consideration in a consolidated hearing process by the Council. Please be advised that the Council has also requested comment for the ICE Energy proposal by February 27, 2009, which will be addressed under separate cover. Thank you for your anticipated cooperation in this regard. If you should have any questions regarding this matter, please do not hesitate to contact me.

SDP/MAB/CMW/laf

---

<sup>4</sup> CONN. GEN. STAT. §16-50/(a)(3) (2009) (... an entity that has submitted a proposal pursuant to the request for proposal process may initiate a certification proceeding by filing with the council an application containing the information required pursuant to this section, accompanied by a filing fee of not more than twenty-five thousand dollars... and a municipal participation fee of twenty five thousand dollars to be deposited into the account established pursuant to section 16-50bb...”); CONN. GEN. STAT. §16-50t (2009); CONN. GEN. STAT. §16-50bb (2009).

<sup>5</sup> CONN. GEN. STAT. §16a-7c(e) (2009).

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Applicant</b>	<input checked="" type="checkbox"/> U.S. Mail	The Connecticut Light & Power Co. P.O. Box 270 Hartford, CT 06141-0270	Robert E. Carberry, Manager NEEWS Projects Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 <a href="mailto:carbere@nu.com">carbere@nu.com</a>
	<input checked="" type="checkbox"/> E-mail		Duncan MacKay, Esq. Legal Department Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3495 <a href="mailto:mackadr@nu.com">mackadr@nu.com</a>
	<input checked="" type="checkbox"/> U.S. Mail		Jeffrey Towle, Project Manager Transmission, NEEWS Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3962 <a href="mailto:towlejm@nu.com">towlejm@nu.com</a>
	<input checked="" type="checkbox"/> U.S. Mail		Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP P.O. Box 1950 New Haven, CT 06509 (203) 777-5501 <a href="mailto:afitzgerald@carmodylaw.com">afitzgerald@carmodylaw.com</a> <a href="mailto:bhenebry@carmodylaw.com">bhenebry@carmodylaw.com</a>
<b>Party (granted November 20, 2008)</b>	<input checked="" type="checkbox"/> E-mail	Richard Blumenthal Attorney General	Michael C. Wertheimer Assistant Attorney General Attorney General's Office 10 Franklin Square New Britain, CT 06051 (860) 827-2620 (860) 827-2893 <a href="mailto:Michael.wertheimer@po.state.ct.us">Michael.wertheimer@po.state.ct.us</a>

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Party (granted November 20, 2008)</b>	<input checked="" type="checkbox"/> E-mail	Town of East Granby	Donald R. Holtman, Esq. Katz & Seligman, LLC 130 Washington Street Hartford, CT 06106 (860) 547-1857 (860) 241-9127 <a href="mailto:dholtman@katzandseligman.com">dholtman@katzandseligman.com</a>
	<input checked="" type="checkbox"/> U.S. Mail		The Honorable James Hayden First Selectman Town of East Granby P.O. Box 1858 East Granby, CT 06026
<b>Party (granted November 20, 2008)</b>	<input checked="" type="checkbox"/> U.S. Mail	Town of Suffield	Edward G. McAnaney, Esq. McAnaney & McAnaney Suffield Village 68 Bridge Street Suffield, CT 06078 (860) 668-2000 (860) 668-2666 – fax
	<input checked="" type="checkbox"/> U.S. Mail		The Honorable Scott R. Lingenfelter First Selectman Suffield Town Hall 83 Mountain Road Suffield, CT 06078
<b>Intervenor (granted December 4, 2008)</b>	<input checked="" type="checkbox"/> E-mail	ISO New England Inc.	Anthony M. Macleod Whitman Breed Abbott & Morgan LLC 500 West Putnam Avenue, P.O. Box 2250 Greenwich, CT 06830-2250 (203) 862-2458 <a href="mailto:amacleod@wbamct.com">amacleod@wbamct.com</a>
	<input checked="" type="checkbox"/> U.S. Mail		Kevin Flynn, Esq. Regulatory Counsel ISO New England One Sullivan Road Holyoke, MA 01040 (413) 535-4177 <a href="mailto:kflynn@iso-ne.com">kflynn@iso-ne.com</a>

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Party (granted on January 8, 2009)</b>	<input checked="" type="checkbox"/> U.S. Mail	Office of Consumer Counsel	Mary J. Healey Consumer Counsel Ten Franklin Square New Britain, CT 06051 <a href="mailto:Mary.healey@ct.gov">Mary.healey@ct.gov</a>
	<input checked="" type="checkbox"/> U.S. Mail		Bruce C. Johnson Principal Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 <a href="mailto:Bruce.johnson@ct.gov">Bruce.johnson@ct.gov</a>
	<input checked="" type="checkbox"/> E-mail		Victoria Hackett Staff Attorney Office of Consumer Counsel 10 Franklin Square New Britain, CT 06051 860-827-2922 860-827-2929 - fax <a href="mailto:victoria.hackett@ct.gov">victoria.hackett@ct.gov</a>
	<input checked="" type="checkbox"/> E-mail		Paul Chernick, President Resource Insight, Inc. 5 Water Street Arlington, MA 02476 (781) 646-1505 ext. 207 (781) 646-1506 - fax <a href="mailto:pchernick@resourceinsight.com">pchernick@resourceinsight.com</a>
<b>Intervenor (granted on January 22, 2009)</b>	<input checked="" type="checkbox"/> E-mail	Ice Energy, Inc.	Stephen J. Humes, Esq. McCarter & English LLP 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 - fax <a href="mailto:Shumes@mccarter.com">Shumes@mccarter.com</a>
<b>Party (granted on February 19, 2009)</b>	<input checked="" type="checkbox"/> E-Mail	Town of Enfield	Kevin M. Deneen, Town Attorney Office of the Town Attorney 820 Enfield Street Enfield, CT 06082-2997 (860) 253-6405 (860) 253-6362 – fax <a href="mailto:townattorney@enfield.org">townattorney@enfield.org</a>

**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"><b>Intervenor (granted on February 19, 2009)</b></p>	<p align="center"><input checked="" type="checkbox"/> U.S. Mail</p>	<p align="center">NRG Energy, Inc.</p>	<p>Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6180 (860) 240-5723 – fax <a href="mailto:alord@murthalaw.com">alord@murthalaw.com</a></p>