

# CARMODY & TORRANCE LLP

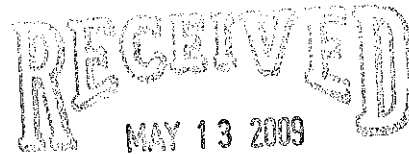
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May 13, 2009



VIA HAND DELIVERY

ORIGINAL CONNECTICUT  
SITING COUNCIL

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

RE: Algonquin Gas Transmission, LLC – Petition No. 869  
Kleen Energy Lateral  
Middletown, CT

Dear Mr. Phelps:

As a follow-up to my letter dated May 7, 2009, enclosed please find twelve (12) sets of the detailed drawings for the revised pipeline route at the Middletown Station property. In addition, I have enclosed a copy of Algonquin's letter to FERC, reflecting the resolution of issues with Middletown Power LLC. This letter and the letter to FERC will also be filed with the Council electronically.

Please call me if you have any questions.

Very truly yours,

  
Marianne Barbino Dubuque

MBD/ctf  
Enclosures

cc: Lee Hoffman, Esq.  
Thomas L. Stanton, Jr., Esq.  
Mr. Edward C. Harney  
Mr. Cross De Lairre

Algonquin Gas Transmission, LLC  
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Houston, TX 77056-5310  
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P.O. Box 1642  
Houston, TX 77251-1642



May 7, 2009

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Algonquin Gas Transmission, LLC, Docket No. CP08-462-000

Dear Ms. Bose:

Algonquin Gas Transmission, LLC ("Algonquin") hereby notifies the Federal Energy Regulatory Commission ("Commission") that Algonquin and Middletown Power LLC ("Middletown") have reached a mutually acceptable resolution regarding the Kleen Energy Lateral route through the Middletown Station property. On February 5, 2009, the Commission issued its "Order Issuing Certificate" in the captioned proceeding authorizing Algonquin to construct, install, own and operate the Kleen Energy Lateral.<sup>1</sup> On March 9, 2009, Middletown filed a Request for Clarification and Rehearing ("Request for Clarification and Rehearing") of the February 5 Order. In its Request for Clarification and Rehearing, Middletown sought a Commission determination that the February 5 Order "requires Algonquin to negotiate a mutually agreeable route through the Middletown Station property."<sup>2</sup> On March 24, 2009, Algonquin filed a Motion for Leave to Answer and Answer in which Algonquin notified the Commission that it would continue to focus its efforts on the negotiations with Middletown but reserved its right to file a supplemental answer in the event that a negotiated resolution could not be attained.

Algonquin and Middletown have now reached a mutually acceptable resolution regarding the route for the Kleen Energy Lateral through the Middletown Station property. The agreed-upon route includes modifications to the certificated route, which will be reflected in alignment sheets to be filed with the Commission. Contemporaneous with this filing, Middletown is submitting a motion to withdraw its Request for Clarification and Rehearing.

Sincerely,

/s/ Garth Johnson

Garth Johnson, General Manager  
Rates and Certificates

cc: Christine E. Allen (FERC)  
All Parties

<sup>1</sup> *Algonquin Gas Transmission, LLC*, 126 FERC ¶ 62,077 (2009) ("February 5 Order").

<sup>2</sup> Request for Clarification and Rehearing at p. 4.