

<p>DOCKET NO. 189A – Lake Road Generating Company Certificate of Environmental Compatibility and Public Need for an electric generating facility located off of Lake Road in Killingly, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) to Modify the Decision and Order in Docket 189 to Allow Lake Road Generating Company to Suspend its Backup Fuel System Based on Changed Conditions.</p>	<p>} Connecticut } Siting } Council } January 19, 2012</p>
---	---

Decision and Order

In response to a request to modify its Decision and Order submitted on October 24, 2011 by the Certificate Holder, Lake Road Generating Company, the Connecticut Siting Council (Council) finds that changed conditions exist and hereby modifies its Docket No. 189 Decision and Order of December 7, 1998. Condition (1c) of the Decision and Order is hereby modified and the following additional conditions are included, as follows:

1. Decision and Order 1(c) in Docket No. 189 is modified to now read as follows:

- c) The project shall operate on natural gas. Unit 1 shall have the ability to recommission on fuel oil within 15 days. Lake Road may operate using distillate fuel oil as allowed by the Department of Energy and Environmental Protection air permits.

Additional Conditions to the Docket 189A Decision and Order as follows:

- 9. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
- 10. The Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.
- 11. If the Certificate Holder is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance published in the Norwich Bulletin.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Certificate Holder

Lake Road Generating Company, L.P.

Its Representatives

Andrew Lord, Esq.
Murtha Cullina LLP
CityPlace I, 185 Asylum Street
Hartford, CT 06103-3469

Cynthia E. Vodopived, Director
Health, Safety, Security and Environment
EquiPower Resources Corporation
One Hundred Constitution Plaza, 10th Fl.
Hartford, CT 06103

Christopher J. Curtis
General Manager
Lake Road Generating Company, L.P.
56 Alexander Parkway
Dayville, CT 06241

Party

Town of Killingly

Its Representative

Bruce Benway
Town Manager
Town of Killingly
Town Hall, 172 Main Street
P.O. Box 6000
Danielson, CT 06239

Intervenor

The Connecticut Light and Power Company

Its Representative

Senior Counsel
Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06106