

STATE OF CONNECTICUT

SITING COUNCIL

Consolidated proceeding pursuant to the Connecticut Advisory Board (CEAB) Request for Proposal (RFP) process under C.G.S. § 16a7c.

Original application: The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for (1) The Greater Springfield Reliability Project consisting of a new 345-kV electric transmission line and associated facilities from the North Bloomfield Substation in Bloomfield to the Connecticut/Massachusetts border, together with associated improvements to the North Bloomfield Substation, and potentially including portions of a new 345-kV electric transmission line between Ludlow and Agawam, Massachusetts that would be located in the Towns of Suffield and Enfield, Connecticut; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut.

Competing application: NRG Energy, Inc. application pursuant to C.G.S. § 16-50(a)(3) for consideration of a 530 MW combined cycle generating plant in Meriden, Connecticut

DOCKET 370

May 28, 2009

CL&P'S RESPONSE TO THE CONNECTICUT ENERGY ADVISORY BOARDS
PETITION TO BECOME AN INTERVENOR

Statement of Position

The Connecticut Light and Power Company ("CL&P") does not object to the request of the Connecticut Energy Advisory Board ("CEAB") to intervene before the Connecticut Siting Council ("Council") in this docket, provided that its participation in the Docket is limited to that it requests.

Discussion

The CEAB seeks permission to intervene for the limited purpose of explaining its Evaluation Report and “answer[ing] questions pertaining to its Report...” (Petition, ¶¶ 5, 7) The CEAB has not sought permission to take discovery from other parties and intervenors.

As the Council's regulation Sec. 16-50j-15b states, an “intervenor's participation shall be limited to those particular issues, that state of the proceeding, and that degree of involvement ... that the Council shall permit such intervention is allowed.”

The CEAB's enabling legislation does not explicitly authorize it to intervene in Council proceedings, and appears to contemplate that the CEAB's participation will be limited to issuing a report evaluating the RFP responses it receives, as well as the application that triggered an RFP, and providing that report to the Council. Conn. Gen. Stats. 16a-7c(f). However, providing an explanation of such a report appears to be a reasonable adjunct power to the power to prepare the report which may therefore be implied. Such an explanation may be provided, in particular, in response to Interrogatories and Data Requests directed to the CEAB by the Council and other participants in the Docket.

However, that is not to say that the CEAB should be allowed to impose additional burdens on CL&P. CL&P and its consultants have heretofore devoted extensive time and resources to provide and develop voluminous data at the request of the CEAB, in order to enable the CEAB to prepare its Evaluation

Report. See, the Inventory of information provided in response to data Request OCC-01-Q-OCC-13 (copy attached). Further such requests at this stage of the proceeding could impair the orderly conduct of the proceeding. (see Conn. Gen. Stat. §4-177a(b)(2).


Conclusion

CL&P requests that if the Council grants the CEAB's petition to intervene that it do so only with the limitation that the CEAB has requested, that is, that the CEAB's participation be limited to explaining its report filed in this docket, including in response to Data Requests directed to it by other participants in the Docket.

Respectfully submitted,

**THE CONNECTICUT LIGHT AND
POWER COMPANY**

By:


Anthony M. Fitzgerald
Robert S. Golden
of Carmody & Torrance LLP
Its Attorneys
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New Haven, CT 06509-1950
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CERTIFICATION

This is to certify that a copy of the foregoing has been served on this 28th day of May, 2009 upon all parties and intervenors as listed on the attached Service List, via the document service manner set forth therein.



Anthony M. Fitzgerald

Tab	NEEWS Related Communications/Data Provided to CEAB/LaCapra	Additional Reports Included	Date Sent
1	GSRP Municipal Consultation Filing (MCF)	<p>In addition, the following reports were included in the filing: (1) ISO-NE, "2008-2017 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)," April 2008; (2) ISO-NE, "2007 Regional System Plan," October 18, 2007; (3) ISO-NE, "2006 Regional System Plan," October 26, 2006; (4) ISO-NE, "Regional System Plan (RSP05)," approved 10/20/2005; (5) ISO-NE Southern New England Transmission Reliability, "Report 1 – Needs Analysis," January 2008; (6) ISO-NE, "Planning Procedure No. 3 (PP-3) Reliability Standards for the New England Area Bulk Power Supply System," October 13, 2006; (7) ISO-NE, "Planning FERC Electric Tariff No. 3 Open Access Transmission Tariff – Attachment K Regional," December 7, 2007; (8) Northeast Power Coordinating Council, "Document A-02 – Basic Criteria for Design and Operation of Interconnected Power Systems," Revised May 6, 2004; (9) Northeast Power Coordinating Council, "Document A-05 – Bulk Power System Protection Criteria," Revised November 14, 2002; (10) CSC, "Review of Ten Year Forecast of Connecticut Electric Loads and Resources 2007-2016;" (11) CSC, "Review of the Ten Year Forecast of Connecticut Electric Loads and Resources 2006-2015;" (12) CT Energy Advisory Board, "2007 Energy Plan for Connecticut," approved February 6, 2007; (13) CL&P, "2008 Forecasts of Loads and Resources for the Period 2008-2017; and (14) NUSCO, "Transmission Planning Guideline," May 2008.</p>	6/16/08
2	MCF Supplemental Submittal – NEEWS Draft Report 2 - Options Analysis (Redacted)		6/24/08
3	MCF Supplemental Submittal – GSRP Solution Report	(provided directly to LaCapra Associates pursuant to the Confidential Energy Infrastructure Information non-disclosure agreement)	7/21/08
4	Face-to-face meeting with CEAB to Open Lines of Communication	Attendees: (NU) Kathy Shea, Tony Fitzgerald, Pat Kinney; (CEAB) Dan Peaco, Heather Hunt; Jeff Gaudiosi	7/21/08

Tab	NEEWS-Related Communications/Data Provided to CEAB/LaCapra	Additional Reports Included				Date Sent
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5	Response to CEAB Information Requests (sent on 7/2/08): Questions 1-10 and 16. The text of these responses is posted on the CEAB website: www.ctenergy.org/NEEWSRFP.html In addition to providing written responses to questions, CL&P provided (or directed LaCapra/CEAB to) the documents listed in the opposite column.	Report, Presentation or Letter	Date	Pages	How Made Available	7/22/08
		ISO-NE RTEP-03 Technical Report	November 13, 2003	114	ISO-NE Website	
		ISO-NE RTEP-04 Technical Report	October 21, 2004	282-283	ISO-NE Website	
		ISO-NE Regional System Plan (RSP05)	October 10, 2005	90-91	ISO-NE Website	
		ISO-NE 2006 Regional System Plan *	October 26, 2006	89-93	ISO-NE Website	
		ISO-NE 2007 Regional System Plan *	October 18, 2007	87-90	ISO-NE Website	
		CL&P 2006 Forecast of Loads and Resources	March 1, 2006	27-29	ISO-NE Website	
		CL&P 2007 Forecast of Loads and Resources	March 1, 2007	27-28	ISO-NE Website	
		CL&P 2008 Forecast of Loads and Resources	March 3, 2008	26-27	ISO-NE Website	
		WMECO 2004 Transmission Forecast	April 1, 2004	III-3	Copy Provided With This Response	
		WMECO 2005 Transmission Forecast	December, 2004	11 and 15	Copy Provided With This Response	
		WMECO 2006 Transmission Forecast	December, 2005	16-17	Copy Provided With This Response	
		2007 WMECO	December	18-20	Copy	

Tab	NEEWS-Related Communications/Data Provided to CEAB/LaCapra	Additional Reports Included	Date Sent
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		Transmission Forecast	29, 2006		Provided With This Response
		2008 WMECO Transmission Forecast	December 31, 2007	22-25	Copy Provided With This Response
		CSC Review of the Ten-Year Forecast of Loads and Resources, 2007-2016*	November 14, 2007	18 and 24	On CSC Website
		ABB Draft Report, Volume 1: Springfield Area Transmission System Reinforcement Study	February 27, 2007	all	Copy Provided With This Response
		ABB Draft Report, Volume 1: Springfield Area Transmission System Reinforcement Study**	February 15, 2005	all	Copy Provided With This Response
		ISO-NE Planning Advisory Committee Meeting	May 4, 2005		Presentation Slides on ISO-NE Website
		ISO-NE Planning Advisory Committee Meeting	March 15, 2006		Presentation Slides on ISO-NE Website
		ISO-NE Reliability Committee	July 27, 2006		Presentation Slides on ISO-NE Website
			December 15, 2006		Presentation Slides on

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		Advisory Committee Meeting		ISO-NE Website	
		ISO-NE Planning Advisory Committee Meeting	December 3, 2007		Presentation Slides on ISO-NE Website
		ISO-NE Planning Advisory Committee Meeting	May 19, 2008		Presentation Slides on ISO-NE Website
		Memorandum, ISO-NE's Stephen Rourke to CEAB, Response to Comments on SNETR	March 22, 2007	all	Previously Provided
		Response of Raymond Necci to Honorable Terry Backer re: NEEWS Projects	March 19, 2008	all	Copy Provided With This Response
		CL&P Response to CEAB Comments on Options Analysis	July, 2008		In Process
		GSRP Solution Report	May, 2008		Copy Provided With The Response to CEAB-01, Q-CEAB-003
		Also provided: (1) New England East-West Solutions Report 2, "Options Analysis," dated June 2008; (2) The Connecticut Light and Power Company and the Western			

Tab	NEEWS-Related Communications/Data Provided to CEAB/LaCapra	Additional Reports Included	Date Sent
		<p>Massachusetts Electric Company entitled "Solution Report for the Springfield Area, the Greater Springfield Reliability Project Including the Springfield 115-kV Upgrades," (Springfield Solution Report), redacted public version dated July 2008, (3) a list of generation dispatches used in the Options Report; (4) the system contingencies modeled in the referenced reports, (5) three files containing the three I.3.9 reports were (provided directly to LaCapra Associates pursuant to Confidential Energy Infrastructure Information non-disclosure agreement)</p>	
6	<p>Second Response to CEAB's First Set of Information Requests: Q's 11 - 15</p> <p>In addition to providing written responses to the above questions, CL&P provided the documents listed in the opposite column.</p>	<p>(1) a diagram containing details on the power flows and voltages in the area, (2) diagram is a one-line diagram showing lines and stations, and (3) the most recent actual and forecast loads for the buses located in the Connecticut and Springfield, Massachusetts areas, based on the 2008 ISO-NE Capacity, Energy, Loads and Transmission (CELT) report. (provided directly to LaCapra Associates pursuant to the Confidential Energy Infrastructure Information non-disclosure agreement)</p>	8/1/08
7	<p>Letter from Kathy Shea in response to CEAB's Comments (sent 5/29/08) to ISO-NE on the NEEWS Draft Report 2 – Options Analysis</p>	<p>(1) Brattle Group Report on "Rising Utility Construction Costs: Sources and Impacts" – September 2007; (2) ISO-NE's response to CEAB's comments on the SNETR analysis; (3) A copy of the NU presentation to ISO-NE Planning Advisory Committee "Managing Capital Projects" – December 3, 2007; and 4 slides on the NEEWS Decision Sequence</p>	8/13/08
	<p>Conference call to discuss the NEEWS Needs Analysis *Nothing new provided, just a discussion of the first set of responses that then led to the second set on questions</p>	<p>Attendees: Bob Carberry, Al Scarfone and Dick Hahn</p>	8/28/08
8	<p>Response to CEAB's Second Set of Information Requests, Q's 17 -20 (sent on 8/22/08).</p> <p>In addition to written responses to questions, CL&P provided the</p>	<p>An unredacted version of the Greater Springfield Solution Report (provided directly to LaCapra Associates pursuant to the Confidential Energy Infrastructure Information non-disclosure agreement)</p>	8/29/08

Tab	NEEWS-Related Communications/Data Provided to CEAB/LaCapra	Additional Reports Included	Date Sent
	report identified in the column opposite.		
9	Third Response to LaCapra's First Set of Information Requests (2 CDs provided amounting to ~12,000 pages of data)	(1) The power-flow base case for the existing system in PSS/E "rawd" format; (2) power-flow base cases for the existing system in PSS/E "sav" format; (3) power-flow base case plots for the existing system showing the requested data for the 345-kV system between the Ludlow and Manchester substations; (4) a listing of over 50 contingencies; (6) power-flow base case with GSRP modeled in PSS/E "rawd" and "sav" formats; and (7) the contingency listing and plots.	
10	Response to CEAB's Third Set of Information Requests sent on 9/5/08	Letter responding to questions about Non Transmission Alternatives (NTA) study for GSRP in progress, enclosing copy of NTA study for National Grid's Rhode Island Reliability Project	9/19/08
11	ICF NTA Report Delivered to LaCapra Associates	ICF International NTA Study Report: "Assessment of Non-Transmission Alternatives to the NEEWS Transmission Projects: Greater Springfield Reliability Project (Sept. 2008). Contains CEII	9/25/09
12	Response to Data Request CEAB-04, Q's 1 - 24 (sent 9/29/08)	Responses provide further information on ICF NTA Report. Responses are posted by CEAB at: http://www.ctenergy.org/NEEWSRFP.html	10/10/08
13	Freedom of Information Act Request to CEAB	Seeks copies of RFP Responses filed January 2, 2009.	1/06/09
14	Evaluation of RFP Proposals	<ul style="list-style-type: none"> • Transmittal message • Cover letter • Memorandum • "Preliminary Analysis of the Technical Effectiveness of Proposed Generation Alternatives to GSRP," including power-flow study inputs and results. (CEII) • Dissenting Opinion in CSC Docket No. 190 • "Evaluating the Economic Benefits of Transmission Investments", Brattle Group, May 3, 2007 <p>The CEAB has posted non-CEII portions of this evaluation at</p>	1/29/09

Tab	NEEWS-Related Communications/Data Provided to CEAB/LaCapra	Additional Reports Included	Date Sent
15	Miscellaneous Communications between Al Scarfone and Dick Hahn	<p>http://www.ctenergy.org/NEEWSRFP.html</p> <ul style="list-style-type: none"> • An email from Dick Hahn to Al Scarfone and Al's response, both on 9/22/08, regarding clarification on the issue of how to calculate total New England load flows; • A phone call from Al Scarfone to Dick Hahn on 9/17/08 to clarify the pre- and post-case data plots sent and, to answer a question about whether this was the same information used in the CSC filing; • Two emails from Al Scarfone to Dick Hahn on 9/17/08 containing additional pre- and post-GSRP .dat files; • Email from Dick Hahn on 9/16/08 asking about the 1700 MW base case – response from Al Scarfone by phone; • A further question in an email on 9/2/08 from Dick Hahn to Al Scarfone asking about the difference in load forecasts – clarified in CDs sent on 9/12/08. 	Various
16	Emails between Bob Carberry and Dick Hahn regarding CEII Requests	<p>Includes the cover letters sent to:</p> <ul style="list-style-type: none"> • CPower • GE • Ener NOC, Inc. 	Various
17	Letter from Lisa Thibdaue. to John Mengacci regarding how CEAB will respond to RFPs	Various questions and readiness on the part of NU to support CEAB's efforts.	12/9/08

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
Applicant	<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 carbere@nu.com
	<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 mackadr@nu.com
	<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 towlejm@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP P.O. Box 1915 New Haven, CT 06509 (203) 777-5501 afitzgerald@carmodylaw.com bhenebry@carmodylaw.com
Intervenor (granted on February 19, 2009) Competing Applicant as of 03/19/2009	<input checked="" type="checkbox"/> U.S. Mail	NRG Energy, Inc.	NRG Energy, Inc. c/o Julie L. Friedberg, Senior Counsel – NE 211 Carnegie Center Princeton, NJ 08540 Julie.friedberg@nrgenergy.com
	<input checked="" type="checkbox"/> U.S. Mail		Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6180 (860) 240-5723 – fax alord@murthalaw.com

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	<input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E- Mail	NRG Energy, Inc. continued ...	Jonathan Milley Vice President, NE Region NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-4680 (609)524-5160 fax Jonathan.milley@nrgenergy.com
			Diana M. Kleefeld, Esq. Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6035 (860) 240-5974 dkleefeld@murthalaw.com
Party (granted November 20, 2008)	<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 Michael.wertheimer@po.state.ct.us
Party (granted November 20, 2008)	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> U.S. Mail	Town of East Granby	Donald R. Holtman, Esq. Katz & Seligman, LLC 130 Washington Street Hartford, CT 06106 860-547-1857 860-241-9127 dholtman@katzandseligman.com
			The Honorable James Hayden First Selectman Town of East Granby P.O. Box 1858 East Granby, CT 06026

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Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
Party (granted November 20, 2008)	<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
Intervenor (granted December 4, 2008)	<input checked="" type="checkbox"/> E-Mail	ISO New England Inc.	Anthony M. Macleod, Esq. Whitman Breed Abbott & Morgan LLC 500 West Putnam Avenue, P.O. Box 2250 Greenwich, CT 06830-2250 (203) 862-2458 amacleod@wbamct.com
	<input checked="" type="checkbox"/> U.S. Mail		Kevin Flynn, Esq. Regulatory Counsel ISO New England One Sullivan Road Holyoke, MA 01040 (413) 535-4177 kflynn@iso-ne.com
Party (granted on January 8, 2009)	<input checked="" type="checkbox"/> U.S. Mail	Office of Consumer Counsel	Mary J. Healey Consumer Counsel Ten Franklin Square New Britain, CT 06051 Mary.healey@ct.gov
	<input checked="" type="checkbox"/> E-Mail		Bruce C. Johnson Principal Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Bruce.johnson@ct.gov

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	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> E-mail	Office of Consumer Counsel Continued ...	Victoria Hackett Staff Attorney Office of Consumer Counsel 10 Franklin Square New Britain, CT 06051 860-826-2922 Fax: 860-827-2929 Victoria.hackett@ct.gov Paul Chernick, President Resource Insight, Inc. 5 Water Street Arlington, MA 02476 (781) 646-1505 ext. 207 (781) 646-1506 – fax pchernick@resourceinsight.com
Intervenor (granted on January 22, 2009)	<input checked="" type="checkbox"/> E-mail	Ice Energy, Inc.	Stephen J. Humes McCarter & English LLP 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 shumes@mccarter.com
Party (granted on February 19, 2009)	<input checked="" type="checkbox"/> E-mail	Town of Enfield	Kevin M. Deneen Office of the Town Attorney Town of Enfield 820 Enfield Street Enfield, CT 06082-2997 (860) 253-6405 (860) 253-6362 townattorney@enfield.org

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Status Granted	Document Service	Status Holder (name, address, & phone number)	Representative (name, address, & phone number)
Party (granted on 4/7/09)	<input checked="" type="checkbox"/> US Mail	City of Meriden	Deborah L. Moore, City Attorney City of Meriden City Hall, Department of Law 142 East Main Street Meriden, CT 06450-8022 (203) 630-4045 (203) 630-7907 dmoore@ci.meriden.ct.us
	<input checked="" type="checkbox"/> US Mail		Lawrence J Kendzior, City Manager Meriden City Hall 142 East Main Street Meriden, CT 06450 lkendzior@ci.meriden.ct.us
Party (if granted)	<input checked="" type="checkbox"/> US Mail	The United Illuminating Company (UI)	John J. Prete The United Illuminating Company 157 Church Street New Haven, CT 06506-1904 (203) 499-3701 (203) 499-3728 uiregulatory@uinet.com
	<input checked="" type="checkbox"/> US Mail		Linda L. Randell Senior Vice President, General Counsel and Corporate Secretary UIL Holdings Corporation 157 Church Street P.O. Box 1564 New Haven, CT 06505-0901 (203) 499-2575 (203) 499-3664 Linda.randell@uinet.com
	<input checked="" type="checkbox"/> E-mail		Bruce L. McDermott Wiggin and Dana LLP One Century Tower New Haven, CT 06508-1832 (203) 498-4340 (203) 782-2889 bmcdermott@wiggin.com

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Intervenor (if granted on June 4, 2009)	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> US Mail	The Connecticut Energy Advisory Board (CEAB)	Michele S. Riverso Assistant Attorney General 10 Franklin Square New Britain, CT 06051 (860) 827-2683 Michele.riverso@po.state.ct.us CEAB c/o Gretchen Deans CERC 805 Brook Street, Bldg. 4 Rocky Hill, CT 06067 (860) 571-7147 gdeans@cerc.com
Party (if granted on June 4, 2009)	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> US Mail	The Connecticut Department of Transportation ("CDOT")	Eileen Meskill Assistant Attorney General Office of The Attorney General 55 Elm Strteet P.O. Box 120 Hartford, CT 06141-0120 (860) 508-5090 (860) 808-5384 Eileen.meskill@po.state.ct.us Thomas A. Harley, P.E. Chief Engineer Connecticut Department of Transportation 2800 Berlin Turnpike Newington, CT 06131
Intervenor (if granted on June 4, 2009)	<input checked="" type="checkbox"/> US Mail	Farmington River Watershed Association	Eileen Fielding Farmington River Watershed Association 749 Hopmeadow Street Simsbury, CT 06070 (860) 658-4442 (860) 651-7519 efielding@frwa.org