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March 11, 2008

Daniel F. Caruso, Chairman  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

RE: PETITION NO. 831 Waterbury Generation LLC Petition for a Declaratory Ruling  
No Certificate of Environmental Compatibility and Public Need is Required for  
the Construction of an Electric Generating Facility and Associated Transmission  
Line Tap Located at 725 Bank Street, Waterbury, Connecticut

Dear Chairman Caruso:

The Connecticut Light and Power Company ("CL&P") is submitting this letter to respond to an argument made by the Petitioner, Waterbury Generation LLC ("WatGen") in its Brief to the Connecticut Siting Council ("Council") of March 3, 2008. WatGen has objected to CL&P's request for the inclusion of a condition ("condition") that WatGen provide the Council with a certification from CL&P stating that CL&P is satisfied that the proposed transmission interconnection conforms with certain CL&P requirements regarding adherence to CL&P's design and property rights standards. (See p. 5 of CL&P's brief for complete language.) WatGen mistakenly argues the condition does not address the environmental concerns that are the only issues before the Council. CL&P's proposed condition is most relevant to the Council's decision in this matter in that it ensures the transmission line interconnection will not have a substantial adverse environmental impact. The conditions that CL&P requires for a transmission interconnection are the only way to ensure the environment will be protected because of CL&P's well established environmental practices and safety standards.

At this point in the Council's decision making process the Council cannot make those assurances with regard to the transmission interconnection without including the language that CL&P has requested. Since WatGen is still in the negotiating stage with MetroNorth, the environmental uncertainties of the final design and right of way ("ROW") agreements can only be allayed by including CL&P's requested condition. CL&P's condition not only addresses direct environmental concerns, such as location of structures, but addresses the concern that the line can be operated in the most

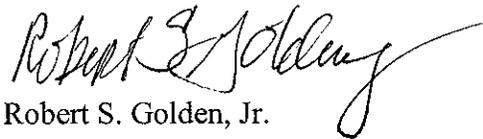
environmentally sensitive and safe manner to meet operational and reliability standards mandated by a myriad of regulatory requirements.

WatGen's ability or inability to obtain from MetroNorth the type of permanent easements and agree to a design that CL&P needs in order to safely access, operate, maintain, repair, replace and upgrade the proposed transmission facilities is relevant to the Council's assessment of human safety, the impact on the natural environment and the viability of the proposed interconnection.

Moreover, the Council has jurisdiction to include a condition requiring the Petitioner to obtain a certificate from CL&P that its transmission interconnection ROW and facility design meets CL&P transmission standards. The language proposed by CL&P tracks that found in Condition No. 7 in the Council's Decision and Order in *The Petition of Plainfield Renewable Energy, LLC*, Petition No. 784, where the environmental concerns regarding the ROW for the transmission interconnection was a major issue. The precedent established in Petition 786 is particularly appropriate in this instant Petition since it too involved a route along a railroad ROW.

Furthermore, WatGen states in its brief that it has already agreed to procure for the benefit of CL&P permanent easements from MetroNorth that will satisfy CL&P's requirements. (WatGen's Brief p. 13) In addition, WatGen has repeatedly declared it is willing to design the transmission interconnection to meet CL&P's standards. It appears from the record that WatGen has already agreed in substance to CL&P's condition.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert S. Golden, Jr.", written in black ink.

Robert S. Golden, Jr.

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