



Daniel F. Caruso
Chairman

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

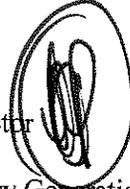
Internet: ct.gov/esc

November 8, 2007

TO: Council Members

FROM: S. Derek Phelps, Executive Director

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.



Enclosed please find a copy of the Council's notice of public hearing.

SDP/cm

Enclosure (1)

c: Secretary of the State
Robert L. Marconi, Assistant Attorney General
Parties and Intervenors
Application Service Recipients
Ginger Teubner, DPUC



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November 8, 2007

TO: Commissioner Gina McCarthy
Department of Environmental Protection

Commissioner J. Robert Galvin
Department of Public Health

Karl Wagener, Executive Director
Council on Environmental Quality

Commissioner Donald W. Downes, Chairman
Department of Public Utility Control

Robert Genuario, Secretary
Office of Policy and Management

Commissioner Joan McDonald
Department of Economic and Community Development

Arthur W. Gruhn, P.E.
Chief Engineer, Bureau of Engineering and Highway Operations
Department of Transportation

FROM: S. Derek Phelps, Executive Director

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.

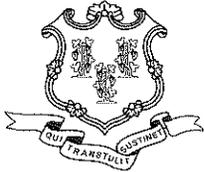
Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before December 13, 2007, will be appreciated.

A copy of this petition is attached for your review and information.

Enclosure: Petition for Declaratory Ruling

SDP/cm

c: Parties & Intervenors
Council Members



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November 8, 2007

TO: Classified/Legal Supervisor
831071108
The Hartford Courant
285 Broad St.
Hartford, CT 06115

Classified/Legal Supervisor
831071108
Waterbury Republican American
P.O. Box 2090
Waterbury, CT 06722

FROM: Carriann Mulcahy, Secretary I

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.

Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

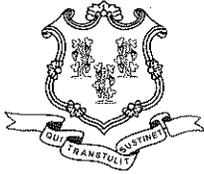
cm

Enclosure (1)



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer



Daniel F. Caruso
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November 8, 2007

Joseph Reese
Tech Theatrical Services, LLC
98 Knight Street
Watertown, CT 06795

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 Mr. Reese:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject petition on:

Thursday, December 20, 2007
3:00-5:00 p.m. & 7:00-10:00 p.m.
Sovereign Bank Building
Brass City Room, 2nd Floor
26 Kendrick Avenue
Waterbury, CT 06702

I am enclosing a copy of our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Carriann Mulcahy
Secretary I

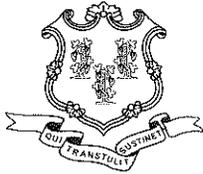
cm

Enclosure



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer



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November 8, 2007

Ruth Girolomo
Post Reporting Service, Inc.
2015 Dixwell Avenue
Hamden, CT 06514

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 Ms. Girolomo:

In reference to our telephone conversation, your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject petition on:

Thursday, December 20, 2007
3:00-5:00 p.m. & 7:00-10:00 p.m.
Sovereign Bank Building
Brass City Room, 2nd Floor
26 Kendrick Avenue
Waterbury, CT 06702

The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of the petition filing and our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Carriann Mulcahy
Secretary I

cm

Enclosure (2)



CONNECTICUT SITING COUNCIL
Affirmative Action / Equal Opportunity Employer

Screening Checklist
Connecticut Department of Transportation
Potential Transportation Infrastructure Impacts
Connecticut Siting Council Petition # 831
Location: 725 Bank Street, Waterbury, Connecticut

1. Is the proposed facility abutting the right-of-way of a State maintained highway?

No

2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway

No

3. Does the proposed construction or maintenance of the proposed facility impact any licensed aviation facility (L.A.F.)? Definition: L.A.F. is a facility licensed to operate by DOT, airport, heliport or parachute coop area.

FAA approval pending for 213-foot exhaust stack.

4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?

Abuts the Consolidated Rail Corp. railway. (See Tab 9)



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Daniel F. Caruso
Chairman

November 8, 2007

Victor Diaz
City Clerk's Office
City of Waterbury
236 Grand Street
Waterbury, CT 06702

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 Mr. Diaz:

Confirming our telephone conversation of October 25, 2007, I appreciate the reservation of the Brass City Room at the Sovereign Bank Building for a public hearing on December 20, 2007, from 2:00 p.m. to 10:00 p.m.

For your information, I have attached a general plan for seating arrangements.

If any other information is needed, please contact me at my office. Thank you for your assistance.

Very truly yours,

Carriann Mulcahy
Secretary I

cm

Enclosure (1)

Seating Arrangements:

X X X X X X X X X X X X

Council Table
(seating for twelve)
(x = chairs)

X
X
Table for
Court Reporter
(x = chairs)

Applicant Table
(x = chairs)

X X X X

Party Table
(seating for three)
(x = chairs)

X X X

Podium for public

SEATING FOR PUBLIC
(chairs facing Council table)



Daniel F. Caruso
Chairman

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November 8, 2007

The Honorable Michael Bronko
Mayor
Town of Naugatuck
229 Church Street
Naugatuck, CT 06770

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 Mayor Bronko:

The Connecticut Siting Council (Council) has received a petition for declaratory ruling for the above referenced project in the City of Waterbury. On November 5, 2007, the Connecticut Siting Council (Council) scheduled a public hearing in Waterbury in connection with the above-referenced proceeding scheduled on December 20, 2007.

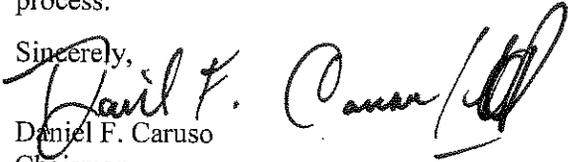
Connecticut General Statute § 16-501(p) provides for municipalities within 2,500 feet of a proposed facility to receive adequate notice of the project. The Town of Naugatuck is within 2,500 feet of the proposed facility. Although not required by law in a petition for declaratory ruling, the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

Please be advised that the Council's processes enable municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

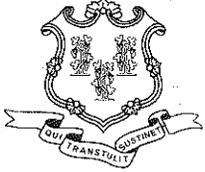
Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,


Daniel F. Caruso
Chairman

DFC/SDP/cm



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November 8, 2007

The Honorable Michael J. Jarjura
Mayor
City of Waterbury
City Hall
235 Grand Street
Waterbury, CT 06702

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 Mayor Jarjura:

On November 5, 2007, the Connecticut Siting Council (Council) scheduled a public hearing in your town in connection with the above-referenced proceeding scheduled on December 20, 2007. Although not required by law in a petition for declaratory ruling, the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

Please be advised that the Council's processes enable municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

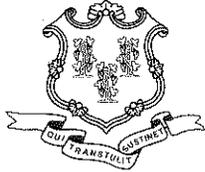
Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

Daniel F. Caruso
Chairman

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HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Thursday, December 20, 2007, beginning at 3:00 p.m., and continued at 7:00 p.m., at the Sovereign Bank Building, Brass City Room, 2nd Floor, 26 Kendrick Avenue, Waterbury, CT 06702, and thereafter as necessary. The hearing will be on a petition for a declaratory ruling from Waterbury Generation LLC that no Certificate of Environmental Compatibility and Public Need is required for the construction of an electric generating facility located at 725 Bank Street, Waterbury, Connecticut. The project also includes an associated 1.8 mile long transmission line extending south of the site.

The purpose of the hearing is to hear evidence on the applicant's contentions that no significant adverse environmental effects would result from the construction and operation of an electric generating facility and associated transmission line tap.

The 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Arguments will be entertained in writing after the close of the last hearing session. The 7:00 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of the proposed site on Thursday, December 20, 2007, beginning at 2:00 p.m. at 725 Bank Street, Waterbury, Connecticut.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council will hold a pre-hearing conference on procedural matters on Monday, November 26, 2007, beginning at 10:00 a.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by December 13, 2007. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.



CONNECTICUT SITING COUNCIL
Affirmative Action / Equal Opportunity Employer

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before December 13, 2007.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council at the hearing or any time up to 30 days thereafter. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the City Clerk's Office of the Waterbury City Hall and the Town Clerk's Office of the Naugatuck Town Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by December 17, 2007.

The applicant of this facility is represented by the following:

Applicant

Waterbury Generation, LLC

Its Representative

Joey Lee Miranda, Esq.
Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935. The Council has assigned this petition no. 831

November 8, 2007

Connecticut Siting Council