

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](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

February 6, 2008

TO: Council Members

FROM: S. Derek Phelps, Executive Director

RE: **PETITION NO. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

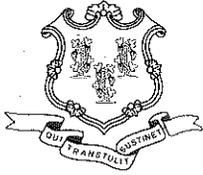
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Enclosed please find a copy of the Council's notice of public hearing.

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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### 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 Tuesday, March 4, 2008, beginning at 3:00 p.m., and continued at 7:00 p.m., at the Bridgeport City Hall Council Chambers, 45 Lyon Terrace, Bridgeport, Connecticut, and thereafter as necessary. The hearing will be on a petition from Bridgeport Energy II, LLC for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW peaking facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

The 3:00 p.m. hearing session will provide the petitioner, parties, and intervenors an opportunity to cross-examine positions. The petitioner will be allowed a final rebuttal. Briefs will be entertained 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 Tuesday, March 4, 2008, beginning at 2:00 p.m.

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 Friday, February 15, 2008, 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 February 26, 2008. 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.

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 February 26, 2008.

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 Bridgeport City 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 February 26, 2008.

The applicant of this facility is represented by the following:

**Petitioner**

Bridgeport Energy II, LLC

**Its Representative**

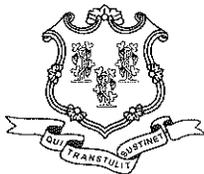
D. Blake Wheatley  
General Manager  
LS Power Development, LLC  
400 Chesterfield Center, Suite 110  
St. Louis, MO 63017

Mark R. Sussman, Esq.  
Murtha Cullina, LLP  
CityPlace I, 29<sup>th</sup> Floor  
185 Asylum Street  
Hartford, CT 06103-3469

A copy of the petition 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. 841.

February 6, 2008

Connecticut Siting Council



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Chairman

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CONNECTICUT SITING COUNCIL

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February 6, 2008

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. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

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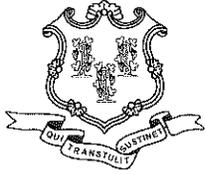
Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before February 26, 2008, will be appreciated.

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

Enclosure: Petition No. 841

SDP/cm

c: Parties & Intervenors  
Council Members



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### Screening Checklist

#### Connecticut Department of Transportation

#### Potential Transportation Infrastructure Impacts

#### Connecticut Siting Council Petition No. 841

#### Location: 10 Atlantic Street, Bridgeport, 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.  
No
4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?  
No



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February 6, 2008

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

RE: **PETITION NO. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

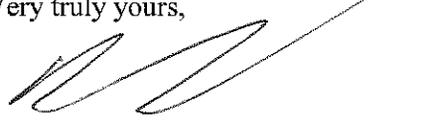
Dear Ms. Girolomo:

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

**March 4, 2008**  
**3:00-5:00 p.m. and 7:00-10:00 p.m.**  
**Bridgeport City Hall Council Chambers**  
**45 Lyon Terrace**  
**Bridgeport, Connecticut**

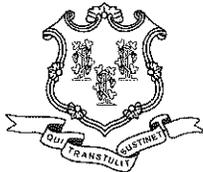
The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of the application filing and our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

  
Carriann Mulcahy  
Secretary I

cm

Enclosure (2)



Daniel F. Caruso  
Chairman

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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February 6, 2008

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

RE: **PETITION NO. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

Dear Mr. Reese:

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

**March 4, 2008**  
**3:00-5:00 p.m. and 7:00-10:00 p.m.**  
**Bridgeport City Hall Council Chambers**  
**45 Lyon Terrace**  
**Bridgeport, Connecticut**

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



Daniel F. Caruso  
Chairman

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February 6, 2008

TO: Classified/Legal Supervisor  
**841080206**  
The Connecticut Post  
410 State Street  
Bridgeport, CT 06604

Classified/Legal Supervisor  
**841080206**  
Bridgeport News  
Hometown Publications  
1000 Bridgeport Avenue  
Shelton, CT 06484

FROM: Carriann Mulcahy, Secretary 

RE: **PETITION NO. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

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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.

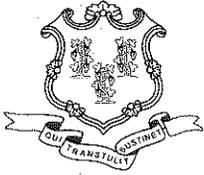
Please send affidavit of publication and invoice to: Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

cm

Enclosure (1)



CONNECTICUT SITING COUNCIL  
Affirmative Action / Equal Opportunity Employer



Daniel F. Caruso  
Chairman

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CONNECTICUT SITING COUNCIL

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February 6, 2008

The Honorable Bill Finch  
Mayor  
City of Bridgeport  
999 Broad Street  
Bridgeport, CT 06604

RE: **PETITION NO. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

Dear Mayor Finch:

The Connecticut Siting Council (Council) has scheduled a public hearing on March 4, 2008, in your city in connection with the above-referenced proceeding. Although not required by law in a petition for declaratory ruling, because of the nature of this filing 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 City'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



Daniel F. Caruso  
Chairman

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CONNECTICUT SITING COUNCIL

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February 6, 2008

Ann Murray  
Assistant City Clerk  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

RE: **PETITION NO. 841** – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut.

Dear Ms. Murray:

Confirming our telephone conversation of January 7, 2008, I appreciate the reservation of the Council Chambers at the Bridgeport City Hall for a public hearing on March 4, 2008, 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,

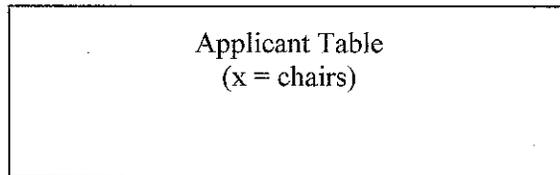
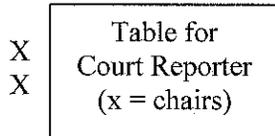
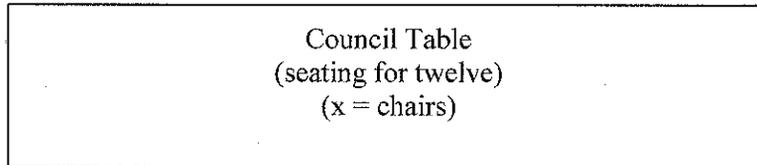
Carriann Mulcahy  
Secretary I

cm

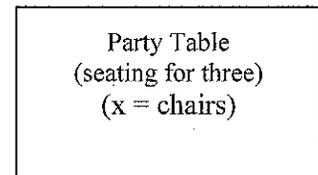
Enclosure (1)

## Seating Arrangements:

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