

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)

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

August 27, 2009

Robert S. Golden, Jr.  
Carmody & Torrance LLP  
50 Leavenworth Street  
P.O. Box 1110  
Waterbury, CT 06721-1110

RE: **PETITION NO. 907** – Montville Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the retrofit and operation of a 40 MW Biomass-Fueled Generation Unit at the Montville Station in Uncasville, Connecticut.

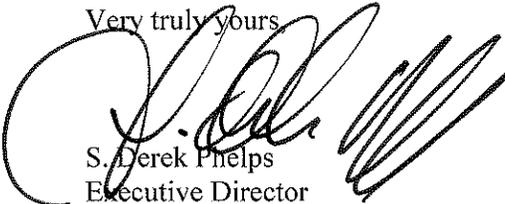
Dear Attorney Golden:

We are in receipt of your letter of August 25, 2009, requesting party status for The Connecticut Light and Power Company in Petition No. 907.

The Connecticut Siting Council (Council) does not have a meeting scheduled before the September 16, 2009 hearing date with this matter on the agenda. Therefore, your request will be taken up as an order of business at the hearing on September 16, 2009 at the Montville Town Hall Council Chamber, 310 Norwich-New London Turnpike, Uncasville, Connecticut. Copies of the application are available at the Montville Town Hall. All documents filed to date are available at the Council's office or on our website.

Please contact me if you have any questions.

Very truly yours,



S. Derek Phelps  
Executive Director

SDP/RDM/laf

Enclosure: Hearing Notice

c: Parties and Intervenors

CONNECTICUT SITING COUNCIL E-MAIL SERVICE OF DOCUMENTS

Pursuant to Section 16-1-15 of the Regulations of Connecticut State Agencies, the Connecticut Siting Council (Council) is offering the use of e-mail to deliver its outgoing documents and for service among participants. Individuals and companies can elect to receive most regulatory documents by e-mail rather than by U.S. mail. (Final Decisions will still be sent certified mail to participants.) This will provide a more rapid and efficient delivery of documents, reduces waste, and minimizes cost.

This is voluntary. However, those who prefer U.S. mail delivery of all documents will receive them one or more days later than those who opt for e-mail service.

The service list for each proceeding will identify those who have agreed to electronic service and their e-mail address(es). The Council emphasizes that those who accept e-mail delivery do not give up their right to request copies of bulk items or specific filings as necessary. If a request is received, the participant who generated the document(s) should provide the hard copy(ies).

Please note, however, that all proceeding submissions to the Council still need to be filed with an original and .15 copies for staff and Council member distribution, as well as an electronic filing to facilitate the Council's ability to place pending proceeding documents of the record on the Council's website ([www.ct.gov/csc](http://www.ct.gov/csc) under the link Pending Proceedings).

To accept electronic service of documents, please complete the form below and mail it to The Connecticut Siting Council, Ten Franklin Square, New Britain, Connecticut 06051 or e-mail the document to [siting.council@ct.gov](mailto:siting.council@ct.gov). Please note that this form need only be completed once for all pending and future proceedings. You may contact us at any time if you wish to add addresses, change e-mail information, or be removed from this service.

Thank you for assistance in implementing these cost-saving and environmentally friendly efforts.

.....  
I authorize e-mail service of documents in Connecticut Siting Council proceedings in which I am associated rather than U.S. mail.

NAME \_\_\_\_\_

COMPANY/FIRM \_\_\_\_\_

STREET \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

E-MAIL ADDRESS(ES) TO USE \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



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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 Wednesday, September 16, 2009, beginning at 3:00 p.m., and continued at 7:00 p.m., at the Montville Town Hall Council Chamber, 310 Norwich-New London Turnpike, Uncasville, Connecticut, and thereafter as necessary. The hearing will be on a petition from Montville Power LLC for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the retrofit and operation of a 40 MW Biomass-Fueled Generation Unit at the Montville Station in Uncasville, Connecticut.

The purpose of the hearing is to hear evidence on the petitioner's contentions that no significant adverse environmental effects would result from the retrofit of an existing oil and gas-fired generator to wood biomass fuel to produce up to 40 MW of renewable energy. The retrofit would also enable the generator to use ultra-low sulfur distillate fuel to produce 82 MW of power.

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. 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 Wednesday, September 16, 2009, 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 Wednesday, September 2, 2009, 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 September 9, 2009. 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 September 9, 2009.

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 Town Clerk's Office of the Montville Town Hall and the Ledyard 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 September 9, 2009.

The applicant of this facility is represented by the following:

**Petitioner**

Montville Power LLC

**Its Representative**

Andrew W. Lord, Esq.  
Murtha Cullina LLP  
CityPlace I, 29<sup>th</sup> Floor  
185 Asylum Street  
Hartford, CT 06103

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 docket no. 907.

August 20, 2009

Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Applicant</b>	<input checked="" type="checkbox"/> U.S. Mail	Montville Power LLC	Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29 <sup>th</sup> Floor 185 Asylum Street Hartford, CT 06103 (860) 240-6180 (860) 240-6150 <a href="mailto:alord@murthalaw.com">alord@murthalaw.com</a>
	<input checked="" type="checkbox"/> U.S. Mail		Julie L. Friedberg, Esq. Senior Counsel NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-5232 (609) 524-4941
	<input checked="" type="checkbox"/> U.S. Mail		Judith Lagano Director – Asset Management NRG Energy, Inc. c/o Montville Power LLC 74 Lathrop Road Uncasville, CT 06382 (203) 854-3625 (203) 854-3658
	<input checked="" type="checkbox"/> U.S. Mail		Jonathan Baylor Senior Analyst, Development & Asset Management NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540 (609) 524-4958 (609) 524-4941
<b>Party (if granted on 9/16/09)</b>	<input checked="" type="checkbox"/> U.S. Mail	The Connecticut Light and Power Company	John R. Morissette Manager – Transmission Siting & Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 <a href="mailto:morisjr@nu.com">morisjr@nu.com</a>

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<p align="center"><b>Party (if granted on 9/16/09)</b></p>	<input checked="" type="checkbox"/> U.S. Mail	<p>The Connecticut Light and Power Company continued....</p>	<p>Jeffery D. Cochran, Esq. Senior Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3548 (860) 665-5504 fax <a href="mailto:cochrjd@nu.com">cochrjd@nu.com</a></p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Robert S. Golden, JR., Esq. Carmody &amp; Torrance LLP P.O. Box 1110 50 Leavenworth Street Waterbury, CT 06721-1110 (203) 573-1200 (203) 575-2600 <a href="mailto:rgolden@carmodylaw.com">rgolden@carmodylaw.com</a></p>
	<input checked="" type="checkbox"/> U.S. Mail		<p>Anthony M. Fitzgerald, Esq. Carmody &amp; Torrance LLP P.O. Box 1950 195 Church St., 18<sup>th</sup> Floor New Haven, CT 06509-1950 (203) 777-5501 <a href="mailto:afitzgerald@carmodylaw.com">afitzgerald@carmodylaw.com</a></p>