

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

June 13, 2006

John A. DeTore, Esq.
Rubin and Rudman LLP
50 Rowes Wharf
Boston, MA 02110-3319

RE: **PETITION NO. 658** - Waterside Power, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a temporary 69.2 MW peaking project in Stamford, Connecticut.

Dear Attorney DeTore:

At a public meeting of the Connecticut Siting Council held on June 7, 2006, the Connecticut Siting Council (Council) considered and approved a portion of the revised Development and Management (D&M) Plan submitted for this project on March 31, 2006, regarding the installation of additional equipment, the extension of the hours of operation, and operation during emergency as well as operating reserve until October 1, 2006. The continuance of operation past October 31, 2006 would require an approval from the Council either via the applicant submitting a petition filing or an application for a Certificate of Environmental Compatibility and Public Need prior to July 31, 2006, to allow a hearing proceeding to take place.

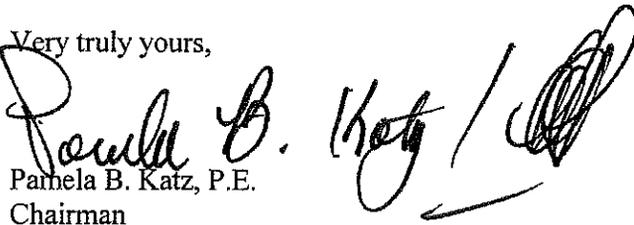
The Council also recommends additional vegetation along the western boundary of the parcel and the elimination of some of the paved area along the southwest boundary of the parcel.

This approval applies only to the D&M Plan submitted on March 31, 2006. Any changes to the D&M Plan require advance Council notification and approval.

Any deviation from this format may result in the Council implementing enforcement proceedings pursuant to General Statutes § 16-50u including, without limitation, imposition of expenses resulting from such failure and of civil penalties in an amount not less than one thousand dollars per day for each day of construction or operation in material violation.

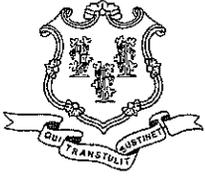
Thank you for your attention and cooperation.

Very truly yours,


Pamela B. Katz, P.E.
Chairman

Enclosure: Staff Report, dated June 7, 2006
PBK/CML/laf

c: Debra A. Redfern, ABBDS Block Association
Honorable Daniel P. Malloy, Mayor, City of Stamford
Robin Stein, Zoning Enforcement Officer, City of Stamford



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Petition No. 658
Waterside Power LLC
Third Revised Development and Management Plan
Staff Report
June 7, 2006

On March 31, 2006, Waterside Power LLC (Waterside) submitted a third Revised Development and Management Plan (D&M) for its temporary 69.2-megawatt peaking project in Stamford, Connecticut. The revision is necessary to allow the plant to qualify in the new Locational Forward Reserve Market (LFRM). The LFRM recognizes the need for operating reserves in transmission constrained areas in the event of the loss of a first or second contingency element. Waterside now proposes to increase the reliability of the facility during severe winter weather, and extend the hours of operation from the currently approved 7:00 a.m.-8:00 p.m. to 7:00 a.m.-11:00 p.m.

The proposed additional equipment at the peaking project would include four mobile water heaters for anti-icing protection; the use of three turbine unit enclosures to protect equipment from freezing; the enclosure of the two pump skids to protect the existing pumping equipment; and the paving of a portion of the site to allow snow clearing for access during the winter.

The primary impact of the proposed modifications would be noise impacts when the facility is operating. On May 17, 2006, the Council approved exhaust silencers as part of these modifications to reduce noise impacts from the facility.

The LFRM is needed because transmission constraints and increased electric demands in the southwestern Connecticut area create reliability and economic issues in Connecticut.

On March 5, 2004, the Council approved the operation of the peaking project year round for a period of five years beginning June 1, 2004. At that time Waterside proposed to limit its operating hours to 8:00 p.m.; however, the Council stated that Waterside may operate past these hours, during an emergency, without permission from the Council.

Waterside must obtain all necessary approvals in time to bid in the August, 2006 ISO-NE auction to be available as a reserve resource in southwestern Connecticut this winter.

Waterside contends that expansion beyond this proposed revision to the D&M Plan would prompt them to proceed with an application for a Certificate of Environmental Compatibility and Public Need.