



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

September 29, 2016

TO: Parties and Intervenors

FROM: Melanie Bachman, Acting Executive Director *MB*

RE: **DOCKET NO. 470** – NTE Connecticut, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 550-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut.

At a pre-hearing conference held September 28, 2016, in Hearing Room 3, 10 Franklin Square, New Britain, Connecticut, and attended by Kenneth C. Baldwin, Esq. and Earl Phillips, Esq. of Robinson & Cole LLP, John Bashaw, Esq. of Reid and Riege, P.C., and Sean Hendricks, Town Manager of the Town of Killingly, the Connecticut Siting Council (Council) requested that the following format be used for the public hearings including the field review and public comment session scheduled on October 20, 2016 and the evidentiary hearing scheduled on November 3, 2016.

Pre-hearing Procedure

1. On or before October 20, 2016, all parties and intervenors are requested to exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before October 27, 2016, all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before October 27, 2016.
4. All filings are to be in accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies the Council requires an original and 15 copies of all filings. The Council is requesting 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.
5. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, at least ten business days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, a sign not less than six feet by four feet at the entrance to each property from a public road where the proposed facility is to be located. The sign shall set forth the name of the applicant, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number).



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6. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.

Hearing Procedure

7. A public field review of the proposed site will be held on Thursday, October 20, 2016, beginning at 3:30 p.m. The applicant will fly a balloon at the proposed stack location between the hours of 8:00 a.m. and 6:00 p.m., weather permitting, during the field review.
8. The 6:30 p.m. public comment session on October 20, 2016, will be reserved for the public to make brief statements into the record. The Council requests that the applicant conduct a brief presentation prior to public comment, using 24-inch by 36-inch diagrams depicting site features, including a map showing abutting properties, or other form of presentation such as a video or PowerPoint presentation. The diagrams or other form of presentation must be from materials already submitted into the record.
9. The Council will provide public officials who have not been granted party or intervenor status an opportunity to make a statement.
10. The 11:00 a.m. November 3, 2016 evidentiary session will provide the applicant, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the applicant and all other parties and intervenors.
11. All participants are requested to place nameplates on the table in front of each witness at the hearing.
12. The order of appearances and cross-examination will be governed by a hearing program developed by the Council for the proceeding. The Council may issue a draft version of the hearing program to parties and intervenors prior to the November 3, 2016 hearing.
13. The Council may, at its discretion, group parties and intervenors with the same interest.
14. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
15. Pursuant to Section 16-50j-15b of the Regulations of Connecticut State Agencies, any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written statements into the record.
16. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants. Public statements will be limited to 3 minutes in fairness to everyone that wishes to speak.

Post-hearing procedure

17. A verbatim transcript of the hearing session will be made and deposited with the Killingly, Putnam, and Pomfret Town Clerk's Offices for the convenience of the public.
18. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.
19. Members of the public will be allowed to submit written statements into the record within 30 days after the close of the hearing.
20. Deadlines for briefs, proposed findings of fact, and written statements will be final and no extensions will be granted.

Thank you for your cooperation.

MB/MP/cm

Enclosure: Administrative Notice List