



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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Hearing Program  
Docket No. 470  
Thursday, January 26, 2017  
11 a.m.  
Hearing Room 1  
Ten Franklin Square  
New Britain, Connecticut

I. Opening by Council

- A. Statement read by Chair.
- B. Comments by Public Official(s) (if any)
- C. Motions
- D. Administrative Notice taken by Council

**FEDERAL**

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, (June 2002), available at [http://www.niehs.nih.gov/health/materials/electric\\_and\\_magnetic\\_fields\\_associated\\_with\\_the\\_use\\_of\\_electric\\_power\\_questions\\_and\\_answers\\_english\\_508.pdf#search=EMF,%20electric%20power](http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf#search=EMF,%20electric%20power)
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
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4. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Memorandum on Technical Guidance and Assessment Tool for Evaluation of Thermal Exhaust Plume Impact on Airport Operations*, September 24, 2015, available at [https://www.faa.gov/airports/environmental/land\\_use/media/Technical-Guidance-Assessment-Tool-Thermal-Exhaust-Plume-Impact.pdf](https://www.faa.gov/airports/environmental/land_use/media/Technical-Guidance-Assessment-Tool-Thermal-Exhaust-Plume-Impact.pdf)
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7. PRESIDENTIAL EXECUTIVE ORDER NO. 13636, *Improving Critical Infrastructure Cybersecurity*, 78 FED. REG. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>

8. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, July 2010, available at <http://www.nps.gov/history/nr/research/index.htm>
9. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at <http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf>
10. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review: Energy Transmission, Storage, and Distribution Infrastructure*, April 2015, available at <http://energy.gov/epsa/downloads/quadrennial-energy-review-full-report>
11. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review Second Installment: Transforming the Nation's Electricity System*, January 2017, available at <https://energy.gov/epsa/downloads/quadrennial-energy-review-second-installment>
12. U.S. FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
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14. CENTERS FOR DISEASE CONTROL AND PREVENTION, Air Quality, Air Pollutants, November 24, 2014, available at <http://www.cdc.gov/air/pollutants.htm>
15. UNITED STATES CENSUS BUREAU, AMERICAN FACT FINDER available at <http://factfinder.census.gov/faces/tableservices/jsf/pages/index.xhtml>

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24. REGIONAL GREENHOUSE GAS INITIATIVE, INC., RGGI FACT SHEET, last updated August 2016, available at [https://www.rggi.org/docs/Documents/RGGI\\_Fact\\_Sheet.pdf](https://www.rggi.org/docs/Documents/RGGI_Fact_Sheet.pdf)
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38. CONNECTICUT SITING COUNCIL, DOCKET NO. 187 - PDC - El Paso Milford LLC for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of the proposed Milford Power Project located off of Oronoque Road in Milford, Connecticut. Record and Final Decision.
39. CONNECTICUT SITING COUNCIL, DOCKET NO. 187A - Milford Power Company, LLC Certificate of Environmental Compatibility and Public Need for the Milford Power Project located off of Oronoque Road in Milford, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) to Modify the Decision and Order in Docket 187 to Allow Milford Power Company, LLC to Suspend its Backup Fuel System Based on Changed Conditions the attachment of conditions to the certificate consistent with the findings and recommendations contained in the Final Report issued by the Kleen Energy Plant Investigation Review Panel and the recommendations of the Thomas Commission. Record and Final Decision.
40. CONNECTICUT SITING COUNCIL, DOCKET NO. 189 - Lake Road Generating Company L.P. Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed electric generating facility located off of Lake Road in Killingly, Connecticut. Record and Final Decision.
41. CONNECTICUT SITING COUNCIL, DOCKET NO. 189A – Lake Road Generating Company Certificate of Environmental Compatibility and Public Need for an electric generating facility located off of Lake Road in Killingly, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) to Modify the Decision and Order in Docket 189 to Allow Lake Road Generating Company to Suspend its Backup Fuel System Based on Changed Conditions. Record and Final Decision.
42. CONNECTICUT SITING COUNCIL, DOCKET NO. 190 - PDC - El Paso Meriden LLC for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of the proposed Meriden Power Project located in the City of Meriden and the Town of Berlin, Connecticut. Record and Final Decision.
43. CONNECTICUT SITING COUNCIL, DOCKET NO. 190A - Meriden Gas Turbines, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 530 MW combined cycle generating plant in Meriden, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) limited to Council consideration of changed conditions and of the attachment of conditions to the certificate consistent with the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel (Nevas Commission) and the findings and recommendations in the Executive Report issued by the Thomas Commission. Record and Final Decision.
44. CONNECTICUT SITING COUNCIL, DOCKET NO. 190B - Meriden Gas Turbines, LLC Certificate of Environmental Compatibility and Public Need for a 530 MW combined cycle generating plant in Meriden, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) limited to Council consideration of changed conditions and Decommissioning Plan. Record and Final Decision.

45. CONNECTICUT SITING COUNCIL, DOCKET NO. 192B - CPV Towantic, LLC Motion to Reopen and Modify the June 23, 1999 Certificate of Environmental Compatibility and Public Need based on changed conditions pursuant to Connecticut General Statutes §4-181a(b) for the construction, maintenance and operation of a 785 MW dual-fuel combined cycle electric generating facility located north of the Prokop Road and Towantic Hill Road intersection in the Town of Oxford, Connecticut. Record and Final Decision.
46. CONNECTICUT SITING COUNCIL, DOCKET NO. 370 - The Connecticut Light & Power Company Certificate of Environmental Compatibility and Public Need for the Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, terminating at the North Bloomfield Substation. Record and Final Decision.
47. CONNECTICUT SITING COUNCIL, DOCKET NO. NT-2010 - Reopening of final decisions pursuant to C.G.S. §4-181a(b) for jurisdictional natural gas-fired electric generating facilities under C.G.S. §16-50i(a)(3) and C.G.S. §16-50k(a) limited to Council consideration of changed conditions and the attachment of conditions to the certificates and declaratory rulings consistent with the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel (Nevan Commission) and the findings and recommendations in the Executive Report issued by the Thomas Commission, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=962&q=467870>
48. CONNECTICUT SITING COUNCIL, PETITION NO. 377 - United Illuminating declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for modifications to the Bridgeport Harbor Station facility in Bridgeport. Record and Final Decision.
49. CONNECTICUT SITING COUNCIL, PETITION NO. 377A - Bridgeport Energy, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the approval modification in Petition No. 377 for the existing Bridgeport Harbor Station 520 MW combined cycle gas turbine generating facility, in Bridgeport, Connecticut. Record and Final Decision.
50. CONNECTICUT SITING COUNCIL, PETITION NO. 1072 – Algonquin Gas Transmission, LLC Declaratory Ruling Regarding the Jurisdiction of the Connecticut Siting Council over the construction or replacement of natural gas pipeline facilities in the towns of Danbury, Cromwell/Rocky Hill, Lebanon/Franklin/Norwich and Montville, Connecticut; modifications to compressor stations in the towns of Oxford, Cromwell and Chaplin Connecticut; modifications to metering stations in the towns of Berlin, Danbury, Farmington, Glastonbury, Guilford, Middletown, Montville, North Haven, Norwich, Plainville, Pomfret, Putnam, Southbury, Vernon and Windham, Connecticut; and for recommendations regarding siting, environmental mitigation measures, and construction procedures to the Federal Energy Regulatory Commission.
51. CONNECTICUT SITING COUNCIL, PETITION NO 1217– Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed separation of the existing 1779/1777 115 kilovolt (kV) electric transmission lines for 1.6 miles within existing right of way from Bloomfield Substation to Bloomfield Junction; proposed separation of the existing 1751/1777 115kV electric transmission lines for 5.3 miles within existing right of way from Bloomfield Junction to North Bloomfield Substation; modifications to the existing overhead 1779 115 kV electric transmission line to loop into the Rood Avenue Substation via underground cables; including related transmission line structure improvements; and modifications to the Bloomfield Substation, 40 Crestview Drive and North Bloomfield Substation, 2 Hoskins Road both in Bloomfield, Connecticut and modifications to the Rood Avenue Substation located at 275 Rood Avenue, Windsor, Connecticut. Record (Separation of Double Circuit)



52. CONNECTICUT SITING COUNCIL, PETITION NO 1218 - PSEG Power Connecticut LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a new 485 megawatt (MW) dual fuel combined-cycle electric generating facility at the existing Bridgeport Harbor Station located at 1 Atlantic Street, Bridgeport, Connecticut. Record and Final Decision.
53. *Fairwind, Inc., et al v. Connecticut Siting Council*, 313 Conn. 669 (2014)
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### **Department of Transportation**

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**Other State Agencies**

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### **ENVIRONMENTAL**

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## **MAPS**

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### E. State Agency comments

1. Department of Transportation, dated September 15, 2016
2. Department of Public Health, Drinking Water Section, dated October 24, 2016
3. Department of Energy and Environmental Protection, dated November 7, 2016
4. Department of Public Health, Drinking Water Section, dated January 19, 2017

### F. Municipal comments

1. Pomfret Conservation Commission, dated August 14, 2016

### G. Public Official Comments

1. State Senator Mae Flexer, dated October 20, 2016
2. State Representative Danny Rovero, dated October 25, 2016

## II. Appearance by Applicant

Applicant: NTE Connecticut, LLC

Representatives: Kenneth C. Baldwin, Esq.  
James Ray, Esq.  
Robinson & Cole LLP

### A. Administrative Notice.

1. ISO-New England-2016 Regional Electricity Outlook ([https://www.iso-ne.com/static-assets/documents/2016/03/2016\\_reo.pdf](https://www.iso-ne.com/static-assets/documents/2016/03/2016_reo.pdf)).
2. ISO-New England – The Transformation of the New England Power System: Infrastructure Needs and Market Implications, September 28, 2016 ([https://www.iso-ne.com/static-assets/documents/2016/09/gvw\\_nec\\_9\\_28\\_2016.pdf](https://www.iso-ne.com/static-assets/documents/2016/09/gvw_nec_9_28_2016.pdf)).
3. ISO-New England -Master Forward Capacity Auction #11 Schedule, Revised August 6, 2015.
4. PowerMarketsToday - ISO-NE tells FERC gas situation OK this winter, October 21, 2016 (<http://www.powermarketstoday.com/public/ISONE-tells-FERC-gas-situation-OK-this-winter.cfm>).
5. ISO-New England - State of the Grid: Managing a System in Transition, January 21, 2015 ([https://www.iso-ne.com/static-assets/documents/2015/01/stateofgrid\\_presentation\\_01212015.pdf](https://www.iso-ne.com/static-assets/documents/2015/01/stateofgrid_presentation_01212015.pdf)).
6. ISO-New England - ISO-NE Capacity Auction Secures Sufficient Power System Resources, At a Lower Price, for Grid Reliability in 2019-2020, February 11, 2016 ([https://www.iso-ne.com/static-assets/documents/2016/02/20160211\\_fca10\\_initialresul\\_final.pdf](https://www.iso-ne.com/static-assets/documents/2016/02/20160211_fca10_initialresul_final.pdf)).
7. Andrew Coffman Smith, S&P Global, ISO New England's van Welie warns energy crunch, green push could lead to blackouts, October 10, 2016 (<https://www.snl.com/InteractiveX/articleabstract.aspx?id=37939124&KPLT=8>).
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9. ISO-New England -Introduction to ISO New England, October 1, 2015.
10. ISO-New England, Inc., *Market Rule 1 Standard Market Design*, effective November 1, 2016, ([https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf))
11. Testimony of Robert G. Ethier on behalf of ISO New England, Inc. before the Federal Energy Regulatory Commission, dated February 27, 2015, p. 7, lines 14-15 ([https://www.iso-ne.com/static-assets/documents/2015/02/er15-000\\_2-27-15\\_fca\\_9\\_results\\_filing.pdf](https://www.iso-ne.com/static-assets/documents/2015/02/er15-000_2-27-15_fca_9_results_filing.pdf), p. 54.)
12. ISO-New England, Inc., *Overview of New England's Wholesale Electricity Markets and Market Oversight*, May 15, 2012 ([https://www.iso-ne.com/static-assets/documents/pubs/spcl\\_rpts/2012/markets\\_overview\\_final\\_051512.pdf](https://www.iso-ne.com/static-assets/documents/pubs/spcl_rpts/2012/markets_overview_final_051512.pdf))
13. ISO-New England, Inc., *Motion for Leave to Answer and Answer of ISO New England, Inc.*, filed in the United States Federal Energy Regulatory Commission, Docket No. ER14-1639-000, May 1, 2014 (<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13534989>)
14. United States Federal Energy Regulatory Commission, *Order Accepting Tariff Revisions*, Docket No. ER14-1639-000, May 30, 2014 (<https://www.ferc.gov/CalendarFiles/20140530161324-ER14-1639-000.pdf>)
15. State of Rhode Island and Providence Plantations Energy Facility Siting Board, *Advisory Opinion of the Rhode Island Office of Energy Resources*, Docket No. SB 2015-06, September 12, 2016 ([http://www.ripuc.org/efsb/efsb/SB2015\\_06\\_ADV\\_OER.pdf](http://www.ripuc.org/efsb/efsb/SB2015_06_ADV_OER.pdf))

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by NTE Connecticut, LLC, received August 17, 2016, and attachments and bulk file exhibits including:  
Bulk file exhibits:
  - a. Technical Report, dated May 3, 2016
  - b. Town of Killingly Zoning Regulations
  - c. Town of Killingly Plan of Conservation and Development
  - d. Town of Killingly Inland Wetlands and Watercourses Regulations
2. NTE's Affidavit of Publication, dated August 24, 2016
3. NTE's Redacted Option Agreement, dated August 25, 2016
4. NTE's Option Agreement (subject to Protective Order dated September 15, 2016), dated August 29, 2016
5. NTE's Notification Pursuant to C.G.S. § 16-50(e) Pre-Application Municipal Consultation, dated September 1, 2016
6. NTE's Environmental Justice Plan Submission and DEEP Approval, dated September 28, 2016
7. NTE's Responses to Council Interrogatories, Set I, dated October 7, 2016
8. NTE's Response to Council Interrogatory # 68, dated October 13, 2016
9. NTE's Proposed Site Walk Plan, dated October 13, 2016
10. NTE's Updated "Attachment 7" to the Notification Pursuant to C.G.S. §16-50(e) Pre-application Municipal Consultation, dated October 13, 2016
11. NTE's Sign Posting Affidavit, dated October 13, 2016
12. NTE's Power Point Presentation from the October 20, 2016 Public Comment Session, dated October 24, 2016
13. NTE's Witness Resumes, received October 27, 2016
  - a. Mark Mirabito
  - b. Tim Eves
  - c. Michael Bradley
  - d. Chris Rega
  - e. Lynn Gresock
  - f. Frederick Sellars
  - g. Norm Thibeault
  - h. George Logan
  - i. Ethan Paterno
  - j. Mason Smith
  - k. Scott Hesketh
  - l. Gary Fuerstenberg
  - m. James Walsh
  - n. Kevin Fowler
14. NTE's Responses to Council Interrogatories, Set II, dated October 27, 2016
15. NTE's Appeal of and Responses to the Municipal Regulate and Restrict Orders, dated October 27, 2016
16. NTE's Redacted Responses to Not Another Power Plant's (NAPP) Interrogatories, dated October 27, 2016
17. NTE's Protective Order Regarding Responses 1, 3, 4, 5, 8, 10, and 11 to NAPP's Interrogatories, Non-Disclosure Agreement, Affidavit of Mark Mirabito and Affidavit of Ethan Paterno, dated October 27, 2016
18. Tetra Tech Memorandum to James Grillo, Connecticut Department of Energy and Environmental Protection Regarding Additional Killingly Energy Center Updates, dated November 2, 2016
19. NTE's Unredacted Responses 1, 3, 4, 5, 8, 10, and 11 to NAPP's Interrogatories (subject to Protective Order dated November 3, 2016), dated October 27, 2016, with copies of Signed Non-Disclosure Agreements, hand-delivered November 15, 2016
20. NTE's Supplemental Responses to Council Interrogatories 83 and 84, dated November 15, 2016

21. NTE's Response to Council's November 7, 2016 Memorandum Regarding Late-Filed Exhibits, dated November 28, 2016
22. NTE's Response to Council's November 7, 2016 Memorandum Regarding Late-Filed Exhibit – Gray Water Usage, dated December 1, 2016.
23. NTE's Supplemental Response to Council's November 16, 2016 Memorandum Regarding Late-Filed Exhibits, dated December 8, 2016
24. NTE's Redacted Rebuttal Testimony of Ethan Paterno, dated December 8, 2016
25. NTE's Unredacted Rebuttal Testimony of Ethan Paterno (subject to Protective Order dated November 3, 2016), dated December 8, 2016
26. NTE's Rebuttal Testimony of Michael Bradley, dated December 8, 2016
27. NTE's Supplemental Response to CSC Interrogatory 59, dated December 8, 2016
28. Connecticut Water Company letter, dated December 14, 2016, to Mark Mirabito, Chief Operating Officer of NTE Energy
29. NTE's Killingly Energy Center Environmental Justice Plan Final Report, dated December 6, 2016
30. Sloped Demand Curve Sketches created by Ethan Paterno during the Sierra Club's Cross-Examination of the Applicant at the December 15, 2016 hearing

C. Swear Witnesses

1. Mark Mirabito, Vice President, NTE Connecticut, LLC
2. Tim Eves, Senior Vice President, NTE Energy Services Company, LLC
3. Michael Bradley, Senior Vice President, NTE Energy Services Company, LLC
4. Chris Rega, SVP, NTE Energy Services Company, LLC
5. Lynn Gresock, Vice President - Energy Department, Tetra Tech
6. Frederick Sellars, Vice President, Tetra Tech
7. Norm Thibeault, Principal/Partner, Killingly Engineering Associates
8. George Logan, Principal Environmental Scientist/Senior Ecologist, REMA Ecological Services
9. Ethan Paterno, Managing Consultant, PA Consulting
10. Mason Smith, Managing Consultant, PA Consulting
11. Scott Hesketh, Manager of Transportation Engineering
12. Gary Fuerstenberg, Senior Project Manager/Senior Geotechnical Engineer, Haley and Aldridge
13. James Walsh, Project Manager and Supervising Engineer, Mott McDonald
14. Kevin Fowler, Senior Acoustic Engineer, Tetra Tech

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Town of Killingly (Mr. Hendricks)
3. **Grouped Parties:**
  - a. NAPP (Attorney Bashaw)
  - b. Sierra Club (Attorney Berman)
  - c. Wyndham Land Trust, Inc. (Attorney Bashaw)
4. Connecticut Fund for the Environment (Attorney Looney)



III. Appearance by Grouped Party and CEPA Intervenors:

Not Another Power Plant (NAPP)  
Sierra Club  
Wyndham Land Trust, Inc.

Representatives:

John Bashaw, Esq., Reid and Riege, P.C.  
Mary Mintel Miller, Esq., Reid and Riege, P.C.  
Joshua Berman, Esq., Sierra Club

A. Administrative Notice.

1. Vision 2020 - The Next Ten Years, The Last Green Valley, Inc., 2010
2. Feasibility Evaluation for New Industrial Park Location, Lake Road, Killingly, Connecticut, prepared for the Town of Killingly by Vanasse Hangen Brustlin, Inc., October 2014
3. DEEP Press Release (Oct. 25, 2016) – DEEP Announces Action on Energy Procurement RFP's: Natural Gas RFP Canceled - Clean Energy Projects Selected to Move to Next Stage, October 25, 2016
4. Town of Killingly, Zoning Regulations, *available at* <http://www.killingly.org/planning-development/pages/killingly-town-zoning-regulations>
5. Town of Killingly, Regulations for the Protection and Preservation of Inland Wetlands and Watercourses, *available at* <http://www.killingly.org/inland-wetlands-watercourses-commission/pages/inland-wetlands-watercourses-regulations>
6. CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION (DEEP), Office of Climate Change, Technology and Research, *2013 Connecticut Greenhouse Gas Emissions Inventory*, 2013, *available at* [http://www.ct.gov/deep/cwp/view.asp?a=44223&q=568752&deepNav\\_GID=2121](http://www.ct.gov/deep/cwp/view.asp?a=44223&q=568752&deepNav_GID=2121)  
[http://www.ct.gov/deep/lib/deep/climatechange/2012\\_ghg\\_inventory\\_2015/ct\\_2013\\_ghg\\_inventory.pdf](http://www.ct.gov/deep/lib/deep/climatechange/2012_ghg_inventory_2015/ct_2013_ghg_inventory.pdf)
7. CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *GC3 Analysis, Data, and Metrics Meeting Slides*, July 2016, *available at* [http://www.ct.gov/deep/cwp/view.asp?a=4423&Q=568878&deepNAV\\_GID=2121](http://www.ct.gov/deep/cwp/view.asp?a=4423&Q=568878&deepNAV_GID=2121)
8. CONNECTICUT SITING COUNCIL, DOCKET NO. 192B - CPV Towantic, LLC Motion to Reopen and Modify the June 23, 1999 Certificate of Environmental Compatibility and Public Need based on changed conditions pursuant to Connecticut General Statutes §4-181a(b) for the construction, maintenance and operation of a 785 MW dual-fuel combined cycle electric generating facility located north of the Prokop Road and Towantic Hill Road intersection in the Town of Oxford, Connecticut. Decision and Order, May 14, 2015, *available at* [http://www.ct.gov/csc/lib/csc/pendingproceeds/docket\\_192b/decision/do\\_final.pdf](http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_192b/decision/do_final.pdf)
9. CONNECTICUT SITING COUNCIL, PETITION NO 1218 - PSEG Power Connecticut LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a new 485 megawatt (MW) dual fuel combined-cycle electric generating facility at the existing Bridgeport Harbor Station located at 1 Atlantic Street, Bridgeport, Connecticut. Decision and Order, July 21, 2016, *available at* [http://www.ct.gov/csc/lib/csc/pending\\_petitions/2\\_petitions\\_1201through1300/pe1218/finaldecision/pe1218\\_do\\_final.pdf](http://www.ct.gov/csc/lib/csc/pending_petitions/2_petitions_1201through1300/pe1218/finaldecision/pe1218_do_final.pdf)
10. ISO-NEW ENGLAND, INC., *2016-2025 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, May 1, 2016, *available at* <http://www.iso-ne.com/system-planning/system-plans-studies/celt>
11. ISO-NEW ENGLAND, INC., *2015-2024 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, May 1, 2015, *available at* [http://www.iso-ne.com/static-assets/documents/2015/05/2015\\_celt\\_report.pdf](http://www.iso-ne.com/static-assets/documents/2015/05/2015_celt_report.pdf)
12. CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Press Release: DEEP Announces Action on Energy Procurement RFPs: Natural Gas RFP Canceled, Clean Energy Projects Selected to Move to Next Stage Press*, October 25, 2016, *available at* <http://www.ct.gov/deep/cwp/view.asp?Q=587122&A=4808>

13. CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Release: Public Act 15-107 Section 1(B) – 2-20 MW Renewable, Passive Demand Response & Energy Storage Procurement: Notice of Selection*, October 27, 2016
14. NEW ENGLAND CLEAN ENERGY RFP *Identification of Bidders Selected for Contract Negotiation*, October 25, 2016, available at <https://cleanenergyrfp.com/>
15. MASSACHUSETTS DEPARTMENT OF ENERGY AND ENVIRONMENTAL AFFAIRS, *Energy Storage Initiative's State of Charge Study*, available at <http://www.mass.gov/eea/energy-utilities-clean-tech/renewable-energy/energy-storage-initiative/>
16. THE 189<sup>TH</sup> GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS, *Massachusetts Bill H. 4568: An Act to Promote Energy Diversity*, filed on July 31, 2016, available at <https://malegislature.gov/Bills/189/House/H4568>
17. PA CONSULTING, *Energy Storage and the Next Generation Utility: A Strategy Guide for the Future*
18. ISO – New England's 2016 Economic Studies Draft Results – Part II (Sept. 21, 2016), available at [https://www.iso-ne.com/staticassets/documents/2016/09/a6\\_2016\\_economic\\_study\\_draft\\_results\\_part\\_2.pdf](https://www.iso-ne.com/staticassets/documents/2016/09/a6_2016_economic_study_draft_results_part_2.pdf).
19. MASSACHUSETTS DEPARTMENT OF ENERGY RESOURCES, *Notice Soliciting Feedback Regarding Target Scale, Structure, and Mechanisms for Energy Storage Systems Targets*, December 27, 2016, available at <http://www.mass.gov/eea/energy-utilities-clean-tech/renewable-energy/energy-storage-initiative/>
20. MASSACHUSETTS DEPARTMENT OF ENERGY RESOURCES, *Letter Requesting Input in the Development of a Request for Proposals for Clean Energy Pursuant to Section 83D of An Act to Promote Energy Diversity*, December 16, 2016, available at [http://d31hzlhk6di2h5.cloudfront.net/20161216/83/66/10/01/38abb4982d0937df5f441fee/83D\\_Stakeholder\\_Questions.pdf](http://d31hzlhk6di2h5.cloudfront.net/20161216/83/66/10/01/38abb4982d0937df5f441fee/83D_Stakeholder_Questions.pdf)
21. MASSACHUSETTS DEPARTMENT OF PUBLIC UTILITIES, *Distributed Generation in Massachusetts*, December 16, 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/12/massachusetts\\_dgfvwg\\_20161216.pdf](https://www.iso-ne.com/static-assets/documents/2016/12/massachusetts_dgfvwg_20161216.pdf)
22. CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Distributed and Grid Side Generation in Connecticut*, December 16, 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/12/connecticut\\_dgfvwg\\_20161216.pdf](https://www.iso-ne.com/static-assets/documents/2016/12/connecticut_dgfvwg_20161216.pdf)
23. ISO-NEW ENGLAND, INC., *Final 2016 PV Forecast Details*, May 9, 2016, available at <https://www.iso-ne.com/system-planning/system-forecasting/distributed-generation-forecast>
24. ISO-NEW ENGLAND, INC., *Draft 2016 PV Forecast*, revised March 7, 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/03/2016\\_draftpvforecast\\_20160224revised.pdf](https://www.iso-ne.com/static-assets/documents/2016/03/2016_draftpvforecast_20160224revised.pdf)
25. ISO-NEW ENGLAND, INC., *Final 2015 Solar PV Forecast Details*, April 27, 2015, available at <https://www.iso-ne.com/system-planning/system-forecasting/distributed-generation-forecast>
26. ISO-NEW ENGLAND, INC., *Forward Capacity Auction 10 Capacity Supply Obligations*, available at [https://www.iso-ne.com/static-assets/documents/2016/02/fca\\_10\\_obligations.xlsx](https://www.iso-ne.com/static-assets/documents/2016/02/fca_10_obligations.xlsx)

B. Exhibits for Identification.

1. NAPP's Request for Party and CEPA Intervention Status, dated September 14, 2016
2. NAPP's List of Members, dated October 13, 2016
3. NAPP's Prefiled Testimony, dated October 27, 2016
  - a. Testimony of Karen Johnson, NAPP Member
  - b. Testimony of Jason Anderson, NAPP Member
  - c. Testimony of Charlotte Desautels, NAPP Member
  - d. Testimony of Carolyn Johnston, NAPP Member
4. Map of Surrounding Power Plants and Other Major Air Sources (Northeast CT)
5. Sierra Club Request for Party Status and Petition to Intervene, dated October 25, 2016
6. Wyndham Land Trust, Inc. Request for Party Status and Notice of CEPA Intervention as a Party, dated October 27, 2016
7. Wyndham Land Trust, Inc. President, Ben Williams, Letter to Robert A. Stein, dated August 30, 2016

8. NAPP and Sierra Club's Redacted Testimony of Robert Fagan with Attachments, dated November 15, 2016
9. NAPP and Sierra Club's Unredacted Testimony of Robert Fagan (subject to NTE's Protective Order dated November 3, 2016), dated November 15, 2016
  - Attachment 1-ISO NE 2016 CELT, Selected Pages.
  - Attachment 2-State of Charge: Massachusetts Energy Storage Initiative, Executive Summary.
  - Attachment 3-ISO NE FCA 10 Result Summary Page, Surplus Capacity Indication.
  - Attachment 4-ISO NE FERC Informational Filing, and Revised ICR Values for 2020/2021, Presentation.
  - Attachment 5-ISO NE Webpage: Overview and Timeline of Reconfiguration Auctions and CSO Bilateral Periods.
  - Attachment 6-ISO NE Slide on New England State RPS and GHG Reduction Requirements.
  - Attachment 7-Analysis Group: "Power System Reliability in New England, Meeting Electric Resource Needs in an Era of Growing Dependence on Natural Gas".
  - Attachment 8-ISO NE ICR Values Report 2019/2020 (FCA 10) FERC Filing January 2016.
  - Attachment 9-ISO NE ICR Updated Values for 2017/2018, 2018/2019, 2019/2020 ARAs, Presentation.
  - Attachment 10-ISO NE Selected Pages from September 2016 COO Presentation - Summer 2016 Peak Load.
  - Attachment 11-ISO NE, Selected Slides from Presentation on "The Transformation of the New England Power System: Infrastructure Needs and Market Implications".
  - Attachment 12-ISO NE 2016 PV Forecast.
  - Attachment 13-ISO NE Remarks to FERC, Winter Reliability, October 2016.
  - Attachment 14-Synapse Energy Economics, "The RGGI Opportunity", February 2016.
  - Attachment 15-ISO NE 2015 Regional System Plan – Section 10, Integration of Variable Energy Resources.
  - Attachment 16-ISO NE 2016 Economic Studies - Draft Results – Key Pages.
  - Attachment 17-CT DEEP, GC3 Analysis, Data, and Metrics Meeting, July 26, 2016. Presentation.
  - Attachment 18-CT DEEP 2013 GHG Emissions Inventory
10. Pre-Filed Testimony of Benjamin Williams, President, Wyndham Land Trust, Inc., received December 8, 2016
11. Surrebuttal Testimony of Robert Fagan, Synapse Energy Economics, dated December 22, 2016

C. Swear Witnesses

1. Karen Johnson, NAPP Member
2. Jason Anderson, NAPP Member
3. Charlotte Desautels, NAPP Member
4. Carolyn Johnston, NAPP Member
5. Robert Fagan, Synapse Energy Economics
6. Benjamin Williams, Wyndham Land Trust, Inc.

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. NTE Connecticut, LLC (Attorney Baldwin)
3. Town of Killingly (Mr. Hendricks)
4. Connecticut Fund for the Environment (Attorney Looney)

IV. Appearance by Party: Town of Killingly  
Representative Sean Hendricks  
Town Manager

A. Administrative Notice.

B. Exhibits for Identification.

1. Town of Killingly Request for Party Status, dated September 15, 2016
2. TRC Environmental Corporation's Recommendations for CSC Conditions and Third Party Document Review with Killingly Energy Center's Response to the Third-Party Document Review attached, submitted October 13, 2016
3. Town of Killingly Planning and Zoning Commission Order of Regulations and Restrictions Pursuant to C.G.S. §16-50x, dated October 12, 2016
4. Town of Killingly Inland Wetlands and Watercourses Commission Order of Regulations and Restrictions Pursuant to C.G.S. §16-50x, dated October 12, 2016
5. Town of Killingly Noise Ordinance, dated November 17, 2016
6. Town of Killingly Town Council Correspondence, dated December 15, 2016

C. Swear Witnesses

1. Carl Stopper, TRC Environmental Corporation
2. Sean Hendricks, Town Manager, Town of Killingly

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. NTE Connecticut, LLC (Attorney Baldwin)
3. **Grouped Parties:**
  - a. NAPP (Attorney Bashaw)
  - b. Sierra Club (Attorney Berman)
  - c. Wyndham Land Trust, Inc. (Attorney Bashaw)
4. Connecticut Fund for the Environment (Attorney Looney)

V. Appearance by Party: Connecticut Fund for the Environment  
Representative John Looney, Esq.  
Roger Reynolds, Esq.  
Connecticut Fund for the Environment

A. Administrative Notice.

B. Exhibits for Identification.

1. Connecticut Fund for the Environment Request for Party Status, dated October 26, 2016

C. Swear Witnesses

- 1.

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. NTE Connecticut, LLC (Attorney Baldwin)
3. **Grouped Parties:**
  - a. NAPP (Attorney Bashaw)
  - b. Sierra Club (Attorney Berman)
  - c. Wyndham Land Trust, Inc. (Attorney Bashaw)
4. Town of Killingly (Mr. Hendricks)

VI. Closing/Continuation by Connecticut Siting Council.