

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
 APPLICATION OF NTE CONNECTICUT, LLC : DOCKET NO. 470
 FOR A CERTIFICATE OF ENVIRONMENTAL :
 COMPATIBILITY AND PUBLIC NEED FOR :
 THE CONSTRUCTION, MAINTENANCE AND :
 OPERATION OF AN ELECTRIC POWER :
 GENERATING FACILITY OFF LAKE ROAD, :
 KILLINGLY, CONNECTICUT : OCTOBER 27, 2016

**RESPONSES OF NTE CONNECTICUT, LLC TO
NOT ANOTHER POWER PLANT'S INTERROGATORIES**

On October 20, 2016, Not Another Power Plant ("NAPP") issued Interrogatories to NTE Connecticut, LLC ("NTE"), relating to the above-captioned docket. Below are NTE's responses.

Question No. 1

With regard to Appendix B-2 to NTE's application, titled "Killingly Energy Center: An Analysis of Need and Economic & Environmental Impacts" (the "Need Analysis"), page 7, Aurora Model Input Assumptions, please list all resource additions and resource retirements, by year/month of addition or retirement, and by plant name and summer capacity (MW), used in the modeling to estimate alleged electricity cost savings and emissions effects. The response should include, but is not limited to, all fossil, renewable, and import resources considered in the model, including imports from Canada.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council's approval of a Protective

Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 2

With regard to the Need Analysis, page 7, Aurora Model Input Assumptions, please confirm, or state with detailed explanation otherwise, that the only difference between the “with” and “without” modeling used to compute energy, capacity and emissions effects of the proposed plant is the presence of the KEC unit in the modeling.

Response

Correct, this is the only difference.

Question No. 3

With regard to the Need Analysis, page 7, Aurora Model Input Assumptions, please state the source and date / vintage of the load forecast used in the Aurora modeling. Please provide the peak and annual energy load forecast projections for Connecticut and for New England, by year for all years modeled, for the determination of the alleged electricity cost savings and emissions effects of the proposed plant.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council’s approval of a Protective Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 4

With regard to the Need Analysis, page 7, Aurora Model Input Assumptions, please state whether the peak load forecast and annual energy load forecast projections asserted by NTE contain the effects of Connecticut and New England energy efficiency resource reduction to load.

Please provide the level of any such energy efficiency projections, by year for all years modeled, as used in NTE's modeling of alleged electricity cost savings and emissions effects and the source of any such energy efficiency projections.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council's approval of a Protective Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 5

With regard to the Need Analysis, page 7, Aurora Model Input Assumptions, please state whether the peak load forecast and annual energy load forecast projections asserted by NTE contain the effects of Connecticut and New England behind-the-meter solar PV load reductions. Please provide the level of any such behind-the-meter solar PV load reductions, by year for all years, as used in NTE's modeling of alleged electricity cost savings and emissions effects, and the source of any such behind-the-meter solar PV load reductions.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council's approval of a Protective Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 6

With regard to the Need Analysis, page 7-8, energy and capacity costs for Connecticut ratepayers, please state how alleged capacity cost savings were projected for any or all years of

the modeling, by year, out to 2024.

Response

PA used its proprietary FCA simulation model to forecast ISO-NE capacity prices under two scenarios for FCA's 11 through 14, with the difference between the two scenarios being the inclusion or exclusion of KEC. PA then calculated the difference in total capacity costs between the two scenarios. This was done by multiplying each scenario's projected capacity price by the load obligations for Connecticut within each scenario for the respective capacity commitment period. The load obligations were calculated by multiplying the total projected cleared capacity in ISO-NE by the proportion of total ISO-NE peak demand net of behind-the-meter PV that is attributable to Connecticut.

Question No. 7

With regard to the Need Analysis, page 9, Aurora Model Input Assumptions, please confirm that the modeling used to develop estimates of emissions effect used the same input assumptions as that used to develop energy price impacts noted on page 7. To the extent that the same input assumptions were not used, explain why, and provide the rationale for not using the same input assumptions.

Response

Correct, they used the same set of input assumptions.

Question No. 8

With regard to the Need Analysis, page 9-10, specifically Section 2.4 ("Assessment of environmental benefits") and Section 2.5 ("Projected emissions reductions"), please provide the following modeling outputs:

- a. in excel-spreadsheet based format, the hourly output of the proposed facility for all hours of all years modeled (2020 through 2024), for the “with facility” model runs, in MWH and indicating the date and time of the output.
- b. the applicable heat rate or heat rates of the facility as modeled in the “with facility” runs, for all years of the model runs. Include and explain any variation in heat rate seen in the model runs “with facility” for the proposed plant.
- c. a breakdown of the source of CO₂ emission reductions in Table 2-5, by state and by month.
- d. a breakdown of the fuel sources associated with the emission reductions seen in Table 2-5, by state and by month.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council’s approval of a Protective Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 9

With regard to the Need Analysis, page 10, CO₂ emissions compliance, please provide all analyses conducted to determine whether or not the proposed plant will be in compliance with Connecticut Public Act 08-09. Please identify the assumptions that were used regarding the level of Connecticut's all-sector 2030 emission reduction target, and identify all assumptions used regarding electric power sector emission reduction targets for 2030.

Response

Public Act 08-98: “An Act Concerning Global Warming Solutions” (Global Warming

Solutions Act, or GWSA) was adopted by the General Assembly in 2008, setting forth the following greenhouse gas emission reduction requirements (which references targets for 2020 and 2050, not 2030):

- By January 2020, reduce greenhouse gas emissions to 10% below 1990 levels;
and
- By January 2050, reduce greenhouse gas emissions to 80% below 2001 levels.

As projected in PA Consulting Group's analysis, when KEC comes online it will be one of the most efficient natural gas-fired facilities in New England and is projected to displace more inefficient forms of power generation. This, in turn, is projected to lower regional CO₂ emissions – as illustrated in the tables provided in response to Questions 8(c) and 8(d) – and the CO₂ emissions intensity of the electricity consumed by Connecticut customers. (It should be noted that the Connecticut Department of Energy and Environmental Protection uses a consumption-based accounting methodology to measure CO₂ emission reduction compliance with Connecticut Public Act 08-98. This consumption-based approach is consistent with the methodology used by other New England states such as Massachusetts and Rhode Island.) Therefore, by lowering regional CO₂ emissions KEC will be helping the state of Connecticut meet and likely exceed the emission reduction requirements set forth in Public Act 08-98.

Question No. 10

With regard to the Need Analysis, page 14, Aurora Model Input Assumptions, please state whether or not any future resource capacity associated with the proposed Northern Pass Transmission line, or the proposed New England Clean Power Link, is reflected as part of the cleared resources included in your results for FCA11.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council's approval of a Protective Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 11

With regard to the Need Analysis, page 13-14, Aurora Model Input Assumptions, please state your assumptions around which, if any, existing - i.e., currently have an ISO NE capacity supply obligation (CSO) for the 2019/2020 capacity commitment period - New England fossil fuel units do not clear in the FCA11 auction as modeled, and are thus considered retired. Provide any further explanation as necessary.

Response

Response Redacted. This interrogatory seeks the disclosure of commercially valuable, confidential, proprietary and/or market-sensitive information. This information will be provided to the parties and intervenors in this proceeding following the Council's approval of a Protective Order and signing of a Non-Disclosure Agreement by each of the parties and their consultants.

Question No. 12

Please supplement Table 10-1 of the Application to include all permits and approvals required for the final approved construction and operation of the proposed NTE Facility, including all permits and approvals required for all "Project-Related Interconnections" discussed in Section 8.0 of the Application, and all permits and approvals required for the modification of any roads needed to facilitate construction or use of the NTE Facility.

Response

See NTE's Response to Council Interrogatories (Set 2) No. 76.

As discussed in the Killingly Planning and Zoning Commission's Regulate and Restrict Orders, NTE also intends to make certain improvements to Lake Road to establish a safe travel way and extend sight distances for larger vehicles including tractor trailer trucks. These improvements will require the approval of the Town's Engineering Department and Town Council. If these road improvements result in activity within or proximate to regulated wetlands, a local wetlands permit may also be required.

Question No. 13

Explain whether the NTE Facility will be able to operate as proposed in the Siting Council Application if permits and approvals for the modifications to the proposed 2.8 mile natural gas pipeline are not approved.

Response

To operate as proposed in the Siting Council Application, permits and approvals for the 2.8 mile natural gas lateral will be required; however, there are potential alternatives for the delivery of natural gas to the KEC facility should permits and approvals for the proposed supply/lateral routing not be obtained.

Question No. 14

Explain whether the NTE Facility will be able to operate as proposed in the Siting Council Application if permits and approvals for the Water Pipe Interconnection with Connecticut Water Company ("CWC") are not approved, or if CWC does not construct the interconnection.

Response

To operate as proposed in the Siting Council Application, permits and approvals for the Water Pipe Interconnection with CWC will be required and CWC will need to construct the interconnection; however, there are potential alternative sources of water for the KEC facility should permits and approvals for the proposed supply/interconnection not be obtained.

Question No. 15

Explain whether the NTE Facility will be able to operate as proposed in the Siting Council Application if permits and approvals for the Wastewater Interconnection are not approved.

Response

To operate as proposed in the Siting Council Application, permits and approvals for the Wastewater Interconnection will be required; however, there are potential alternative water discharge options for the KEC facility should permits and approvals for the proposed interconnection not be obtained.

Question No. 16

Explain whether the NTE Facility can be constructed and operated as proposed in the Siting Council Application if permits and approvals for the modification of local roads are not approved.

Response

Yes, it possible for the KEC facility to be constructed and operated without Lake Road being widened as described in the Siting Council Application. As currently configured, Lake Road is being used by an array of vehicle types from passenger vehicles to tractor trailer trucks accessing the Killingly Industrial Park. It would, however, be appropriate to complete a

widening and other related improvements for convenience and safety purposes.

Question No. 17

Provide NTE's full and complete response, if any, to each of the Order of Regulations and Restrictions set forth in the Town of Killingly, Planning and Zoning Commission Order of Regulations and Restrictions dated October 12, 2016.

Response

NTE's responses to the Killingly Planning and Zoning Commission's Regulate and Restrict Orders will be filed directly with the Council and provided to all parties and intervenors in accordance with the provisions of C.G.S. Section 16-50x(d).

Question No. 18

Provide NTE's full and complete response, if any, to each of the Order of Regulations and Restrictions set forth in the Town of Killingly Inland Wetlands and Watercourses Commission Order of Regulations and Restrictions dated October 12, 2016.

Response

NTE's responses to the Killingly Inland Wetlands and Watercourses Commission's Regulate and Restrict Orders will be filed directly with the Council and provided to all parties and intervenors in accordance with the provisions of C.G.S. Section 16-50x(d).

Question No. 19

The Traffic Impact Report (Appendix I) fails to address the current equestrian use of Lake Road. Please indicate what actions NTE proposes to undertake specifically to protect the safety of riders and horses that regularly use the Lake Road area directly adjacent to, and in the vicinity of, the proposed NTE Facility.

Response

Any equestrian use of Lake Road is currently subject to other traffic associated with industrial uses in the Killingly Industrial Park and other vehicles that currently utilize Lake Road. Truck traffic associated with KEC will be required to travel on the segment of Lake Road between the KEC site and I-395 (the majority through the existing industrial park) and, therefore, will not substantially change road usage both during the construction period and once construction is completed. The Lake Road improvements described in the application will allow for greater width, increased shoulder area, and safer passage for both vehicles and alternative road users. During construction, NTE will provide information about the phases of construction activities on its web site to allow any other users of the road, including equestrians, to know when particularly intensive road activities would occur (e.g., major equipment deliveries). Once these short-term activities are complete, no appreciable change in conditions is anticipated other than the benefits associated with the Lake Road geometry changes.

Question No. 20

How will NTE enforce its prohibition on truck travel from the NTE Facility and heading in a westward direction on Lake Road? Will NTE provide a means for trucks that inadvertently turn west onto Lake Road with an ability to turn and change direction?

Response

Contracts requiring equipment deliveries will require the associated trucks making deliveries to enter and exit the facility from the east. Equipment suppliers will be required to abide by the terms of these contracts. Large, visible signage will be installed at the construction site entrance to direct outgoing truck traffic east towards I-395.

Question No. 21

What actions will be taken by NTE to prevent trucks from traveling to the NTE Facility from Route 101 and through the residential area of Lake Road that is designated “No Thru Truck”?

Response

Contracts requiring equipment deliveries will require the associated trucks making deliveries to enter and exit the facility from the east. Equipment suppliers will be required to abide by the terms of these contracts. Enforcement of general road use restrictions will continue to be the responsibility of the Town of Killingly.

Question No. 22

The Traffic Impact Report indicates that the existing no truck signage near Forbes Road will be relocated to a point west and south of the NTE Facility driveway. The Traffic Impact Report does not indicate what impact such relocation will have on the amount of truck traffic that exits Forbes Road. Please discuss the impact of such relocation, including what actions will NTE take to prevent truck traffic from exiting Forbes Road and traveling west on Lake Road. The Town of Killingly Noise Ordinance establishes a nighttime noise level at the property boundary of 45 decibels (dBA) for residential properties. The NTE Facility is located in a residential zone and residential properties abut the NTE Facility boundary. Why then, does the Sound Survey and Analysis Report at Appendix L of the NTE Application apply a 51 dBA threshold?

Response

NTE will consult with and work in cooperation with Town of Killingly to develop a roadway improvement and widening plan. This will include the relocation of the existing “no

through truck” signage to a point west and south of the KEC site driveway. The relocation of the signage is intended to allow trucks to access the KEC Site. Additional signage can be added at the intersection of Lake Road and Forbes Road to reinforce the “no through truck” prohibition to the west for trucks exiting Forbes Road on-to Lake Road. Enforcement of general road use restrictions will continue to be the responsibility of the Town of Killingly.

The Killingly and state noise requirements are based upon land use and, in the Killingly ordinances (which are very similar to the state regulations), the land use classifications do refer to zoning. In the state regulations, land use is more generally defined by use, but is frequently interpreted using zoning as an indication of existing as well as potential future use. If approved by the Council, the land use of the KEC site would have an official land use designation consistent with the industrial characteristics of the project. Therefore, the compliance demonstration provided in the Sound Survey and Analysis Report (Appendix L) presumes an emitter land use characteristic of Class C (Industrial), but also presumes that the most stringent Class A land uses surround the KEC property on all sides. Compliance with this stringent nighttime requirement is met by KEC as demonstrated in Appendix L.

Question No. 23

What is the measured noise level for nighttime “steam blows” and other anticipated nighttime construction activities by NTE?

Response

NTE has committed that steam blows will not occur during the nighttime period. Most construction activities will be restricted to daytime hours. For example, site clearing, blasting, grading and excavation will be during the day. However, certain activities could extend into evening hours (e.g., concrete pours, which must be completed at one time, or preparation for the

next day's construction work). Every effort will be made to keep evening work limited and as quiet as possible, although the specific sound experienced will vary depending on the specific location of activity/equipment relative to the property boundary. As noted in response to NAPP Interrogatory No. 19 above, updates regarding the construction schedule will be provided on the project website so the community is informed of any potential extended work periods.

Question No. 24

Will impulse noises from the construction and operation of the NTE Facility exceed the 80 dBA level set forth in the Town of Killingly Noise Ordinance Section 12.5125(c)(2)?

Response

Section 12.5-123 of the Killingly noise ordinance specifically exempts construction, including blasting, from the standards and requirements of the balance of the chapter as long as activities are completed during daytime hours. That said, NTE intends to minimize construction noise to the greatest extent possible through the use of mitigation techniques and by minimizing the duration of particularly noisy activities.

For non-construction activities, note that the 80 dBA restriction cited is on impulse noises during nighttime hours. Section 12.5-125(c)(3) of the Killingly noise ordinance identifies an impulse noise level of 100 dBA during the day. Further clarifications are also provided in Section 12.5-125(d) that specify allowable short term noise excursions depending upon their duration. Following completion of construction and under normal operating conditions, KEC will comply with the 51 dBA project sound contribution at all property boundaries. Should any impulse noises occur during operation, they would be expected to be in compliance with the Killingly ordinance.

Question No. 25

Mr. Ives of NTE has stated at public meetings in the Town of Killingly that the NTE Facility will cause local residential property values to increase. Please provide the data and reports to support this statement.

Response

Many factors determine a property's value in a community, including the quality of the public schools, the safety of local neighborhoods, the stability of the community's tax base and a healthy business and economic development climate. KEC is being sited adjacent to the Killingly Industrial Park and in an area designated by the Town for future industrial development. Given the existing industrial businesses and infrastructure, the added jobs to the community, as well as payment of significant property taxes every year, KEC could have a positive impact on Killingly property values. KEC will also support other important Town services or infrastructure improvements. These revenues could also be used to lower the tax rate for local residents.

Question No. 26

NTE indicated on October 19, 2016 that pre-blasting surveys will be provided to residents that are concerned about the impact of blasting on wells and foundations. When will such surveys be provided and which property owners will receive them?

Response

Pre-blast surveys are conducted in the weeks leading up to a blasting event by licensed independent inspectors. The State of Connecticut does not define a lateral distance limit for performing a pre-blast survey; however, NTE will provide pre-blast surveys for all structures within an approximate 250' radius of the blasting location.

Question No. 27

What type of data will be included in the pre-blasting surveys?

Response

Pre-blast surveys provide detailed room-by-room, wall-by-wall video documentation of all existing defects visible throughout the interior and exterior of structures, as well as well water quality tests will be offered to nearby residents.

Question No. 28

What studies have been conducted to assure that radon gases entrapped in local bedrock will not be released into local residential drinking water wells and local homes?

Response

Drilled wells are typically hundreds of feet deep to reach aquifers below the earth's surface. The blasting activities proposed at KEC are for removing rock just below the earth's surface and should have no impact on the aquifers below. Given that the proposed blasting activities are at a considerable distance from the nearest residence, it is unlikely that blasting activities will result in increased radon levels within nearby wells and residences.

Question No. 29

In the event that blasting and other construction activities by NTE should deteriorate groundwater quality, or affect the flow of water into drinking water wells through sedimentation or redirection of groundwater flow within bedrock fractures, damage foundations, or increase the concentration of radon in drinking water wells or homes, what actions will NTE take to mitigate such impacts?

Response

As stated above in response to Question No. 28, the likelihood of such impacts occurring are small, however, NTE will be responsible for any costs to mitigate such impacts to the extent they are caused by blasting or other construction activities at KEC.

CERTIFICATION OF SERVICE

I hereby certify that on this 27th day of October, 2016, a copy of the foregoing was sent via first class mail, postage prepaid, to the following:

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