



# 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)

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

*Daniel F. Caruso*  
Chairman

August 23, 2010

TO: Council Members

FROM: Melanie Bachman, Acting Executive Director *MB*

RE: **Docket 187A**- PDC - El Paso Milford LLC Certificate of Environmental Compatibility and Public Need for the Milford Power Project located off of Oronoque Road in Milford, Connecticut.

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Enclosed please find a copy of the Council's notice of public hearing.

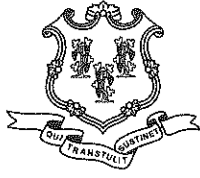
MB/jbw

Enclosure (1)

c: Secretary of the State (via e-mail service)  
Parties and Intervenors  
Application Service Recipients  
Ginger Teubner, DPUC



CONNECTICUT SITING COUNCIL  
Affirmative Action / Equal Opportunity Employer



Daniel F. Caruso  
Chairman

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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 Thursday, September 30, 2010, beginning at 1:00 p.m., in Hearing Room One, Ten Franklin Square, New Britain, Connecticut, to reopen **Docket No. 187A- PDC - El Paso Milford LLC Certificate of Environmental Compatibility and Public Need for the Milford Power Project located off of Oronoque Road in Milford, Connecticut.** Milford Power Company is requesting to alter the Decision and Order to suspend its backup fuel system, eliminating the ability to operate on fuel oil.

Pursuant to Connecticut General Statutes § 4-181a(b) the hearing would be limited to the suspension of the backup fuel system at Milford Power and Council consideration of changed conditions and the attachment of conditions to the certificate consistent with the findings and recommendations contained in the Kleen Energy Plant Investigation Review Panel and the Thomas Commission. The 1:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The public will be allowed to make brief oral statements into the record. The applicant will be allowed a final rebuttal. Arguments will be entertained in writing after the close of the last hearing session.

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 directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by September 23, 2010.

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 23, 2010.

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 City Clerk's Office of the Milford City 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 23, 2010.

The applicant of this facility is represented by the following:

**Applicant**

**Its Representative**

PDC - El Paso Milford, LLC

Franca L. DeRosa, Esq.  
Philip M. Small, Esq.  
Brown Rudnick Berlack Israels LLP  
CityPlace I, 185 Asylum Street  
Hartford, CT 06103

A copy of the request to modify the Decision and Order which initiated the reopening 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 application docket no. 187A.

August 23, 2010

Connecticut Siting Council

Date: August 12, 2010

Docket No. 187A

Page 1 of 2

**LIST OF PARTIES AND INTERVENORS  
SERVICE LIST**

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Applicant</b>	PDC - El Paso Milford, LLC	<p>Michael Cartney Vice President and Plant Manager Milford Power Company, LLC 55 Shelland Street Milford, CT 06460 <a href="mailto:mcartney@cpv.com">mcartney@cpv.com</a></p> <p>Tom Favinger CPV Milford, LLC c/o Competitive Power Ventures, Inc. 8403 Colesville Road, Suite 915 Silver Spring, MD 20910</p> <p>Timothy P. Kober Pillsbury Winthrop Shaw Pittman LLP 1540 Broadway New York, NY 10036</p> <p>James A. Hanley, CCTS Assistant Vice President Wilmington Trust Company Rodney Square North 1100 North Market Street Wilmington, DE 19890-1605</p> <p>Franca L. DeRosa, Esq. Philip M. Small, Esq. Brown Rudnick Berlack Israels LLP CityPlace I, 185 Asylum Street Hartford, CT 06103 (860) 509-6500 (860) 509-6501 fax <a href="mailto:fderosa@brownrudnick.com">fderosa@brownrudnick.com</a> <a href="mailto:psmall@brownrudnick.com">psmall@brownrudnick.com</a></p>
<b>Intervenor</b>	Connecticut Light and Power Company	<p>Senior Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3395</p>

Date: August 12, 2010

Docket No. 187A

Page 2 of 2

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

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Intervenor</b>	Southern Connecticut Gas Company	Anne McCrory, Esq. Southern Connecticut Gas Company 855 Main Street Bridgeport, CT 06604 (203) 382-8301
<b>Intervenor</b>	Iroquois Gas Transmission System, L.P.	Paul W. Diehl Iroquois Gas Transmission System, L.P. One Corporate Drive Shelton, CT 06484 (203) 925-7200



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*Daniel F. Caruso*  
Chairman

August 23, 2010

The Honorable James L. Richetelli, Jr.  
City of Milford  
Parsons Complex  
70 West River Street  
Milford, CT 06460-3364

RE: Hearing Date – September 30, 2010 in connection with **Docket 187A**- PDC - El Paso  
Milford LLC Certificate of Environmental Compatibility and Public Need for the Milford  
Power Project located off of Oronoque Road in Milford, Connecticut.

Dear Mr. Richetelli:

The Connecticut Siting Council (Council) has scheduled a hearing for the above referenced project in the City of Milford. I am writing to invite you to participate in this hearing.

The Council fully understands that municipal input and guidance is absolutely necessary to achieve a thoughtful and balanced decision in matters such as this. Accordingly, I am extending to you my personal invitation to participate in the hearing for this proceeding that is scheduled in the City of New Britain on Thursday, September 30, 2010.

Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

Our staff is available to assist you in understanding our process and your options. In the event you have specific legal questions, please contact our Staff Attorney Melanie Bachman (860 827-2951). Otherwise, you may contact Executive Director Linda Roberts (860 827-2935).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

  
Daniel F. Caruso

Chairman

DFC/MB/jbw



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer



Daniel F. Caruso  
Chairman

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August 23, 2010

TO: Commissioner Amey Marrella  
Department of Environmental Protection

Commissioner F. Philip Prelli  
Department of Agriculture

Commissioner J. Robert Galvin  
Department of Public Health

Karl Wagener, Executive Director  
Council on Environmental Quality

Commissioner Kevin M. DelGobbo, Chairman  
Department of Public Utility Control

Brenda Sisco, Secretary  
Office of Policy and Management

Commissioner Joan McDonald  
Department of Economic and Community Development

Thomas A. Harley, P.E., Chief Engineer  
Bureau of Engineering and Construction  
Department of Transportation

Commissioner Peter J. Boynton  
Department of Emergency Management and Homeland Security

FROM: Melanie Bachman, Acting Executive Director **MB**

RE: **Docket 187A**- PDC - El Paso Milford LLC Certificate of Environmental  
Compatibility and Public Need for the Milford Power Project located off of  
Oronoque Road in Milford, Connecticut.

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Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before September 23, 2010 will be appreciated.

A copy of the extension request is enclosed.

MB/jbw

c: Parties & Intervenors  
Council Members

Enclosure





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Daniel F. Caruso  
Chairman

August 23, 2010

Ruth Girolomo  
Post Reporting Service, Inc.  
2015 Dixwell Avenue  
Hamden, CT 06514

RE: **Docket 187A**- PDC - El Paso Milford LLC Certificate of Environmental Compatibility and Public Need for the Milford Power Project located off of Oronoque Road in Milford, Connecticut.

Dear Ms. Girolomo:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject docket on:

**Thursday, September 30, 2010**

**1:00 p.m.**

**Hearing Room One, Ten Franklin Square, New Britain, CT 06051**

The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of the extension request filing and our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Jessica Brito-Weston  
Secretary I

jbw

Enclosure (2)





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Daniel F. Caruso  
Chairman

August 23, 2010

TO: Classified/Legal Supervisor  
**187100930**  
Milford Orange Bulletin  
40 Sargent Drive  
New Haven, CT 06511

Classified/Legal Supervisor  
The New Haven Register  
40 Sargent Drive  
New Haven, CT 06511

FROM: Jessica Brito-Weston, Secretary I 

RE: **Docket 187A**- PDC - El Paso Milford LLC Certificate of Environmental  
Compatibility and Public Need for the Milford Power Project located off of  
Oronoque Road in Milford, Connecticut.

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Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

jbw

Enclosure (1)