

Phelps, Derek

From: Eric Knapp [eknapp@bransewillis.com]
Sent: Wednesday, April 23, 2008 4:11 PM
To: Phelps, Derek
Cc: Larson, Carrie L.; robert.marconi@po.state.ct.us; Mulcahy, Carriann; Martin, David C.; Herz, Jennifer; 105571.506@cox.net
Subject: RE: D359 Request for Party Status

Mr. Phelps,

Thank you for your correspondence. Yes, I can confirm that Mr. Wagener is the Executive Director of the Council on Environmental Quality. Per my discussions with my client, Mr. Wagener has already discussed with the CEQ the fact that he would be filing a request for party/intervenor status in this Docket and has formally indicated to the CEQ that he will be recusing himself from all CEQ matters which are in any way related to this Docket. Please be assured that the CEQ has already been informed of Mr. Wagener's recusal.

Mr. Wagener took great pains not to mention his involvement with the CEQ in his petition and seeks no special benefits or privileges because of it. This is a matter in which Mr. Wagener has a private interest, unrelated to his state position, and will take all necessary steps to be certain that these two roles remain separate and unassociated.

Thank you again for your correspondence. Should this email not adequately address your concerns, I will happily provide whatever additional documentation is necessary to satisfy the Council.

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-----Original Message-----

From: Phelps, Derek
Sent: Wednesday, April 23, 2008 3:59 PM
To: Eric Knapp
Cc: Larson, Carrie L.; robert.marconi@po.state.ct.us; Mulcahy, Carriann; Martin, David C.; Herz, Jennifer

Mr. Knapp:

The Connecticut Siting Council (Council) is in receipt of a request for Party status in Council Petition 359 from your office on behalf of Karl Wagener, dated April 18, 2008. This matter will be before the Connecticut Siting Council at its meeting scheduled for this

Thursday, April 24, 2008 for consideration.

I am advised that Mr. Wagner is Executive Director of the Council on Environmental Quality (CEQ). The CEQ is an executive branch agency of Connecticut State Government, as is the Siting Council. The CEQ is routinely solicited for comments on agency proceedings pursuant to the provisions of Connecticut General Statutes § 22a-11 through 22a-13, and the Connecticut Environmental Policy Act (CEPA).

Please confirm, if you are able, whether your client holds the professional office described. Please also remark, if you deem it appropriate, as to whether Mr. Wagener intends to take any steps to refrain from acting in his official (state) capacity on the subject Petition. Thank you.

Derek Phelps

S. Derek Phelps
Executive Director
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Attachment(s): image002.jpg; image001.jpg; Derek.Phelps@ct.gov.vcf