



STATE OF CONNECTICUT

OFFICE OF CONSUMER COUNSEL

Ten Franklin Square
New Britain, Connecticut 06051

TELEPHONE
(860) 827-2900
Voice & TDD
FAX
(860) 827-2929

Email: occ.info@CT.gov

Internet: <http://www.ct.gov/occ>

Bruce C. Johnson
Direct Dial (860) 827-2904
Email : bruce.johnson@ct.gov

July 7, 2009

S. Derek Phelps
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

OCC Objection To Joint Witness Panel

Re: CL&P Application for the Greater Springfield Reliability Project and the
Manchester to Meekville Junction Circuit Separation Project
Docket No. 370A (Consolidated Docket)
&
NRG Energy, Inc. Application Pursuant To CGS § 16-50l(a)(3) For
Consideration Of A 530 MW Combined Cycle Generating Plant In
Meriden, Connecticut
Docket No. 370B (Consolidated Docket)

Dear Mr. Phelps:

The Office of Consumer Counsel ("OCC") is a party to the above-captioned proceeding. OCC is in receipt of a notice issued by the Connecticut Siting Council ("CSC") on June 23, 2009, by which the CSC notified parties to this docket of an oral request from The Connecticut Light and Power Company ("CL&P") and ISO-New England ("ISO-NE") to allow a joint witness panel on the subject of "need" in this docket.

OCC herewith files its Objection to Joint Witness Panel.

OCC objects to a joint panel of CL&P and ISO-NE witnesses on any subject because these two parties are separate parties. To date, these two docket participants have

not filed any joint testimony or joint interrogatory responses. So far as OCC is aware, these two docket participants will not do so later on in this docket.

Further, and fundamentally, CL&P and ISO-NE have different roles as well as different financial interests, both in general and in the present regulatory process.

CL&P is the applicant in this docket, and as such has the burden of proof with respect to the issue of "need" under Conn. Gen. Stat. § 16-50p. CL&P also has a significant financial interest in the outcome of this docket.

In contrast, ISO-NE is an independent not-for-profit corporation charged with planning for and operating the New England bulk power grid in an open and non-discriminatory manner. ISO-NE emphasizes its entire lack of any financial interest in any of the region's electric industry participants (such as CL&P). ISO-NE is not an applicant in this docket, but rather an intervenor, thus its role is quite different.

For all these reasons, presentation in this docket of a joint panel by CL&P and ISO-NE could create misperceptions that CSC surely wants to avoid.

In order to ensure due process in the conduct of this proceeding, panels of witnesses should be allowed to present themselves jointly only in the case of co-applicants or of parties that have filed joint testimony. CL&P and ISO-NE are not such parties. For this reason, OCC respectfully objects to the proposal for a joint witness panel of CL&P and ISO-NE witnesses.

Very truly yours,

MARY J. HEALEY
CONSUMER COUNSEL

By 

Bruce C. Johnson
Principal Attorney
Victoria Hackett
Staff Attorney

cc: Service List