



# STATE OF CONNECTICUT

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April 16, 2009

S. Derek Phelps  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
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### **OCC Objection** **to CL&P Comments**

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 § 16-50I(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 copy of a letter filed in this consolidated docket, dated April 14, 2009, by counsel for The Connecticut Light and Power Company ("CL&P"), the applicant in Docket No. 370A (the "4/14/09 CL&P Letter").

OCC herewith files its objection to the 4/14/09 CL&P Letter.

This CL&P Letter, referring to the comparative evaluation process just now unfolding in this consolidated docket, says it "is like a cage fight. Two or more

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competitors go into it, but no more than one may come out.” Further, says CL&P, NRG “should not be allowed into the cage.” This CL&P Letter also suggests that allowing this Siting Council docket to continue on the present consolidated basis would be “wasteful and inefficient.”

CL&P’s “cage fight” analogy is quite misleading. There is no reason to believe that the Siting Council is faced in this docket with a stark choice between the CL&P project and the NRG project, both as initially designed. The law contemplates a more flexible and sensible process than that. The best solution to reliability issues may turn out to be some combination of these two projects. The Council is free to mix and match project elements to maximize the public benefit.

Further, and more broadly, this cage-fight analogy not only trivializes but actually demeans the process contemplated under Connecticut law. CL&P’s analogy casts aspersions both on the legislature, which enacted the applicable statutes<sup>1</sup>, and on the Connecticut Energy Advisory Board, which carried out its duty by engaging in the RFP work which led to the report CEAB filed with the Siting Council on February 17, 2009. CL&P’s “cage fight” analogy also severely undervalues the interests of Connecticut’s utility ratepayers, who will pay for whatever solutions emerge from this consolidated docket. Ratepayers, who will foot the bill, have a right to expect a Siting Council vetting process that is thorough and careful, one that stands up to rigorous scrutiny. OCC did not join this docket in order to watch a cage fight.

Finally, the 4/14/09 CL&P Letter treats as proven contentions which CEAB already has questioned. For instance, ISO New England plans to revisit its needs assessment for NEEWS and similar projects. This means that transmission improvements may not be the only way to resolve any reliability issues at hand. CL&P’s posturing jumps the gun. This docket will determine what the reliability need is, and which project or project combinations would solve that need most cost-effectively.

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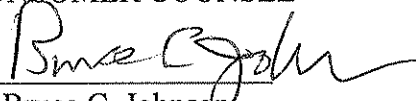
<sup>1</sup> As well as related statutes, such as CGS §§ 16a-3a, 16a-3b & 16a-3c, which mandate annual integrated resource planning efforts involving the state’s two electric distribution companies, the CEAB and the Department of Public Utility Control. See DPUC Decision, 2/18/09, in its Docket No. 08-07-01, DPUC Review of the Integrated Resource Plan.

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CL&P advocates the GSRP/MMP project; NRG advocates the Meriden plant. In this docket, OCC favors Siting Council certification of the best solution. At present, no one can yet describe that solution, much less conclusively justify it. That is why this docket is just beginning, and why it is going to take some time to complete it properly. In this context, the 4/14/09 CL&P Letter is singularly unhelpful.

Very truly yours,

MARY J. HEALEY  
CONSUMER COUNSEL

By   
Bruce C. Johnson  
Principal Attorney

cc: Service List