



TOWN OF BERLIN
Office Of The Town Manager

April 15, 2009

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

Re: **Docket #370B, NRG Energy, Inc.**

RECEIVED
APR 17 2009

CONNECTICUT
SITING COUNCIL

faxed


Dear Mr. Phelps:

On April 14th I received a copy of your letter to the City of Meriden dated April 9, 2009. This letter asked the Town for its legal opinion as to whether the Council would ... "be compelled to dismiss NRG's application because of its failure to timely consult with municipalities as called for under C.G.S. 16a-7c(e)". I offer the following comments:

1. If the Siting Council wishes to or is required to seek comments from the Town of Berlin, we would appreciate it if you would address correspondence directly to the Town Manager, with a copy to the Mayor, as opposed to sending a copy of a letter sent to another municipality.
2. In the short period of time we are offered, we cannot provide a legal opinion on the question that you pose. We will rely on the expertise of the Council to make the proper decision in this matter.

Thank you for the consideration of these comments.

Sincerely,


Denise McNair
Town Manager