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April 3, 2009

VIA HAND DELIVERY

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

Re: Docket No. 370B: NRG Energy, Inc. Application Pursuant to
C.G.S. § 16-50/(a)(3) for Consideration of a 530 MW Combined
Cycle Generating Plant in Meriden, Connecticut

Dear Mr. Phelps:

I write on behalf of NRG Energy, Inc. ("NRG") to respond to your March 26, 2009 letter, requesting that NRG provide the Connecticut Siting Council ("Council") with information regarding the municipal consultation undertaken by NRG pursuant to Connecticut General Statutes ("C.G.S.") § 16a-7c(e) in connection with its proposal to construct a 530 megawatt generating facility in Meriden, Connecticut (the "Meriden Project" or "Project"). NRG continues to consult regularly with officials of the City of Meriden and the Town of Berlin on the status of the Meriden Project, and their support for the Project remains strong. NRG respectfully submits that it has satisfied the purpose of C.G.S. § 16a-7c(e) given the extent of its prior and recent municipal consultations and the unique circumstances of the Meriden Project proposal as further discussed below.

C.G.S. § 16a-7c(e) states in pertinent part:

Upon the submission of a proposal pursuant to a request for proposal, the person or entity submitting the proposal shall consult with the municipality in which the facility may be located and with any other municipality that would be required to be served with a copy of an application for such proposal under subdivision (1) of subsection (b) of section 16-50/ concerning the proposed and alternative sites of the

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facility. Such consultation with the municipality shall include, but not be limited to, good faith efforts to meet with the chief elected official of the municipality. At the time of the consultation, the person or entity submitting the proposal shall provide the chief elected official with any technical reports concerning the public need, the site selection process and the environmental effects of the proposed facility Within sixty days of the initial consultation, the municipality shall issue its recommendations to the person or entity submitting the proposal. If a person or entity chooses to file an application pursuant to subdivision (3) of subsection (a) of section 16-50I, then such person or entity shall provide the Connecticut Siting Council a summary of the consultations with the municipality, including all recommendations issued by the municipality.

The plain language of C.G.S. § 16a-7c(e) makes clear that the Legislature envisioned that a project submitted in response to a request for proposal would be an entirely new project – not one that already had secured a certificate of environmental compatibility and public need (“Certificate”) and been partially construction like the Meriden Project. Most importantly, however, the language of the statute reveals that the underlying purpose of the municipal consultation requirement is to provide municipal officials with relevant background information on the project so that they can determine whether to support or oppose the project in the Certificate proceedings.

The municipalities that must be consulted with regard to the Meriden Project include Meriden and Berlin because the facility will be sited in Meriden and located within 2,500 feet of the boundary of Berlin. See C.G.S. § 16-50I(b).

As NRG noted in its Application Pursuant to C.G.S. § 16-50I(a)(3) that was filed in this proceeding on March 19, 2009 (the “NRG Application”), PDC El Paso Meriden, LLC (“PDC El Paso”) was the original sponsor of the Meriden Project. PDC El Paso consulted extensively with Meriden and Berlin in connection with its original application for a Certificate for the Project (which was granted in Docket 190) and provided both municipalities with technical reports and other information required by C.G.S. § 16-50I(e). Following NRG’s acquisition of the Meriden Project in 2000, NRG continued to have regular contacts with officials of both Meriden and Berlin, which are described in the NRG Application and need not be repeated here. Although NRG did not schedule another meeting with Meriden and Berlin officials immediately upon filing its proposal for the Meriden Project with the Connecticut Energy Advisory Board, it provided Meriden and Berlin officials with a copy of the NRG Application on March 19, 2009. Shortly thereafter, NRG alerted Senator Thomas Gaffey and Representatives Christopher Donovan, Emil Altobello and Catherine Abercrombie by email that the NRG Application had been filed with the Council and invited them to contact NRG if they had any comments or questions.

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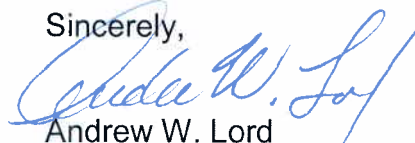
As a follow-up to these communications, NRG met with Lawrence Kendzior, City Manager for Meriden, and Deborah Moore, Esq., legal counsel for Meriden, on April 2, 2009 and provided them with a status report on the Project. Although Mayor Michael Rohde was unable to attend that meeting, Mr. Kendzior and Attorney Moore expressed their continued support for the Meriden Project and indicated that they had been in recent contact with Mayor Rhode on this matter. As the Council is well aware, Meriden has petitioned for party status in this proceeding, and NRG looks forward to its full participation and support.

NRG is in the process of scheduling another meeting with officials of the Town of Berlin. This meeting follows upon recent discussions between NRG and officials of the towns of Berlin and Cromwell concerning a revised cooling water line for the Meriden Project. Both Berlin and Cromwell view this new plan favorably, and NRG has no reason to believe that Berlin's longstanding support for the Meriden Project has wavered. NRG looks forward to meeting with Berlin officials at the earliest possible date and will report the results of that meeting to the Council.

In short, NRG's recent discussions with Meriden and Berlin officials build on nearly 10 years of regular communications with these municipalities regarding the Meriden Project, and the Project continues to enjoy strong community support. Indeed, given the current economic conditions, support for the Meriden Project is particularly strong at present because of the increased tax revenues and economic stimuli that would result from its completion.

For all of the foregoing reasons, NRG respectfully submits that it has complied with the spirit and purpose of C.G.S. § 16a-7c(e) under the unique circumstances presented by the Meriden Project proposal. In the event that the Council disagrees with this conclusion, NRG would be pleased to obtain formal written recommendations from Meriden and Berlin if so requested by the Council.

Sincerely,



Andrew W. Lord

cc: The Honorable Michael S. Rohde, City of Meriden
Dominick Caruso, City of Meriden
Lawrence Kendzior, City of Meriden
Deborah L. Moore, Esq., City of Meriden
The Honorable Adam P. Salina, Town of Berlin
Denise McNair, Town of Berlin
Hellyn Riggins, Town of Berlin
Jonathan J. Milley, NRG

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