

ANDREW W. LORD
860.240.6180 DIRECT TELEPHONE
860.240.5723 DIRECT FACSIMILE
ALORD@MURTHALAW.COM

June 5, 2009

VIA HAND DELIVERY

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

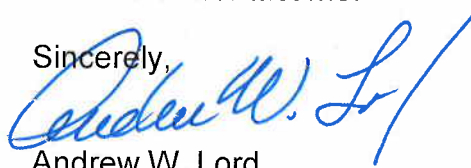
Re: NRG Energy, Inc. Supplemental Responses to Connecticut
Siting Council Interrogatories; Docket No. 370B

Dear Mr. Phelps:

Enclosed on behalf of NRG Energy, Inc. ("NRG") is the supplemental response to Interrogatory 3 of the first set of interrogatories and data requests addressed to NRG by the Connecticut Siting Council. The attached supplemental response is a chart, which indicates the status of approved elements of the D&M Plans.

If you have any questions, please feel free to contact me.

Sincerely,



Andrew W. Lord

Enclosure

cc: Jonathan J. Milley, NRG
Julie L. Friedberg, Esq., NRG
Service List

Murtha Cullina LLP | Attorneys at Law

BOSTON

HARTFORD

MADISON

NEW HAVEN

STAMFORD

WOBURN

TABLE ONE: NRG Energy, Inc. D&M Plan Submittals, Approvals, and Status

D&M Plan Submittal Date	Submittal Detail	Approval Date	Council-Approved D&M Elements Completed?
3/28/00	<p>Partial D&M Plan Submittal (Part I):</p> <p>Rubin & Rudman LLP submittal, dated March 27, 2000, on behalf of PDC-El Paso Meriden LLC (“Original Applicant”) with:</p> <ol style="list-style-type: none"> 1. Attachment C: Detailed Work Schedule for Initial Site Preparation and Construction Activities for Subdivision Roadway, Site Access Road and Project Site 2. Attachment G: NPDES Storm Water Pollution Prevention Plan of Stormwater Associated With Construction Activities (SWPPP) 3. Attachment I: Construction Blasting Plan 	4/12/00, by letter from CSC dated 4/13/00	Yes, the Original Applicant completed the approved D&M Plan for the possession and handling of explosives, the placement of erosion and sediment controls (SWPPP) prior to initial clearing and grubbing of the Project Site, Subdivision Roadway, and Site Access Road, and followed these plans during initial clearing and grubbing activities.
8/2/01	<p>Partial D&M Submittal (South Mountain Drive and Site Excavation and Grading)(Part II):</p> <p>Meriden Gas Turbines LLC (“MGT”) D&M Plan for South Mountain Drive and Site Excavation and Grading for Facility, dated July 2001, with:</p> <ol style="list-style-type: none"> 1. Appendix A: Ridgeline Protection and Vernal Pool Conservation Area Map, dated April 16, 2001 2. Appendix B: Army Corps of Engineers 	9/12/01, by letter from CSC dated 9/14/01	Yes, MGT completed the approved D&M Plan for constructing South Mountain Drive, including: <ol style="list-style-type: none"> (a) site preparation activities (installation of S&E controls); (b) clearing and grubbing associated with South Mountain Drive; (c) construction of detention basins; (d) completion of mass excavation; (e) construction of stone swales and storm drainage-catchbasin drainage system; (f) construction of the road base;

NRG Energy, Inc.
 Supplement to Interrogatory Q-CSC-3
 June 5, 2009

	<p>Permit No. 199802612, dated April 25, 2000</p> <p>3. Appendix C: Project Plans for South Mountain Drive [Extensive List of Plans including: Roadway Construction Plans, Roadway Profiles, and S&E Control Details]</p> <p>4. Appendix D: Project Plans for Site Excavation and Grading [Extensive List of Plans including: Conceptual Site Plan, Grading Plans, Access Road Profiles, Slope Stabilization Plan, Boring Plan, and Stormwater Management Details]</p> <p>5. Appendix E: General Permit Registration for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, dated Oct. 5, 2000</p>	<p>(g) construction of curbing; (h) site restoration (topsoil, seed, guiderails); (i) placement of binder course asphalt; and (j) final asphalt overlay of South Mountain Drive is complete.</p> <p>Additionally, MGT completed the approved D&M Plan for Site Excavation and Grading of the Parcel A Facility Site, including: (a) blasting, crushing and placement of rock at the Facility Site; (b) construction of stormwater management facilities; (c) excavation and grading in area of concreted foundations for buildings and major equipment; (d) construction of private access road from South Mountain Drive to Facility Site, paving of access road, and installation of guiderails along private road; (e) excavation/grading and fill in switchyard and cooling towers area; and (f) construction of concrete retaining walls.</p> <p>Environmental resources were protected pursuant to the D&M Part II Plan.</p>
8/23/01	<p>Supplemental Submittal to Part II: Meriden Gas Turbines LLC: Explosives Use and Sequence</p>	<p>9/12/01, by letter dated 9/14/01</p>
8/27/01	<p>Supplemental Submittals to Part II:</p>	<p>9/12/01, by Yes, MGT completed the construction of the grading plans.</p>

<p>retaining walls in accordance with the retaining wall details and approved D&M Plan for Site Excavation and Grading of the Parcel A Facility Site.</p>	<p>letter dated 9/14/01</p>	<p>A. Milone & MacBroom submittal, dated August 27, 2001, on behalf of MGT with: Retaining Wall Details</p> <p>B. Murtha Cullina LLP submittal, dated August 27, 2001, on behalf of MGT, Responses to CSC's Interrogatories regarding D&M Plan (Part II), with:</p> <ol style="list-style-type: none"> 1. Attachment 1: Current Silt Fence and Haybale Installation 2. Retaining Wall Information 3. Attachment 3: Existing Site Trails 4. Attachment 4: Copy of DEP Water Diversion Permit 5. Attachment 5: Copy of DPH Change in Use Permit
<p>This D&M Plan primarily described in detail the equipment component upgrades for the facility, including an update regarding the use of gas turbine generators and steam turbine generator manufactured by GE in lieu of ABB and described the minor differences in site configuration that would be required by this substitution and an evaluation of air emissions, noise emissions, the viewshed, and water usage associated with the substitution. Additionally, the Plan included a projected facility construction schedule.</p> <p>With respect to that portion of this D&M Plan relating to the construction schedule, the status of</p>	<p>9/12/01, by letter dated 9/14/01</p>	<p>Partial D&M Submittal (Upgrade Facility Components)(Part III):</p> <p>Meriden Gas Turbines LLC D&M Plan for Upgrade Facility Components, dated August, 2001, with:</p> <ol style="list-style-type: none"> 1. Appendix A: Updated Site Arrangement Plan 2. Appendix B: Ambient Impact Analyses for the Use of GE 7 Turbines in Place of ABB GT24 Turbines at the Meriden Project in Meriden, CT (includes Aug. 29, 2001 submittal letter to DEP) 3. Appendix C: Facility Noise Emissions Evaluation

	<p>4. Appendix D: Change in Use Permit from Department of Public Health (Permit No. 2001-1, dated 8/21/01)</p>		<p>approved construction activities are as follows:</p> <ul style="list-style-type: none"> (a) the equipment foundation installation was completed; (b) the steam turbine generator was delivered to the site, but was subsequently sold in 2003 as a result of bankruptcy; (c) the gas turbine generators were delivered to the site, but were subsequently sold in 2003 as a result of bankruptcy; (d) the steam and gas turbine generators were not erected; (e) the balance of the plant equipment was not installed; and (f) facility start-up, testing, and acceptance has not been completed.
<p>9/7/01</p>	<p>Supplemental Submittals to Part III: A. Milone & MacBroom submittal, dated September 7, 2001, on behalf of MGT with:</p> <ul style="list-style-type: none"> 1. Property Disposition Map- Meriden Property 2. Property Disposition Map- Berlin Property 3. Viewshed Analysis of Upgraded Facility Layout <p>B. Rubin & Rudman LLP submittal, dated September 6, 2001, on behalf of MGT with:</p> <ul style="list-style-type: none"> 1. Final Site Plan Maps for the City of Meriden and Town of Berlin in accordance with Section 2b of D&O 	<p>9/12/01, by letter dated 9/14/01</p>	<p>See Response to prior Part III status.</p>

NRG Energy, Inc.
 Supplement to Interrogatory Q-CSC-3
 June 5, 2009

	<p>C. Murtha Cullina LLP submittal, dated September 7, 2001, with Responses to CSC's Interrogatories regarding D&M Plan (Part III), CSC's Follow-Up Regarding D&M addressing the:</p> <ol style="list-style-type: none"> 1. visual impacts of upgraded facility layout; 2. CL&P's review of the switchyard; 3. ability of GE turbines to switch fuels; and 4. operational history of GE turbines 		
9/12/01	<p>Murtha Cullina LLP submittal, dated September 12, 2001, with:</p> <ol style="list-style-type: none"> 1. Daily Construction Schedule 	9/12/01, by letter dated 9/14/01	The approved daily construction schedule was adhered to until construction activities ceased.
11/16/01	<p>D&M Plan for Facility Design, dated November 2001, with:</p> <ol style="list-style-type: none"> 1. Appendix A: Updated Site Arrangement Plan, dated November 7, 2001 2. Appendix B: Preliminary Fuel Oil Flow Diagrams 3. Appendix C: Landscaping Plan, dated November 16, 2001 4. Appendix D: Project Schedule 5. Appendix E: State Court Complaint 6. Appendix F: Federal Court Complaint 	12/11/01, by letter dated 12/13/01, excepting the fuel oil storage, unloading and pumping facilities portion of the plan	<p>This D&M Plan described the update site arrangement plan; project schedule; fuel oil storage, unloading and pumping facilities; landscaping design; architectural treatment of building components; and the spill prevention and countermeasure plan for the facility.</p> <p>The status of approved portions of the plan are as follows:</p> <ol style="list-style-type: none"> (a) construction of the building to house the turbines is completed; (b) construction of administrative, control & maintenance building is completed, including the retaining walls associated

			<p>with the administrative building; (c) the site has been stabilized; (d) the turbine building was treated architecturally with an earth-toned panel system and the administrative building built with a clearstory type roofline and ribbon-style windows; and (e) applicable portions of the spill prevention and countermeasure plan are in effect.</p> <p>The landscaping plan has not been implemented.</p>
<p>11/16/01</p>	<p>D&M Plan for Site Preparation and Construction within the Joint Utility Corridor, dated November 2001, with:</p> <ol style="list-style-type: none"> 1. Appendix A: Town of Berlin Project Plans [List of Plans including: Overall Site Plan and S&E Control Detail/Narrative] 2. Appendix B: City of Meriden Project Plans [List of Plans including: Overall Site Plan and S&E Control Detail/Narrative] 3. Appendix C: Town of Berlin IWWC Approval [Application 99-08W, dated Oct. 17, 2001] 4. Appendix D: City of Meriden IWWC Approval, dated Oct. 27, 1999 5. Appendix E: ACOE Permit for Water and Electric, Permit No. 199802612 6. Appendix F: CT DEP 401 Water Quality Certification, Permit No. WQC-199901215 	<p>12/11/01, by letter dated 12/13/01</p>	<p>The status of approved portions of D&M Plan for constructing the Joint Utility Corridor are as follows: (a) site preparation activities (installation of S&E controls) associated with the joint utility corridor were completed; (b) clearing and grubbing associated with the joint utility corridor were completed; (c) construction of electric poles associated with the joint utility corridor were not completed; (d) construction of the gas main associated with the joint utility corridor was partially completed (Yankee Gas completed installation of the tap at the end of the corridor and the trap rock corridor was trenched [later backfilled for safety] for the pipe itself); (e) construction of the water main associated</p>

			with the joint utility corridor was not completed; (f) wetland/watercourse restoration following construction activities was not completed; and (g) upland area restoration following construction activities was not completed.
4/1/02	Modification to D&M Plan for Clearing the Joint Utility Corridor (Requesting approval of revised route of the joint utility corridor)	6/24/02 by letter dated 6/24/02	This modification was limited to approval of a revised route of the joint utility corridor. The approval requires the establishment of a conservation easement of approximately 1 acre, as ordered by the Army Corps of Engineers and shown on Sheet 11 of the Army Corps of Engineers letter of June 19, 2002. MGT, by Grant of Conservation Deed Restriction, dated June 27, 2003, conveyed the 1 acre conservation easement area, as ordered by the Army Corps of Engineers, to the City of Meriden. The Grant of Conservation Deed Restriction was recorded on the Meriden Land Records in Vol. 3102 Page 001 on July 9, 2003.
6/28/02	Supplement to D&M Plan of November 2001 for Facility Design regarding Fuel Oil Delivery System (Submitted via Murtha Cullina LLP by letter dated 6/26/02 with Fuel Oil Delivery attachment)	8/1/02 by letter dated 8/6/02	The approved fuel oil storage, unloading and pumping facilities was partially constructed.
7/23/02	Supplemental Information for Fuel Truck Unloading System Design (Submitted via Murtha Cullina LLP letter dated	8/1/02 by letter dated 8/6/02	The approved fuel oil storage, unloading and pumping facilities was partially constructed.

NRG Energy, Inc.
 Supplement to Interrogatory Q-CSC-3
 June 5, 2009

	7/23/02 with Fuel Oil Storage & Unloading D&M Plan with attachment)		
8/27/02	<p>D&M Plan for Water Main Construction, dated August 2002</p> <p>Appendix A: Water Main Project Plans [Extensive Drawings in D&M Plan, including: plan profiles and sediment and erosion control details]</p> <p>Appendix B: City of Meriden IWWC</p> <p>Appendix C: Town of Berlin IWWC</p> <p>Appendix D: Army Corps of Engineers Permit for Water and Electric, Permit No. 199802612</p> <p>Appendix E: CT DEP 401 Water Quality Certification, Permit No. WQC-199901215</p>	Staff Report 9/5/02	N/A (never approved)
10/4/02	<p>D&M Plan for Extension of Construction, dated October 2002 (Extension to April 27, 2003)</p>	<p>10/23/02, by letter dated 10/29/02, with conditions</p> <p>Staff Report 10/21/02</p>	<p>Status of conditions:</p> <p>(a) landscaping and stormwater controls not adversely affected by unbuilt portions of the facility were completed; and</p> <p>(b) the transfer of land to the City of Meriden was completed.</p>
	Request for Extension of 5 Years to Complete Construction	2/22/06 Approval to Extend	The Stipulated Judgment required the transfer of property to the City of Meriden and the Town of Berlin. This was completed on January 13, 2006

NRG Energy, Inc.
 Supplement to Interrogatory Q-CSC-3
 June 5, 2009

		Certificate for 5 Years, by letter dated 3/7/06 with condition of compliance with stipulated judgment 1/13/06	per the Land Transfer Agreement.
	Land Transfer Agreement		(Transfer of Land to the City of Meriden and Town of Berlin)

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	The Connecticut Light & Power Co. P.O. Box 270 Hartford, CT 06141-0270	Robert E. Carberry, Manager NEEWS Projects Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 carbere@nu.com
	<input checked="" type="checkbox"/> E-mail		Duncan MacKay, Esq. Legal Department Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3495 mackadr@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Jeffrey Towle, Project Manager Transmission, NEEWS Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3962 towlejm@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP P.O. Box 1950 New Haven, CT 06509 (203) 777-5501 afitzgerald@carmodylaw.com bhenebry@carmodylaw.com
Intervenor (granted on February 19, 2009) Competing Applicant as of 03/19/2009	<input checked="" type="checkbox"/> U.S. Mail	NRG Energy, Inc.	NRG Energy, Inc. c/o Julie L. Friedberg, Senior Counsel – NE 211 Carnegie Center Princeton, NJ 08540
	<input checked="" type="checkbox"/> U.S. Mail		Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6180 (860) 240-5723 – fax alord@murthalaw.com

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
	<input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail	NRG Energy, Inc. continued...	Jonathan Milley Vice President, NE Region NRG Energy, Inc. 211 Princeton, NJ 08540 (609) 524-4680 (609) 524-5160 fax Jonathan.milley@nrgenergy.com Diana M. Kleefeld, Esq. Murtha Cullina LL CityPlace I, 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6035 (860) 240-5974 dkleefeld@murthalaw.com
Party (granted November 20, 2008)	<input checked="" type="checkbox"/> E-mail	Richard Blumenthal Attorney General	Michael C. Wertheimer Assistant Attorney General Attorney General's Office 10 Franklin Square New Britain, CT 06051 (860) 827-2620 (860) 827-2893 Michael.wertheimer@po.state.ct.us
Party (granted November 20, 2008)	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> U.S. Mail	Town of East Granby	Donald R. Holtman, Esq. Katz & Seligman, LLC 130 Washington Street Hartford, CT 06106 (860) 547-1857 (860) 241-9127 dholtman@katzandseligman.com The Honorable James Hayden First Selectman Town of East Granby P.O. Box 1858 East Granby, CT 06026

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p>Party (granted November 20, 2008)</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p> <p><input checked="" type="checkbox"/> U.S. Mail</p>	<p>Town of Suffield</p>	<p>Edward G. McAnaney, Esq. McAnaney & McAnaney Suffield Village 68 Bridge Street Suffield, CT 06078 (860) 668-2000 (860) 668-2666 – fax Mcananey-mcananey@att.net</p> <p>The Honorable Scott R. Lingenfelter First Selectman Suffield Town Hall 83 Mountain Road Suffield, CT 06078</p>
<p>Intervenor (granted December 4, 2008)</p>	<p><input checked="" type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> U.S. Mail</p>	<p>ISO New England Inc.</p>	<p>Anthony M. Macleod Whitman Breed Abbott & Morgan LLC 500 West Putnam Avenue, P.O. Box 2250 Greenwich, CT 06830-2250 (203) 862-2458 amacleod@wbamct.com</p> <p>Kevin Flynn, Esq. Regulatory Counsel ISO New England One Sullivan Road Holyoke, MA 01040 (413) 535-4177 kflynn@iso-ne.com</p>
<p>Party (granted on January 8, 2009)</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p> <p><input checked="" type="checkbox"/> E-Mail</p>	<p>Office of Consumer Counsel</p>	<p>Mary J. Healey Consumer Counsel Ten Franklin Square New Britain, CT 06051 Mary.healey@ct.gov</p> <p>Bruce C. Johnson Principal Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Bruce.johnson@ct.gov</p>

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Party (granted on April 7, 2009)	<input checked="" type="checkbox"/> U.S. Mail	City of Meriden	Deborah L. Moore, City Attorney Meriden City Hall Department of Law 142 East Main St. Meriden, CT 06450 (203) 630-4045 (203) 630-7907 – fax dmoore@ci.meriden.ct.us
	<input checked="" type="checkbox"/> U.S. Mail		Lawrence J. Kendzior, City Manager Meriden City Hall 142 East Main St. Meriden, CT 06450 lkendzior@ci.meriden.ct.us
Party (granted on April 7, 2009)	<input checked="" type="checkbox"/> U.S. Mail	The United Illuminating Company (UI)	John J. Prete The United Illuminating Company 157 Church Street New Haven, CT 06506-1904 (203) 499-3701 (203) 499-3728 uiregulatory@uinet.com
	<input checked="" type="checkbox"/> U.S. Mail		Linda L. Randell Senior Vice President, General Counsel and Corporate Secretary UIL Holdings Corporation 157 Church St., P.O. Box 1564 New Haven, CT 06506-0901 (203) 499-2575 (203) 499-3664 Linda.randell@uinet.com
	<input checked="" type="checkbox"/> E-Mail		Bruce L. McDermott Wiggin and Dana LLP One Century Tower New Haven, CT 06508-1832 (203) 498-4340 (203) 782-2889 bmcdermott@wiggin.com

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Intervenor (if granted on June 4, 2009)	<input checked="" type="checkbox"/> E-Mail <input checked="" type="checkbox"/> U.S. Mail	The Connecticut Energy Advisory Board (CEAB)	Michele S. Riverso Assistant Attorney General 10 Franklin Square New Britain, CT 06051 (860) 827-2683 Michele.riverso@po.state.ct.us CEAB c/o Gretchen Deans CERC 805 Brook Street, Bldg. 4 Rocky Hill, CT 06067 (860) 571-7147 gdeans@cerc.com
Party (if granted on June 4, 2009)	<input checked="" type="checkbox"/> E-Mail <input checked="" type="checkbox"/> U.S. Mail	Connecticut Department of Transportation	Eileen Meskill Assistant Attorney General Office of the Attorney General 55 Elm Street P.O. Box 120 Hartford, CT 06141-0120 Eileen.meskill@po.state.ct.us Thomas A. Harley, P.E. Chief Engineer Connecticut Dept. of Transportation 2800 Berlin Turnpike Newington, CT 06131
Intervenor (if granted on June 4, 2009)	<input checked="" type="checkbox"/> U.S. Mail	Farmington River Watershed Association	Eileen Fielding Farmington River Watershed Association 749 Hopmeadow Street Simsbury, CT 06070 (860) 658-4442 (860) 651-7519 fax efielding@frwa.org
Party (if granted on June 4, 2009)		Citizens Against Overhead Power Line Construction	Citizens Against Overhead Power Line Construction c/o Richard Legere 1204 Newgate Road West Suffield, CT 06093 (860) 668- 0848 (860) 668-0848 rlegere@cox.net