

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

January 5, 2010

The Honorable Denise L. Nappier
State Treasurer
Office of the Treasurer
55 Elm Street
Hartford, Connecticut 06106

RE: **DOCKET NO. 398** - Northeast Utilities Service Company, on behalf of The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of the Sherwood Substation located at 6 New Creek Road, Westport, Connecticut.

Dear Ms. Nappier:

Pursuant to Connecticut General Statutes § 16-50bb, please be advised that the Connecticut Siting Council (Council) is in receipt of the sum of \$25,000 as payment to the Municipal Participation Account in connection with the above-referenced proceeding. This payment was received on December 29, 2009, and deposited into your department account (OTT14420) in fund 12060 – “Other Restricted Revenue”.

Subsection (b) of C.G.S. § 16-50bb states, in part, that “[p]ayments from the account shall be made upon authorization by the State Treasurer...” and provides guidance in the event an application involves more than one municipality. To that end, please note that the above-referenced proceeding required notice be sent to one municipality - Westport. This municipality may apply for any or all of the Fund amount designated for this project if they become a participant in the proceeding.

If the Westport municipality is interested in applying for said funds, they are required to submit a letter of intent to apply to Attn: Lisa Fontaine, Connecticut Siting Council, Ten Franklin Square, New Britain, CT 06051. Disbursements from your agency for this fund must be made by up to 60 days after the final decision. Our office will notify you of the final decision date.

Thank you for your attention to this matter. If I may be of further service to you in this or any other matter, I hope you will not hesitate to call upon me.

Very truly yours,


S. Derek Phelps
Executive Director

SDP/laf

c: Daniel F. Caruso, Chairman
Parties and Intervenors
Lisa Fontaine, Fiscal Administrative Officer

Enc.: Notice of Acknowledgement/Intent
Participation Guidelines

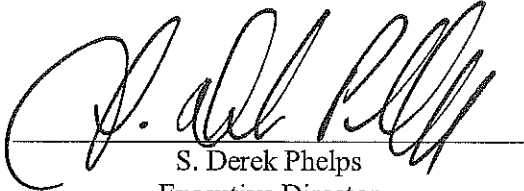
STATE OF CONNECTICUT)
ss. New Britain, Connecticut :
COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct listing of the municipality affected by an application presented by Northeast Utilities Service Company, on behalf of The Connecticut Light and Power Company on December 30, 2009. This application is request for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of the Sherwood Substation located at 6 New Creek Road, Westport, Connecticut has been issued Docket Number 398 by the Council.

(Below lists the municipality in which the proposed application will affect.)

(Westport)

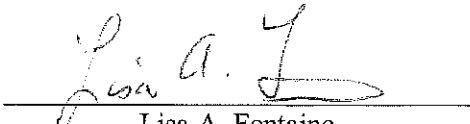
ATTEST:



S. Derek Phelps
Executive Director
Connecticut Siting Council

I certify that a copy of this correspondence in Docket No. 398 has been forwarded by Certified First Class Return Receipt Requested mail on January 5, 2010, to all parties and intervenors of record as listed on the attached service list, dated January 4, 2010.

ATTEST:



Lisa A. Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

**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"/> E-mail	Northeast Utilities Service Company d/b/o The Connecticut Light and Power Company	John R. Morissette, Manager Transmission Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-2036 morisjr@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Chris Swan, Director Municipal Relations Siting and Permitting Northeast Utilities Service Company 9 Tindall Avenue Norwalk, CT 06851 (203) 845-3421 swancc@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Kris Aberg, Project Manager Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6733 abergk@nu.com
	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> U.S. Mail		Duncan MacKay, Esq. Jeffery Cochran, Esq. Legal Department Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3495 mackadr@nu.com cochrid@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Marianne Barbino Dubuque, Esq. Robert S. Golden, Jr., Esq. Carmody & Torrance LLP 50 Leavenworth Street P.O. Box 1110 Waterbury, CT 06721-1110 (203) 573-1200 mdubuque@carmodylaw.com rgolden@carmodylaw.com

NOTICE OF ACKNOWLEDGEMENT/INTENT

Proceeding Description:

DOCKET NO. 398 - Northeast Utilities Service Company, on behalf of The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of the Sherwood Substation located at 6 New Creek Road, Westport, Connecticut.

Please complete and return this form in the enclosed postage-paid envelope stating your intentions. Failure to complete this form will cause your municipality to forfeit its rights to all or a portion of the municipal participation fund money deposited for the proceeding.

Town of Westport

_____ This municipality does NOT intend to participate in this proceeding, therefore forfeiting their rights to municipal participation fund money.

_____ This municipality REQUESTS PARTY STATUS pursuant to Connecticut General Statutes § 16-50n(a)(2) and requests all/or a portion of the municipal participation fund to be used towards this municipality's participation costs attributed to this specific proceeding.

Because of this, within days after the date that the final decision has been rendered, it is the responsibility of the municipality to submit copies of receipts for reimbursement which show expenses directly attributed to the above referenced proceeding to:

The Honorable Denise L. Nappier
State Treasurer
Office of the Treasurer
55 Elm Street
Hartford, Connecticut 06106

Receipts can be submitted for payment periodically throughout the proceeding or collectively prior to 30 days after the final decision date. In the event that not all of the \$25,000 funds are expended, the remaining amount shall be returned to the applicant.

Please complete PARTY STATUS CONTACT INFORMATION for our service distribution list.

CONTACT NAME _____

COMPANY/FIRM _____

STREET _____

CITY _____ STATE _____ ZIP _____

E-MAIL ADDRESS(ES) TO USE _____

PHONE NUMBER/FAX NUMBER _____

SIGNATURE _____ DATE _____

I authorize e-mail service of documents in Connecticut Siting Council proceedings in which I am associated rather than U.S. mail.

I authorize U.S. mail service of documents in Connecticut Siting Council proceedings.

**The Details of attaining party/intervenor status
and
How to participate in the public comment hearing**

*Please note the material below should not be substitute for legal advice. If there is conflict with the text below and relevant statutes and regulations, the statutes and regulations shall prevail.

Status in Proceeding	Relevant Connecticut Statutes	Relevant Council Regulations	Summary of participation	Council approval required
Party	4-177a; 16-50n; 16-50o; 22a-120; 22a-163j	16-50j-13 through 16-50j-17	Requires pre-filing and allows for cross-examination; full participation in evidentiary hearing	Yes. Must file at least five days prior to the hearing. Must show legal rights and duties or privileges will be determined by Council decision.
Intervenor	4-177a(b); 16-50n; 16-50o; 22a-120; 22a-163j	16-50j-15a through 16-50j-17	Requires pre-filing and allows for cross-examination; full participation in evidentiary hearing	Yes. Must file at least five days prior to hearing. Must show participation will furnish assistance to the Council to resolve issues of the case.
Limited Appearance	16-50n(f); 22a-120(b); 22a-163j(b)	16-50j-15	No preparation is required. Participation occurs at evening public comment session.	No filing required.

Statement of Limited Appearance:

Speaking at the evening public comment session or submitting written comments to the Council is considered a statement of limited appearance. One may speak at any time during the evening public comment session or submit written comments at the hearing or within 30 days following the hearing. The oral or written comments should explain facts and concerns for Council consideration. If a person has attained party or intervenor status they may not also submit a comment of limited appearance.

*In a hazardous waste or low-level radioactive waste proceeding any person may file a statement of limited appearance and make a brief oral statement at the hearing.

Request for Intervenor Status:

When: At any time at least five days prior to the commencement of the hearing on a contested case, any person may request that the Council permit that person to participate as an intervenor.

How: In so requesting to participate as an intervenor, the proposed intervenor shall

- submit their request in writing;
- state their name and address;
- describe the manner in which they are affected;
- state in what way and to what extent they propose to participate; and
- send a copy of their request to intervene to all other parties and intervenors who are also participating in the proceeding (this information can be obtained from the Siting Council's office).

Decision: The Council will determine the proposed intervenor's participation by taking into account whether such participation will furnish assistance to the Council in resolving the issues of the case. The Council will notify the petitioner of their decision either to grant or deny intervenor status.

Intervenor Status:

Participation as Intervenor:

- filing pre-hearing questions to the applicant or other parties and intervenors;
- presenting testimony at hearing sessions;
- cross-examination of witnesses at hearing sessions; and
- filing exhibits, briefs, and proposed findings of fact.

All testimony and filings will become part of the record for Council consideration

Obligations as Intervenor:

- respond to pre-hearing questions filed by the Council, the applicant, and any party or intervenor of the proceeding;

- submit to cross-examination from the Council, the applicant, and any party or intervenor of the proceeding;
 - provide the Council with an original and 20 copies of all filings; and
 - provide the applicant and all parties and intervenors who have not waived service with one copy of all filings.
-

Request for Party Status:

When: At any time at least five days prior to the commencement of the hearing on a contested case, any person may request that the Council permit that person to participate as a party.

Who: Certain persons and corporations are statutorily deemed parties to a proceeding

- the applicant or certificate holder;
- each person entitled to receive a copy of the application or resolution under section 16-501 or 22a-163h, if such person has filed with the Council a notice of intent to be a party;
- each person entitled to receive a copy of the application under section 22a-118(e) for a hazardous waste proceeding;
- any domestic or qualified nonprofit corporation or association formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups or to promote the orderly development of the areas in which the facility is to be located, if it has filed with the Council a notice of intent to be a party

How: Others may also become parties to a proceeding by submitting a written request to the Council at least five days prior to the hearing. The written request must illustrate the following:

- their name and address;
- the manner in which the petitioner claims to be substantially and specifically affected;
- the contention of the petitioner;
- the relief sought by the petitioner;
- the statutory or other authority therefore; and
- the nature of evidence that the petitioner intends to present.

Decision: The Council will name or admit as a party any person whose legal rights, duties, or privileges will be determined by the decision of the Council, or that the participation of such person as a party is necessary to the proper disposition of the case. The Council will notify the petitioner of their decision either to grant or deny party status.

Party Status:

Participation as Party:

- filing pre-hearing questions to the applicant or other parties or intervenors;
- presenting testimony at hearing sessions;
- cross-examination of witnesses at hearing sessions; and
- filing exhibits, briefs, and proposed findings of fact.

All testimony and filings will become part of the record for Council consideration.

Obligation as Party:

- respond to pre-hearing questions filed by the Council, the applicant, and any party or intervenor of the proceeding;
- submit to cross-examination from the Council, the applicant, and any party or intervenor of the proceeding;
- provide the Council with an original and 20 copies of all filings; and
- provide the applicant and all parties and intervenors who have not waived service with one copy each of all filings.

Council Discretion:

The Council in its discretion may limit testimony and group parties with the same interest to avoid redundant testimony and unnecessary delays in the proceeding. While the Council welcomes participation in accordance with its regulations and applicable statutes, asserting a person's rights and privileges is his or her responsibility. One must initiate a request for party or intervenor status on their own behalf. Although it is not obligatory, the Council recommends that parties and intervenors seek legal representation.