

Schacht & McElroy

Michael R. McElroy
Leah J. Donaldson

Attorneys at Law

Michael@McElroyLawOffice.com
Leah@McElroyLawOffice.com

Members of the Rhode Island
and Massachusetts Bars

21 Dryden Lane
Post Office Box 6721
Providence, RI 02940-6721

(401) 351-4100
fax (401) 421-5696

January 12, 2018

Todd Bianco
Coordinator
Rhode Island Energy Facility Siting Board
89 Jefferson Boulevard
Warwick, RI 02888

Re: Invenergy Thermal Development LLC and National Grid – Clear River Energy Center
Burrillville Interconnection Project – EFSB Docket No. SB-2017-01

Dear Dr. Bianco:

I am Special Counsel for the Town of Burrillville.

Enclosed for filing in this matter are an original and five copies of the Town of Burrillville's (1) 1st Set of Data Requests to National Grid, and (2) 1st Set of Data Requests to Clear River Energy Center LLC. Electronic copies have been sent to the service list.

If you need any further information, please do not hesitate to contact me.

Very truly yours,



Michael R. McElroy

MRMc:tmg

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

IN RE: INVENERGY THERMAL DEVELOPMENT LLC's :
AND NATIONAL GRID's PROPOSED : DOCKET No. SB-2017-01
BURRILLVILLE INTERCONNECTION PROJECT :

**THE TOWN OF BURRILLVILLE'S 1st SET OF DATA REQUESTS TO
NATIONAL GRID**

- 2-1 In the November 29, 2017 joint letter to FERC from ISO-NE and New England Power Co. in Docket EL18-349, there is a discussion on pages 12 – 13, and in paragraphs 31 and 32 of the Kevin C. Reardon Affidavit filed in that Docket, concerning the absence of a Right of Way (ROW) agreement between Clear River and National Grid. Please provide the following regarding negotiations related to this proposed agreement:
- a. Is an executed ROW agreement between Clear River and National Grid necessary for this project to move forward?
 - b. What is the current status of negotiations regarding this ROW agreement?
 - c. If this ROW agreement has not yet been signed, please provide all details of the issues between the parties, including the positions of each party on the outstanding issues.
- 2-2 Do you believe that a ROW agreement between Clear River and National Grid will be executed? If so, please explain your reasons for this belief and when you believe that such an agreement will be executed.
- 2-3 Please provide a copy of any drafts of this ROW agreement that exist and also provide a copy of any executed ROW agreement if and when it is in fact executed.
- 2-4 What is the amount that you anticipate Clear River will have to pay to National Grid under this ROW agreement? Please explain if this amount is currently included in the cost estimates for this project filed with the PUC and the EFSB and provide the basis for this estimate.
- 2-5 What options, if any, does Clear River have with regard to completing this project if Clear River and National Grid fail to execute a ROW agreement?
- 2-6 Has Clear River/Invenergy begun negotiating any alternative electric transmission rights of way with any party, including, but not limited to, rights of way within a natural gas pipe line corridor or within municipal rights of way? If so, please provide all details.

Respectfully submitted,
Town of Burrillville
By its attorneys



William C. Dimitri, Esq. #2414
Town Solicitor
462 Broadway
Providence, RI 02909-1626
Tel: (401) 474-4370
Fax: (401) 273-5290
dimitrilaw@icloud.com

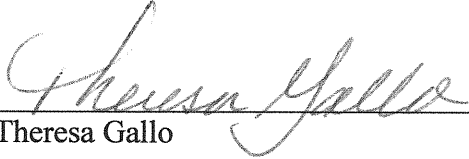


Michael R. McElroy, Esq. #2627
Leah J. Donaldson, Esq. #7711
Special Counsel
21 Dryden Lane
P.O. Box 6721
Providence, RI 02940-6721
Tel: (401) 351-4100
Fax: (401) 421-5696
Michael@McElroyLawOffice.com
Leah@McElroyLawOffice.com

Date: January 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of January, 2018, I sent a copy of the foregoing to the attached service list.



Theresa Gallo

Burrilville/National Grid SB-2017-01

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

IN RE: INVENERGY THERMAL DEVELOPMENT LLC's :
AND NATIONAL GRID's PROPOSED : DOCKET No. SB-2017-01
BURRILLVILLE INTERCONNECTION PROJECT :

**THE TOWN OF BURRILLVILLE'S 1st SET OF DATA REQUESTS TO
INVENERGY THERMAL DEVELOPMENT LLC**

- 2-1 In the November 29, 2017 joint letter to FERC from ISO-NE and New England Power Co. in Docket EL18-349, there is a discussion on pages 12 – 13, and in paragraphs 31 and 32 of the Kevin C. Reardon Affidavit filed in that Docket, concerning the absence of a Right of Way (ROW) agreement between Clear River and National Grid. Please provide the following regarding negotiations related to this proposed agreement:
- a. Is an executed ROW agreement between Clear River and National Grid necessary for this project to move forward?
 - b. What is the current status of negotiations regarding this ROW agreement?
 - c. If this ROW agreement has not yet been signed, please provide all details of the issues between the parties, including the positions of each party on the outstanding issues.
- 2-2 Do you believe that a ROW agreement between Clear River and National Grid will be executed? If so, please explain your reasons for this belief and when you believe that such an agreement will be executed.
- 2-3 Please provide a copy of any drafts of this ROW agreement that exist and also provide a copy of any executed ROW agreement if and when it is in fact executed.
- 2-4 What is the amount that you anticipate Clear River will have to pay to National Grid under this ROW agreement? Please explain if this amount is currently included in the cost estimates for this project filed with the PUC and the EFSB and provide the basis for this estimate.
- 2-5 What options, if any, does Clear River have with regard to completing this project if Clear River and National Grid fail to execute a ROW agreement?
- 2-6 Has Clear River/Invenergy begun negotiating any alternative electric transmission rights of way with any party, including, but not limited to, rights of way within a natural gas pipe line corridor or within municipal rights of way? If so, please provide all details.

Respectfully submitted,
Town of Burrillville
By its attorneys



William C. Dimitri, Esq. #2414
Town Solicitor
462 Broadway
Providence, RI 02909-1626
Tel: (401) 474-4370
Fax: (401) 273-5290
dimitrilaw@icloud.com

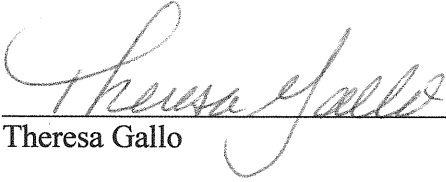


Michael R. McElroy, Esq. #2627
Leah J. Donaldson, Esq. #7711
Special Counsel
21 Dryden Lane
P.O. Box 6721
Providence, RI 02940-6721
Tel: (401) 351-4100
Fax: (401) 421-5696
Michael@McElroyLawOffice.com
Leah@McElroyLawOffice.com

Date: January 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of January, 2018, I sent a copy of the foregoing to the attached service list.



Theresa Gallo

Burrilville/National Grid SB-2017-01

SB-2017-01 Burrillville Interconnection Project Service List as of 10/12/2017

Name/Address	E-mail	Phone/FAX
<p>File an original and 6 copies with EFSB: Todd Bianco, Coordinator Energy Facility Siting Board 89 Jefferson Boulevard Warwick, RI 02888</p> <p>Margaret Curran, Chairperson Janet Coit, Board Member Assoc. Dir., Div. of Planning Parag Agrawal Patti Lucarelli Esq., Board Counsel Susan Forcier Esq., Counsel Rayna Maguire, Asst. to the Director DEM Catherine Pitassi, Asst. to. Assoc. Dir. Plann. Margaret Hogan, Sr. Legal Counsel</p>	<p>Todd.Bianco@puc.ri.gov; Kathleen.Mignanelli@puc.ri.gov; Patricia.lucarelli@puc.ri.gov; Margaret.Curran@puc.ri.gov; janet.coit@dem.ri.gov; Catherine.Pitassi@doa.ri.gov; Margaret.hogan@puc.ri.gov; susan.forcier@dem.ri.gov; rayna.maguire@dem.ri.gov; Parag.Agrawal@doa.ri.gov;</p>	<p>401-780-2106</p>
<p>Parties (Electronic Service Only, Unless by Request)</p>		
<p>Peter Lacouture George Watson, III Robinson and Cole LLP One Financial Plaza, Suite 1430 Providence RI, 02903</p> <p>Bess B. Gorman, Esq. Assistant General Counsel and Director Mark Rielly, Esq. Senior Counsel Legal Department, National Grid 40 Sylvan Road Waltham, MA 02451</p>	<p>placouture@rc.com; gwatson@rc.com; Bess.Gorman@nationalgrid.com; mark.rielly@nationalgrid.com;</p>	<p>401-709-3314 781-907-1834 781-907-2111</p>
<p>Invenergy Thermal Development LLC Alan Shoer, Esq. Richard Beretta, Esq. Elizabeth Noonan, Esq. Nicole Verdi, Esq. Adler, Pollock & Sheehan One Citizens Plaza, 8th Floor Providence, RI 02903</p> <p>John Niland, Dir. Of Business Development Michael Blazer, Senior VP and General Counsel Tyrone Thomas, Esq., Asst. General Counsel Invenergy Thermal Development LLC One South Wacker Drive, Suite 1900 Chicago, IL 60600</p>	<p>ashoer@apslaw.com; rberetta@apslaw.com; enoonan@apslaw.com; nverdi@apslaw.com; jniland@inveneryllc.com; mblazer@inveneryllc.com; Tthomas@inveneryllc.com;</p>	<p>401-274-7200 312-638-8488</p>
<p>Town of Burrillville Michael McElroy, Esq., Special Counsel Leah Donaldson, Esq., Special Counsel</p>	<p>Michael@mcelroylawoffice.com;</p>	<p>401-351-4100</p>

Schacht & McElroy PO Box 6721 Providence, RI 02940-6721	leah@mcelroylawoffice.com ;	
William Dimitri, Esq., Acting Town Solicitor	dimitrilaw@icloud.com ;	401-273-9092
Interested Persons (Electronic Service Only)		
Conservation Law Foundation Jerry Elmer, Esq. Max Greene, Esq. 235 Promenade Street Suite 560, Mailbox 28 Providence RI, 02908	Jelmer@clf.org ;	401-351-1102
	Mgreene@clf.org ;	
Office of Energy Resources Andrew Marcaccio, Esq. Nick Ucci, Chief of Staff Chris Kearns, Chief Program Development One Capitol Hill Providence, RI 02908 Ellen Cool Levitan & Associates	Andrew.Marcaccio@doa.ri.gov ;	401-222-3417
	Nicholas.Ucci@energy.ri.gov ;	401-574-9100
	Christopher.Kearns@energy.ri.gov ;	
	egc@levitan.com ;	
	Brenna.McCabe@doa.ri.gov ;	
Rhode Island Building and Construction Trades Council Gregory Mancini, Esq. Sinapi Law Associates, Ltd. 2374 Post Road, Suite 201 Warwick, RI 02886	gmancinilaw@gmail.com ;	401-739-9690
Residents of Wallum Lake Road, Pascoag, RI Dennis Sherman and Kathryn Sherman Christian Capizzo, Esq. Partridge Snow & Hahn, LLP 40 Westminster St., Suite 1100 Providence, RI 02903	cfc@psh.com ;	401-272-1400
	kags8943@gmail.com ;	
Residents of Wallum Lake Road, Pascoag, RI Paul Bolduc and Mary Bolduc Joseph Keough Jr., Esq. 41 Mendon Avenue Pawtucket, RI 02861 Paul and Mary Bolduc 915 Wallum Lake Road Pascoag, RI 02859	jkeoughjr@keoughsweeney.com ;	401-724-3600
	oatyss1@verizon.net ;	401-529-0367
Abutter David B. Harris Michael Sendley, Esq. 600 Putnam Pike, St. 13 Greenville, RI 02828	mSENDLEY@cox.net ;	401-349-4405
Harrisville Fire District Richard Sinapi, Esq.	ras@sinapilaw.com ;	401-739-9690

Joshua Xavier, Esq. 2347 Post Road, Suite 201 Warwick, RI 02886	idx@sinapilaw.com ;	
Residents of 945 Wallum Lake Road, Pascoag, RI (Walkers) Nicholas Gorham, Esq. P.O. Box 46 North Scituate, RI 02857	nickgorham@gorhamlaw.com ;	401-647-1400
	edaigle4@gmail.com ;	
Peter Nightingale, member Fossil Free Rhode Island 52 Nichols Road Kingston, RI 02881	divest@fossilfreeri.org ;	401-789-7649
Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860	mpendergast@mercyne.org ;	401-724-2237
Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833	Patfontes167@gmail.com ;	401-516-7678
Burrillville Land Trust Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street Providence, RI 02906 Paul Roselli, President Burrillville Land Trust PO Box 506 Harrisville, RI 02830	marc@ronmarkoff.com ;	401-272-9330
	proseli@cox.net ;	401-447-1560
Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906	andrew@andrewaleman.com ;	401-429-6779
Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4 th Floor Providence, RI 02903	jillian.dubois.esq@gmail.com ;	401-274-4591
Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830	lphaneuf@burrillville.org ;	401-568-4300
Christine Langlois, Deputy Planner Town of Burrillville	clanglois@burrillville.org ;	401-568-4300

144 Harrisville Main Street Harrisville, RI 02830 Joseph Raymond, Building Official	jraymond@burrillville.org ;	
Michael C. Wood, Town Manager Town of Burrillville 105 Harrisville Main Street Harrisville, RI 02830	mcwood@burrillville.org ;	401-568-4300 ext. 115
Mr. Leo Wold, Esq. Department of Attorney General 150 South Main Street Providence, RI 02903	LWold@riag.ri.gov ;	401-274-4400
Public Utilities Commission Cynthia Wilson Frias, Esq., Dep. Chief of Legal Alan Nault, Rate Analyst	Cynthia.Wilsonfrias@puc.ri.gov ; Alan.nault@puc.ri.gov ;	401-941-4500
Division of Public Utilities and Carriers John J. Spirito, Esq., Chief of Legal Steve Scialabba, Chief Accountant Tom Kogut, Chief of Information	john.spirito@dpuc.ri.gov ; steve.scialabba@dpuc.ri.gov ; thomas.kogut@dpuc.ri.gov ;	401-941-4500
Matthew Jerzyk, Deputy Legal Counsel Office of the Speaker of the House State House, Room 302 Providence RI, 02903	mjerzyk@rilin.state.ri.us ;	401-222-2466
Hon. Cale Keable, Esq., Representative of Burrillville and Glocester	Cale.keable@gmail.com ;	401-222-2258
Nick Katkevich	nkatkevich@gmail.com ;	
Avory Brookins	abrookins@ripr.org ;	
Joseph Bucci, Acting Administrator Highway and Bridge Maintenance Operations RI Department of Transportation	joseph.bucci@dot.ri.gov ;	
Kevin Nelson, Supervising Planner Statewide Planning Program Jennifer Sternick Chief of Legal Services RI Department of Administration	kevin.nelson@doa.ri.gov ; Jennifer.sternick@doa.ri.gov ;	
Doug Gablinske, Executive Director TEC-RI	doug@tecri.org ;	
Tim Faulkner ecoRI News 111 Hope Street Providence, RI 02906	tim@ecori.org ;	401-330-6276
Robert Tormey Conanicut Energy, LLC	rjtormey@conanicutenergy.com ;	617-306-1601

Sally Mendzela	salgalpal@hotmail.com ;	
Keep Burrillville Beautiful Paul LeFebvre	paul@acumenriskgroup.com ;	401-714-4493
Mark Baumer	everydayyeah@gmail.com ;	
Nisha Swinton Food & Water Watch New England	nswinton@fwwatch.org ;	
Kaitlin Kelliher	Kaitlin.kelliher@yahoo.com ;	
Joe Piconi, Jr.	jiggzy@hotmail.com ;	
Hon. Aaron Regunberg Representative of Providence, District 4	Aaron.regunberg@gmail.com ;	
Paul Ernest	paulwernest@gmail.com ;	
Skip Carlson	scarlson@metrocast.net ;	
Kathryn Scaramella	kscaramella@outlook.com ;	
Diana Razzano	Dlrazzano13@verizon.net ;	
David Goldstein	tmdgroup@yahoo.com ;	
Douglas Jobling	djobling@cox.net ;	
Claudia Gorman	corkyhg@gmail.com ;	
Curt Nordgaard	Curt.nordgaard@gmail.com ;	
Colleen Joubert	Colleenj1@cox.net ;	
Matt Smith Food & Water Watch	msmith@fwwatch.org ;	
Christina Hoefsmit, Esq. Senior Legal Counsel RI Department of Environmental Management	Christina.hoefsmit@dem.ri.gov ;	
Steven Ahlquist, RIFuture	atomicsteve@gmail.com ;	
Pascoag Utility District William Bernstein, Esq. Michael Kirkwood, General Manager Robert Ferrari, Northeast Water Solutions, Inc.	mkirkwood@pud-ri.org ;	
	Wlblaw7@gmail.com ;	
	rferrari@nwsinc.net ;	
Russ Olivo Woonsocket Call	rolivo232@gmail.com ;	
Celine Schmidt	celine_schmidt@brown.edu ;	
Suzanne Enser	svetromile@gmail.com ;	
Rhode Island Student Climate Coalition	risc@brown.edu ;	