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January 25, 2018

Todd Anthony 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 revised 3<sup>rd</sup> Set of Data Requests to Invenergy Thermal Development LLC, which correct a typographical error in 3-4. 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

*Burrillville/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 REVISED 3<sup>rd</sup> SET OF DATA REQUESTS TO  
INVENERGY THERMAL DEVELOPMENT LLC**

3-1 On January 23, 2018, Clear River Energy LLC ("Clear River") filed a Withdrawal of Complaint ("Withdrawal") in FERC Docket EL18-31-000.

The Withdrawal specifically references the "Rhode Island Energy Facility Siting Board ("EFSB") proceeding" and states that "in order to remove this issue from being considered in any way in the EFSB proceeding [...] Clear River is submitting this notice of withdrawal of the Complaint." *Clear River Withdrawal*, at 2.

Clear River's Withdrawal does not seek dismissal of FERC Docket No. EL18-31-000 with prejudice. What, if anything, prevents Clear River and/or Invenergy from refileing a similar complaint in the future (for example, after the proceedings before the RI EFSB are concluded)?



3-2 Does Invenergy agree that FERC Docket ER18-349-000 remains open? If not, why not?


3-3 Does Invenergy agree that each of the following issues remains unresolved before FERC? If not, why not?

- a. Whether FERC will direct ISO-NE to revise the Large Generator Interconnection Agreement ("LGIA") milestone date by which the notice to proceed must be issued and related security posted;
- b. Whether FERC will direct National Grid to permit Clear River to exercise its option to build certain transmission owner interconnection facilities identified in the LGIA;
- c. Whether FERC will direct ISO-NE to reevaluate whether the upgrades identified in the LGIA and predicated on Clear River's initially planned 2019 commercial operation date will still be necessary in light of Clear River's new commercial operation of 2021;
- d. Whether FERC will confirm that Clear River should be responsible for paying only for those facilities necessary to interconnect the Project and not for any unnecessary equipment;
- e. Whether FERC will direct ISO-NE and National Grid to demonstrate that they considered whether there were more cost-effective upgrade options to address the impacts of interconnecting the Clear River Energy Center Project; and

- f. Whether FERC will intercede in the dispute between National Grid and Clear River regarding Clear River's access to, and payment for, the use of National Grid's right-of-way.
- 3-4 Please provide a detailed statement as to the status of each of the following issues pending before FERC in Docket ER18-349-000:
- a. Whether FERC will direct ISO-NE to revise the Large Generator Interconnection Agreement ("LGIA") milestone date by which the notice to proceed must be issued and related security posted;
- b. Whether FERC will direct National Grid to permit Clear River to exercise its option to build certain transmission owner interconnection facilities identified in the LGIA;
- c. Whether FERC will direct ISO-NE to reevaluate whether the upgrades identified in the LGIA and predicated on Clear River's initially planned 2019 commercial operation date will still be necessary in light of Clear River's new commercial operation of 2021;
- d. Whether FERC will confirm that Clear River should be responsible for paying only for those facilities necessary to interconnect the Project and not for any unnecessary equipment;
- e. Whether FERC will direct ISO-NE and National Grid to demonstrate that they considered whether there were more cost-effective upgrade options to address the impacts of interconnecting the Clear River Energy Center Project; and
- f. Whether FERC will intercede in the dispute between National Grid and Clear River regarding Clear River's access to, and payment for, the use of National Grid's right-of-way.

Respectfully submitted,  
 Town of Burrillville  
 By its attorneys

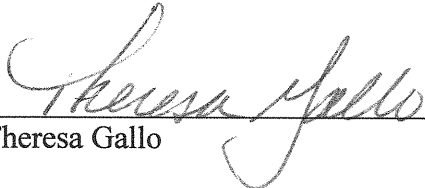
  
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Date: January 25, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of January, 2018, I sent a copy of the foregoing to the attached service list.

  
\_\_\_\_\_  
Theresa Gallo

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

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