

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

In re: The Narragansett Electric Company d/b/a :
National Grid and Clear River Energy LLC :
(Burrillville Interconnection Project) : Docket No. SB-2017-01

**CLEAR RIVER ENERGY LLC'S OBJECTION TO THE
TOWN OF BURRILLVILLE'S MOTION TO COMPEL A MORE RESPONSIVE DATA
RESPONSE FROM CLEAR RIVER ENERGY LLC TO CREC 3-1**

Co-Applicant, Clear River Energy LLC ("CRE") hereby objects to Intervenor, the Town of Burrillville's (the "Town") Motion to Compel a More Responsive Data Response from Clear River Energy LLC to CREC 3-1. CRE is filing the Supplemental Response to the Town of Burrillville's 3rd Set of Data Request, No 3-1 attached hereto **Exhibit A**. Therefore, The Town's Motion should be considered moot.

Respectfully submitted,

Clear River Energy LLC
By their attorneys,



W. Mark Russo (#3937)
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Dated: February 13, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within was sent by e-mail to the following referenced on the attached service list this the 13th day of February, 2018.

Exhibit A

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

IN RE: THE NARRAGANSETT ELECTRIC COMPANY d/b/a NATIONAL GRID AND CLEAR RIVER ENERGY LLC'S
JOINT APPLICATION TO CONSTRUCT THE BURRILLVILLE INTERCONNECTION PROJECT
DOCKET No. SB-2017-01

**CLEAR RIVER ENERGY, LLC'S SUPPLEMENTAL RESPONSE TO
THE TOWN OF BURRILLVILLE'S 3rd SET OF DATA REQUEST, NO 3-1**

Request 3-1 On January 23, 2018, Clear River Energy LLC ("Clear River") filed a Withdrawal of Complaint ("Withdrawal") in FERC Docket EL 18-31-000.

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 proceed [...] 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. EL 18-31-000 with prejudice. What, if anything, prevents Clear River and/or Invenergy from refiling a similar complaint in the future (for example, after the proceedings before the RI EFSB are concluded)?

ORIGINAL
RESPONSE 3-1

Neither Invenergy nor Clear River have any plans to refile a similar complaint. Moreover, FERC has rendered a decision in Docket ER18-349-000, and the Large Generator Interconnection Agreement ("LGIA") is effective.

SUPPLEMENTAL
RESPONSE

In other words, while it is true that Invenergy could file a similar complaint in the future, Invenergy will not be doing so. In addition, the FERC has rendered a decision in Docket ER 18-349-000 making the DAF charge part of the contractual requirement under the LGIA.

RESPONDENT: Kris Zadlo, Invenergy Thermal Development LLC

DATE: February 13, 2018

CLEAR RIVER ENERGY LLC
By its Attorney,



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Dated: February 13, 2018

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2018, I delivered a true copy of the foregoing responses to the **Town of Burrillville's 3rd Set of Data Requests in Docket No. SB-2017-01** via electronic mail to the parties on the attached service list.



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>	Todd.Bianco@puc.ri.gov ;	401-780-2106
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