Schacht & McElroy

Michael R. McElroy Leah J. Donaldson

Members of the Rhode Island and Massachusetts Bars

Attorneys at Law

21 Dryden Lane Post Office Box 6721 Providence, RI 02940-6721 Michael@McElroyLawOffice.com Leah@McElroyLawOffice.com

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

August 10, 2016

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

Re:

Invenergy Thermal Development LLC - Clear River Energy Center

Docket No. SB-2015-06

Dear Mr. Bianco:

Enclosed for filing in this matter are an original and 10 copies of the Town of Burrillville's 16th Set of Data Requests to Invenergy Thermal Development LLC. Electronic copies have been sent to the service list.

If you have any questions, please feel free to call.

Very truly yours,

Michael R. McElroy

MRMc:tmg

cc:

Service List

Burrillville Invenergy EFSB Data Requests Set 16

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ENERGY FACILITY SITING BOARD

IN RE: INVENERGY THERMAL DEVELOPMENT LLC's

APPLICATION TO CONSTRUCTION THE : DOCKET No. SB-2015-06

CLEAR RIVER ENERGY CENTER IN : BURRILLVILLE, RHODE ISLAND :

THE TOWN OF BURRILLVILLE'S 15th SET OF DATA REQUESTS TO INVENERGY THERMAL DEVELOPMENT LLC

- 16-1 Please provide details of the potential exposure to natural gas shortages that may require the proposed plant to utilize its onsite water supply and potentially have to use back up methods, such as trucking water.
- 16-2 Please provide data showing what has actually happened with regard to natural gas shortages requiring power plants in the ISO-NE local zone to switch from natural gas to diesel fuel and provide details about each incident available within the last five years.
- 16-3 Please explain how the potential exposure to natural gas shortages, as described above, would change if Invenergy opted to obtain fixed gas supply contracts for both of its turbines rather than for only one.
- 16-4 Please provide all information demonstrating whether there is a history or pattern of extended natural gas shortages for power plants in the ISO-NE local zone, how long those shortages typically last, the likelihood that fuel oil will be needed to run the plant, and how many instances where such shortage could last longer than 3.65 days.
- Please identify in detail all water supplies for the proposed facility that you currently have under consideration and the development status of each one.

Respectfully submitted, Town of Burrillville By its attorneys

Oleg Nikolyszyn, Esq. #2414

Town Solicitor

155 South Main Street

Suite 303

Providence, RI 02903 Tel: (401) 474-4370

Fax: (401) 273-5290

Oleg@NikolyszynLaw.com

Michael R. McElroy, Esq. #7627

Leah J. Donaldson, Esq. #7/11 Assistant Town Solicitors

21 Dryden Lane P.O. Box 6721

Providence, RI 02940-6721

Tel: (401) 351-4100 Fax: (401) 421-5696

<u>Michael@McElroyLawOffice.com</u> <u>Leah@McElroyLawOffice.com</u>

Date: August 10, 2016

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of August, 2016, I sent a copy of the foregoing to the attached service list.

Theresa Gallo

Burrillville/Invenergy/EFSB/Data Requests Set 16

SB-2015-06 Invenergy CREC Service List as of 07/22/2016

Name/Address	E-mail	Phone/FAX
File an original and 10 copies with EFSB:	Todd.Bianco@puc.ri.gov;	401-780-2106
Todd Bianco, Coordinator	Patricia.lucarelli@puc.ri.gov;	
Energy Facility Siting Board	Margaret.Curran@puc.ri.gov;	
89 Jefferson Boulevard	janet.coit@dem.ri.gov;	
Warwick, RI 02888	Catherine.Pitassi@doa.ri.gov;	
Margaret Curran, Chairperson	susan.forcier@dem.ri.gov;	-
Janet Coit, Board Member		
Assoc. Dir., Div. of Planning Parag Agrawal	rayna.maguire@dem.ri.gov;	
Patti Lucarelli Esq., Board Counsel		
Susan Forcier Esq., Counsel	Parag.Agrawal@doa.ri.gov;	
Rayna Maguire, Asst. to the Director DEM		
Catherine Pitassi, Asst. to. Assoc. Dir. Plann.		
Parties (Electronic Service Only, Unless by		
Request)		
Invenergy Thermal Development LLC Alan Shoer, Esq.	ashoer@apslaw.com;	401-274-7200
Richard Beretta, Esq.		
Elizabeth Noonan, Esq.	rberetta@apslaw.com;	
Nicole Verdi, Esq.	enoonan@apslaw.com;	
Adler, Pollock & Sheehan		
One Citizens Plaza, 8th Floor	nverdi@apslaw.com;	
Providence, RI 02903	jniland@invenergyllc.com;	312-224-1400
John Niland, Dir. Of Business Development		
Tyrone Thomas, Esq., Asst. General Counsel	<u>Tthomas@invenergyllc.com;</u>	
Invenergy Thermal Development LLC	·	
One South Wacker Drive, Suite 1900		
Chicago, IL 60600		
Town of Burrillville	Michael@mcelroylawoffice.com;	401-351-4100
Michael McElroy, Esq., Special Counsel		102 331 1100
Leah Donaldson, Esq., Special Counsel		
Schacht & McElroy	leah@mcelroylawoffice.com;	
PO Box 6721		
Providence, RI 02940-6721		
01 277 1	Nikolyszyn@gmail.com;	401-474-4370
Oleg Nikolyszyn, Esq., Town Solicitor		
155 South Main St., Suite 303		
Providence, RI 02903	11.0.10	
Conservation Law Foundation	Jelmer@clf.org;	401-351-1102
Jerry Elmer, Esq. Max Greene, Esq.	Mgreene@clf.org;	
55 Dorrance Street		
Providence RI, 02903		
	Bess.Gorman@nationalgrid.com;	791 007 1924
Ms. Bess B. Gorman, Esq. Assistant General Counsel and Director	Dess. Corman@nanonaignu.com;	781-907-1834
Legal Department, National Grid		

40 Sylvan Road	Mark.rielly@nationalgrid.com;	
Waltham, MA 02451		
Mark Rielly, Esq.		
Senior Counsel		
Office of Energy Resources	Andrew.Marcaccio@doa.ri.gov;	401-222-3417
Andrew Marcaccio, Esq.	,	101-222-5-17
Nick Ucci, Chief of Staff	•	
Chris Kearns, Chief Program Development		
One Capitol Hill	Nicholas.Ucci@energy.ri.gov;	401-574-9100
Providence, RI 02908	Christopher.Kearns@energy.ri.gov;	
	egc@levitan.com;	-
Ellen Cool	<u>egologie vitani.com</u> ,	
Levitan & Associates		
Rhode Island Building and Construction Trades	gmancinilaw@gmail.com;	401-739-9690
Council	· · · · · · · · · · · · · · · · · · ·	TOX-137-7030
Gregory Mancini, Esq.		
Sinapi Law Associates, Ltd.		
2374 Post Road, Suite 201		
Warwick, RI 02886		
Residents of Wallum Lake Road, Pascoag, RI	ccapizzo@shslawfirm.com;	401-272-1400
Dennis Sherman and Kathryn Sherman	geapizzo(@siisiawiiiiii.com,	401-272-1400
Christian Capizzo, Esq.	kags8943@gmail.com;	
Shechtman Halperin Savage, LLP	<u>kagsoy+3(a)gnian.com</u> ,	
1080 Main Street		
Pawtucket, RI 02869		
Residents of Wallum Lake Road, Pascoag, RI	jkeoughjr@keoughsweeney.com;	401-724-3600
Paul Bolduc and Mary Bolduc	jirougilji(wikoougilbwoolioy.com,	401-724-3000
Joseph Keough Jr., Esq.		
41 Mendon Avenue		
Pawtucket, RI 02861	cotrice 1 @	401 500 00 65
•	oatyss1@verizon.net;	401-529-0367
Paul and Mary Bolduc		
915 Wallum Lake Road		
Pascoag, RI 02859		
Abutter David B. Harris	msendley@cox.net;	401-349-4405
Michael Sendley, Esq.		
600 Putnam Pike, St. 13		
Greenville, RI 02828		
Entities with Pending Motions to Intervene		
(Electronic Service Only)		
Harrisville Fire District	ras@sinapilaw.com;	401-739-9690
Richard Sinapi, Esq.	, , , , , , , , , , , , , , , , , , , ,	.01 /37 /070
Joshua Xavier, Esq.		
2347 Post Road, Suite 201	jdx@sinapilaw.com;	
Warwick, RI 02886		
Interested Persons (Electronic Service Only)		
······································	nickgorham@gorhamlaw.com;	101 647 1400
Residents of 945 Wallum Lake Road, Pascoag, RI (Walkers)	mengornam@gornamaw.com;	401-647-1400

Peter Nightingale, member Fossil Free Rhode Island 52 Nichols Road Kingston, RI 02881 Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860 Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833 Burrillville Land Trust Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street Providence, RI 02906 Paul Roselli, President Burrillville, RI 02830 Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906 Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4th Floor Providence, RI 02903 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville, RI 02830 kd 1-724-2237 #01-764-9 #01-772-2330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330 #01-272-9330	Nicholas Gorham, Esq. P.O. Box 46 North Scituate, RI 02857	edaigle4@gmail.com;	
99 Fillmore Street Pawtucket, RI 02860 Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833 Burrillville Land Trust Po Box 506 Harrisville, RI 02830 Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4th Floor Providence, RI 02903 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville Main Street 104 Harrisville Main Street 104 Harrisville, Min Street 105 Harrisville, Main Street 105 Harrisville, Main Street 106 Harrisville, Main Street 107 House Against Netural Can and Planner Christine Langlois, Deputy Planner Town of Burrillville 104 Harrisville Main Street 105 Harrisville Main Street 105 Harrisville Main Street 106 Harrisville Main Street 107 Harrisville Main Street 108 Harrisville Main Street 109 Harrisville M	Fossil Free Rhode Island 52 Nichols Road	divest@fossilfreeri.org;	401-789-7649
Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833 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 Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906 Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4th Floor Providence, RI 02903 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Image: Marcal Commarkoff.com; marc/@ronmarkoff.com; #01-272-9330 #01-447-1560 #01-447-1560 #01-447-1560 #01-447-1560 #01-447-1560 #01-429-6779 #01-429-6779 #01-429-6779 #01-274-4591 #01-274-4591 #01-568-4300 #01-568-4300 #01-568-4300 clanglois@burrillville.org; clanglois@burrillville.org; clanglois@burrillville.org; iraymond@burrillville.org; iraymond@burrillville.org; iraymond@burrillville.org;	99 Fillmore Street	mpendergast@mercyne.org;	401-724-2237
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 Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906 Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4th Floor Providence, RI 02903 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Harrisville Main Street I tkravitz@burrillville.org; clanglois@burrillville.org; jraymond@burrillville.org;	Occupy Providence 57 Lawton Foster Road South	Patfontes167@gmail.com;	401-516-7678
Burrillville Land Trust PO Box 506 Harrisville, RI 02830 Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906 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 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Inapplication Indication: andrew@andrewaleman.com; 401-429-6779 401-274-4591 iillian.dubois.esq@gmail.com; jillian.dubois.esq@gmail.com; 401-274-4591 401-568-4300 401-568-4300 clanglois@burrillville.org; clanglois@burrillville.org; jraymond@burrillville.org;	Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street	marc@ronmarkoff.com;	401-272-9330
America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906 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 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Islandubois.esq@gmail.com; iillian.dubois.esq@gmail.com; 401-274-4591	Burrillville Land Trust PO Box 506	proselli@cox.net;	401-447-1560
Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4 th Floor Providence, RI 02903 Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Inaglois@burrillville.org; clanglois@burrillville.org; iraymond@burrillville.org;	America Andrew Aleman, Esq. 168 Elmgrove Avenue	andrew@andrewaleman.com;	401-429-6779
c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830 Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street tkravitz@burrillville.org; clanglois@burrillville.org; jraymond@burrillville.org;	Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4 th Floor	jillian.dubois.esq@gmail.com;	401-274-4591
Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street clanglois@burrillville.org; jraymond@burrillville.org;	c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street	lphaneuf@burrillville.org;	401-568-4300
Joseph Raymond, Building Official	Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Harrisville, RI 02830	clanglois@burrillville.org;	401-568-4300

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;	
Ambar Espinoza	aespinoza@ripr.org;	
Joseph Bucci, Acting Administrator Highway and Bridge Maintenance Operations RI Department of Transportation	joseph.bucci@dot.ri.gov;	
Jared Rhodes, Chief Statewide Planning Program	jared.rhodes@doa.ri.gov;	
Jennifer Sternick Chief of Legal Services RI Department of Administration	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;

•