

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE: INVENERGY THERMAL DEVELOPMENT LLC :
APPLICATION TO CONSTRUCT AND :
OPERATE THE CLEAR RIVER ENERGY : **SB-2015-06**
CENTER, BURRILLVILLE, RHODE ISLAND :
DAVID B. HARRIS - MOTION TO INTERVENE :

ORDER

Invenergy Thermal Development LLC (Invenergy) filed an application with the Energy Facility Siting Board (Board) to site and construct the Clear River Energy Center (facility), an approximately 850-1000 MW combined cycle electric generating facility on Wallum Lake Road in Burrillville, Rhode Island. On April 12, 2016, David B. Harris, through his attorney, filed a Motion to Intervene.

The Board's Rules of Practice and Procedure (Rules) allow for intervention by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate.¹ Mr. Harris seeks to intervene pursuant Rule 1.10(b)(2). He stated that he has an interest that will be directly affected and will not be adequately represented by any of the existing parties. For the reasons stated below, Mr. Harris' motion to intervene is approved.

Mr. Harris asserted that the proposed facility would have an adverse effect on the value and future use and enjoyment of his property. He also alleged that traffic, the environment, health and safety, the purity of air and water, the aesthetic and recreational value of his property, and the rural character of the Town of Burrillville would be negatively impacted by the construction and

¹ Rule 1.10(b). Pursuant to the Rule, a movant will be allowed to intervene upon showing: 1) a right to intervene conferred by statute; 2) an interest that may be directly affected and which is not adequately represented by existing parties and as to which the movants may be bound by the Board's action in the proceeding; or 3) any other interest of such nature that the movant's participation may be in the public interest.

operation of the facility. Although the list of interests specified by Mr. Harris are largely identical to those cited by existing parties Kathryn and Dennis Sherman (the Shermans) and Paul and Mary Bolduc (the Bolducs), his particular interest in his property is unique because he intends to use his property for a commercial purpose and has begun development of the property for that purpose. Unlike the Shermans and the Bolducs, Mr. Harris's property will be used for future income-producing endeavors. The potential effect of the proposed project on those endeavors is unknown. Mr. Harris should be allowed to explore the same and to present evidence to the Board if it appears that such effect will be detrimental to his future or the future use of his property.

Accordingly, it is hereby

(92) ORDERED:

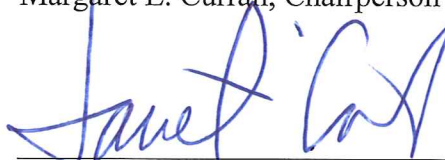
The Motion to Intervene in the proceedings of this docket filed by David B. Harris is approved.

EFFECTIVE AT WARWICK, RHODE ISLAND JUNE 2, 2016. WRITTEN ORDER ISSUED
JUNE 28, 2016.

ENERGY FACILITY SITING BOARD



Margaret E. Curran, Chairperson



Janet Coit, Member



Parag Agrawal, Member

