

A Limited Liability Partnership

April 4, 2016

Ms. Luly Massaro, Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

**In Re: Docket No. 4609 – PUC Advisory Opinion - Invenergy Thermal Development LLC-
Clear River Energy Center**

Dear Madame Clerk,

Enclosed please find an original and four (4) copies of the following document:

- 1. Entry of Appearance on behalf of Dennis and Kathryn Sherman**
- 2. Kathryn and Dennis Sherman's Unopposed Motion for Intervention**

Please note that an electronic copy of this document has been provided to the service list.

Should you have any questions concerning this filing please contact me at (401) 272-1400.

Thank you for your attention to this matter.

Sincerely,

Christian F. Capizzo, Esq.

Enclosures

Cc: Docket 4609 Service List (via electronic mail)

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

**In Re: APPLICATION OF INVENERGY
THERMAL DEVELOPMENT LLC'S PROPOSAL
FOR CLEAR RIVER ENERGY CENTER**

DOCKET NO. 4609

NOTICE OF APPEARANCE

Pursuant to 1.4 of the Rhode Island Public Utilities Commission's Rules of Practice and Procedure, please enter my appearance on behalf of Dennis and Kathryn Sherman, 1035 Wallum Lake Road, Pascoag, RI 02859.

Respectfully submitted,



Christian F. Capizzo, Esq.
Shechtman Halperin Savage, LLP
1080 Main Street
Pawtucket, RI 02869
(401) 272-1400
ccapizzo@shslawfirm.com

Dated: April 4, 2016

CERTIFICATE OF SERVICE

I hereby certify that this 4th day of April 2016, I mailed this original pleading and 4 copies postage prepaid to the Clerk for the Public Utilities Commission, 99 Jefferson Blvd., Warwick, RI 02888. In addition, electronic copies of this motion were served via email on the service list for this Docket.



Christian F. Capizzo, Esq.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

**IN RE: APPLICATION OF INVENERGY THERMAL
DEVELOPMENT LLC'S PROPOSAL FOR
CLEAR RIVER ENERGY CENTER**

DOCKET No. 4609

UNOPPOSED MOTION FOR INTERVENTION

NOW COMES Kathryn and Dennis Sherman (“the Shermans”), and pursuant to Rule 1.13 of the Rules of Practice and Procedure for the Rhode Island Public Utilities Commission (“Commission”), moves that the Commission grant the Shermans’ request to intervene as parties in the above-captioned docket for the reasons set forth herein:

1. On or about March 11, 2016 the Commission opened the above-captioned docket on referral from the Energy Facility Siting Board (“EFSB”).
2. As part of EFSB Docket SB-2015-06, the EFSB requested that the Commission render an advisory opinion on certain issues to be considered in evaluating Invenergy Thermal Development LLC’s (“Invenergy”) Application to Construct the Clear River Energy Center in Burrillville, Rhode Island.
3. The Sherman’ filed a Motion to Intervene in EFSB Docket SB-2015-06, which was granted and deemed effective by the EFSB on January 29, 2016 and referenced in an Order issued on March 10, 2016.
4. As noted in the EFSB’s Order granting the Shermans’ intervention in Docket SB-2015-06, the Shermans reside on Wallum Lake Road in Burrillville approximately 0.10 miles from the corner of the property where Invenergy proposes to site and construct the Clear River Energy Center.

5. If Invenenergy's Application is granted, the Shermans maintain that the proposed facility will negatively impact the value of their property, the environment, traffic, health and safety, and aesthetic and recreational value of their property and the community.
6. The Shermans also maintain that the project will have a negative impact on the rural character of the Town of Burrillville and on future development and that licensing the project would deprive them of the full use and enjoyment of their property.
7. Intervention in Commission proceedings is governed by Rule 1.13 of the Commission's Rules of Practice and Procedure, which states:

“Subject to the provisions of these rules, any person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Commission. Such right or interest may be:

(1) A right conferred by statute.

(2) An interest which may be directly affected and which is not adequately represented by existing parties and as to which movants may be bound by the Commission's action in the proceeding. (The following may have such an interest: consumers served by the applicant, defendant, or respondent; holders of securities of the applicant, defendant, or respondent.)

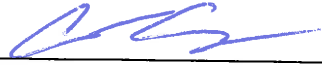
(3) Any other interest of such nature that movant's participation may be in the public interest.”

8. The Shermans have a strong interest in the subject matter of this Docket that may be directly affected, and which is not adequately represented by the existing parties in this Docket.

9. The Shermans' participation in this Docket will be in the public interest.
10. On March 11, 2016 a procedural scheduling conference was held on this Docket and Counsel for the Shermans inquired of all parties whether there was any objection to their intervention. No objection was raised at that time.

WHEREFORE, the Shermans, request that the Rhode Island Public Utilities Commission grant their Motion to Intervene and that they be granted status as parties in this proceeding, and that the Commission grant all other relief it deems meet and just.

Respectfully submitted
On Behalf of the Shermans,

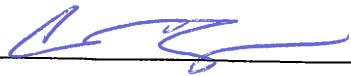


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Christian F. Capizzo, Esq.

**Docket No. 4609 – PUC Advisory Opinion Regarding Need to Construct the Clear River Energy Facility
Service List as of 03/23/2016**

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