

December 22, 2017

Via e-mail and first-class mail

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

***In re: Issuance of Advisory Opinion to the Energy Facility Siting Board regarding the
Narragansett Electric Company d/b/a National Grid and Clear River Energy
LLC's Application to Construct the Burrillville Interconnection Project
Docket No. 4737***

Dear Ms. Massaro:

Please find enclosed the original and five copies of Clear River Energy LLC's Objection to the Town of Burrillville's Position Memorandum and Motion for a Stay with regard to the above-referenced matter.

Should you have any questions, we'll be available to assist.

Sincerely,



W. MARK RUSSO

WMR/was
Enclosure
Cc: Service List

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

In re: Issuance of Advisory Opinion to the Energy :
Facility Siting Board regarding the Narragansett :
Electric Company d/b/a National Grid and : Docket No. 4737
Clear River Energy LLC's Application to :
Construct the Burrillville Interconnection Project: :

**Clear River Energy LLC's Objection to the Town of Burrillville's Position Memorandum
and Motion for a Stay**

Co-Applicant, Clear River Energy LLC ("CRE") hereby objects to the Town of Burrillville's (the "Town") Position Memorandum and Motion for a Stay as limited to the grounds set forth, herein. CRE does not object to a stay pending a ruling by the Rhode Island Energy Facility Siting Board ("EFSB") on a request ("Show Cause Request") for the EFSB to issue an order directing the Applicant, therein, Invenergy Thermal Development LLC, to show cause as to why EFSB Docket SB-2015-006¹, should not be suspended. However, CRE does object to the Town's request for a stay pending the results of the two (2) matters before the Federal Energy Regulatory Commission ("FERC").²

The Town, as set forth within its Position Memorandum and Motion for a Stay dated December 14, 2017, seeks to stay this proceeding pending the outcome of two matters before the FERC which are FERC Docket No. ER18-349, filed on November 27, 2017, and FERC Docket No. EL18-31, filed on November 17, 2017 (collectively, the "FERC Dockets").

The Town goes on to explain that, in conjunction with the Conservation Law Foundation

¹ EFSB Docket No. SB-2015-006 is entitled In re: Application of Invenergy Thermal Development LLC's Proposal for Clear River Energy Center.

² In turn, CRE seeks to extend deadlines herein, with regard to outstanding data requests and scheduled timelines pending a decision by the EFSB regarding the Show Cause Request.

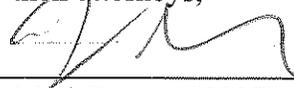
(“CLF”), it has jointly filed the Show Cause Request with the EFSB seeking an “order [from the EFSB] directing Invenergy to show cause why Docket SB-2015-006 should not be suspended pending the outcome of the two FERC cases”. See Position Memorandum and Motion for a Stay at p. 3.

Based upon the Show Cause Request pending with the EFSB, it is CRE’s position that the Commission should neither consider nor schedule a hearing on the Town’s Motion for a Stay until the EFSB rules on the Show Cause Request. Moreover, CRE seeks to extend the time to respond to pending data requests, herein, until the EFSB renders a decision on the Show Cause Hearing. As such, CRE reserves all rights with regard to its substantive objection the Town’s Motion for a Stay pending the EFSB’s ruling in the Show Cause Request.

In the event that EFSB Docket No. SB-2015-006 is not suspended, CRE would ask to be heard by the Commission with regard to the allowable scope of data requests pertaining to the FERC Dockets.

Respectfully submitted,

Clear River Energy LLC
By their attorneys,



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Dated: December 22, 2017

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 22nd day of December, 2017:



**Docket No. 4737– PUC Advisory Opinion Regarding Burrillville Interconnection Project
Service List as of 10/11/17**

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