

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

IN RE: Application of Invenergy Thermal
Development LLC's Proposal for
Clear River Energy Center

Docket No. SB-2015-06

**INVENERGY THERMAL DEVELOPMENT LLC'S RESPONSES TO
CONSERVATION LAW FOUNDATION'S TENTH SET OF DATA REQUESTS**

Request 10-1 Please produce all correspondence, including electronic correspondence, between Invenergy and the ISO regarding Invenergy's qualification or disqualification from FCA-12, including the complete QDN, including the Appendix.

RESPONSE 10-1 Invenergy Thermal Development LLC ("Invenergy") previously provided the confidential QDN, as a confidential exhibit to the Supplemental Pre-Filed Testimony of John Niland, filed with the Energy Facility Siting Board ("EFSB" or "Board") on November 20, 2017. Invenergy also confidentially filed the Appendix on November 28, 2017.

Please also see **Exhibit 10-1 (Confidential)**.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

DATE: January 9, 2018

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Request 10-2 Please produce Invenergy's New Capacity Show of Interest Form for FCA-12
(ISO Tariff Section 111.13.1.1.2.1).

RESPONSE 10-2 Please see **Exhibit 10-2 (Confidential)**.

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Request 10-3 Please produce all documents that support the statement in John Niland's November 1, 2017 letter to the EFSB (p. 1, ¶ 3) that "Invenergy's inability to participate in FCA 12 does not have an impact on CREC's ability to participate in future FCA's (e.g. FCA 13 or beyond). Invenergy's future participation was confirmed by ISO-NE."

RESPONSE 10-3 Please see previously provided confidential QDN, which was filed as a confidential exhibit to the Supplemental Pre-Filed Testimony of John Niland, filed with the Board on November 20, 2017 and the Appendix, which was confidentially filed on November 28, 2017.

Please also see **Exhibit 10-3 (Confidential)**.

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Request 10-4 This Request pertains to the current status of each of Invenergy's two turbines in the ISO's Interconnection Queue (ISO Tariff Schedule 22, Large Generator Interconnection Procedures).
(a) What is the Interconnection Request Queue Position of each one of Invenergy's two proposed turbines?
(b) Has either turbine changed position in the Queue due to a Material Modification in its Interconnection Request (Schedule 22, Section 4.4)?
(c) If yes, please explain fully and provide copies of all the relevant documents, including electronic communications

RESPONSE 10-4 (a) The Interconnection Request Queue Position for both of Invenergy's proposed turbines is 489.
(b) Neither turbine changed position in the Queue.
(c) N/A

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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Request 10-5 Has Invenergy been informed by the ISO that Invenergy must perform a new (or supplemental) Interconnection Study due to a determination of a Material Modification having been made to its Interconnection Request? If yes, please provide all communications (including electronic) between Invenergy and the ISO on this subject.

RESPONSE 10-5 No, Invenergy has not been informed by ISO-NE that a Material Modification has been made to its Interconnection Request.

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Request 10-6 Please produce Invenergy's Interconnection Request (Schedule 22, Appendix 1)
and all non-identical filings of Interconnection Request(s).

RESPONSE 10-6 Please see **Exhibit 10-6 (Confidential)**.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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Request 10-7 Has Invenergy filed any monthly progress report forms with the ISO (ISO Tariff Section 111.13.3.3). If yes, please produce them. This Data Request is continuing, and CLF requests copies of future filings when those are made.

RESPONSE 10-7 Invenergy filed quarterly progress reports in 2016 and monthly progress reports in 2017, through an online tool/database tracking system. Attached as **Exhibit 10-7 (Confidential)**¹ are screen shots of the reports and attached documents as filed.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

DATE: January 9, 2018

¹ Please note that critical energy/electrical infrastructure information ("CEII") is redacted from the confidential version of Exhibit 10-7. Please see the Motion for Protective Treatment, filed concurrently with this set of data responses.

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Request 10-8 This question pertains to the following statement in John Niland's November 20, 2017 testimony [page 3, lines 2-3]: "This could lead to added system impacts, which may result in higher costs for CREC."

- (a) What "added system impacts" are being referred to?
- (b) Please list each "higher cost" that may result from these system impacts, and explain how and why these higher costs could result.
- (c) Please state the dollar amount of "higher costs" for each of costs listed in response to Sub-part (b) of this question. (Providing a range of likely cost increases in each case is acceptable.)

RESPONSE 10-8 (a) The statement reads that this "*could* lead to added system impacts." (Emphasis added.) The added system impacts are unknown until the overlapping system impact study is conducted.
(b) The "higher costs" are unknown at this time. If there are "added system impacts[.]" there will likely be a cost associated with those impacts. Because the impacts are unknown at this time, the costs are also unknown.
(c) Please see response above to Data Request 10-8(b).

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Request 10-9 Please provide copies of all correspondence between Invenergy and GE pertaining to major equipment purchase dates.

RESPONSE 10-9 While this data request seeks information outside the scope of the Conservation Law Foundation's Motion seeking additional limited discovery regarding ISO-NE's determination disqualifying CREC Unit 2 from FCA-12, please see **Exhibit 10-9 (Redacted and Confidential)**, which includes copies of all correspondence between Invenergy and GE pertaining to major equipment purchase dates for FCA-12.

(Exhibit 10-9 (Redacted and Confidential)) redacts any cost information from the confidential version, as the cost information was not sought in this data request and is highly competitive business sensitive information that, if disclosed, even confidentially, would cause Invenergy and GE substantial harm. Please see the Motion for Protective Treatment, filed concurrently with these responses.)

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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**INVENERGY THERMAL DEVELOPMENT LLC'S RESPONSES TO
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Request 10-10 Please provide all contracts, agreements, or letters of intent (including non-binding letters of intent) related to or pertaining to water for Invenergy, regardless of whether or not Invenergy is technically a signatory to the agreement or contract.

RESPONSE 10-10 While this data request seeks information outside the scope of the Conservation Law Foundation's Motion, which requested additional limited discovery regarding ISO-NE's determination disqualifying CREC Unit 2 from FCA-12, Invenergy states that all contracts, agreements, or letters of intent (including non-binding letters of intent) related to or pertaining to water for Invenergy, regardless of whether or not Invenergy is technically a signatory to the agreement or contract have been disclosed to the Board and the parties. Specifically, those agreements and/or contracts are as follows:

- (1) Invenergy's agreement with the Town of Johnston (filed with the Board on January 11, 2017 as Appendix F);
- (2) Invenergy's agreement with Benn Water & Heavy Transport Corp. ("Benn Water") (filed with the Board on September 28, 2017 as Confidential Appendix H to the Supplement to the Water Supply Plan);
- (3) Invenergy's agreement with the Narraganset Indian Tribe (filed with the Board on September 28, 2017 as Confidential Appendix I to the Supplement to the Water Supply Plan);
- (4) Benn Water's agreement with the City of Fall River (confidentially disclosed in the September 28, 2017 Supplement to the Water Supply Plan and subsequently filed with the Board as an attachment to the Town's October 27, 2017 Motion).

RESPONDENT: John Niland, Invenergy Thermal Development LLC

DATE: January 9, 2018

INVENERGY THERMAL DEVELOPMENT LLC
By its Attorneys,

/s/ Alan M. Shoer

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Dated: January 9, 2018

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2018, I delivered a true copy of the foregoing responses to the Conservation aw Foundation's Tenth Set of Data Requests via electronic mail to the parties on the attached service list.

/s/ Alan M. Shoer

EXHIBIT CLF 10-1

(REDACTED)

EXHIBT CLF 10-2

(REDACTED)

EXHIBIT CLF 10-3 and TOWN 41-10

(REDACTED)

EXHIBIT CLF 10-6

(REDACTED)

EXHIBIT CLF 10-7

(REDACTED)

EXHIBIT CLF 10-9 and TOWN 42-14

(REDACTED)