

**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	:	
	RHODE ISLAND BUILDING AND CONSTRUCTION:	:	
	TRADES COUNCIL - MOTION TO PROVIDE	:	
	WITNESS REBUTTAL TESTIMONY	:	

ORDER

This matter came before the Energy Facility Siting Board (Board or EFSB) on a Motion to Provide Witness Rebuttal Testimony filed by the Rhode Island Building and Construction Trades Council (RIBCTC). By Order No. 80, the Board allowed limited intervention of RIBCTC on issues regarding employment opportunities. The Board's order specified that with permission, RIBCTC would be able to present witnesses and evidence on issues other than those related to employment opportunities if the Board determined that such evidence would assist the Board in its decision making.

On September 1, 2017, RIBCTC filed testimony of its expert witness Marc Vatter rebutting direct testimony filed by Conservation Law Foundation (CLF) witness Robert Fagan and Town of Burrillville (Burrillville) witness Glenn Walker. RIBCTC argued that its rebuttal testimony is related to employment opportunities and that there is no harm or prejudice to any of the parties by allowing the testimony. Both CLF and Burrillville objected to the rebuttal testimony as being outside the scope of RIBCTC's limited intervention. Invenergy Thermal Development LLC filed a response in support of RIBCTC's motion.

After hearing argument, the Chairperson granted the motion finding that the order granting intervention specified that the limitation would be liberally construed. She found that the rebuttal testimony is relevant, provided by an expert, and could assist the Board in its decision.

Accordingly, it is hereby

(121) ORDERED:

The Rhode Island Building and Construction Trade Council's Motion to Provide Witness Rebuttal Testimony is granted.

EFFECTIVE AT WARWICK, RHODE ISLAND, OCTOBER 17, 2017. WRITTEN ORDER ISSUED JANUARY 8, 2018.



ENERGY FACILITY SITING BOARD

Margaret E. Curran

Margaret E. Curran, Chairperson

Janet Coit, Member

Parag Agrawal, Member