

EMPIRE GENERATING CO, LLC

COMMUNITY LIAISON PROGRAM (CLP)

CASE 00-F-2057

January 11, 2008

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INTRODUCTION

In July 2007 Energy Capital Partners (ECP) through its wholly-owned subsidiary Empire Gen Holdings, Inc., purchased from Besicorp-Empire Development Company (BEDCO), Besicorp-Empire Power Holdings, Inc., which owns 100% of membership interests in Besicorp-Empire Power Company, LLC (BEPCO). Following the sale, BEPCO's name was changed to Empire Generating Co, LLC (Empire Gen). Empire Gen is the owner and developer of a 635 Megawatt (MW) (including 107 MW of peaking capacity) combined cycle, natural gas fired power plant in Rensselaer, New York (Project). ECP and its affiliates have retained FirstLight Power Resources, Inc. and its affiliates (FirstLight) to act as project manager for and operator of the Project. FirstLight is a highly qualified energy company that owns and operates over 1,442 MW of generation in Connecticut and Massachusetts. FirstLight is submitting this Community Liaison Program (CLP) for the Project on behalf of Empire Gen.

The following document outlines the details of the CLP for the Project pursuant to Appendix A of the Article X Certificate of Environmental Compatibility and Public Need, Certificate Conditions XIII.A. and XIII.B. The CLP will be administered by FirstLight.

The objective of the CLP is to insure:

- That adequate notice and means of communication with surrounding communities and stakeholders is established and maintained by the Project; and
- That complaints and concerns regarding the construction and operation of the Project are promptly and appropriately addressed.

CONDITION XIII.A:

A.(i) Targeted communities and stakeholders and limits of geographic areas:

- The principal target community for the CLP is the City of Rensselaer (City), the Project's host community. The comprehensive permitting process for the Project was effective in identifying stakeholders and in ascertaining that, aside from those parties on the Active Party List, the primary community interest in the Project is from property owners and residents in close proximity to the site, and particularly residents in the Fort Crailo neighborhood. However, because construction of the natural gas pipeline and electric transmission lines extend to neighboring East Greenbush, North Greenbush, and the Town of Schodack, abutting property owners and residents in those municipalities and the town supervisors have also been identified as stakeholders and will also be included in notice and

communication procedures under the CLP. Exhibit 1 provides a list of property owners and residents within 1,000 feet of the transmission line, the gas line and main plant taken from tax maps.

A.(ii) Methods of timely notification and information dissemination to involved communities and stakeholders of the construction schedule prior to and during each phase of construction:

- **Initial CLP Notification:** The process for providing initial notification about the CLP will be through both a direct newsletter mailing to the targeted communities and stakeholders and a posting on the Project Website. Attached as Exhibit 2 is the November 2007 Newsletter. Future newsletters will include all information required for effective communications on the Project such as a construction schedule, identification of the Community Liaison Officer (CLO) and his office location and phone numbers, the members of the Citizens Committee, Website identification, etc.
- **Community Liaison Officer / Office:** The Community Liaison Officer (CLO) and the Community Liaison Office location and telephone number was identified in the initial newsletter in November 2007 and will be identified in all subsequent quarterly (January, April, July, October) newsletters and communications materials, on the Project's website, and at the Project's office. Jim Ginnetti, Vice President of External Affairs for FirstLight will serve as the CLO. The Project office is located at 152 Broadway in Rensselaer.
- **Citizens Committee:** A Citizens Committee was formed and will meet on a quarterly (January, April, July, October) basis or more often, if needed. The CLO will provide updates on the Project schedule and activities to the Committee and provide responses to any questions or concerns.
- **Project Website:** The Project Website (www.firstlightpower.com) will be the primary tool for posting and dissemination of Project information on a timely basis and will be updated as needed, but no less often than monthly to reflect changes and significant events. The website will include an opportunity to email questions to the CLO. A response to any inquiry will be made within two business days or the next business day for overnight messages for bona fide community liaison calls.
- **Alternative Information Resources:** It is recognized that all interested members of the community may not have access to the internet or may prefer more traditional methods of notice and communication. Therefore, FirstLight will make initial notification regarding commencement of Project construction, the construction schedule, contact information for the CLO, and alternative information resource locations (such as City/Town municipal offices and libraries in Rensselaer, East Greenbush, North Greenbush, and Schodack, and

the Project office) through a direct newsletter mailing.

- **Special Construction Activities:** Any special construction activities (e.g., blasting or loud noise events such as steam blows) will be addressed by direct mail notification to residents within close proximity (Fort Crailo and South Street in Rensselaer and Hillview in East Greenbush) to the site and may be accompanied by public service announcements on local media and notices posted in City/Town municipal offices and libraries in Rensselaer, East Greenbush, North Greenbush, and Schodack, at the Project office, and by announcement to the Citizens Committee.

Exhibit 3 provides a timeline of planned community outreach activities listed alongside key construction activities.

A.(iii) Criteria used to determine the direct mailing list:

- A mailing list was developed and updated in September 2007. The mailing list includes: (1) all Active Parties, (2) all addresses in zip code 12144 (Rensselaer), and (3) the property owners and residents within 1,000 feet of the gas pipeline and electric transmission line in the towns of East Greenbush, North Greenbush, and the Town of Schodack. The mailing list also includes the following: the Rensselaer School District; the Rensselaer Police Department; and the Rensselaer Planning and Building Department. Exhibit 1 lists those property owners and residents within 1,000 feet of the gas pipeline, the electric transmission line, or the plant. Exhibit 4 is the Active Party List.

A.(iv) All public locations where information shall be deposited for review and/or dissemination:

Copies of the newsletter will be made available for any interested parties at the following locations. Representatives from the Project have coordinated with municipal employees at City Hall and head librarians or staff directors to ensure information is readily accessible at respective public locations:

- The Project Website
- The Project office
- Rensselaer City Hall
- East Greenbush Town Hall
- North Greenbush Town Hall
- Schodack Town Hall
- Local Public Libraries

Rensselaer Public Library
810 Broadway
Rensselaer, NY 12144
N Greenbush Public Library
138 Main Avenue
Wynantskill, NY 12198
E. Greenbush Community Library
10 Community Way
East Greenbush, NY 12061

A.(v) A media contact plan to solicit the issuing of public service announcements for any construction phase activities that are likely to result in significant inconvenience to the public (such as traffic disruption):

The following list of media outlets will be utilized for making requests for dissemination of public service announcements. The CLO will be responsible for implementation of requests for public service announcements when an event likely to result in significant inconvenience or concern to the public is foreseen or experienced. Examples of such events include heavy hauls, steam blows, blasting, or other unusual significant noise generating events. Since such events are expected to be limited in number, scheduled in advance and during non-peak hours where possible (for heavy hauls), and noticed to local City and Rensselaer County entities pursuant to Certificate Condition X.U., the potential for public inconvenience will be well managed.

Newspapers:

- Albany Times Union
 - Albany edition
 - Rensselaer edition
- Troy Record
- The Advertiser
- Rensselaer Independent

Radio stations:

- WAMC 90.3 FM
- WGY 810 AM
- WROW 590 AM

Television stations:

- Channel 6 – WRGB
- Channel 9 - Time Warner Cable Community Calendar
- Channel 10 – WTEN

- Channel 13 – WNYT
- Channel 23 – Fox WXXA

A.(vi) Materials used to reach stakeholders with construction information (e.g., Q&A, newsletters, information brochures, visual materials, graphs, charts, site maps, etc.)

- The Project Website
- Direct mail notifications
- Newsletters/Project brochures (See Exhibit 2)
- Construction Schedule (on Project Website and bulletin boards)
- Site maps (on Project Website and bulletin boards in municipalities and at the construction site)
- Information board outside City/Town Clerks' offices in Rensselaer, East Greenbush, North Greenbush, and the Town of Schodack

A.(vii) Certificate Holder's representatives and means of contact (e.g., office location, local and toll-free telephone numbers, web address, construction site sign, information board, etc.):

- CLO: Jim Ginnetti, Vice President of External Affairs for FirstLight
 - Toll-free 24 hour line - 866-532-6176
- Project website - www.firstlightpower.com
- All contact information will be posted on information bulletin boards at Town halls in Rensselaer, East Greenbush, North Greenbush, and Schodack and on Project signs posted at the construction site
- Immediate emergency calls should be directed to Peter Leighton, Project Manager at (860) 402-4760.

A.(viii) A toll-free dedicated telephone line with specified hours of operation and inquiry response time:

- Toll-free 24 hour line – 866-532-6176
- A response to any inquiry will be made within two business days or the next business day for overnight messages for bona fide community liaison calls. (This response time does not apply to calls regarding solicitation of sales, services, or employment, or other matters not pertinent to the stated objectives of the CLP.)
- Immediate emergency calls should be directed to Peter Leighton, Project Manager at (860) 402-4760. Emergency calls will be addressed

immediately.

A.(ix) The maintenance of a complaint log specifying procedures for receiving and responding to any complaints concerning the construction of the certified facility. Utilization of the complaint log shall extend through the operational period:

A complaint issues log shall be kept on a daily basis and copies will be provided monthly to the Citizens Committee as part of the normal reporting process and a copy will be provided to the Department of Public Service (DPS). The log shall include the following:

- date and time of initial contact
- mode of contact (e-mail, phone, letter, in person)
- nature of complaint
- date and time of response or responses
- action taken/complaint resolution

Exhibit 5 illustrates the complaint log with a hypothetical example.

A.(x) The complaint response process to be used:

- Single point of contact – CLO at 866-532-6176, website at www.firstlightpower.com, or Citizens Committee
- Initial complaint – oral discussion with CLO or designee – complaint logged with promised response time
- Complaint addressed and fully documented
- Oral and written documentation provided to caller to ensure clarity
- Acknowledgement provided within two business days
- Response depending upon nature of questions

A.(xi) Availability of a public presentation request program to inform the public about the construction and operation of the facility. The availability of the public presentation request program will extend through the operational period:

A public presentation will be made if requested with two weeks advance notice. The process to request such a presentation can be through any of the communication processes identified in the CLP. The presentation will be organized by the CLO. All material presented at public presentations will be posted on the website at www.firstlightpower.com.

A.(xii) Methods to evaluate the adequacy and effectiveness of the public liaison program:

- **Complaint log** — The complaint log will be updated on a daily basis and distributed to the Citizens Committee on a monthly basis. The response time and documented solution will be the core method of gauging the success of the program. The Citizens Committee will confirm the effectiveness and response time of the program. The DPS will be provided a copy of the complaint log on a monthly basis.
- **Updated communication materials** — Updated communications materials will also be submitted to the Citizens Committee for their review. Copies of these materials will be provided to the DPS.

A.(xiii) Office location and hours:

- An office at 152 Broadway in Rensselaer is open and staffed on:
 - Tuesdays from 9 A.M. to 1 P.M.
 - Thursdays from Noon to 6 P.M.
 - The office will not be staffed on these days if they fall on a Federal or State holiday.

CONDITION XIII.B:

Prior to commencing construction, the Certificate Holder shall form a citizens committee, the final composition of which is to be determined, but that will include at minimum representatives of the Certificate Holder (including the CLO) and the City of Rensselaer. The committee will meet on a regularly scheduled basis to receive Project status updates and to discuss any issues of concern related to the Project:

- **Planned participants:**
 - CLO Jim Ginnetti, Vice President External Affairs for FirstLight
 - Peter Leighton, Project Manager for FirstLight
 - Tom Nardacci, Local Consultant to the Project
 - Mayor Dan Dwyer, Rensselaer Mayor
 - Gordon Reynolds, Rensselaer Superintendent of Schools
 - Marybeth Pettit, Rensselaer Director of Office of Planning and Development
 - Jim Moore, Planning Director, East Greenbush
 - Mark Evers, Supervisor, North Greenbush
 - A representative from Schodack Town Planning
 - Joseph Terry, Fort Crailo Neighborhood, Rensselaer

- Frank Farrell, Fort Crailo Neighborhood, Rensselaer

Meeting frequency: As needed, but no less than quarterly during construction.