

**Petition before the  
Massachusetts Energy  
Facilities Siting Board  
Pursuant to G.L. Chapter 164,  
Section 69H and 69J1/4**

**Billerica Energy Center  
134 Rear Billerica Avenue  
Billerica, Massachusetts**

*Submitted to:*

Massachusetts Energy Facilities Siting Board  
One South Station  
Boston, Massachusetts 02110

*Prepared for:*

Montgomery Energy Billerica Power Partners, LP  
12 Ridgewood Road  
Burlington, Connecticut 06013

*Prepared by:*

Earth Tech, Inc.  
300 Baker Avenue  
Suite 290  
Concord, Massachusetts 01742

*February 2007*

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## **1.0 PROJECT OVERVIEW**

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### **1.1 Introduction**

Montgomery Energy Billerica Power Partners, LP (MEBPP) is submitting this Petition for approval to the Massachusetts Department of Telecommunication and Energy, Energy Facility Siting Board for the Billerica Energy Center. The Billerica Energy Center (the Project) will provide much needed electric generating peaking capacity for the Commonwealth of Massachusetts.

The Project will be located at the intersection of Town Farm Road and Billerica Avenue in North Billerica. The Project is located on an approximately 134-acre industrial site owned by Baker Commodities. Within the 134-acre property, MEBPP maintains a lease option on approximately a 13.8 acre site. The Project has excellent access to an existing natural gas pipeline with surplus gas capacity and to the existing lines of the New England electric transmission grid. There is adequate capacity of natural gas for this project.

MEBPP proposes to develop a new 480 MW peaking power generation facility at the site. The new facility will consist of simple-cycle combustion turbine sets fueled by natural gas with ultra low sulfur diesel oil back up fuel supply. They will be designed, built, and operated to provide power during peak electric demand and to support the transmission grid during system emergencies. The Project is located near several transmission lines and has proximity to the Tewksbury substation this provides an ideal location for peaking units to provide stability and reliability to the Massachusetts power grid and to the local community. The new combustion turbine units will be newer aero derivative quick start technology, with improved efficiencies and environmental controls.

MEBPP is committed to building a facility with minimal impacts on the environment and the community, and has selected and designed the project accordingly. As such, it offers state-of-the-art air pollution control, limited wastewater, and a compact layout in an industrial area. Visual and other community impacts will be further limited since the interconnections to gas and electric transmission lines will be within or very near the site. To minimize the noise impact, MEBPP will use units with advanced state-of-the-art noise reduction packaging and MEBPP will take additional steps to reduce noise impacts.

The turbine units are projected to run no more than 1500 hours per year, primarily during daytime hours and typically far less than this threshold. This unit is designed to serve the public interest by giving over unit dispatch and operation, within this envelope of operating hours, to New England Independent

System Operator (ISO-NE), which will electronically control for the broad public interest all run-hours.

New England is projected to not meet the required electric supply resources and reserve margin by 2008 and in following years. This project is designed to bridge this critical gap<sup>1</sup>. Construction of the project is scheduled to begin in November 2007, with commercial operation beginning in the third quarter of 2008. In addition to this application, an Environmental Notification Form (ENF) under the Massachusetts Environmental Policy Act (MEPA) was submitted on December 14, 2006.

MEBPP files this petition to construct the proposed simple-cycle generating facility and associated facilities in accordance with G.L. Chapter 164, Section 69H and 69J1/4, which require the EFSB to ensure a reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost. The Applicant will demonstrate with this petition, and throughout the proceedings, that the proposed Project reflects a proper balance between economic and reliability factors and environmental impact considerations consistent with state and regional energy policies. The Applicant will demonstrate with this application, and in the course of these proceedings, that the Project was selected as a result of an appropriate site selection process, and that the environmental impact and costs of the Project are minimized. This Project fills a critical gap in the deficient generating resources of the region. The Applicant will demonstrate further that, on balance, the Project contributes to a reliable, low cost, diverse, regional energy supply with minimal environmental impacts.

The remainder of Section 1 will provide information with regard to key members of the Project development team, as well as a description of the Project as proposed. In Section 2, the site selection process will be presented. Section 3 will review alternative technologies considered for the Project. Detailed environmental analyses are presented in Section 4, with a summary of the Project's consistency with current health and environmental policies provided in Section 5. Section 6 outlines the conclusion of the petition.

## **1.2 Project Team**

The key members of the MEBPP development team are described below. MEBPP is a joint development venture between Montgomery (Navasota) Energy and DG Clean Power, LLC.

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<sup>1</sup> ISO New England, Regional System Plan, October 20, 2005, at p. ES-1, and ES-9.

### ***1.2.1 Montgomery Energy (Navasota Energy)***

Montgomery Energy Partners, LP, is an affiliate of Navasota Energy. It is an organization formed to pursue advanced technology development and asset management opportunities in the power and energy sector. Montgomery has taken over as the lead developer responsible for funding, construction, operation and ownership of MEBPP in concert with Navasota Energy.

Navasota Energy Partners, LP, provides development, asset management, asset acquisition and divestiture, asset optimization, due diligence and valuation support services for private equity, hedge funds, and debt providers interested Power Generation. Navasota experience includes over \$25 billion of finance, merger and acquisition transactions relating to power generation assets. That represents more than 30,000 megawatts of power plants developed, acquired, financed or sold that are in operation today. Navasota is presently building 1000 MW of gas fired generation in Odessa and Whorton, Texas.

### ***1.2.2 DG Clean Power, LLC***

DG Clean Power, LLC (DGCP) initially started developing the Project and is continuing to co-develop the Project until commercial operation. DGCP principals have a combined forty years experience in the electric power industry.

#### ***Joseph S. Fitzpatrick***

Mr. Fitzpatrick served as Senior VP and Chief Development Officer for the US subsidiary of International Power from 1995-2002, where he was responsible for the development of 8000 MW of new gas fired combined-cycle plants in Texas, Massachusetts and New York. Prior to that he was President of EUA Cogenex from 1982-1995, and previously served as Secretary of Energy in Massachusetts.

#### ***Edward T. Liston***

CEO and President of Cogenex Corporation from 1995 until 2003. Prior to 1995, Mr. Liston served Cogenex as Executive Vice President. Prior to 1986, Mr. Liston was associated with Shooshanian Engineering Associates, Tufts New England Medical Center, and with United Engineers & Constructors. Mr. Liston is a Registered Professional Engineer.

### ***1.2.3 LeBoeuf, Lamb, Greene & MacRae, LLP***

LeBoeuf, Lamb, Greene & MacRae, (LLGM) serves as regulatory counsel for the Project on permitting and licensing matters. The firm specializes in representing clients in all aspects of the energy and regulatory process. The firm's clients

include power developers, large electricity end users, local gas distribution companies, electric utilities, interstate gas pipeline companies, and several government entities. Attorneys in the firm have represented several project developers in their applications to the EFSB for approval to construct bulk generating facilities. The firm has also been actively involved in advising clients on the various legal and regulatory issues associated with the restructuring of the electric industry in Massachusetts and regionally. LeBoeuf, Lamb, Greene & MacRae, (LLGM) attorneys include former utility regulators and attorneys from environmental and resource management agencies.

#### ***1.2.4 Earth Tech, Inc.***

Earth Tech, Inc. is one of the nation's premier environmental consulting firms. Earth Tech provides full-service engineering and scientific consultation in all areas of power plant permitting and operations. Earth Tech will help ensure that this Project receives its permits and is designed to operate on an environmentally sound basis. Other Earth Tech clients include Fortune 500 companies as well as municipal, state and federal agencies. Earth Tech has completed over 100 power plant licensing projects throughout the United States.

#### ***1.2.5 Cavanaugh Tocci Associates***

Cavanaugh Tocci Associates (CTA), located in Sudbury, Massachusetts, was founded in 1975 by William Cavanaugh and Gregory Tocci to serve the growing need for technical expertise and consulting services in architectural, industrial, and environmental acoustics. CTA has a staff of 15, with 13 full-time consultants holding advanced degrees in mechanical engineering, architecture, and acoustics. The service objective is to provide practical, cost-effective, and timely consulting advice on all types of sound and vibration problems. Cavanaugh Tocci Associates, Inc. has completed thousands of consulting assignments ranging from brief consultations of a few hours to extended projects spanning several years.

#### ***1.2.6 Gradient Corporation***

Gradient Corporation, located in Cambridge, Massachusetts, is an environmental and risk science consulting firm with specialties in toxicology, and risk assessment. Peter Valberg, PhD: is one of the principals of Gradient Corporation. Dr. Valberg's risk assessment experience covers EMF (including power lines).

#### ***1.2.7 Signal Hill Consulting – Robert Stein***

Mr. Stein is a principal and co-founder of Signal Hill Consulting Group LLC, with offices in Vermont, Massachusetts, and Connecticut. Signal Hill's focus is

