

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

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Committees:

Ways and Means

Economic Development and Emerging Technologies

Community Development and Small Business

Special Legislative Committee

on Foster Care

April 30, 2010

Mr. Robert J. Shea, Presiding Officer
Energy Facilities Siting Board
One South Station
Boston, MA 02110

RE: Petition of Brockton Power Company, LLC (EFSB 07-7/D/P.U 07-58/07-59)

Dear Mr. Shea,

The Brockton House Delegation has serious concerns regarding Brockton Power Company LLC's (Brockton Power) proposed project change filing with the Energy Facilities Board (EFSB). Simply put, these changes would fundamentally alter the scope of Brockton Power's entire project. Therefore, we respectfully urge members of the Board to allow for due public deliberation, as well as careful and extensive review by all parties involved in this case, with regard to these proposed modifications.

For the past three years, members of the Brockton legislative delegation—along with our Mayor, City Council, constituents and other area stakeholders alike—have fought to ensure that city ordinances and zoning by-laws continue to be respected and upheld; not carelessly undermined by the state “in order to avoid the delay that would result in seeking [such relief] from the City” as proposed by Brockton Power¹. Thankfully, the EFSB agreed with the importance of the local approval processes and concluded that the “benefits to the general public of the proposed use would not outweigh the adverse local impacts” of this project².

Ironically, Brockton Power's project change filing currently before the Board seeks to once again skirt the same local ordinances that we all agreed were so important to protect. Moreover, these

¹ Energy Facilities Siting Board. *Memorandum dated December 4, 2008 regarding EFSB 07-7/D.P.U 07-58/D.P.U 07-59, Brockton Power Company LLC*, pg.53.

² Energy Facilities Siting Board. *Final Decision dated August 7, 2009 regarding EFSB 07-7/D.P.U 07-58/D.P.U 07-59, Brockton Power Company*, pg.110.

selfish and egregious changes spell out dangerous risks in terms of additional discharge into—and flooding of—the Salisbury River, noise and quality of life issues, especially when coupled with the more recent studies regarding the burning of additional sludge cake from the neighboring Advanced Water Reclamation Facility (AWRF), and with the lack of a local, comprehensive health impact assessment of such a fossil-fueled plant.

Make no mistake about it; Brockton Power's proposed changes do nothing but continue the company's penchant of circumventing every measure put in place to protect our constituents in a blatant attempt to steamroll their plant down our throats. However, with a fresh analysis and a careful, extensive public review of these changes, we remain hopeful that we can all come to the conclusion that this proposal is one that is truly dangerous for the people of our great city.

Thank you for your time and consideration.

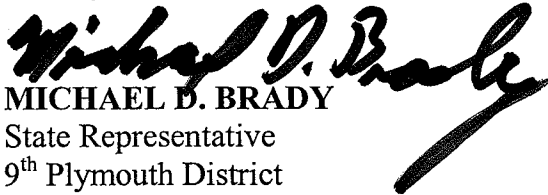
Sincerely,



CHRISTINE E. CANAVAN
State Representative
10th Plymouth District



GERALDINE M. CREEDON
State Representative
11th Plymouth District



MICHAEL D. BRADY
State Representative
9th Plymouth District