

May 31, 2017

Via Electronic Mail and Federal Express

Todd Anthony Bianco, EFSB Coordinator
RI Energy Facility Siting Board
89 Jefferson Boulevard
Warwick, RI 02888

Re: Clear River Energy LLC's Application to Construct and Operate the Clear River Energy
Center in Burrillville, Rhode Island
Docket No.: SB-2015-16

Dear Mr. Bianco:

On behalf of Clear River Energy LLC and the Clear River Energy Project ("CRE"), please find enclosed an original and three (3) copies of CRE's Objection to certain data requests included in the Rhode Island Department of Environmental Management's Fourth Set of Data Requests.

Please let me know if you have any questions.

Very truly yours,



ALAN M. SHOER
ashoer@apslaw.com

Enclosures

cc: Service List

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

**In Re: CLEAR RIVER ENERGY LLC'S)
APPLICATION TO CONSTRUCT THE) Docket No. SB-2015-06
CLEAR RIVER ENERGY CENTER IN)
BURRILLVILLE, RHODE ISLAND)**

**OBJECTION OF CLEAR RIVER ENERGY LLC TO CERTAIN
DATA REQUESTS INCLUDED IN THE RHODE ISLAND DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT'S FOURTH SET OF DATA REQUESTS**

Clear River Energy LLC ("CRE") objects to the following data requests in the Rhode Island Department of Environmental Management's ("RIDEM") Fourth Set of Data Requests: Nos. 4-11, 4-13 – 4-39. The objected to RIDEM data requests seek information pertaining to CRE's "Application to Alter Freshwater Wetlands No. 17-0079," and therefore, are beyond the scope of the Energy Facility Siting Board's ("EFSB") authority and/or jurisdiction. *See* R.I. Gen. Laws § 42-98-7(a)(3). The information requested by RIDEM is/or will be supplied in the Wetlands permit process which is the appropriate forum for the information sought.

Additionally, Data Request Nos. 4-11, 4-13, 4-17, 4-19, 4-21, 4-25, 4-26, 4-27, 4-28, 4-29, 4-30, 4-32, 4-33, 4-38 and 4-39 relate to or concern the TNEC right-of-way which is the subject of an alternative EFSB proceeding. *See* Docket No. SB-2017-01.

Respectfully submitted,

CLEAR RIVER ENERGY LLC

By Its Attorneys:

/s/ Alan M. Shoer
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Dated: May 31, 2017

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2017, I delivered a true copy of the foregoing document to the Energy Facilities Siting Board via electronic mail to the parties on the attached service list.

/s/ Alan M. Shoer