



RUBIN AND
RUDMAN LLP
Attorneys at Law

T: 617.330.7000 F: 617.330.7550
50 Rowes Wharf, Boston, MA 02110

John A. DeTore
Direct Dial: 617-330-7144
E-mail: JDeTore@rubinrudman.com

July 30, 2014

By Hand Delivery and Electronic Filing

Andrew G. Greene, Director
Energy Facilities Siting Board
One South Station
Boston, MA 02110

**RE: Footprint Power Salem Harbor Development LP, EFSB 12-2
Quarterly Traffic Report - Compliance Filing for Condition T**

Dear Mr. Greene:

On October 10, 2013, the Energy Facilities Siting Board (“Siting Board” or “EFSB”) issued a Final Decision approving, subject to conditions, the petition of Footprint Power Salem Harbor Development LP (“Footprint Power” or “Company”) to construct a 630 megawatt (MW) natural gas-fired, quick-start, combined-cycle generating facility in the City of Salem. *Footprint Power Salem Harbor Development LP, EFSB 12-2 (2013)* (“*Footprint Power Decision*” or “Final Decision”). As part of the Final Decision, the Siting Board imposed Condition T, which reads as follows:

The Siting Board directs Footprint: (1) to contact the City, representatives of the Bentley School, National Grid, and Algonquin and solicit their cooperation and participation in preparing an initial plan putting into effect a roadway and traffic mitigation system for Salem; (2) to prepare such a plan with as many parties as are agreeable to participate; (3) to submit the plan to the Siting Board and all parties by January 1, 2014; and (4) to implement the plan. The roadway and traffic mitigation system shall include the following elements: (a) a single repository of information relevant to construction scheduling, road openings, and traffic flow; (b) the provision of a traffic control officer at the Derby Street and Webb Street intersection at shift changes when there are 250 or more workers on site; (c) a plan to operate a traffic-monitoring device at the intersection of Bridge Street and Webb Street, and at any other appropriate road intersection(s), on dates when roadwork for any project or an increase in the size of the Footprint workforce might create adverse traffic flow impacts; (d) a menu of potential mitigation

options, and a decision tree or other suitable approach determining their implementation; (e) a platform for Footprint, National Grid, Algonquin, and the Salem DPW to coordinate construction activities; and (f) a protocol for allocation of mitigation costs. In addition, the Siting Board directs Footprint to provide it with quarterly reports on its traffic monitoring, coordination with other entities, and traffic mitigation activities, from the date of this Decision to the completion of construction.

Footprint Power Decision at 110.

As a preliminary matter, Footprint Power notes that, on December 31, 2013, Footprint Power submitted to the Siting Board the roadway and traffic mitigation plan (the "Traffic Plan") required by Condition T of the Final Decision ("December 31, 2013 Filing").¹ The December 31, 2013 Filing addressed each of the requirements set forth in Condition T. Moreover, in that filing, the Company noted that it planned to provide the Siting Board with its first quarterly traffic report in April 2014, and that the April, 2014 Report would cover the period January 1, 2014 through March 31, 2014. December 31, 2013 Filing at 5. Subsequently, on April 29, 2014, Footprint Power filed its first Quarterly Report on Traffic Monitoring, Coordination and Mitigation for the period January 1, 2014 through March 31, 2014 (the "April 29, 2014 Traffic Report").

Footprint Power hereby provides its second Quarterly Report on Traffic Monitoring, Coordination and Mitigation for the period April 1, 2014 through June 30, 2014, as required by Condition T of the Footprint Power Decision.

Traffic Monitoring

As demolition of the existing facility (and construction of the SHR Facility) has not yet commenced, there was no traffic monitoring during this period.

Coordination with Other Entities

As noted in the December 31, 2013 Filing, Footprint Power contacted representatives of the City of Salem, the Bentley School, National Grid and Algonquin/Spectra Energy prior to formulating its Traffic Plan. Those representatives were each provided with a draft of the Traffic Plan, an opportunity to comment thereon, and an opportunity to discuss the draft plan in person at a meeting. Meetings with those representatives have commenced this month and will be covered in the next quarterly report.

Mitigation

Section 5 of the Traffic Plan provided a list of potential mitigation options and the order in which they will be implemented at five intersections. There have been no changes to the

¹ As noted in the December 31, 2013 Filing, the Traffic Plan was part of a comprehensive Construction Management Plan previously provided by Footprint Power to the Salem Planning Board in compliance with a condition in its PUD Special Permit. December 31, 2013 Filing at 2, 3.


Traffic Plan since it was filed with the Siting Board. As demolition and construction have not yet commenced, no mitigation was needed during the second quarter of 2014.

Footprint Power plans to file its next Quarterly Report on Traffic Monitoring, Coordination and Mitigation in October 2014. That report will cover the period July 1, 2014 through September 30, 2014.

Please let me know if you have any questions or require additional information regarding any matter addressed in this letter. Please date stamp the enclosed copy of this letter and return it to the messenger for our files.

Thank you for your attention to this matter.

Very truly yours,

John A. DeTore 
Robert D. Shapiro

John A. DeTore
Robert D. Shapiro

cc: Robert J. Shea, Esq., EFSB
James Buckley, General Counsel, EFSB
Service List (EFSB 12-2)