

COMMONWEALTH OF MASSACHUSETTS  
Energy Facilities Siting Board

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In the Matter of the Petition of  
Altresco Lynn, Inc. for Approval  
to Construct a Bulk Generating  
Facility and Ancillary Facilities

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EFSB 91-102A

ACTION BY CONSENT

This “Action by Consent” is made pursuant to authority granted the Chairman of the Energy Facilities Siting Board (“Siting Board”) under 980 C.M.R. § 2.06. Section 2.06 provides the Siting Board with authority to render a decision “when it would be a hardship to the public welfare to defer the decision until the next scheduled meeting of the [Siting Board].” 980 C.M.R. § 2.06(1).

On August 16, 1995, the Siting Board, by a majority vote, conditionally approved the petition of Altresco Lynn, Inc. (“Altresco Petition”) to construct a bulk generating facility and ancillary facilities in the City of Lynn, Massachusetts (Docket No. EFSB 91-102A). An appeal of that Final Decision was taken by Boston Edison Company and a joint appeal was taken by the City of Revere and Point of Pines Beach Association, Inc. (Docket Nos. SJC-95-0469 and SJC-95-0481, respectively).

On July 25, 1996, Altresco Lynn, Inc. formally withdrew the Altresco Petition, thereby mooted the Siting Board’s August 1995 Final Decision. As (1) the appeals are pending and (2) the next scheduled meeting of the Siting Board will not take place until September 26, 1996, we find that it would be a hardship to the public welfare to defer a decision to rescind the August 1995 conditional approval.

Now, therefore, the Siting Board by unanimous written consent hereby rescinds the conditional approval granted Altresco Lynn, Inc. in Docket No. EFSB 91-102A on August 16,

1995 to construct a bulk generating facility and ancillary facilities in the City of Lynn, Massachusetts.

This Action by Consent may be executed in any number of counterparts, each of which shall be an original, but all of which constitute one agreement, and shall be dated and become effective when the copies bearing all of the signatures of the Siting Board members are received by the Chairman. 980 C.M.R. § 2.06(2).

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John B. Howe,  
Chairman  
Energy facilities Siting Board/  
Department of Public Utilities

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Mary Clark Webster  
Commissioner  
Department of Public Utilities

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Janet Gail Besser  
Commissioner  
Department of Public Utilities

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David L. O'Connor  
for David A. Tibbetts  
Director of the Department of Economic  
Development

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Sonia Hamel  
for Trudy Coxé  
Secretary of Environmental Affairs

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Joseph Faherty  
Public Member

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August 16, 1996  
Effective Date