

COMMONWEALTH OF MASSACHUSETTS
Energy Facilities Siting Board

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In the Matter of the Petition of)	
Eastern Energy Corporation for Approval)	
to Construct a Bulk Generating Facility)	EFSB 90-100R2
and Ancillary Facilities)	
)	

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 June 27, 1995, the Siting Board by majority vote conditionally approved the petition of Eastern Energy Corporation (“EEC Petition”) to construct a bulk generating facility and ancillary facilities in the City of New Bedford (Docket No. EFSB 90-100R2). Appeals of that Final Decision were taken by the Greater New Bedford NO-COALition and the Office of the Attorney General (Docket Nos. SJ-95-0399 and SJ-95-0405, respectively).

On February 6, 1996, Eastern Energy Corporation formally withdrew the EEC Petition, thereby mooting the Siting Board’s June 27th Final Decision. As (1) the two appeals are pending and currently subject to Motions to Stay, filed by the Petitioners, which will expire on March 15, 1996, and (2) there are no meetings of the Siting Board scheduled or planned for scheduling in the near future, we find that it would be a hardship to the public welfare to defer a decision to rescind the June 27th conditional approval.

Now, therefore, the Siting Board by unanimous written consent do hereby rescind the conditional approval granted Eastern Energy Corporation in Docket No. EFSB 90-100R2 on June 27, 1995 to construct a bulk generating facility and ancillary facilities in the City of New Bedford.

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).

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

Mary Clark Webster
Commissioner
Department of Public Utilities

Janet Gail Besser
Commissioner
Department of Public Utilities

David L. O'Connor
for David A. Tibbetts
Secretary of Economic Affairs

Sonia Hamel
for Trudy Coxé
Secretary of Environmental Affairs

Joseph Faherty
Public Member

William Sargent
Public Member

Effective Date