

5. Conclusion-Grant of CPCN

Upon consideration of the record in this proceeding, including the evidence on the record and arguments of the parties, as well as the comments submitted by the public with respect to the

application, I find that the application of Catoctin Power, LLC for a Certificate of Public Convenience and Necessity to construct a nominal 600 MW generating facility in Frederick should be granted as being in accordance with the public convenience and necessity and in the public interest. A review of the record shows that Catoctin has presented evidence on all required factors which indicate that the plant will be in the public interest and have relatively minimal effects on the area when operational, as the impact of the plant will be mitigated by the extensive conditions accepted in this proceeding. In this respect, the agreement and extensive conditions proposed by the State Agencies through the Power Plant Research Program will reduce any deleterious effects of the project and are hereby accepted, as is the agreement reached by the Applicant and the water suppliers which protect the water supply of the Potomac River. The water suppliers' agreement provides for conditions for augmenting the Potomac River or reducing consumptive use by Catoctin under certain circumstances, which conditions also address the concerns expressed by public commentators at the public hearing concerning the effect of the project on water resources, and are hereby accepted.

In sum, the record reflects the plant will be a new, clean generation source utilizing natural gas that will be located on a large industrial site next to an existing industrial plant, the Eastalco Aluminum facility. The expert testimony submitted by the Company, which is confirmed by the expert testimony submitted on behalf of the State Agencies, shows the plant will meet all

applicable standards and have a large number of protections through these accepted conditions so that it will not cause significant adverse impacts, and therefore the Certificate will be granted as being in the public interest.

In conclusion, I find the record reflects that the proposed project is located in a very appropriate site for construction of a gas-fired generating facility, and with the extensive conditions agreed by the Applicant with both the State Agencies and water suppliers, the application should be granted as being in the public interest.