

## UNITED STATES SUPREME COURT DENIES PETITION CHALLENGING CAITHNESS LI ENERGY CENTER

**NEW YORK — October 5, 2009** — The United States Supreme Court today denied a petition to hear a case against the Caithness Long Island Energy Center. The high court's decision terminates the last remaining legal challenge to the 350-megawatt, natural gas-fired power plant, now operating in Yaphank, NY.

The Supreme Court's ruling ends a series of lawsuits brought by East End Property Company #1, LLC, seeking to stop the construction of the plant. East End Property owns Atlantic Point, a gated apartment complex located over a half-mile from the site. Every case brought against the project has resulted in a favorable ruling for Caithness, including two cases brought to the New York State Court of Appeals, the state's highest court.

The state courts denied challenges to the environmental review process, the power purchase agreement between Caithness and the Long Island Power Authority, and the actions of the Brookhaven Town Council and the Planning Board of the Town of Brookhaven in authorizing construction of the Caithness Long Island Energy Center.

"This is a victory for Long Island's electric ratepayers since it is they who will benefit from the significant fuel cost savings that the Caithness Long Island Energy Center is producing," said Ross D. Ain, President, Caithness Long Island, LLC. Based on the four-year average of fuel prices from 2004-2007, Caithness is expected to save LIPA's ratepayers over \$75 million in annual fuel costs. Mr. Ain added, "Long Island residents will also benefit from today's decision as Caithness produces over 95 percent fewer pollutant emissions and more than 34 percent less greenhouse gas emissions than other plants still in use."

"Caithness is extremely thankful for the unwavering, bipartisan support we received over the last five years from the Brookhaven Town Board, other elected officials, business leaders, environmental groups, trade unions and the vast majority of the community who understood the economic and environmental benefits that the Caithness plant would produce," concluded Mr. Ain.

The Caithness Long Island Energy Center project was selected by LIPA in May 2004 as part of a competitive bid because it offered substantial environmental and economic benefits to LIPA's ratepayers as compared to the other proposals LIPA had received for on-island power generation. The plant's location made it an ideal choice since it is close to LIPA's existing transmission lines, near a major gas distribution pipeline and the nearest residences are more than a half-mile of a mile away. By contrast, every other baseload plant in Nassau and Suffolk counties has residential areas abutting the plant site. In addition, the property is not within any environmentally sensitive area, which helped gain the acceptance of several environmental groups including the National Resources Defense Council and the Neighborhood Network.

The Caithness Long Island Energy Center began commercial operations on August 1, 2009.

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**About Caithness Long Island, LLC**

Caithness Long Island, LLC is a subsidiary of Caithness Energy, L.L.C., a privately held, New York-based independent power producer. For over 25 years, Caithness has been a pioneer in the development of clean, reliable energy. More information can be found at: [www.caithnesslongisland.com](http://www.caithnesslongisland.com).

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