

PHILIP M. SMALL
direct dial: (860) 509-6575
fax: (860) 509-6675
psmall@brownrudnick.com

185 Asylum
Street
Hartford
Connecticut
06103
tel 860.509.6500
fax 860.509.6501

October 3, 2013

VIA ELECTRONIC MAIL AND COURIER

Robert Stein
Chairman
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
United States of America

Re: Petition No. 1068—Petition of BE 2012 A LLC to the Connecticut Siting Council for a Declaratory Ruling for the Location and Construction of a 400-Kilowatt Fuel Cell Customer-Side Distributed Resource at 26 Washington Street, New London, Connecticut—*Corrected Electronic Version of Initial Filing*

Dear Chairman Stein:

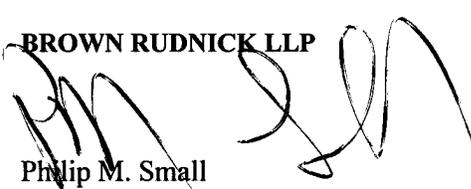
Yesterday, Connecticut Siting Council staff notified us that the electronic version of BE 2012 A LLC's June 24, 2013 petition contained certain incorrect exhibits. Therefore, we are re-filing the Petition with the correct exhibits 1, 2, 4, and 7 (which was already previously corrected through my letter dated July 8, 2013).

This filing also corrects some minor typographical errors in the Petition and adds the petition number.

Please do not hesitate to contact me with any questions.

Very truly yours,

BROWN RUDNICK LLP



Philip M. Small
Attorney for BE 2012 A LLC

cc: Charles Fox
Robert L. Streker, PE

61530099 v1-029819/0005

PHILIP M. SMALL
Counselor at Law
direct dial: 860-509-6575
psmall@brownrudnick.com

CityPlace I
185 Asylum
Street
Hartford
Connecticut
06103
tel 860.509.6500
fax 860.509.6501

June 24, 2013

VIA HAND DELIVERY

Robert Stein, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: Petition of BE 2012 A LLC to the Connecticut Siting Council for a Declaratory Ruling for the Location and Construction of a 400-Kilowatt Fuel Cell Customer-Side Distributed Resource at 26 Washington Street, New London, Connecticut

Dear Chairman Stein:

On behalf of BE 2012 A LLC, and pursuant to Conn. Gen. Stat. §§ 4-176 and 16-50k(a) and Conn. Agencies Regs. § 16-50j-38 *et seq.*, enclosed are an original and fifteen (15) copies of the above-captioned Petition, together with the filing fee of \$625.

In the Petition, BE 2012 A LLC requests the Connecticut Siting Council's approval of the location and construction of an approximately 400-kilowatt (net) Bloom Energy Corporation fuel cell facility, including associated equipment (the "Facility"). The Facility will be located on the site of an AT&T facility at 26 Washington Street, New London, Connecticut (the "Site") within an existing asphalt area, on a precast pad to be installed. The Facility will be approximately 25'-6" long, 7'-8" wide and 6'-9" high. Electricity generated by the Facility will be consumed primarily at the Site, and any excess electricity will be exported to the electric grid. The Facility will be fueled by natural gas.

BE 2012 A LLC was selected by The Connecticut Light and Power Company ("CL&P") as a winning bidder in the "Low and Zero Emissions Renewable Energy Credit Program" established under Sections 107, 108, and 110 of Public Act No. 11-80. As a result of that selection, BE 2012 A LLC has entered into a Standard Contract for the Purchase and Sale of Connecticut Class I Renewable Energy Credits with CL&P, which was approved by the Connecticut Public Utilities Regulatory Authority on February 1, 2013.

Please contact me with any questions concerning this filing.

Very truly yours,

BROWN RUDNICK LLP



Philip M. Small
Attorney for BE 2012 A LLC

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

PETITION OF BE 2012 W LLC FOR A : PETITION NO. 1068
DECLARATORY RULING FOR THE :
LOCATION AND CONSTRUCTION OF A 400 :
KILOWATT FUEL CELL CUSTOMER-SIDE :
DISTRIBUTED RESOURCE AT 26 :
WASHINGTON STREET, CITY OF NEW :
LONDON, CONNECTICUT. : JUNE 24, 2013

PETITION OF BE 2012 W LLC PROJECT COMPANY] FOR A DECLARATORY RULING

Pursuant to Conn. Gen. Stat. §§ 4-176 and 16-50k(a) and Conn. Agencies Regs. § 16-50j-38 *et seq.*, BE 2012 W LLC requests that the Connecticut Siting Council (“Council”) approve by declaratory ruling the location and construction of its customer-side distributed resources project comprised of an approximately 400-kilowatt (“kW”) (net) Bloom Energy Corporation (“Bloom”) solid oxide fuel cell Energy Server described herein, including associated equipment (the “Facility”), located at an AT&T Facility at 26 Washington Street, New London, Connecticut (the “Site”).

Conn. Gen. Stat. § 16-50k(a) provides that:

Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling . . . (B) the construction or location of any customer-side distributed resources project or facility . . . with a capacity of not more than sixty-five megawatts, as long as such project meets air and water quality standards of the Department of Energy and Environmental Protection

As discussed fully in this Petition, the Facility will be a fuel cell and a customer-side distributed resources facility under 65 megawatts (“MW”) that complies with the air and water quality standards of the Connecticut Department of Energy and Environmental Protection (“DEEP”). Additionally, the Facility will not have a substantial adverse environmental effect in the State of Connecticut.

I. COMMUNICATIONS

Correspondence and other communication regarding this petition should be directed to the following parties

Philip M. Small
Brown Rudnick LLP
185 Asylum Street, 38th Floor
Hartford, CT 06103
Telephone: (860) 509-6575
Fax: (860) 509-6501
Email: psmall@brownrudnick.com

Charles Fox
Bloom Energy Corporation
P.O. Box 1406
Princeton, NJ 08540
Telephone: (212) 920-7151
Fax: (408) 543-1501
Email: Charles.Fox@bloomenergy.com

Robert L. Streker
Core States Group
58 Mount Bethel Road
Suite 301
Warren, NJ 07059
Telephone: (908) 462-9700
Email: rstreker@core-eng.com

II. DISCUSSION

A. Background

The facility will be a 400kW customer-side distributed resources facility consisting of two 200-kW state-of-the-art Bloom Energy Servers and associated equipment interconnected to the switchgear located in the basement of the AT&T building. See Exhibit 2. Electricity generated by the Facility will be consumed primarily at the Site, and any excess electricity will be exported to the grid. The Facility will be a “customer-side distributed resources” project because it will be “a unit with a rating of not more than sixty-five megawatts [and is located] on the premises of a retail end user within the transmission and distribution system including, but not limited to, fuel cells” Conn. Gen. Stat. § 16-1(a)(40)(A). Further, in its Final Decision in Docket No. 12-02-09 dated September 9, 2012, the Connecticut Public Utilities Regulatory Authority (“PURA”) determined that Bloom’s Energy Server qualifies as a Class I renewable energy source fuel cell as defined in Conn. Gen. Stat. §16 1(a)(26)(A). See Exhibit 3.

BE 2012 W LLC was selected by The Connecticut Light and Power Company (“CL&P”) as winning bidder in United Illuminating Company’s (“UI”) and CL&P’s 2012 joint request for proposals for their “Low and Zero Emissions Renewable Energy Credit Program” established under Sections 107, 108 and 110 of Public Act No. 11-80, *An Act Concerning the Establishment of the Department of Energy and Environmental Protection and Planning for Connecticut’s Energy Future* (codified at Conn. Gen. Stat. §§ 16-244r, 16-244s and 16-244t). As a result of that selection, BE 2012 W LLC has entered into a *Standard Contract for the Purchase and Sale of Connecticut Class I Renewable Energy Credits* (“Standard Contract”) with CL&P, under which BE 2012 W LLC will sell, and CL&P will purchase, Connecticut Class I Renewable Energy Credits generated by the Facility for a 15-year term. The PURA approved BE 2012 W LLC’s selection by CL&P and its Standard Contract on February 1, 2013 in PURA Docket No. 11-12-06.

B. Description of the Site and the Facility

The Site is located within the Central Business District (CBD-2) under the zoning regulations of the City of New London (the “City”). The existing property is developed as industrial, with frontage along Washington Street, Methodist Street and Union Street. The surrounding areas are developed primarily as commercial and industrial uses. Access to the site is from an entrance along Washington Street with a secondary entrance along Methodist Street. The Energy Server will be located along the Washington Street right-of-way and northerly and westerly property lines. A masonry wall would be installed along the right-of-way to reduce visibility and sound levels leaving the site. The wall will be constructed to incorporate the architectural design of the surrounding areas. The Energy Server will be adjacent to the masonry wall. The portions of the Site that will be used for the Facility are shown on Exhibit 2.

Prior to the filing of this petition, AT&T representatives discussed the proposed Facility with the New London, Zoning and Wetlands Enforcement Officer Michelle Johnson on April 29, 2013, and subsequent correspondence was sent to Ms. Johnson on April 30, 2013 (Exhibit 4), discussing the proposed Facility and enclosing the Site Plan (Exhibit 2) for the City's review. On May 10, 2013 Ms. Johnson requested further clarification on the proposed screening for the fuel cell installation. Core States responded that a masonry enclosure was proposed (Exhibit 4).

The Facility will consist of two Bloom solid oxide fuel cell Energy Server modules, including associated equipment and its electrical interconnection. The dimensions of each Energy Server module is approximately 25'-6" long, 7'-8" wide and 6'-9" high. Each Energy Server module is enclosed and factory-assembled and tested prior to installation on the Site. See Exhibit 5.

The Energy Server will be capable of producing a total of 400-kW of continuous, reliable electric power. The Energy Server will interconnect to the Site's distribution system, will provide a portion of the Site's electrical requirements, and will operate in parallel with the grid. Any electricity generated in excess of the Site's requirement will be exported to the grid. The interconnection to CL&P will be provided from the switchgear located in the basement of the building. At the time of this report, the CL&P interconnection application is currently being prepared.

The Energy Server will be fueled by natural gas supplied by Yankee Gas Company ("Yankee"). The service will be brought to the Energy Server by a new connection from the gas main located along Washington Street. The gas service will be delivered into a new Yankee meter set and the Facility's regulator set prior to entering the Energy Servers.

The Bloom Energy Servers will have extensive hardware, software and operator safety control systems, designed into the system in accordance with ANSI/CSA America FC 1-2004, the American National Standards Institute and Canadian Standards Association standard for Stationary Fuel Cell Power Systems. The facility is remotely monitored by Bloom Energy 24 hours a day, seven days a week. If software or hardware safety circuits detect an unsafe condition, variation in temperature or gas pressure outside of operational parameters, fuel supply is automatically stopped and the system is shut down. Two manual fuel shut-off valves are provided at each installation site, and two normally closed, safety shut-off rated isolation valves are installed within the system. The Facility will be installed in compliance with all applicable building, plumbing, electrical, fire and other codes.

The risk of fire related to the operation of the Energy Servers is very low. In the Bloom fuel cell, natural gas is not burned; it is used in a chemical reaction to generate electricity. The natural gas is digested almost immediately upon entering the unit and is no longer combustible. As stated above, any variation in heat outside of the operational parameters will trigger an automatic shutdown of the energy server.

C. The Facility Complies with DEEP's Air and Water Quality Standards and Will Not Have a Substantial Adverse Environmental Effect

The construction and operation of the Facility will comply with DEEP's air and water quality standards and will not have a substantial adverse environmental effect.

Construction-related impacts will be minimal. The Facility will be located within an existing asphalt area. The construction of the Energy Server will require the installation of precast pads on which the Energy Server and related mechanical equipment will rest. The asphalt will be saw cut and subsurface prepared in accordance with geotechnical recommendations prior to the installation of the precast pads and masonry wall. All utility

trenches will be within paved areas. Saw cutting will be utilized to minimize disturbance and will be restored in-kind.

Conn. Agencies Regs. § 22a-174-42 governing air emissions from new distributed generators exempts fuel cells from air permitting requirements. Accordingly, no permits, registrations or applications are required based on the actual emissions from the Facility. See Conn. Agencies Regs. §§ 22a-174-42(b) and (e). Notwithstanding this exemption, as shown on the following page in Table 1, the Facility meets the Connecticut emissions standards for a new distributed generator. Further, Bloom’s Energy Server has passed the stringent California Air Resources Board Distributed Generation Certification Regulation 2007 Fossil Fuel Emission Standards. See Exhibit 6.

Table 1: Connecticut Emissions Standards for a New Distributed Generator

Compound	Connecticut Emission Standard (lbs/MW-hr)¹	Bloom Energy Server (lbs/MW-hr)
Oxides of Nitrogen (NO _x)	0.15	<0.01
Carbon Monoxide (CO)	1	<0.10
Carbon Dioxide (CO ₂)	1,650	773

With respect to water discharges, the Energy Server is designed to operate without water discharge under normal operating conditions. During construction, appropriate soil erosion prevention techniques will be incorporated around the disturbed areas to minimize erosion. Due to the limited disturbance required for the Facility’s installation, no construction related storm water permits will be required. Further, no additional impervious areas will be added to the Site, and all disturbances will be within paved areas. The location and associated construction of the Energy Servers will not affect the existing drainage patterns or stormwater discharge points.

¹ Conn. Agencies Regs. § 22a-174-42, Table 42-2.

The proposed Facility will be located on a lot that was previously developed and disturbed during construction of the AT&T building. Therefore, the construction and operation of the Facility will not have any adverse effects on either endangered species or historical resources.

The Site is located within New London's historical district. A masonry wall is being proposed to limit visibility of the Energy Servers. The wall finish will be coordinated with the New London Historical District.

Sound levels attributable to the Facility will meet all applicable DEEP and noise limits at all off-site noise receptors. The masonry wall to be constructed along Washington Street will to reduce sound levels leaving the Site.

III. NOTICE

As set forth in Exhibit 7, BE 2012 W LLC has provided notice of this petition to all persons and appropriate municipal officials and governmental agencies to whom notice is required to be given pursuant to Conn. Agencies Regs. § 16-50j-40(a).²

IV. BASIS FOR GRANTING OF THE PETITION

Under Conn. Gen. Stat. § 16-50k(a), the Council is required to approve by declaratory ruling the construction or location of a customer-side distributed resources project or facility with a capacity of not more than 65 MWs, as long as the facility meets DEEP air and water quality standards. The Facility meets each of these criteria. The Facility is a "customer-side distributed resources" project, as defined in Conn. Gen. Stat. § 16-1(a)(40)(A), because the Facility is "a unit with a rating of not more than sixty-five megawatts [and is located] on the

² Conn. Agencies Regs. § 16-50j-40(a) requires that "[p]rior to submitting a petition for a declaratory ruling to the Council, the petitioner shall, where applicable, provide notice to each person other than the petitioner appearing of record as an owner of property which abuts the proposed primary or alternative sites of the proposed facility, each person appearing of record as an owner of the property or properties on which the primary or alternative proposed facility is to be located, and the appropriate municipal officials and government agencies [listed in Section 16-50l of the Connecticut General Statutes]."

premises of a retail end user within the transmission and distribution system including, but not limited to, fuel cells” and as demonstrated herein, will meet DEEP air and water quality standards. In addition, as demonstrated above, the construction and operation of the Facility will not have a substantial adverse environmental effect in the State of Connecticut.

V. CONCLUSION

For the reasons stated above, BE 2012 W LLC respectfully requests that the Council approve the location and construction of the Facility by declaratory ruling.

Respectfully submitted,

BE 2012 W LLC

By:  _____

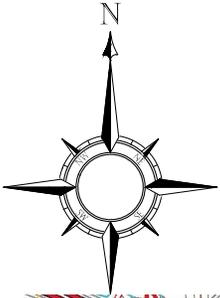
Philip Small
Brown Rudnick LLP
185 Asylum Street, 38th Floor
Hartford, CT 06103
(860) 509-6575 (office)
psmall@brownrudnick.com
Its Attorney

EXHIBITS

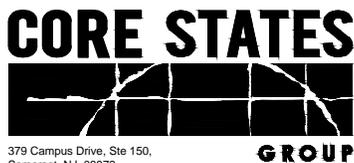
- Exhibit 1: Site Location Map
- Exhibit 2: Site Plan
- Exhibit 3: Final Decision, PURA Docket No. 12-02-09, *Petition of Bloom Energy Corporation for a Declaratory Ruling that Its Solid Oxide Fuel Cell Energy Server Will Qualify as a Class I Renewable Energy Source* (Sept. 12, 2012)
- Exhibit 4: Municipal Correspondence
- Exhibit 5: Bloom Energy Server Product Datasheet and General Installation Overview
- Exhibit 6: California Air Resources Board Distributed Generation Certification
- Exhibit 7: Notice Pursuant to Conn. Agencies Regs. § 16-50j-40(a)

61190184 v2-029819/0002

EXHIBIT 1



Job#: BEC-14587
 Scale: 1" ≈ 2,000'
 Date: 11/09/2012
 Drawn By: RNP



379 Campus Drive, Ste 150,
 Somerset, NJ 08873
 tel 732-667-9500 Fax: 732-667-9501
 gphillips@core-eng.com

Bloomenergy™

1252 Orleans Drive, Sunnyvale CA, 94089
 Tel: 408 543 1500 Fax: 408 543 1501

26 Washington Street
 New London, CT 06320

SITE LOCATION MAP
USGS MAP (NEW LONDON QUADRANGLE)

EXHIBIT 2

EXHIBIT 3



STATE OF CONNECTICUT

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

**DOCKET NO. 12-02-09 PETITION OF BLOOM ENERGY CORPORATION FOR A
DECLARATORY RULING THAT ITS SOLID OXIDE FUEL
CELL ENERGY SERVER WILL QUALIFY AS A CLASS I
RENEWABLE ENERGY SOURCE**

September 12, 2012

By the following Directors:

Arthur H. House
John W. Betkoski, III

DECISION

I. INTRODUCTION

By Petition dated February 14, 2012, pursuant to Section 4-176 in the General Statutes of Connecticut (Conn. Gen. Stat.) and Section 16-1-113 in the Regulations of Connecticut State Agencies, Bloom Energy Corporation requests that the Public Utilities Regulatory Authority (Authority) issue a declaratory ruling that its solid oxide fuel cell energy server qualifies as a Class I renewable energy source.

II. PETITIONER'S EVIDENCE

Bloom Energy Corporation (Bloom) has commercialized a scalable, modular fuel cell using Bloom's patented solid oxide fuel cell (SOFC) technology. A fuel cell is a device that uses a fuel and oxygen to create electricity by an electrochemical process. A single fuel cell consists of an electrolyte and two catalyst-coated electrodes (an anode cathode). Fuel cells are generally categorized by the type of electrolyte used. Petition, pp. 2 and 3.

Each Bloom Energy Server consists of thousands of Bloom's patented SOFCs. Each fuel cell is a flat, solid ceramic square capable of producing at least 25 watts. In an energy server, Bloom "sandwiches" the SOFCs between metal interconnect plates into a fuel cell "stack." Bloom aggregates multiple fuel cell stacks together into a "power module," and then multiple power modules, along with a common fuel input and electrical output, are assembled as a complete energy server fuel cell. Id., p. 3.

The Bloom Energy Server converts the chemical energy contained in fuel, such as natural gas, into electricity at an efficiency of approximately 50% - 60% (lower heating value net AC) without any combustion or multi-stage conversion loss. Fuel entering the energy server is processed using a proprietary catalytic method to yield a reformat gas stream, and the gaseous product and preheated air are introduced into the fuel cell stacks. Within the stacks, ambient oxygen reacts with the fuel to produce direct current (DC) electricity. The DC power produced by the energy server system is converted into 480-volt AC power using an inverter, and delivered to the host facility's electrical distribution system. Id.

SOFCs operate at very high temperatures, obviating the need for expensive metal catalysts. With low cost ceramic materials, and extremely high electrical efficiencies, SOFCs can deliver attractive economies without relying on combined heat and power. Id.

Bloom Energy Servers are a fraction of the size of a traditional base load power source, with each server occupying a space similar to that of a parking space. This small, low-impact, modular form of base load power does not pose the environmental challenges associated with a traditional base load power plant, significantly reducing environmental impacts. Moreover, Bloom's innovative design requires only an initial input of 120 gallons of water per 100 kW, after which no additional water is consumed during normal operation. Id., pp. 3 and 4.

Bloom Energy Servers deliver significant environmental benefits over conventional base load technologies. In addition to significant CO₂ reductions due to its high efficiency, the energy server emits virtually no NO_x, SO_x, or other smog forming particulates since the conversion of gas to electricity in a Bloom Energy Server is done through an electrochemical reaction rather than combustion. Id., p. 4.

III. AUTHORITY ANALYSIS

Conn. Gen. Stat. §16-1(a)(26) defines a Class I renewable energy source as:

(A) energy derived from solar power; wind power; a fuel cell; methane gas from landfills; ocean thermal power; wave or tidal power; low emission advanced renewable energy conversion technologies; a run-of-the-river hydropower facility provided such facility has a generating capacity of not more than five megawatts, does not cause an appreciable change in the river flow, and began operation after the effective date of this section; or a biomass facility, including, but not limited to, a biomass gasification plant that utilizes land clearing debris, tree stumps or other biomass that regenerates or the use of which will not result in a depletion of resources, provided such biomass is cultivated and harvested in a sustainable manner and the average emission rate for such facility is equal to or less than .075 pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter, except that energy derived from a biomass facility with a capacity of less than five hundred kilowatts that began construction before July 1, 2003, may be considered a Class I renewable energy source, provided such biomass is cultivated and harvested in a sustainable manner; or (B) any electrical generation, including distributed generation, generated from a Class I renewable energy source.

Based on Bloom's assertions, the Authority finds that its Bloom Energy Server qualifies as a Class I renewable energy source "fuel cell" as defined in Conn. Gen. Stat. §16-1(a)(26)(A).

The Authority has created an electronic application process for generation owners to apply for a Connecticut Renewable Portfolio Standards registration. The application is available on the Authority's website at the web address <http://www.ct.gov/pura>. The application should be submitted electronically along with a single hard-copy filing. While the Authority concludes in this Decision that the Bloom Energy Server would qualify as a Class I renewable energy source pursuant to Conn. Gen. Stat. §16-1(a)(26), Bloom must still apply for registration of the aforementioned system once the facility becomes operational and is registered in the New England Generation Information System.

IV. CONCLUSION

Based upon the project as described herein, the Authority finds that, as proposed, the Bloom Energy Server would qualify as a Class I renewable energy source. However, since the energy server is not yet operational, it should apply for Class I registration once it begins operations.

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to requirements of the Americans with Disabilities Act. Any person with a disability who may need information in an alternative format may contact the agency's ADA Coordinator at 860-424-3194, or at deep.hrmed@ct.gov. Any person with limited proficiency in English, who may need information in another language, may contact the agency's Title VI Coordinator at 860-424-3035, or at deep.aoffice@ct.gov. Any person with a hearing impairment may call the State of Connecticut relay number – 711. Discrimination complaints may be filed with DEEP's Title VI Coordinator. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

**DOCKET NO. 12-02-09 PETITION OF BLOOM ENERGY CORPORATION FOR A
DECLARATORY RULING THAT ITS SOLID OXIDE FUEL
CELL ENERGY SERVER WILL QUALIFY AS A CLASS I
RENEWABLE ENERGY SOURCE**

This Decision is adopted by the following Directors:

Arthur H. House

John W. Betkoski, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory Authority, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



Kimberley J. Santopietro
Executive Secretary
Department of Energy and Environmental Protection
Public Utilities Regulatory Authority

September 12, 2012

Date

EXHIBIT 4

April 30, 2013

Michelle Johnson
New London City Hall
181 State Street
New London, CT 06320

**RE: Bloom Energy Fuel Server Project
26 Washington Street AT&T Facility**

Dear Ms. Johnson,

We spoke several days ago regarding Bloom Energy. If you recall, Bloom Energy Servers are fuel cells that utilize natural gas and water to generate electricity. The electricity will serve some of the demands of large facilities such as the AT&T building referenced above. Since our initial conversation we have further refined our plans and coordinated with the gas company. I've attached a copy of Bloom Energy's product sheet which is also available on their web site: <http://www.bloomenergy.com> and the current preliminary plan. The energy servers are pad mounted devices. As you can see from the material and web site, the equipment is self-enclosed and modern looking. We ask that you respect the confidentiality of these documents.

At this location, Bloom is proposing to install two energy servers which will be located in the AT&T parking area immediately north of the building. This parking area is significantly underutilized. We anticipate that six parking stalls would be displaced as a result of the project. Two of the six impacted spaces were previously obstructed by the security gate at the Washington Avenue driveway. Based on the current use of the building, the loss of these parking stalls will not affect AT&T's operation.

In addition, this location is entirely within the existing impervious footprint and there will be no increase in storm water runoff generated by this project. As indicated on the plan, we anticipate that a masonry screen wall with a finish similar to the adjacent building will be necessary.

We are submitting to the Connecticut Siting Council within the next two weeks and wanted to give you an opportunity to see the plans in advance. We would be happy to discuss any comments you may have either by phone or in person. If you have any questions or need further information, please feel free to call.

Thank you,



Robert L. Streker, PE
CC: G.Benson, Bloom Energy
CC: C. diGirolamo, Bloom Energy
CC: J. Udinsky, Bloom Energy

From: [Rob Streker](#)
To: [Johnson, Michelle](#)
Subject: RE: Bloom Energy - 26 Washington Street AT&T
Date: Friday, May 10, 2013 4:18:00 PM

We were anticipate providing a masonry screening wall with brick finish along the back of sidewalk. It would span from the adjacent building to the north (matching that brick color) to the adjacent driveway entrance. We show it on the plan I sent, but it may be obstructed by dimension lines.

The fuel cells will stand approximately 6' – 9" high. If we cap the wall at 7' high, we will be screened from the sidewalk.

Robert L. Streker, PE
Core States Group
v. 908.462.9700 m. 908.625.9346

From: Johnson, Michelle [mailto:MJohnson@ci.New-London.CT.US]
Sent: Friday, May 10, 2013 3:48 PM
To: Rob Streker
Subject: RE: Bloom Energy - 26 Washington Street AT&T

Good afternoon, Rob!

I have had the opportunity to review and discuss the plans and information contained in your 04/30/2013 email with New London City Planner, Harry Smith. The question arose as to whether or not there is a plan to install screening for these units. If so what type of screening is proposed?

Michelle

From: Rob Streker [mailto:rstreker@core-eng.com]
Sent: Tuesday, April 30, 2013 5:07 PM
To: Johnson, Michelle
Subject: Bloom Energy - 26 Washington Street AT&T

Ms. Johnson,

Please see the attached documents related to the potential fuel cell project we recently discussed.

Feel free to call with any questions,
Rob

Robert L. Streker, PE
Core States Group
58 Mount Bethel Road, Suite 301, Warren, NJ 07059
v. 908.462.9700 m. 908.625.9346
rstreker@core-eng.com | www.core-eng.com

georgia | new jersey | massachusetts | missouri | florida | north carolina | arkansas | california | pennsylvania | washington

EXHIBIT 5

Clean Base Load Power

Bloom Energy Corporation is a provider of breakthrough solid oxide fuel cell (SOFC) technology that delivers clean power to meet base load electricity needs. Bloom Energy Servers™ are among the most efficient energy generators available, providing for significantly reduced electricity costs and dramatically lower greenhouse gas emissions. Bloom Energy Servers™ produce reliable and clean electricity using an environmentally superior non-combustion process. The result is a new option for energy infrastructure that combines increased electrical reliability and improved energy security with significantly lower environmental impact.

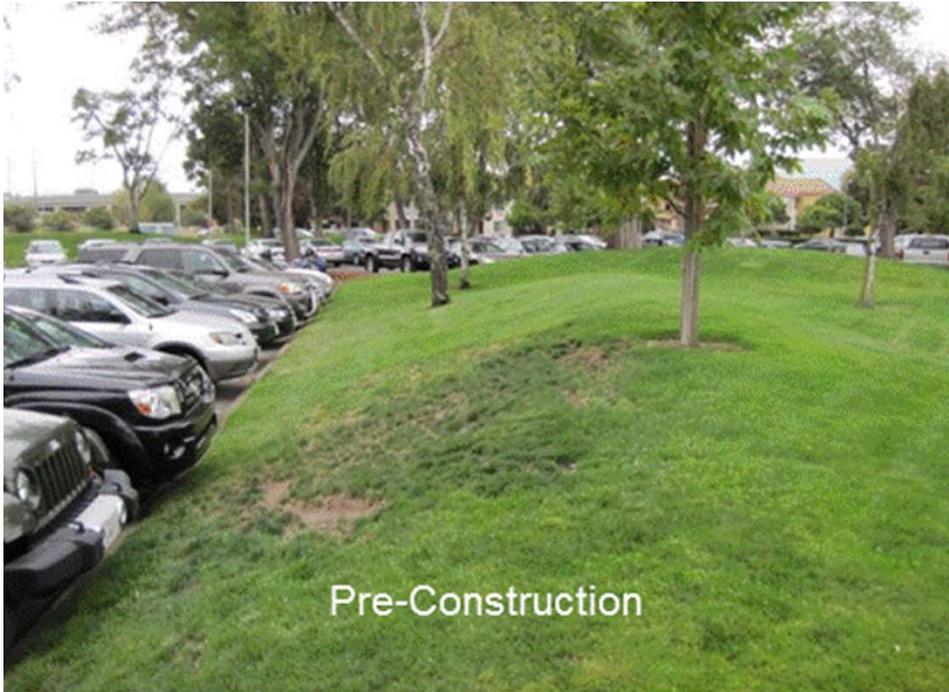
All-Electric Solution

The Bloom Energy Server™ is an “all-electric” solution that utilizes waste heat internally to increase the efficiency of electrical power production. This characteristic allows Bloom systems to be deployed at sites where it is not necessary to match on-site thermal loads or develop complicated infrastructure to handle thermal energy outputs. The Energy Server’s superior electrical efficiency obviates the need for complicated CHP systems and expands the opportunity to deploy clean on-site power generation.

Technical Highlights	
Inputs	
Fuel	Natural Gas
Fuel pressure	15 psig
Fuel required per 100 kW generated	0.661 MMBtu/hr of natural gas
Outputs	
Nominal power output (net AC)	Per 100 kW generated
Electrical efficiency (LHV net AC)	50 - 60%
Electrical connection	480V @ 60 Hz
Emissions	
NOx	< 0.01 lbs/MW-hr
SOx	negligible
CO	< 0.10 lbs/MW-hr
VOCs	< 0.02 lbs/MW-hr
CO2 @ specified efficiency	773 lbs/MW-hr of natural gas
Codes & Standards	
Designed to comply with NEC, NFPA, ANSI, CT DPUC and CT SIR utility interconnection standards.	
Exempt from Air District Permitting; meets stringent CARB 2007 emissions standards.	

Bloom Energy Server





Pre-Construction



Install Preparations – Trenching & Underground Utility



Set Pads



Site Completion

Bloom Energy Server Installation



Representative Installations



EXHIBIT 6

State of California
AIR RESOURCES BOARD
Executive Order DG-036
Distributed Generation Certification of
Bloom Energy Corporation
ES-5700

WHEREAS, the Air Resources Board (ARB) was given the authority under California Health and Safety Code section 41514.9 to establish a statewide Distributed Generation (DG) Certification Program to certify electrical generation technologies that are exempt from the permit requirements of air pollution control or air quality management districts;

WHEREAS, this DG Certification does not constitute an air pollution permit or eliminate the responsibility of the end user to comply with all federal, state, and local laws, rules and regulations;

WHEREAS, on July 11, 2011, Bloom Energy Corporation applied for a DG Certification of its 200 kW ES-5700 fuel cell and whose application was deemed complete on August 30, 2011;

WHEREAS, Bloom Energy Corporation has demonstrated, according to test methods specified in title 17, California Code of Regulations (CCR), section 94207, that its natural-gas-fueled ES-5700 fuel cell has complied with the following emission standards:

1. Emissions of oxides of nitrogen no greater than 0.07 pounds per megawatt-hour;
2. Emissions of carbon monoxide no greater than 0.10 pounds per megawatt-hour; and
3. Emissions of volatile organic compounds no greater than 0.02 pounds per megawatt-hour.

WHEREAS, Bloom Energy Corporation has demonstrated that its ES-5700 fuel cell complies with the emission durability requirements in title 17, CCR, section 94203(d);

WHEREAS, I find that the Applicant, Bloom Energy Corporation, has met the requirements specified in article 3, title 17, CCR, and has satisfactorily demonstrated that the ES-5700 fuel cell meets the DG Certification Regulation 2007 Fossil Fuel Emission Standards;

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-036 is granted.

This DG Certification:

- 1) is subject to all conditions and requirements of the ARB's DG Certification Program, article 3, title 17, CCR, including the provisions relating to inspection, denial, suspension, and revocation;
- 2) shall be void if any manufacturer's modification results in an increase in emissions or changes the efficiency or operating conditions of a model, such that the model no longer meets the DG Certification Regulation 2007 Fossil Fuel Emission Standards; and
- 3) shall expire on the 21st day of September, 2016.

Executed at Sacramento, California, this 21st day of September 2011.

James Goldstene
Executive Officer
by

/S/

Richard Corey, Chief
Stationary Source Division

EXHIBIT 7

PHILIP M. SMALL
 Counselor at Law
 direct dial: 860-509-6575
 psmall@brownrudnick.com

CityPlace I
 185 Asylum
 Street
 Hartford
 Connecticut
 06103
 tel 860.509.6500
 fax 860.509.6501

June 21, 2013

VIA FIRST CLASS MAIL

To the Persons on the Attached List

RE: Petition of BE 2012 A LLC to the Connecticut Siting Council for a Declaratory Ruling for the Location and Construction of a 400-Kilowatt Fuel Cell Customer-Side Distributed Resource at 26 Washington Street, New London, Connecticut

Pursuant to Section 16-50j-40 of the Connecticut Siting Council's (the "Council") regulations, we are notifying you that BE 2012 W LLC intends to file on or shortly after June 24, 2013, a petition for declaratory ruling with the Council. The petition will request the Council's approval of the location and construction of an approximately 400-kilowatt (net) Bloom Energy Corporation fuel cell, including associated equipment (the "Facility"). The Facility will be located at the site of the AT&T building at 26 Washington Street, New London, Connecticut (the "Site") within an existing asphalt area, on a precast pad to be installed. The Facility will be approximately 25'-6" long, 7'-8" wide and 6'-9" high. Electricity generated by the Facility will be consumed primarily at the Site, and any excess electricity will be exported to the electric grid. The Facility will be fueled by natural gas.

BE 2012 W LLC was selected by The Connecticut Light and Power Company ("CL&P") as a winning bidder in the "Low and Zero Emissions Renewable Energy Credit Program" established under Sections 107, 108, and 110 of Public Act No. 11-80. As a result of that selection, BE 2012 W LLC has entered into a Standard Contract for the Purchase and Sale of Connecticut Class I Renewable Energy Credits with CL&P, which was approved by the Connecticut Public Utilities Regulatory Authority on February 1, 2013.

If you have any questions regarding the proposed Facility, please contact any of the following:

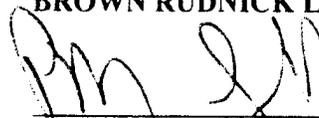
Robert L. Streker, P.E.
 Core States Group
 58 Mount Bethel Road, Suite 301
 Warren, NJ 07059
 Telephone: (908) 462-9700

Philip M. Small, Esq.
 Brown Rudnick LLP
 185 Asylum Street, 38th Floor
 Hartford, CT 06103
 Telephone: (860) 509-6575

Connecticut Siting Council
 Ten Franklin Square
 New Britain, CT 06051
 Telephone: (860) 827-2935

Very truly yours,

BROWN RUDNICK LLP



Philip M. Small
 Attorney for BE 2012 A LLC

PROOF OF NOTICE

This is to certify that on the 21st day of June, 2013, the foregoing notice was sent via first class mail to the following:

<i>AGENCY</i>	<i>NAME/ADDRESS</i>
Chief Executive Officer	Mayor Daryl Justin Finizio Office of the Mayor 181 State Street New London, CT 06320
Planning and Zoning Commission	Mark Christiansen, Chairman Planning and Zoning Commission of the City of New London 111 Union Street New London, CT 06320
Conservation Commission and Inland Wetlands Commission	Robert Stuller Chairman, Conservation Commission Inland Wetlands and Conservation Commission 111 Union Street, 2nd Floor New London, CT 06320
Regional Planning Agency	James S. Butler, Executive Director Southeastern Connecticut Council of Governments 5 Connecticut Avenue Norwich, CT 06360-4592
Chief Executive Officer (Town of Groton)	Mayor Heather Somers Office of the Mayor Town of Groton 45 Fort Hill Road Groton, CT 06340
Zoning Commission	Susan Sutherland, Chairperson Zoning Commission 134 Groton Long Point Road Groton, CT 06340
Planning Commission	James Sherrard, Chairperson Planning Commission 134 Groton Long Point Road Groton, CT 06340

<i>AGENCY</i>	<i>NAME/ADDRESS</i>
Conservation Commission	Brae Rafferty, Chairperson Conservation Commission 134 Groton Long Point Road Groton, CT 06340
Inland Wetlands Agency	David Scott, Chairperson Inland Wetlands Agency Groton Town Hall 134 Groton Long Point Road Groton, CT 06340
Chief Executive Officer (City of Groton)	Mayor Marian K. Galbraith Office of the Mayor 295 Meridian Street Groton, CT 06340
Planning and Zoning Commission	David Rose, Chairperson Planning and Zoning Commission 295 Meriden Street Groton, CT 06340
Conservation and Inland Wetlands Commission	Richard Palmieri, Chairperson Conservation and Inland Wetlands Commission 295 Meridian Street Groton, CT 6340
Connecticut Attorney General	Honorable George Jepsen Attorney General 55 Elm Street Hartford , CT 06106
State Senator	Senator Andrea L. Stillman Legislative Office Building Room 3100 Hartford, CT 06106-1591
State Representative	Representative Ernest Hewett Legislative Office Building, Room 4040 Hartford, CT 06106-1591

<i>AGENCY</i>	<i>NAME/ADDRESS</i>
State Representative	Representative Elissa Wright Legislative Office Building Room 5003 Hartford, CT 06106-1591
State Department of Energy and Environmental Protection	Daniel C. Esty Commissioner Connecticut Department of Energy and Environmental Protection 79 Elm Street Hartford, CT 06106-5127
State Department of Public Health	Dr. Jewel Mullen Commissioner Department of Public Health 410 Capitol Avenue Hartford, CT 06134
State Council on Environmental Quality	Karl J. Wagener, Chair Connecticut Council on Environmental Quality 79 Elm Street Hartford, CT 06106
State Department of Agriculture	Steven K. Reviczky Commissioner Department of Agriculture 165 Capitol Avenue Hartford, CT 06106
Office of Policy and Management	Benjamin Barnes Secretary Office of Policy and Management 450 Capitol Avenue Hartford, CT 06106-1379, USA
State Department of Economic and Community	Catherine Smith Commissioner Department of Economic and Community Development 505 Hudson Street Hartford, CT 06106-7106

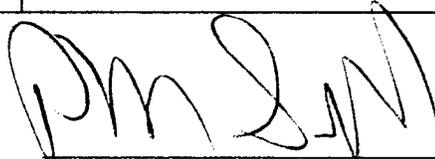
State Department of Transportation	James P. Redeker Commissioner Department of Transportation 2800 Berlin Turnpike Newington, CT 06131-7546
Any Federal Agencies with Jurisdiction Over the Site	None
<i>ABUTTER PROPERTY</i>	<i>ABUTTER NAME/MAILING ADDRESS</i>
29 Starr Street	Deborah Donovan 29 Starr Street New London, CT 06320
21 Huntington Street	Alan R. Messier 18 Best View Road Quaker Hill, CT 06375
4 Union Street	McLaughlin Companies LLC 239 Williams Street New London, CT 06320
20 Methodist Street	Janice M. Rolfe & Richard E. Gruskin P.O. Box 39 East Lyme, CT 06333
25 Huntington Street	Huntington St. Baptist Church of New London 29 Huntington Street New London, CT 06320
2 Union Street	McLaughlin Companies LLC 239 Williams Street New London, CT 06320
18 Methodist Street	Southern New England Tel. Co. c/o SBC Communications Inc. One SBC Center St. Louis, MO 63101
35 Huntington Street	Thirty-Five Realty LLC 35 Huntington Street New London, CT 06320

<i>ABUTTER PROPERTY</i>	<i>ABUTTER NAME/MAILING ADDRESS</i>
Pearl Street	40 Pearl LLC 40 Pearl Street New London, CT 06320
25 Starr Street	Evelyn A. Ellis & Samuel J. Christy 25 Starr Street New London, CT 06320
7 Greenes Alley	Christopher D. Nelson 7 Greenes Alley New London, CT 06320
181 State Street	City of New London Captains Walk New London, CT 06320
31 Starr Street	Mark W. & Kimberly A. Matson 894 Ocean Avenue New London, CT 06320
223 State Street	New London Ltd. Partnership 155 Wooster St., 6W New London, CT 06320
Green Street	Gesher Associates LLC 117 Water Street Stonington, CT 06320
12 Methodist Street	12 Methodist Street LLC P.O. Box 1568 New London, CT 06320
State Street	First Baptist Church Captains Walk New London, CT 06320
112 Golden Street	HPI Crocker House LLC 7 Vista Drive Old Lyme, CT 06371
290 State Street	Thames Club 290 Captains Walk New London, CT 06320

<i>ABUTTER PROPERTY</i>	<i>ABUTTER NAME/MAILING ADDRESS</i>
250 State Street	Fleet National Bank c/o Bank of America-Corp. R.E. 101 N. Tryon St. NC1-001-03-81 Charlotte, NC 28246
15 Union Street	MJW LLC & Kiwi Conn. Properties LLC 87 Plant Street PO Box 4 New London, CT 06320
29 Washington Street	Fleet National Bank c/o Bank of America-Corp. R.E. 101 N. Tryon St. NC1-001-03-81 Charlotte, NC 28246
25 Washington Street	Bank of America, NA 101 N. Tryon St. NC1-001-03-81 Charlotte, NC 28255
77 Green Street	Evan J. Andriopoulos 77 Green Street New London, CT 06320
49 Washington Street	New London Landmarks- Union Rail Station Trust Inc. 49 Washington Street New London, CT 06320
87 Green Street	Nan Ellen J. Zyrlis 87 Green Street New London, CT 06320
9 Union Street	MJW LLC 87 Plant Street New London, CT 06320
15 Huntington Street	Stonington Behavioral Health 333 Long Hill Road Groton, CT 06340

<i>ABUTTER PROPERTY</i>	<i>ABUTTER NAME/MAILING ADDRESS</i>
158 State Street	146 Main, LLC 146 Main Street Norwich, CT 06360
Union Street	First Church of Christ Inc. 66 Union Street New London, CT 06320
102 Golden Street	A Marie + B Realty LLC 102 Golden Street New London, CT 06320
8 Greenes Alley	CSDH LLC 2 Ferry Street New London, CT 06320
33 Starr Street	Pamela Jane Natale 33 Starr Street New London, CT 06320
97 Green Street	Esteban Edward Mena & WP Login 27 Bittersweet Drive Gales Ferry, CT 06335
44 Washington Street	John Lee & Xian Lee Cui 44 Washington Street New London, CT 06320
8 Union Street	Philip A. Turner Estate & Sherry B. Turner 30 South Ridge Road Niantic, CT 06357
300 State Street	300 State LLC 300 State Street, Suite 319 New London, CT 06320
6 Union Street	Farrar Sails Inc. 6 Union Street New London, CT 06320

ABUTTER PROPERTY	ABUTTER NAME/MAILING ADDRESS
234 State Street	Peter Kreckovic 715 Ocean Avenue, #11 New London, CT 06320
13 Washington Street	Amber Huntington Associates LLC 1333A North Avenue, Box 765 New Rochelle, NY 10804
224 State Street	DNQ Investments LLC 501 Ocean Avenue New London, CT 06320
208 State Street	Southern New England Tel. Co. c/o SBC Communications Inc. One SBC Center/RM 36-M-01 St. Louis, MO 63101
170-190 State Street	HPI Crocker House LLC 7 Vista Drive Old Lyme, CT 06371
5 Greenes Alley	Friedrich J Bosch & Nancy J. Ong 1 Dove Court Middletown, NJ 07748



Philip M. Small
Attorney for BE 2012 A LLC