

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**Petition of ENE Energy Inc. for a
Declaratory Ruling for the Location,
Construction and Operation of a 4.8 MW
Wind Renewable Generating Project on
Flagg Hill Road and Winsted-Norfolk Road ("Wind Colebrook South"
and "Wind Colebrook North")**

Petition Nos. 983 and 984

March 4, 2011

NOTICE OF INTERVENTION AS A PARTY- WALTER M. ZIMA

Walter M. Zima hereby intervenes in this matter pursuant to Conn.General Statutes §§ 22a-19 and 22a-20:

1. Mr. Zima is a Connecticut residents, owner of real property affected by the above-referenced petition; he has been granted party status in this proceeding.

2. Mr. Zima is authorized to intervene as a party in this proceeding upon the filing of a verified pleading pursuant to Conn. General Statutes § 22a-19(a), which provides, in relevant part,

In any administrative, licensing or other proceeding, and in any judicial review there of made available by law, the Attorney General, any political subdivision of the state, any instrumentality, or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.

3. Mr. Zima is also authorized to intervene in this proceeding pursuant to provision of Conn. General Statutes § 19a-20, which provides, "Any person entitled to maintain ail action under said sections may intervene as a party in all such procedures."

4. BNE Energy, Inc. ("BNE") has filed a Petition for a Declaratory Ruling for the location, construction, and operation of a 4.8 MW wind renewable generating project on Route 44 in Colebrook, Connecticut ("Wind Colebrook North").

5. BNE's petition involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources (including auditory and visual impacts) of the state.

6. "Wind Colebrook North" would unreasonably impair or destroy the public trust in the air surrounding the project and the inland wetlands and watercourses on the proposed site.

7. "Wind Colebrook North" would unreasonably impair or destroy the public trust in natural resources by causing clear cutting of acres of land, disturbing or destroying inland wetlands and watercourses and the wildlife habitat, and the killing of birds and bats.

8. Plans submitted to the Connecticut Siting Council indicate "Wind Colebrook South" will involve Regulated Activities, as that term is defined by the Connecticut Environmental Protection Act, and BNE has not received nor has it applied for the required permits authorizing such activities.

9. The Connecticut Siting Council has authority over BNE's petition for a declaratory ruling under § 16-50k of the General Statutes and is holding proceedings regarding that petition.

Respectfully Submitted,

Walter M. Zima

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