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June 9, 2021

Melanie A. Bachman, Esq.
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition No. 1406A - Doosan Fuel Cell America, Inc. petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a grid-side 9.66-megawatt fuel cell facility and associated equipment to be located at 600 Iranistan Avenue, Bridgeport, Connecticut, and associated electrical interconnection to the United Illuminating Company's existing Congress Street Substation. NuPower Bridgeport FC, LLC Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b)

Dear Ms. Bachman:

Enclosed for filing with the Connecticut Siting Council (the "Council") is NuPower Bridgeport FC, LLC's ("NuPower") Objection to and Motion to Strike Joseph Provey's June 8, 2021 Public Comment Filing.

Given that the Council has waived all hard copy filing requirements as part of its response to the COVID-19 pandemic, by this letter, NuPower submits to the Council an electronic copy of this filing. A hard copy of this filing will be mailed to the Council. I certify that a copy hereof has been furnished on this date via electronic mail to all parties, intervenors and participants of record according to the Council's service list.

Should the Council have any questions regarding this filing, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Bruce L. McDermott".

Bruce L. McDermott

Enclosure

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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Doosan Fuel Cell America, Inc. Petition for a	:	Petition No. 1406A
declaratory ruling, pursuant to Connecticut General	:	
Statutes §4-176 and §16-50k, for the proposed	:	
construction, maintenance and operation of a grid-side	:	
9.66-megawatt fuel cell facility and associated	:	
equipment to be located at 600 Iranistan Avenue,	:	
Bridgeport, Connecticut, and associated electrical	:	
interconnection to the United Illuminating Company's	:	
existing Congress Street Substation. NuPower	:	
Bridgeport FC, LLC Reopening of this petition based on	:	
changed conditions pursuant to Connecticut General	:	
Statutes §4-181a(b).	:	June 9, 2021

NuPower Bridgeport FC, LLC's Objection to and Motion to Strike Joseph Provey's
June 8, 2021 Public Comment Filing

I. Background

NuPower Bridgeport FC, LLC ("NuPower") respectfully objects to and moves that the Connecticut Siting Council ("CSC" or the "Council") strike from the record Joseph Provey's ("Provey") June 8, 2021 public comment filing with the Council (the "Public Comment Filing"). The Public Comment Filing consisted of five emails to the Council each email containing a collection of signatures from individuals that oppose the proposed fuel cell project. See Attachment A for an example. In his initial email to the Council, Provey asks that the Council to "Please consider this an attachment to my interrogatory response to NuPower, no. 2." See Attachment B. NuPower objects to inclusion of the five emails and the attachments thereto on the grounds that neither NuPower

Interrogatory 2 to Provey nor any other NuPower or Council interrogatory requested the Public Comment Filing. Additionally, as set forth in the Council's schedule in this matter (Attachment C), the public comment period ended on June 4, 2021 and as such the Public Comment Filing was not timely filed.

II. Argument

On May 14, 2021, the Council published a schedule for this proceeding in which May 20, 2021 was established as the deadline for the exchange of interrogatories between the participants and the public comment deadline was set as June 4, 2021. Attachment C. On May 20, 2021, interrogatories were sent to Provey by NuPower. In NuPower Interrogatory No. 2 Provey is asked to provide a photo of the proposed location of the project - 600 Iranistan Avenue - taken from any location at 165 Flanders Street in Bridgeport, Connecticut and to provide a map showing the location from which the photo was taken.¹ No other information was requested in this interrogatory. On June 8, 2021, Provey sent five emails to the Council containing a collection of signatures that he had gathered from individuals that oppose the proposed fuel cell project. In one of these emails, Provey asks the Council to consider this collection of signatures an attachment to his response to NuPower Interrogatory No. 2. Attachment B. To date, Provey has not filed his response to NuPower Interrogatory No. 2.

Given that NuPower Interrogatory No. 2 did not ask for a collection of signatures in opposition to the proposed project and such information is irrelevant and immaterial to

¹ See Petition No. 1406A, NuPower Interrogatories to Provey, 05/20/21.

the interrogatory, the signatures cannot be considered an exhibit submitted in support of Provey's response. Additionally, none of this proceeding's interrogatories requested this type of information, therefore, the collection of signatures cannot be admitted as supporting information to any of Provey's responses to the interrogatories.

Furthermore, the Public Comment Filing represent individuals' view on the proposed project and therefore constitute public comment. As such, the deadline for the filing of the public comment has ended.

III. Conclusion

Provey's Public Comment Filing is irrelevant, immaterial and untimely and as such NuPower respectfully objects to the inclusion of the Public Comment Filing in the record and asks that the Council strike the Public Comment Filing from the record.

Respectfully Submitted,

NuPower Bridgeport FC, LLC



By: _____

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SAY NO to Another Power Plant in the South End

NuPower, a company based in Easton, CT, would like to build a 7-story (over 70-foot tall) tower of 21 fuel cells at 600 Iranistan Avenue.

The site is close to neighborhood schools, residential areas, the university and Seaside Park. It would look similar to one section of the plant at right.



The plant would be fueled by natural gas and would emit unacceptable levels of noise, CO2, methane, nitrous oxide and other pollutants, leading to higher rates of asthma in our community. It would also contribute hundreds of thousands of tons of the same green house gases that cause global warming.

Fuel cells convert natural gas to highly explosive hydrogen gas. An accident, while unlikely, would devastate our community and shutdown transportation on both the railroad, I-95 and at street level.

Nupower and its partners have been denied once by Connecticut's Siting Council due to health and safety concerns, but they are back.

What do South End residents get in return? NOTHING.

Your opinion in this matter is urgently needed!

Please fill in your name and address in the box below and voice your opposition.

I, Carlee Dufficy (name) live at
32 Iranistan Lane (address),

Bridgeport, Connecticut, and am opposed to the construction of a power plant at 600 Iranistan Avenue.

9/25/11 (date)

Return this form to Joe Provey, 165 Flanders Street, Bridgeport, CT or hand it to one of our volunteers.

Bruce McDermott

From: Joe Provey <joeprovey@gmail.com>
Sent: Tuesday, June 8, 2021 10:28 AM
To: Bachman, Melanie
Cc: Bruce McDermott; Daniel Donovan; walter.bonola@doosan.com; siting.council@ct.gov
Subject: petitions from residents who oppose
Attachments: Flyer petitions 1.zip

Dear Ms. Bachman,

This is a cumbersome email (actually a series of 5 emails) containing some of the signatures we have collected from Bridgeporters and others in opposition to the proposed fuel cell tower. So I'm sending it separately. My full interrogatory responses will be forthcoming. Please consider this an attachment to my interrogatory response to NuPower, no. 2.

Thank you,

Joe Provey



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Web Site: www.ct.gov/csc

SCHEDULE

PETITION NO. 1406A - Doosan Fuel Cell America, Inc. petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a grid-side 9.66-megawatt fuel cell facility and associated equipment to be located at 600 Iranistan Avenue, Bridgeport, Connecticut, and associated electrical interconnection to the United Illuminating Company's existing Congress Street Substation. **NuPower Bridgeport FC, LLC Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).**

NuPower Bridgeport FC, LLC Request to Reopen filed with the Council	04/07/2021
NuPower Bridgeport FC, LLC Request to Reopen granted by the Council	05/06/2021
Council Interrogatories <ul style="list-style-type: none"> • Set-One Filed • Set-One responses due 	05/14/2021 06/04/2021
Deadline for Exchange of Interrogatories between Participants	05/20/2021
Responses to Participant Interrogatories due	06/10/2021
Public Comment Period Deadline	06/05/2021
Deadline for Action	07/05/2021
90-day extension for Deadline for Action per Emergency Orders, as extended	10/03/2021
Deadline for Decision	11/02/2021
90-day extension of Deadline for Decision per Emergency Orders, as extended	01/31/2022