



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

May 7, 2021

Joseph R. Provey
165 Flanders Street
Bridgeport, CT 06604
joeprovey@gmail.com

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 Mr. Provey:

In response to your request of March 5, 2021, during a regular meeting held on May 6, 2021, pursuant to Connecticut General Statutes (CGS) §16-50n, §22a-19, and §4-177a, the Connecticut Siting Council (Council) granted you intervenor and CEPA intervenor status in Petition No. 1406A. Your supplemental request for Intervenor Status under CGS §16-258e related to electric distribution company procurement of electricity and renewable energy credits from combined heat and power systems is moot as it is not an intervention or Siting Council jurisdictional statute.

Please be advised that until further notice, in order to prevent the spread of Coronavirus and protect the health and safety of our members and staff, the Council has converted to full remote operations and has waived the original and 15 hard copy filing requirements. Please mail one hard copy of any filing to the Council Office for our records. In accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies and with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. It is also requested that an electronic version of all filings be sent to siting.council@ct.gov.

The Council's preferred service to parties and intervenors is electronic mail. If you wish to receive hard copies of documents via regular mail, please notify the Council in writing. Parties and intervenors are required to serve all other parties and intervenors a copy of any material submitted in this petition, unless service is waived. A copy of the current service list can be found on the Council's website for this proceeding.

Copies of all documents filed to date in this proceeding are available for your review at the Council's office and on the Council's website under pending matters. On the Council website you may sign up for our e-alerts. Pursuant to Section 16-50j-16 of the Regulations Connecticut State Agencies, you or your representative are responsible for obtaining and reviewing all of the materials for the proceeding.

Enclosed for your convenience is the Council's Information Guide to Party and Intervenor Status and the schedule for the matter. Please contact me if you require any further information regarding the Council's procedure.

Sincerely,

s/ Melanie A. Bachman

Melanie Bachman
Executive Director

Enclosures: Guide to Party and Intervenor Status in a Petition for a Declaratory Ruling Without a Public Hearing
Schedule dated May 6, 2021

c: Service List, dated May 6, 2021

MAB/RDM/emr



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CONNECTICUT SITING COUNCIL INFORMATION GUIDE TO PARTY AND INTERVENOR STATUS IN A PETITION FOR A DECLARATORY RULING WITHOUT A PUBLIC HEARING

The Connecticut Siting Council (Council) will name or admit as a **party** any person whose legal rights, duties or privileges will be specifically affected by the Council's decision in a petition for a declaratory ruling (petition).

The Council will name or admit as an **intervenor** any person whose participation is in the interests of justice and will not impair the orderly conduct of the petition process.

Service List and Service Requirements

Once a person is named or admitted as a party or intervenor, they will be added to the "Service List," which lists all of the participants in a petition that is prepared and made available to the public under the link for a specific petition on the "Pending Matters" page on the Council website. Parties and intervenors will receive documents via e-mail. If a party or intervenor prefer to have hard copies of documents via regular mail, they must notify the Council in writing. Also, documents filed with the Council must contain one original, 15 copies and an electronic version for scanning to the website via e-mail or disk. The Council, parties and intervenors must send a copy of any document filed in a petition to every person on the service list and include a certification as follows:

"I hereby certify that a copy of the foregoing document was electronically mailed to the following service list on (date)." Signature and printed name of the sender.

Petition Process

- A. 30-day Notice Period:** Petitioners are required to notify and provide a copy of the petition to the host municipality and abutting property owners. When a petition is submitted to the Council, the Council provides notice of receipt of the petition to the host municipality and provides a 30-day comment period for the host municipality and any other interested persons to comment on the petition. During this 30-day notice period, the Council **may** schedule a public field review of the site.
- B. Public Field Review, if applicable:** If a public field review of the site is scheduled to be held, the Council provides notice to the Secretary of State, the host municipality, the petitioner and parties and intervenors to the petition. A copy of the field review notice is published on the Secretary of State's website, posted on the Council's website calendar and webpage for the subject petition. During the on-site public field review, the petitioner will provide an overview of the project and the Council, representatives of the municipality, parties, intervenors and the public may ask questions of the petitioner on the project.
- C. Requests for Additional Information:** When a petition is received, the Council may submit written questions to the petitioner on the proposed project requesting written responses within a period of time specified by the Council. The Council may also request additional information to be submitted within a period of time specified by the Council before, during or after the public field review is held, if applicable.

D. Petition Timeframe: The Council shall issue a decision on a petition for a declaratory ruling within 180 days of receipt of a petition for a declaratory ruling. Within 60 days after receipt of a petition for a declaratory ruling, the Council, in writing shall:

1. Issue a declaratory ruling;
2. Order the matter set for a specified proceeding;
3. Agree to issue a declaratory ruling by a specified date within 180 days of receipt of the petition;
4. Initiate regulation-making proceedings; or
5. Decide not to issue a declaratory ruling, stating the reasons for the action.

E. Final Decision on Petition: The Council will render a final decision at a regular Council meeting. The agenda for all Council meetings is published on the Council website. All parties and intervenors to a petition that is on an agenda will receive a copy of the agenda. Although regular Council meetings are open to the public, there is no opportunity for public participation during the meeting. All parties and intervenors will receive a copy of the final decision in the mail.



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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
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