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July 31, 2020

VIA ELECTRONIC MAIL

Melanie Bachman
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition No. 1408 - FairWindCT, Inc., et al petition, pursuant to Connecticut General Statutes §4-176, for a declaratory ruling that: (a) the January 9, 2020 Development and Management Plan (D&M Plan) Modification submitted by BNE Energy, Inc. in Petition No. 983 conflicts with the Connecticut Siting Council's (Council) June 2, 2011 final decision on Petition No. 983; (b) the Council did not have jurisdiction over the D&M Plan Modification; (c) the Council did not have statutory authority to approve the D&M Plan Modification; (d) the D&M Plan Modification violated due process rights; and (e) the D&M Plan Modification violates the Connecticut Environmental Protection Act.

Dear Ms. Bachman:

I am writing on behalf of my client, BNE Energy, Inc. ("BNE"), in connection with the above-referenced Petition. As you are aware, on July 27, 2020, the Council received a letter from Senator Kevin D. Witkos concerning the instant Petition. Therein, Senator Witkos expressed his hope that, "... the Siting Council will be able to work with the neighboring property owners, BNE Energy, and the respective municipalities in the weeks to come to find a mutually agreeable outcome."¹ BNE shares this sentiment and believes that a mutually-agreeable outcome can be achieved.

To that end, BNE is in the process of devising the terms of a settlement offer that it believes will address a number of the substantive concerns that have been raised to date in this proceeding. The Company intends to present this settlement offer shortly. It is BNE's sincere hope that productive and meaningful discussions with other parties to this Petition will follow therefrom.

¹ See Correspondence from Senator Kevin D. Witkos to the Connecticut Siting Council in regards to Petition No. 1408, dated July 27, 2020.

Page 2

If that is the case, follow-up meetings will likely be arranged between the parties in the coming weeks. BNE has observed that the Council has posted a deadline for action in this Petition of October 29, 2020. BNE will strive to begin settlement discussions shortly, so that if settlement of these issues is possible, the Council will be made aware of that possibility as soon as possible. If settlement will not be possible, the BNE will have sufficient time to present a response to the Petition before the Council's October 29, 2020 deadline for action.

Should you have any questions concerning this submittal, please contact me at your convenience. I certify that copies of this submittal have been made to all parties on the Petition's Service List.

Sincerely,

A handwritten signature in black ink that reads "Lee D. Hoffman". The signature is written in a cursive style with a long horizontal flourish at the end.

Lee D. Hoffman

cc: Service list