



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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**VIA ELECTRONIC MAIL**

June 2, 2020

The Honorable Thomas D. McKeon  
First Selectman  
Town of Colebrook  
Town Hall  
558 Colebrook Road  
Colebrook, CT 06021  
[tommckeon@colebrooktownhall.org](mailto:tommckeon@colebrooktownhall.org)

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 First Selectman McKeon:

Pursuant to Connecticut General Statutes §4-176, the Connecticut Siting Council (Council) is in receipt of a petition from FairWindCT, Inc., et al 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 Council's 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.

In accordance with Section 16-50j-40 of the Regulations of Connecticut State Agencies, on or about June 1, 2020, written notice of the intent to file the petition for a declaratory ruling was provided to all persons to whom notice is required by law, including, but not limited to, the chief elected official of the municipality in which the existing wind electric generating facility is located.

Should you have any questions or comments regarding the above-referenced petition for a declaratory ruling, please feel free to call me at 860-827-2951 or submit written comments to the Council July 1, 2020.

Thank you for your consideration.

Sincerely,

*s/ Melanie A. Bachman*

Melanie A. Bachman  
Executive Director

MAB/MP/emr

c: Michael Halloran, Zoning Enforcement Officer, Town of Colebrook  
([mhalloran@colebrooktownhall.org](mailto:mhalloran@colebrooktownhall.org))