



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 2, 2020

TO: Petition 983 Service List

FROM: Melanie Bachman, Executive Director *MAB*

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.

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.

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 by July 1, 2020.

Thank you for your consideration.

MB