



**Written Testimony of the Connecticut Siting Council  
Submitted to the Planning and Development Committee**

**In Reference to Raised Bill No. 492  
An Act Concerning the Zoning of Solar Farms  
March 19, 2018**

Good afternoon Senator Cassano, Senator Logan, Representative Lemar, ranking and distinguished members of the Planning and Development Committee. Thank you for the opportunity to provide testimony in connection with Raised Bill No. 492.

The Connecticut Siting Council (Council) was established in 1972 with the legislative purpose to end ad hoc town-by-town regulation of energy and telecommunications infrastructure in favor of regulation by a statewide body. The Council's charge is to provide for the balancing of the need for adequate and reliable public utility services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the state through a quasi-judicial administrative process. Under the Public Utility Environmental Standards Act, the Council has exclusive jurisdiction over the construction, operation and maintenance of electric transmission lines, fuel transmission lines, electric generating facilities, electric substations and telecommunications towers.

This bill is contradictory to the legislative purpose of creating the statewide Council. It appears to transfer exclusive jurisdiction over the siting of solar facilities from the statewide Council to the individual municipalities by requiring solar projects to comply with all applicable municipal planning and zoning regulations. Not every town in the state has regulations for solar projects and not every town in the state has the resources to even develop regulations, let alone review applications, for solar projects. This is why the statewide Council exists.

The Council's exclusive jurisdiction over the siting of solar projects provides a consistent statewide process and standard of review for solar projects. For any project that is jurisdictional to the Council, it is required by statute to give consideration to municipal regulations.

The Council therefore opposes this proposal based on the following jurisdictional and legal issues:

1. What if a town does not have regulations that apply to solar projects?
2. What if a solar project is proposed on state or federal property?
3. Would the project developer also apply to the Council after applying to the town?
4. What determines the timing of municipal review? Could a town unnecessarily delay a project?
5. What regulations would apply for shared solar projects developed for the benefit of multiple towns or solar projects proposed at sites that straddle multiple towns?

The Council also opposes this proposal based on the adverse impacts local regulation would have on regional and state policies and goals, as follows:

1. **Impacts on Regional Policies for Fuel Security and Fuel Diversity.** Connecticut is part of the regional New England electric grid.<sup>1</sup> The regional Independent System Operator reports that fuel security is the greatest

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<sup>1</sup> The Independent System Operator-New England region is comprised of CT, MA, ME, VT, NH and RI.

challenge to continued power system reliability due to increased reliance on natural-gas fired generation and impending retirements of coal, oil and nuclear resources. Investments in solar and other renewable resources temper electricity demand and diversify the fuel mix. Rapid development of more clean energy to prevent fuel security issues and foster fuel diversity is a regional challenge. Local regulation would thwart these goals.

## 2. **Impacts on State Energy Policies.**

- a. The statewide **Energy Policy** declares energy to be critically important to the overall welfare and development of our society.<sup>2</sup> It calls for development and utilization of renewable energy sources to the maximum practicable extent.
- b. Connecticut's **Comprehensive Energy Strategy** advances policies and programs to reduce energy costs, improve system reliability and minimize environmental impacts.
- c. The statewide **Integrated Resource Plan** assesses future electric needs and a plan to meet those future needs. It supports renewable energy development for statewide environmental and economic benefits.
- d. Connecticut's **Renewable Portfolio Standard** requires electric generators to obtain a specified amount of energy from renewable sources, such as solar, to create an incentive for development of renewable energy projects. At present, the goal is 24% generation from renewable sources by 2020.
- e. **The Governor's Council on Climate Change** examines existing policies and identifies new strategies to meet greenhouse gas reduction targets, such as the goal to grow and sustain renewable and zero-carbon generation in the state and region.

Local regulation would thwart these goals.

In summary, Raised Bill No. 492 applies only to solar, placing it at a disadvantage in comparison to other renewable energy sources. Furthermore, this proposal raises several practical, legal and jurisdictional questions as more fully described above, and would have the effect of thwarting the regional and statewide goals relative to economic development, energy policies, the environment and electric system reliability.

Thank you again for the opportunity to provide testimony on this proposal. Should you have any questions or seek additional information, please feel free to contact Melanie Bachman at the Council's office at 860-827-2951 or [Melanie.Bachman@ct.gov](mailto:Melanie.Bachman@ct.gov).

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<sup>2</sup> Conn. Gen. Stat. §16a-35k.