



Written Testimony of the Connecticut Siting Council

Submitted to the Energy and Technology Committee

**In Reference to Raised Bill No. 6435
An Act Streamlining the Permitting Process for the Installation of Solar
Photovoltaic Systems
February 19, 2015**

Good afternoon Senator Doyle, Representative Reed, ranking and distinguished members of the Energy and Technology Committee.

Thank you for the opportunity to provide testimony in connection with Raised Bill No. 6435, An Act Streamlining the Permitting Process for the Installation of Solar Photovoltaic Systems. The Connecticut Siting Council (Council) is the state agency with jurisdiction over the construction, operation and maintenance of electric generating facilities utilizing renewable energy sources **with a generating capacity of greater than one megawatt of electricity in the state**. Jurisdiction over electric generating facilities utilizing renewable energy sources with a generating capacity of one megawatt of electricity or less rests with the host municipality. Rooftop solar facilities typically have a generating capacity of less than one megawatt and fall under the jurisdiction of the municipalities. Regrettably, scheduling conflicts prevent us from providing oral testimony at the public hearing.

This bill proposes to amend Title 16 of the General Statutes to streamline the permitting process for the installation of solar photovoltaic systems. The Council strongly supports the Renewable Energy Policy of the state and the expedited siting of electric generating facilities utilizing solar and other renewable energy sources. The Council has approved three commercial, jurisdictional solar facilities in the state under the existing expedited siting provisions pursuant to Conn. Gen. Stat. §16-50k(a), which state, “the Council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling... construction or location of any customer-side distributed resources project or grid-side distributed resources project or facility with a capacity of not more than sixty five megawatts as long as such project meets air and water quality standards of the Department of Energy and Environmental Protection.” The first Council approval was for a 5 megawatt solar facility in the Town of Somers, the second Council approval was for a 5 megawatt solar facility in the Town of East Lyme and the third Council approval was for a 2.2 megawatt solar facility on the former Seaside Landfill in the city of Bridgeport. All of these facilities were submitted as a petition for a declaratory ruling.

Under the Uniform Administrative Procedure Act, an agency shall render a decision within 180 days after the filing of a petition for a declaratory ruling or within such longer period as may be agreed by the parties. This provision applies to proposed solar and other electric generating facilities utilizing renewable energy sources under the jurisdiction of the Council. However, there is no provision under the Public Utility Environmental Standards Act or the Uniform

Administrative Procedure Act for proposed solar and other electric generating facilities utilizing renewable energy sources that are not under the jurisdiction of the Council. A primary example of this type of non-jurisdictional facility is the wind turbine sited at the Phoenix Press building in New Haven. The wind turbine has a generating capacity of 100 kilowatts of electricity that is used to provide power to the printing operation. The wind turbine was approved by the City of New Haven rather than the Council as the generating capacity of the wind turbine is less than one megawatt of electricity and power produced by the wind turbine is used primarily for the printing operation at the Phoenix Press building.

It does not appear that an amendment to Title 16 of the General Statutes to streamline the permitting process for the installation of solar photovoltaic systems would apply to non-jurisdictional facilities such as the Phoenix Press wind turbine or electric generating facilities using renewable energy sources that have a generating capacity of less than one megawatt such as rooftop solar installations that are approved by the municipalities. To accomplish the purpose of the proposed bill, a provision in another title of the General Statutes, such as Title 7 or Title 8 that would apply to non-jurisdictional facilities that are approved by the host municipalities is recommended.

In summary, the Council supports the passage of Raised Bill No. 6435 with a provision in another title of the General Statutes that provides for streamlining the permitting process for the installation of solar photovoltaic systems that are not under the jurisdiction of the Council.

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 me at 860-827-2951 or Melanie.bachman@ct.gov.

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