

From: Bachman, Melanie <Melanie.Bachman@ct.gov>
Sent: Tuesday, September 6, 2022 1:35 PM
To: don bergmann <donlbergmann@sbcglobal.net>
Cc: CSC-DL Siting Council <Siting.Council@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Chioocchio, Lucia <LChioocchio@CUDDYFEDER.COM>; Baldwin, Kenneth <KBALDWIN@RC.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: #510 Intervenor Interrogatories

Good afternoon, Don.

I hope you had a nice holiday weekend.

Thanks for your email.

Responses to interrogatories are due on 9/15/22. The schedule for interrogatories and responses to interrogatories for all parties and intervenors is posted on the Docket 510 webpage at this link: https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/1_MEDIA_DO500_600/DO510/ProceduralCorrespondence/DO510-20220810-revised-schedule_update_08-10-22.pdf

Final Exchange of Interrogatories between Parties and Intervenors	09/08/22
Final Deadline for Pre-filed Testimony and Responses to Interrogatories	09/15/22
Continued Evidentiary Session via Zoom conferencing – 2:00 p.m. (<i>refer to Hearing Information section on Docket 500 project webpage for Zoom conferencing log in/call in</i>)	09/22/22

The Siting Council determines all aspects of its proceeding schedule. Any request for an extension of time to submit responses to any interrogatories shall be submitted to the Siting Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

The Siting Council's decision to grant the Applicants' Motion for Protective Order is fully explained in the August 10, 2022 record correspondence from the Council that was distributed to the service list. Here is a link to where it is posted on the Docket 510 webpage: https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/1_MEDIA_DO500_600/DO510/ProceduralCorrespondence/DO510-20220810-dcltrprotectiveorder.pdf

A redacted version of the lease is available to the public. It is Exhibit O of the May 26, 2022 application and it is available at this link on the Docket 510 webpage: https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/1_MEDIA_DO500_600/DO510/ApplicantSubmissions/Application/Exhibit-O.pdf

If you have any further questions, please feel free to contact me at your convenience.

Thank you.

Melanie

Melanie A. Bachman, Esq.

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From: don bergmann <donlbergmann@sbcglobal.net>
Sent: Tuesday, September 6, 2022 12:21 PM
To: Bachman, Melanie <Melanie.Bachman@ct.gov>
Subject: #510 Intervenor Interrogatories

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Greetings Melanie,

I had planned to send my interrogatories by e mail today, Tuesday, but Town Attorney Bloom asked that I wait until Wednesday to allow him to provide his reactions to me. I will send my interrogatories to all by e mail on Wednesday, September 7th.

Kindly tell me how many days are permitted for the answers to be provided. I think it is 15. Also, if a party wants to extend the time for responding, who grants that, i.e. me or others?

I write now also regarding the decision of the Siting Council at the August 9th meeting to permit the parties to redact portions of the lease with the site property owner. As you know, I was unable to be present at that meeting, a medical conflict. The written objection I submitted expressed my view that the redactions should not be permitted due to a legitimate interest of the public in the full language of the lease. To my surprise, actually annoyance, the Siting Council appeared to make their decision to allow redaction based upon the fact that I, as an intervenor, could obtain the redacted language on the basis of maintaining confidentiality. That of course was irrelevant to me and should not have been the sole focus of the Siting Council. The issue was public information, not me. If the Siting Council's decision to allow redaction was based upon past precedent or even a regulatory reason, the Siting Council, I believe, should have expressed that as their reasoning. To address the point by saying, I, an intervenor, could access the language, misses the point.

Comment on this redaction point only if you wish. I do not intend to take it any further. However, it did trouble me and I continue to believe the information involved should be part of the public record absent a compelling reason.

Thanks, Don Bergmann