

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

Glenvale, LLC d/b/a Glenvale Solar application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.0-megawatt-AC solar photovoltaic electric generating facility located at 56 River Road, Putnam, Connecticut and associated electric interconnection

Docket No. 514

May 5, 2023

PROTECTIVE ORDER

WHEREAS, Glenvale, LLC d/b/a Glenvale Solar (“Glenvale Solar” or the “Applicant”) is willing to submit an unredacted copy of a purchase and sale agreement for the Project Site between Glenvale and the property owner. The Project site is under a purchase and sale agreement between the landowner and the Project company, and this sale is planned to close prior to the start of construction.

WHEREAS, Glenvale Solar considers the purchase and sale agreement to be confidential commercial or financial information given in confidence and is exempt from disclosure under both state and federal law. *See, e.g.*, 5 U.S.C. § 552; Conn. Gen. Stat. § 1-210 (“Confidential Information”).

WHEREAS, Glenvale Solar has indicated its willingness to provide the Confidential Information to the Council subject to a protective order.

NOW THEREFORE, it is hereby ordered, that the following procedure is adopted for the protection of the Confidential Information:

1. The Confidential Information shall be governed by the terms of this Order. This Order is applicable to all such Confidential Information, regardless of format.
2. All Confidential Information shall be subject to this Order and shall be given solely to the Council its staff. It is understood that and agreed that said information is confidential, subject to trade secrets, and constitutes commercial or financial information given in confidence.
3. Confidential Information shall be marked as such and delivered in a sealed envelope to the Council.
4. All recipients shall be bound by this Order.
5. In the event that the Confidential Information is to be used in any manner in any proceeding or hearing before the Council, such proceeding or hearing shall not be held before, nor any record of it made available, to any other party, intervenor, or other person or entity. Presence at such proceeding or hearing shall be limited to the Council, its staff and representatives of Glenvale Solar. No record shall be disclosed, or communication made of the information at any time to any person or entity. Any transcript or other recording of the Confidential Information shall be placed in a sealed envelope or containers and a statement in the following form placed on such envelope or container:

CONFIDENTIAL INFORMATION

**This envelope is not to be opened or the contents
Thereof to be displayed or revealed except pursuant to the
Protective Order issued in Docket 514.**

6. No copies shall be made of the Confidential Information unless expressly ordered by the Council.

7. Nothing herein shall be construed as a final determination that any of the confidential Information will be admissible as substantive evidence in this proceeding or at any hearing or trial. Moreover, nothing herein shall be considered a waiver of any party's right to assert at a later date that the material is or is not proprietary or privileged. A party seeking to change the terms of the Order shall by motion give every other party five (5) business days' prior written notice. No information protected by the Order shall be made public until the Council rules on any such motion to change the terms of the Order. Confidential Information otherwise properly discovered, even though also subject to the terms of the Order, shall not be considered protected by the Order.

8. No Recipient shall use or disclose the Confidential Information for purposes of business or competition, or for any other purpose, other than the purpose of preparation for and conduct of this proceeding, and then solely as contemplated herein, and shall in good faith take all reasonable precautions to keep the Confidential Information secure in accordance with the purposes and intent of this Order.

9. All copies of such Confidential Information shall be returned to Glenvale Solar no later than thirty (30) days after the expiration of all appeal periods applicable to the final decision rendered in this proceeding.

CONNECTICUT SITING COUNCIL

By: 

Dated: May 11, 2023