



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: www.ct.gov/csc

VIA ELECTRONIC MAIL

November 6, 2024

TO: Service List, dated September 30, 2024

FROM: Melanie A. Bachman, Executive Director *MAB*

RE: **DOCKET NO. 526** – Greenskies Clean Energy, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.999-megawatt-AC solar photovoltaic electric generating facility and associated equipment located at Lantern Hill Road (Parcel No. 169-1-4), Stonington, Connecticut and associated electrical interconnection.

The Connecticut Siting Council (Council) will hold a pre-hearing conference **via Zoom Remote Conferencing** on procedural matters on Wednesday, November 13, 2024, beginning at 11:00 a.m. **All parties and intervenors are requested to participate.** The purpose of this pre-hearing conference is to expedite the hearing procedure without sacrificing an informative record necessary for the Council to render a decision.

Join Zoom Meeting

<https://us06web.zoom.us/j/82359852971?pwd=mnboajCqg0IRn4BV0PNFqKbgZhOzFz.1>

Meeting ID: 823 5985 2971

Passcode: cqS0NX

Dial +1 929 205 6099 US (New York)

Meeting ID: 823 5985 2971

Passcode: 518721

During the conference, parties and intervenors will be encouraged to discuss requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of pre-hearing interrogatories. To save the time and expense of the public, **the Council does not allow direct testimony** at the public hearing.

Each party and intervenor is requested to provide all other parties and intervenors a list of witnesses and the subjects their pre-filed testimony will address, a list of documents to be administratively noticed, and copies of any available exhibits to be offered at the public hearing.

For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the public hearing in the witness list.**

For the applicant, please indicate in writing who shall be the **designated presenter during the 6:30 p.m. public comment session in the witness list and what site plan will be used for the**

presentation. Please submit the site plan(s) for the presentation as a separate pdf for posting to the Council's website.

MB/RDM/laf



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Connecticut Siting Council

Pre-Hearing Conference: Procedure for Public Hearing of December 12, 2024

DOCKET NO. 526 – Greenskies Clean Energy, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.999-megawatt-AC solar photovoltaic electric generating facility and associated equipment located at Lantern Hill Road (Parcel No. 169-1-4), Stonington, Connecticut and associated electrical interconnection.

Pre-hearing Procedure

1. On or before November 27, 2024, all parties and intervenors are requested to electronically exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before December 5, 2024, all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the public hearing in the witness list**. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to electronically file a written petition with the Council on or before December 5, 2024.
4. Pursuant to § 16-50j-21 of the Regulations of Connecticut State Agencies (RCSA), at least ten days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, a sign not less than six feet by four feet along a public road at or in the vicinity of where the proposed facility would be located. The sign shall set forth the name of the applicant, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number). **The sign shall not be removed from the site until after the commencement of the evening public comment session.**
5. Attached is a list of the Council's administrative notice items. Objections to any item on the list should be sent to the Council before the hearing.

Hearing Procedure

6. The 2:00 p.m., December 12, 2024, evidentiary hearing session will provide the applicant, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the applicant and all other parties and intervenors.

7. The order of appearances and cross-examination will be governed by a Hearing Program developed by the Council for the proceeding. The Council will issue the Hearing Program prior to the hearing.
8. All microphones will be muted upon entry into the Zoom meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
9. If any party or intervenor designated representative or witness is using the Zoom dial-in option from a telephone, the phone number and name of the person must be provided in writing to the Council in advance so the phone number can be matched with the appropriate designated representative or witness. **If the phone number and name of the person is not provided in writing to the Council in advance, they will not be admitted into the meeting.**
10. The 6:30 p.m. public comment session on December 12, 2024, will be reserved for the public to make oral limited appearance statements into the record. **Public statements will be limited to 3 minutes.** The Council requests that the applicant conduct a brief presentation prior to public comment, describing proposed facility features from a site plan already submitted into the record. For the applicant, please indicate in writing who shall be **the designated presenter during the 6:30 p.m. public comment session in the witness list. This site plan will be projected on the Zoom meeting screen during the public comment session.**
11. The Council may, at its discretion, group parties and intervenors with the same interests.
12. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
13. Pursuant to RCSA § 16-50j-15b, any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written limited appearance statements.
14. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.
15. Any person may be removed from the Zoom evidentiary session and/or public comment session at the discretion of the Council.

Post-hearing procedure

16. A verbatim transcript of the evidentiary and public comment hearing sessions will be posted on the Council's project webpage and deposited with the Stonington Town Clerk's Office for the convenience of the public.
17. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.
18. Members of the public will be allowed to submit written statements into the record within 30 days after the close of the hearing.
19. Deadlines for briefs, proposed findings of fact, and written statements will be final and no extensions will be granted.



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Administrative Notice List

Docket No. 526

FEDERAL

1. National Institute of Environmental Health Sciences, National Institutes of Health, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf
2. National Research Council, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. United States Department of the Interior, National Park Service, *National Register of Historic Places*, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
6. United States Department of Energy, Federal Energy Regulatory Commission and the North American Electric Reliability Corporation, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at https://www.nerc.com/pa/rrm/ea/October%202011%20Northeast%20Snow%20Storm%20Event/NE_Outage_Report-05-31-12.pdf
7. United States Quadrennial Energy Review Task Force, *Quadrennial Energy Review Second Installment: Transforming the Nation's Electricity System*, January 2017, available at <https://www.energy.gov/policy/downloads/quadrennial-energy-review-second-installment>
8. United States Energy Information Administration, *Annual Energy Outlook 2023*, March 16, 2023, available at <https://www.eia.gov/outlooks/aeo/>
9. United States Energy Information Administration, *Levelized Cost and Levelized Avoided Cost of New Generation Resources in Annual Energy Outlook 2022*, March 2022, available at https://www.eia.gov/outlooks/aeo/pdf/electricity_generation.pdf
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11. United States Environmental Protection Agency, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf
12. United States Environmental Protection Agency and National Renewable Energy Laboratory, *Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills*, February 2013, available at <https://www.nrel.gov/docs/fy13osti/52615.pdf>
13. United States Department of Agriculture, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at <https://www.ourenergypolicy.org/wp-content/uploads/2013/08/Solar.pdf>
14. United States Department of Agriculture, Soil Survey Manual, Handbook No. 18, March 2017 (Amended 2018), available at <https://www.nrcs.usda.gov/sites/default/files/2022-09/The-Soil-Survey-Manual.pdf>
15. United States Federal Aviation Administration, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1M*, November 16, 2020, available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_7460_1M.pdf
16. United States Federal Aviation Administration, *Obstruction Evaluation Version 2023-Sep.3, Notice Criteria Tool*, available at <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>
17. United States Federal Aviation Administration, *Technical Guidance for Evaluating Selected Solar Technologies on Airports*, November 2010 (updated April 2018), available at <https://www.faa.gov/sites/faa.gov/files/airports/environmental/FAA-Airport-Solar-Guide-2018.pdf>
18. United States Federal Aviation Administration, *Review of Solar Energy System Projects on Federally-Obligated Airports*, May 11, 2021, available at <https://www.federalregister.gov/documents/2021/05/11/2021-09862/federal-aviation-administration-policy-review-of-solar-energy-system-projects-on-federally-obligated>
19. *Allco Fin. Ltd. v. Klee*, 2014 U.S. Dist. LEXIS 170674 (D. Conn. 2014), affirmed by *Allco Fin. Ltd. v. Klee*, 805 F.3d 89 (2nd Cir. 2015)

REGIONAL

20. ISO-New England, Inc., *Operational Fuel-Security Analysis*, January 17, 2018, available at https://www.iso-ne.com/static-assets/documents/2018/01/20180117_operational_fuel-security_analysis.pdf
21. ISO-New England, Inc., *2023 Regional System Plan*, November 1, 2023, https://www.iso-ne.com/static-assets/documents/100005/20231114_rsp_final.pdf
22. ISO-New England, Inc., *Regional System Plan Project List*, June 2024, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>

23. ISO-New England, Inc., *2024-2033 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, revised May 17, 2024, available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt>
24. ISO-New England, Inc., *ISO New England's Internal Market Monitor 2023 Annual Markets Report*, May 24, 2024, available at <https://www.iso-ne.com/static-assets/documents/100011/2023-annual-markets-report.pdf>
25. ISO-New England, Inc., *Final 2024 PV Forecast*, April 25, 2024, available at https://www.iso-ne.com/static-assets/documents/100010/2024_pv_forecast_final_updated.pdf
26. ISO-New England, Inc., *Interconnection Request Queue*, available at <https://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue>
27. ISO-New England, Inc., *New England's Forward Capacity Auction Closes with Adequate Power System Resources for 2027/2028*, February 9, 2024, available at https://www.iso-ne.com/static-assets/documents/100008/20240209_pr_fca18_initial_results.pdf
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31. Connecticut Siting Council, *2022 Review of the Ten-Year Forecast of Connecticut Electric Loads and Resources*, January 5, 2023, available at https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Forecast2022/F2022-finalreportwithattachments_s.pdf
32. Connecticut Siting Council, *White Paper on the Security of Siting Energy Facilities*, October 8, 2009, available at https://portal.ct.gov/-/media/CSC/Dockets-and-Other-Pending-Proceedings/Dockets300-400/docket_346/whitepprFINALpdf.pdf
33. Connecticut Siting Council, *2022 Analysis of Life-Cycle Costs of Electric Transmission Lines*, January 5, 2023, available at https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/LifeCycle/2022LifeCycle/Lifecycle2022finalmemoandreport_s.pdf

34. Connecticut Siting Council, Docket No. 492 – Gravel Pit Solar Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 120-megawatt-AC solar photovoltaic electric generating facility on eight parcels generally located to the east and west of the Amtrak and Connecticut Rail Line, south of Apothecaries Hall Road and north of the South Windsor town boundary in East Windsor, Connecticut and associated electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-492-Gravel-Pit-Solar_East-Windsor
35. Connecticut Siting Council, Docket No. 497 - Burlington Solar One, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a 3.5-megawatt AC solar photovoltaic electric generating facility located at Lot 33, Prospect Street, Burlington, Connecticut and associated electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/3_docketnos400s/docket-no-497---burlington-solar-one
36. Connecticut Siting Council, Docket No. 505 – Haddam Quarter Solar, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 2.8-megawatt-AC solar photovoltaic electric generating facility located south of Haddam Quarter Road and north of Johnson Lane, Durham, Connecticut and associated electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/4_DocketNos500s/Docket-No-505
37. Connecticut Siting Council, Docket No. 514 - Glenvale, LLC d/b/a Glenvale Solar 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 electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/4_docketnos500s/docket-no-514
38. Connecticut Siting Council, Docket No. 522 - Stafford Solar One, LLC 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 and associated equipment located at 92 Upper Road, Stafford, Connecticut and associated electrical interconnection. Record, *available at* https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/4_docketnos500s/docket-no-522
39. Connecticut Siting Council, Petition No. 1426- DG Connecticut Solar III, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road, East Windsor, Connecticut and associated electrical interconnection Record and Final Decision, *available at* https://portal.ct.gov/csc/3_petitions/petition-nos-1421-1430/petition-no-1426-east-windsor-solar-one

40. Connecticut Siting Council, Petition No. 1589 - USS Somers Solar, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 3.0-megawatt AC solar photovoltaic electric generating facility located at 360 Somers Road, Ellington, Connecticut, and associated electrical interconnection. July 30, 2021 State Historic Preservation Office correspondence related to Area of Potential Effect, *available at* https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1501-1600/PE1589/PetitionerSubmissions/Appendix-B---Environmental-Assessment.pdf
41. Connecticut Siting Council, Petition No. 1597 - Greenskies Clean Energy LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 3.74-megawatt AC solar photovoltaic electric generating facility located at Parcel No. 017-150-066, Spencer Hill Road, Winchester, Connecticut, and associated electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/csc/3_petitions/petition-nos-1501-1600/pe1597
42. Connecticut Siting Council, Petition No. 1608 – Greenskies Clean Energy, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 3.035-megawatt AC solar photovoltaic electric generating facility located at 141 Middlefield Road, Durham, Connecticut, and associated electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/csc/3_petitions/petition-nos-1601-1700/pe1608

Department of Energy and Environmental Protection

43. Department of Energy and Environmental Protection, Connecticut Council on Soil and Water Conservation, *Connecticut Guidelines for Soil Erosion and Sediment Control*, effective date March 30, 2024, *available at* [https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control](https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines/Guidelines-for-Soil-Erosion-and-Sediment-Control) https://portal.ct.gov/-/media/DEEP/water/water_quality_management/Guidance/SESCG_CleanFinal.pdf
44. Department of Energy and Environmental Protection, *Connecticut Stormwater Quality Manual*, effective date March 30, 2024, *available at* https://portal.ct.gov/-/media/DEEP/water/water_quality_management/Guidance/SWM_Feb_2024.pdf
45. Department of Energy and Environmental Protection, Bureau of Water Management, Planning and Standards Division, *Water Quality Standards, (Surface Water Quality Standards and Ground Water Quality Standards* Effective October 10, 2013, *available at* https://portal.ct.gov/-/media/deep/water/water_quality_standards/wqsfinaladopted22511pdf.pdf
46. Department of Energy and Environmental Protection, *Connecticut Air Quality Standards*, Effective February 8, 2018, Regulations of Connecticut State Agencies §§ 22a-174-24, et seq., *available at* https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_22aSubtitle_22a-174/

47. Department of Energy and Environmental Protection, *Connecticut Noise Control Regulations*, Effective June 15, 1978, Regulations of Connecticut State Agencies §§22a-69-1, et seq., available at <https://eregulations.ct.gov/eRegsPortal/Browse/getDocument?guid=%7b60A3E155-0600-CEB3-8088-B39D9CA5974D%7d>
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51. Department of Energy and Environmental Protection, Bureau of Natural Resources, *Connecticut's Wildlife Action Plan*, 2015 Revision, available at <https://portal.ct.gov/deep/wildlife/ct-wildlife-action-plan/ct-2015-wildlife-action-plan#Review>
52. Department of Energy and Environmental Protection, Inland Fisheries Division, *Habitat Conservation and Enhancement Program, Stream Crossing Guidelines*, February 26, 2008, available at <https://portal.ct.gov/-/media/DOT/finalcrossingguidelinesFeb262008highrespdf.pdf>
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54. Department of Energy and Environmental Protection, Stormwater Program, Stormwater Construction Filings, available at <https://filings.deep.ct.gov/DEEPPortal/PublicSearch/SWC>
55. Department of Energy and Environmental Protection, Stormwater Program, *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities*, available at https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Water_Discharge_General_Permits/stormconstgppdf.pdf
56. Department of Energy and Environmental Protection, *Long Island Sound Blue Plan*, September 2019, available at <https://portal.ct.gov/DEEP/Coastal-Resources/LIS-Blue-Plan/Long-Island-Sound-Blue-Plan-Home>
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Department of Transportation

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Other State Agencies

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63. Final Report of the Two Storm Panel, January 9, 2012, available at http://www.governor.ct.gov/malloy/lib/malloy/two_storm_panel_final_report.pdf
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65. Department of Emergency Services and Public Protection, Division of Emergency management and Homeland Security, *State of Connecticut State Response Framework, Version 4.2*, July 2019, available at https://portal.ct.gov/-/media/DEMHS/_docs/Plans-and-Publications/EHSP0025-SRFV41pdf.pdf
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71. Public Utilities Regulatory Authority, *Statewide Shared Clean Energy Facility (SCEF) Program – Homepage*, available at <https://portal.ct.gov/DEEP/Energy/Shared-Clean-Energy-Facilities/Shared-Clean-Energy-Facilities>
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74. Public Act No. 23-163, *An Act Concerning Certain Solar Photovoltaic Facilities Located On Prime Farmland, Farmland Of State-Wide Importance Or Core Forest Lands*, June 29, 2023, available at https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB05608&which_year=2023
75. Department of Agriculture, *Solar and Farming Resources – Homepage* available at <https://portal.ct.gov/portal/doag/adarc/programs/solar-and-farming-overview>
76. *Manor Development Corp. v. Conservation Comm. of Simsbury*, 180 Conn. 692, 701 (1980).
77. *Grimes v. Conservation Comm. of Litchfield*, 243 Conn. 266, 278 (1997).
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TECHNICAL

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Instructions for Parties and Intervenor for Docket No. 526 Public Hearing

1. Attendees can join by clicking (or entering) the following link:
<https://us06web.zoom.us/j/85667834903?pwd=ncn5rzolTbsIN3D4FIgRaL6RdZZas9.1> from a computer, smartphone, or tablet. **Meeting ID: 856 6783 4903 and Passcode: v3KMvp**
No prior software download is required.
2. For audio-only participation, attendees can join by dialing in at **1(929) 205-6099 (not toll free)** and then enter the **Meeting ID: 856 6783 4903 and Passcode: 136662** from a telephone.
3. All participants are requested to mute sound notifications on their computer, smartphone or tablet. Telephones are often equipped with a “do not disturb” feature for the dial-in option.
4. If any participant is using the **dial-in option from a telephone**, the phone number and name of the participant must be provided in advance so the phone number can be matched with the appropriate participant by NAME. **If the phone number and name of the person is not provided in writing to the Council in advance, they will not be admitted into the meeting.** If using the link, unless the participant types in their name when entering the meeting, the email and name of the participant must be provided in advance so the email can be matched with the appropriate participant by NAME. If the NAME of the person is not typed in or provided when entering the meeting, they will not be admitted into the meeting. Please inform your witness panels.
5. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
6. The Presiding Officer will read an opening statement and cross examination of the applicant by the Council will commence, one by one, beginning with the staff analyst. Thereafter, the designated representative for each party and intervenor will cross examine the applicant.
7. Once cross examination of the applicant by the Council and all parties and intervenors concludes, cross examination of the next party listed on the Hearing Program by the Council will commence, one by one, beginning with the staff analyst. Thereafter, the designated representative for each party and intervenor will cross examine the appearing party.