



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

February 17, 2021

TO: Service List dated January 28, 2021

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

RE: **DOCKET NO. 497** – Burlington Solar One, LLC application for a 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.

The Connecticut Siting Council (Council) will hold a pre-remote hearing teleconference on procedural matters on Wednesday, February 24, 2021, beginning at 11:00 a.m. **All parties and intervenors are requested to participate.** The purpose of this pre-remote hearing teleconference is to expedite the remote hearing procedure without sacrificing an informative record necessary for the Council to render a decision.

Please use the call-in information below:

Call number: 866-917-7557

Passcode: 9148525

During the teleconference, 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-remote hearing interrogatories. To save the time and expense of the public, **the Council does not allow direct testimony** at the remote 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 remote public hearing.

For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the remote 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. remote public comment session in the witness list and what site plan will be used for the presentation.**

MB/MP/lm



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Connecticut Siting Council

Pre-Remote Hearing Conference: Procedure for Remote Hearing of March 23, 2021

DOCKET NO. 497 – Burlington Solar One, LLC application for a 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.

Pre-hearing Procedure

1. On or before March 9, 2021, all parties and intervenors are requested to electronically exchange pre-remote hearing interrogatories with all other parties and intervenors.
2. On or before March 16, 2021, all parties and intervenors are requested to file responses to pre-remote 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 remote 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 remote 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 March 16, 2021.
4. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, 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 at the entrance to the property from a public road where the proposed facility is to be located. The sign shall set forth the name of the applicant, the type of facility, the remote 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 remote hearing.

Hearing Procedure

6. The 2:00 p.m., March 23, 2021, remote 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 remote hearing.
8. 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.
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. remote public comment session on March 23, 2021, will be reserved for the public to make brief statements into the record. **Public statements will be limited to 3 minutes.** The Council requests that the applicant conduct a brief presentation prior to remote 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. remote 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 Section 16-50j-15b of the Regulations of Connecticut State Agencies, 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 statements into the record.
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 remote evidentiary session or public comment session at the discretion of the Council.

Post-hearing procedure

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

Thank you for your cooperation.

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Administrative Notice List

Docket No. 497

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. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC 70/7460-1L*, December 4, 2015, as amended, available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf
4. 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>
5. 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>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, July 2010, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
7. 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 <http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf>
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10. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Levelized Cost and Levelized Avoided Cost of New Generation Resources in Annual Energy Outlook 2020*, February 2020, available at https://www.eia.gov/outlooks/aeo/pdf/electricity_generation.pdf
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12. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
13. 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
14. 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.epa.gov/sites/production/files/2015-03/documents/best_practices_siting_solar_photovoltaic_final.pdf
15. UNITED STATES DEPARTMENT OF AGRICULTURE, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at https://www.usda.gov/oce/reports/energy/Web_SolarEnergy_combined.pdf
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19. UNITED STATES FEDERAL AVIATION ADMINISTRATION, Interim Policy, *FAA Review of Solar Energy System Projects on Federally Obligated Airports (inclusive of Solar Glare Hazard Analysis Tool)*, October 23, 2013, available at <https://www.federalregister.gov/documents/2013/10/23/2013-24729/interim-policy-faa-review-of-solar-energy-system-projects-on-federally-obligated-airports>
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REGIONAL

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45. CONNECTICUT SITING COUNCIL, *White Paper on the Security of Siting Energy Facilities*, October 8, 2009, available at http://www.ct.gov/csc/lib/csc/docket_346/whiteppr_final.pdf
46. CONNECTICUT SITING COUNCIL, *Investigation into the Life-cycle Costs of Electric Transmission Lines*, October 11, 2018, available at https://www.ct.gov/csc/lib/csc/publications/2017-life-cycle_finalrpt.pdf
47. **DOCKET NO. 470B** - NTE Connecticut, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 550-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut. Reopening of this application based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Record and Final Decision, available at https://portal.ct.gov/CSC/1_Applications-and-Other-PendingMatters/Applications/3_DocketNos400s/Docket-No-470B-NTEKillingly

48. **PETITION NO. 1310A** - Quinebaug Solar, LLC declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on approximately 561 acres comprised of 29 separate and abutting privately-owned parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut. Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1301-1310/Petition-No-1310A-CanterburyBrooklyn
49. **PETITION NO. 1313** - DWW Solar II, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 26.4 megawatt AC solar photovoltaic electric generating facility on approximately 289 acres comprised of 5 separate and abutting privately-owned parcels located generally west of Hopmeadow Street (US 202/CT 10), north and south of Hoskins Road, and north and east of County Road and associated electrical interconnection to Eversource Energy's North Simsbury Substation west of Hopmeadow Street in Simsbury, Connecticut. Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1311-1320/Petition-No-1313-Simsbury

Department of Energy and Environmental Protection

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Department of Public Health

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Department of Transportation

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Other State Agencies

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74. STATE OF CONNECTICUT, COUNCIL ON ENVIRONMENTAL QUALITY, *Energy Sprawl in Connecticut: Why Farmland and Forests are Being Developed for Electricity Production; Recommendations for Better Siting*, February 3, 2017, available at http://www.ct.gov/ceq/lib/ceq/Energy_Sprawl_in_Connecticut.pdf
75. STATE OF CONNECTICUT, COUNCIL ON ENVIRONMENTAL QUALITY, August 26, 2020 Meeting Minutes, available at <https://portal.ct.gov/CEQ/Meetings-and-Agendas/Minutes/2020/August-26-2020>

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Instructions for Parties and Intervenors for Docket No. 497 Remote Public Hearing

1. Attendees can join by clicking (or entering) the following link:
<https://zoom.us/j/91503318818?pwd=cXdCMkdhdkpCODEzV3cvMGtIVStnUT09> from a computer, smartphone, or tablet. **Meeting ID# 915 0331 8818 and Passcode: 0rvt66.** 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: 915 0331 8818 and Passcode: 016451** 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.