



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

September 10, 2021

Lee D. Hoffman, Esq.
Pullman & Comley
90 State House Square
Hartford, CT 06103-3702
lhoffman@pullcom.com

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.

Dear Attorney Hoffman:

The Connecticut Siting Council (Council) is in receipt of correspondence dated September 8, 2021 regarding the transfer of upstream corporate ownership interests from Burlington Solar One, LLC (BSO), the holder of the Certificate of Environmental Compatibility and Public Need (Certificate) to DG Connecticut Solar III, LLC, an affiliate of NextEra Energy Resources, LLC.

Given that BSO will remain the holder of the Certificate after the upstream transfer of ownership interests and will remain responsible for fully implementing and complying with the terms of the Certificate, a transfer of the Certificate pursuant to Conn. Gen. Stat. §16-50k(b) is not warranted. In accordance with the decision in *Town of Middlebury v. Connecticut Siting Council*, “any limited liability company may become a Certificate Holder and is not automatically forced to apply for a transfer of the Certificate to the parent entity.”¹

Therefore, pursuant to Condition No. 12 of the Certificate, the Council hereby acknowledges the notification with the condition that BSO complies with all the terms, limitations, and conditions contained in the Decision and Order issued for the above-referenced facility on July 16, 2021 and on the timely payment of apportioned assessment charges for the facility under Conn. Gen. Stat. § 16-50v(b)(1).

Thank you for your attention and cooperation. Your letter will be placed in the above-referenced file.

Sincerely,

Melanie A. Bachman
Executive Director

¹ *Town of Middlebury v. Connecticut Siting Council*, 2002 Conn. Super. LEXIS 610 (Conn. Super. Ct. 2002).



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MAB/MP

- c: Tim Garcia, NextEra Energy DG Business Management, DL-DG-NEER-BUS-MGT@nexteraenergy.com
William Herchel, Burlington Solar One, LLC, wherchel@verogy.com
Bryan Fitzgerald, Burlington Solar One, LLC, bfitzgerald@verogy.com

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September 8, 2021

VIA ELECTRONIC MAIL

Melanie Bachman
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: 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.

Dear Ms. Bachman:

I am writing on behalf of my client, Burlington Solar One, LLC in connection with the above-referenced Docket. This letter is being written pursuant to the Condition no. 12 of the Council's Decision and Order in this Docket and will serve as notice that ownership of Burlington Solar One, LLC has been transferred to DG Connecticut Solar III, LLC, an affiliate of NextEra Energy Resources, LLC, on or about August 13, 2021. Burlington Solar One, LLC remains the owner of the facility. The individual responsible for management and operations of the Burlington Solar One facility on behalf of DG Connecticut Solar III, LLC will be Tim Garcia, NextEra Energy DG Business Management (Email: DL-DG-NEER-BUS-MGT@nexteraenergy.com). Tim Garcia should be added to the distribution list going forward. Mr. Fitzgerald, Mr. Herchel and I should remain on the service list.

If you have any questions or need any additional information about the transfer of the Southington Solar One facility, please contact me. Thank you in advance for your cooperation.

Sincerely,



Lee D. Hoffman