

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

VIA ELECTRONIC MAIL

February 19, 2013

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director *L Roberts*

RE: **PETITION NO. 1056** - GRE 314 East Lyme, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a 5.0 MW Solar Photovoltaic Renewable Energy Generating Project located on Grassy Hill Road and Walnut Hill Road, East Lyme, Connecticut.

The Connecticut Siting Council requests that the following format be used for the public hearing scheduled on March 14, 2013.

Pre-hearing Procedure

1. On or before February 28, 2013 all parties and intervenors are requested to exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before March 7, 2013 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. 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 file a written petition with the Council on or before March 7, 2013.
4. All filings are to be in accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies. The Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.
5. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, at least ten business days prior to the public hearing, the Petitioner 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 Petitioner, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number).
6. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.

Hearing Procedure

7. A public field review of the proposed site will be held on March 14, 2013, beginning at 2:00 p.m. A meeting place will be determined prior to the field review and will be listed on the Council's field review notice.
8. A public hearing will be held on March 14, 2013, beginning at 3:00 p.m. The 3:00 p.m. hearing session will provide the Petitioner, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The Petitioner 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 Petitioner and all other parties and intervenors. All participants will be allowed rebuttal.
9. All participants are requested to place nameplates on the table in front of each witness at the hearing.
10. The order of appearances and cross-examination will be governed by a hearing program developed by the Council for the proceeding. The Council may issue a draft version of the hearing program to parties and intervenors prior to the hearing.
11. The public is welcome to make brief statements into the record during the March 14, 2013 hearing, beginning at 7:00 p.m. The Council requests that the Petitioner conduct a brief presentation prior to public comment, using 24-inch by 36-inch diagrams depicting site features, including a map showing abutting properties. The diagrams must be from materials already submitted into the record. The Petitioner shall provide the Council with a copy of the 24-inch by 36-inch diagrams at the conclusion of the public comment session.
12. If time remains, the 7:00 p.m. hearing session may provide the Petitioner, parties, and intervenors an opportunity to continue their appearances and cross-examination that began during the 3:00 p.m. hearing session.
13. The Council will provide public officials who have not been granted party or intervenor status an opportunity to make a statement.
14. The Council may, at its discretion, group parties and intervenors with the same interest.
15. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
16. 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.
17. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.

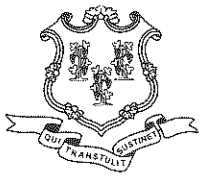
Post-hearing procedure

18. A verbatim transcript of the hearing session will be made and deposited with the Town Clerk's Office in the towns of East Lyme and Montville, Connecticut for the convenience of the public.
19. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.
20. Members of the public will be allowed to submit public statements into the record within 30 days after the close of the hearing.
21. Deadlines for briefs, proposed findings of fact, and public statements will be final and no extensions will be granted.

Thank you for your cooperation.

LR/rdm/LF

Enclosure: Administrative Notice List



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Administrative Notice List

Petition No. 1056

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.nema.org/gov/ehs/positions/upload/niehsqa.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. Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. National Park Service, U.S. Department of the Interior, National Register of Historic Places (July 2010), available at <http://www.nps.gov/history/nr/research/index.htm>

REGIONAL

5. ISO-New England, Inc., Power Generation and Fuel Diversity in New England (August 25, 2005), available at http://www.iso-ne.com/pubs/whtpprs/iso_ne_paper.pdf
6. ISO-New England, Inc., Electricity Costs White Paper (June 1, 2006), available at http://www.iso-ne.com/pubs/whtpprs/elec_costs_wht_ppr.pdf 2012-2021
7. FORECAST OF CAPACITY, ENERGY, LOADS & TRANSMISSION, ISO New England (May 1, 2012) available at <http://www.iso-ne.com/trans/celt/report/index.html>
8. ISO New England, Inc., 2012 Regional System Plan (November 2, 2012), available at <http://www.iso-ne.com/trans/rsp/2012/index.html>

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9. Connecticut Siting Council, 2010/2011 Forecast of Electric Loads and Resources, (September 8, 2011) available at http://www.ct.gov/csc/lib/csc/pendingproceeds/regulations/report_text.pdf
10. 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/whitepr_final.pdf

Department of Energy and Environmental Protection

11. Connecticut Council on Soil and Water Conservation, State of Connecticut Department of Environmental Protection, Connecticut Guidelines for Soil Erosion and Sediment Control, DEP Bulletin 34 (May 2002, last revised September 2007), available at http://www.ct.gov/dep/cwp/view.asp?a=2720&q=325660&depNav_GID=1654
12. State of Connecticut Department of Energy and Environmental Protection, The Connecticut Stormwater Quality Manual (2004), available at http://www.ct.gov/DEP/cwp/view.asp?a=2721&q=325704&depNav_GID=1654#download
13. Connecticut Department of Energy and Environmental Protection, Amphibians and Reptiles in Connecticut, DEP Bulletin 32, Michael W. Klemens (2000), available at <http://ctdepstore.com/Amphibians-and-Reptiles-in-Connecticut-101.htm>
14. Planning and Standards Division, Bureau of Water Management, Connecticut Department of Energy and Environmental Protection, Water Quality Standards, (Surface Water Quality Standards Effective December 17, 2002 and Ground Water Quality Standards Effective April 12, 1996), available at http://www.ct.gov/dep/lib/dep/water/water_quality_standards/wqs.pdf
15. Connecticut Air Quality Standards, Connecticut Dept. of Energy and Environmental Protection, Regs. Conn. State Agencies §§ 22a-174-24, et seq. (2006).
16. Connecticut Noise Control Regulations, Connecticut Dept. of Energy and Environmental Protection, Regs. Conn. State Agencies §§22a-69-1, et seq. (2006).
17. An Act Concerning Environmental Justice Communities and the Storage of Asbestos-Containing Material, as amended, 2008 Conn. Acts 94 (Reg. Sess.), codified at Conn. Gen. Stat. §22a-20a (2009), available at <http://www.cga.ct.gov/2008/ACT/PA/2008PA-00094-R00HB-05145-PA.htm>
18. 2012 INTEGRATED RESOURCE PLAN FOR CONNECTICUT, CONNECTICUT DEPT. OF ENERGY AND ENVIRONMENTAL PROTECTION, pursuant to Conn. Public Act 11-80 (June 14, 2012), available at [http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/cb827b1ffa58b2fd85257a1d0060c374/\\$FILE/2012%20Integrated%20Resource%20Plan.pdf](http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/cb827b1ffa58b2fd85257a1d0060c374/$FILE/2012%20Integrated%20Resource%20Plan.pdf)
19. 2012 COMPREHENSIVE ENERGY STRATEGY FOR CONNECTICUT, CONNECTICUT DEPT. OF ENERGY AND ENVIRONMENTAL PROTECTION, pursuant to Conn. Public Act 11-80, (Draft for Public Comment, October 5, 2012), available at [http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/15872c7645d9710c85257a8e0046c627/\\$FILE/DEEP%20Draft%20Connecticut%20Comprehensive%20Energy%20Strategy.pdf](http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/15872c7645d9710c85257a8e0046c627/$FILE/DEEP%20Draft%20Connecticut%20Comprehensive%20Energy%20Strategy.pdf)

Department of Public Health

20. Connecticut Department of Public Health, Electric and Magnetic Fields (EMF): Health Concerns Fact Sheet (April 2008), available at http://www.ct.gov/dph/lib/dph/environmental_health/eoha/pdf/emf_fact_sheet_-_2008.pdf

Department of Transportation

21. State of Connecticut Department of Transportation, ConnDOT Drainage Manual (2000, last revised December 2003), available at <http://www.ct.gov/dot/cwp/view.asp?a=3200&q=260116>

Other State Agencies

22. Connecticut Clean Energy Fund, FY 2011 – FY 2012 Comprehensive Plan (June 14, 2010), available at <http://www.ctcleanenergy.com/Portals/0/FINAL%20DRAFT%20CCEF%20FY%2011%2012%20Comprehensive%20Plan.pdf>
23. State Plan of Conservation and Development, as amended, Conn. Gen. Stat. §§ 16a-27 to 16a-32a (2010).
24. Final Report of the Two Storm Panel, January 9, 2012.
http://www.governor.ct.gov/malloy/lib/malloy/two_storm_panel_final_report.pdf

TECHNICAL

25. American National Standards Institute, National Electric Safety Code, ANSI C2-2007 (June 16, 2006).
26. Exponent, Inc., EMF and Health: Review and Update of the Scientific Research (January 28, 2009), available at <http://transmission.bchydro.com/NR/rdonlyres/DEF09171-908A-48DF-A9DA-F28676D239FD/0/Exponent2009EMFUpdate0209.pdf>
27. The Brattle Group, Connecticut Light and Power, and the United Illuminating Company, Integrated Resource Plan for Connecticut (January 1, 2010), available at <http://www.ctenergy.org/pdf/2010IRP.pdf>.

ENVIRONMENTAL

28. Richard M. DeGraaf & Deborah D. Rudis, New England Wildlife: Habitat, Natural History, and Distribution (University of Massachusetts Press, 1983), available at <http://www.treesearch.fs.fed.us/pubs/4148>
29. Aram J.K. Calhoun & Michael W. Klemens, Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States, MCA Technical Paper No. 5 (Metropolitan Conservation Alliance 2002), available at <http://www.umaine.edu/vernalpools/PDFs/Best%20Development%20Practices%20%20-%20%20Conserving%20Pool-breeding%20Amph.pdf>
30. Aram J.K. Calhoun, et. al., Conserving pool-breeding amphibians in human-dominated landscapes through local implementation of Best Development Practices, Wetlands Ecology and Management, July 9, 2004 at 291, available at <http://www.maineaudubon.org/resource/documents/CalhounWEMpaper.pdf>

MAPS

31. Natural Resources Division, Connecticut Department of Energy and Environmental Protection, Atlas of Connecticut Topographic Maps, DEP Bulletin 17 (1992), available at http://www.ctdepstore.com/Maps_c16.htm;jsessionid=1FF9EB902F8695DF048A7BD535715052.qscstrfrnt02

32. State of Connecticut Department of Energy and Environmental Protection, Natural Diversity Database, available at <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>
33. Connecticut Forest & Park Association, Connecticut Walk Book East (Ann T. Colson, ed., 19th ed. 2006), available at <http://www.ctwoodlands.org/node/17>
34. State of Connecticut Department of Transportation, Connecticut Official State Tourism Map (2007-2009), available at <http://www.ctbound.org/>
35. National Audubon Society, Connecticut Important Bird Areas available at <http://iba.audubon.org/iba/stateIndex.do?state=US-CT>