

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

www.ct.gov/csc

September 25, 2013

TO: Parties & Intervenors

FROM: Melanie Bachman, Acting Executive Director *MB*

RE: **PETITION NO. 1068** – BE 2012 A LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 400 kW Fuel Cell to be located at AT&T, 26 Washington Street, New London, Connecticut.

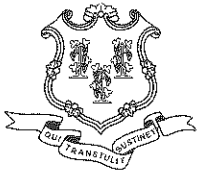
At a public meeting of the Connecticut Siting Council (Council) held on September 19, 2013, the Council granted the requests of the New London City Planner dated July 29, 2013, and September 18, 2013, to hold a public hearing on the above-referenced petition.

Enclosed please find a copy of the Council's notice of public hearing.

MB/cm

Enclosure (1)

c: Secretary of the State (via e-mail service)
Council Members
Petition Service Recipients
United Reporters
Joseph Reese, Tech Theatrical Services



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TO: Commissioner Daniel Esty
Dept. of Energy & Environmental Protection

Commissioner Steven Reviczky
Department of Agriculture

Commissioner Jewel Mullen
Department of Public Health

Karl Wagener, Executive Director
Council on Environmental Quality

Chairman Arthur House
Public Utilities Regulatory Authority

Benjamin Barnes, Secretary
Office of Policy and Management

Commissioner Catherine Smith
Department of Economic and
Community Development

Thomas A. Harley, P.E., Chief Engineer
Bureau of Engineering and Construction
Department of Transportation

Commissioner Reuben F. Bradford
Department of Emergency Services
and Public Protection

Commissioner William M. Rubenstein
Department of Consumer Protection

Commissioner Sharon Palmer
Department of Labor

Deputy Commissioner Pasquale J. Salemi
Department of Construction Services

Robert Bruno, Director of Planning,
Engineering & Environmental
Connecticut Airport Authority

Kevin Dillon, Executive Director
Connecticut Airport Authority

FROM: Melanie Bachman, Acting Executive Director *MB*

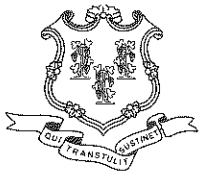
RE: **PETITION NO. 1068** – BE 2012 A LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 400 kW Fuel Cell to be located at AT&T, 26 Washington Street, New London, Connecticut.

Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response on or before October 22, 2013, will be appreciated.

You may access the petition and other documents from this proceeding on our website at www.ct.gov/csc under the link "Pending Proceedings."

MB/cm





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HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Tuesday, October 29, 2013, beginning at 3:30 p.m., and continued at 6:30 p.m., at the City of New London, Council Chambers, 181 State Street, New London, Connecticut, and thereafter as necessary. The hearing will be on a petition from BE 2012 A LLC for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 400 kW Fuel Cell facility to be located at AT&T, 26 Washington Street, New London, Connecticut.

The purpose of the hearing is to hear evidence on the petitioner's request for the determinations described above. The 6:30 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of the proposed site on Tuesday, October 29, 2013, beginning at 2:30 p.m.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1, et seq., of the Regulations of Connecticut State Agencies.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by October 22, 2013. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before October 22, 2013.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council up to 30 days after the close of the hearing. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be



accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the City Clerk's Office of the New London City Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by October 22, 2013.

The petitioner of this facility is represented by the following:

Petitioner

BE 2012 A LLC

Its Representative

Philip M. Small, Esq.
Brown Rudnick
CityPlace I
185 Asylum Street
Hartford, CT 06103

A copy of the petition is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935 or on Council website at <http://www.ct.gov/csc> under the link "Pending Proceedings." The Council has assigned this proceeding petition no. 1068.

September 25, 2013

Connecticut Siting Council