



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

Internet: ct.gov/csc

Daniel F. Caruso
Chairman

January 19, 2011

Carrie L. Larson
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103

RE: **PETITION NO. 980** - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut.

Dear Attorney Larson:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than February 2, 2011. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies to this office and a .pdf. In accordance with the State Solid Waste Management Plan, 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. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Linda Roberts
Executive Director

c: Paul Corey, Chairman, BNE Energy Inc.
Council Members
Parties and Intervenors

PRE-HEARING INTERROGATORIES
PETITION 980 - PROSPECT
BNE ENERGY INC
JANUARY 19, 2011

1. According to the wind turbine fact sheet provided in Tab A of the Petition, the General Electric Turbines can be constructed in 80 and 100 meter tower configurations. Why was the 100 meter configuration selected?
2. The Wind Assessment Study (in Tab N of the Petition) refers to Class II and Class III turbines. Please define these terms. Could Class III turbines be used at the property? If not, why not?
3. What was the height of the meteorological tower placed at the site?
4. Volume 1, page 3 of the Petition discusses the benefit to residents of Prospect. How would the proposed turbines directly benefit residents of Prospect?
5. How many properties were investigated and rejected in the search for the proposed site in this area?
6. Volume 1, page 13 of the Petition discusses BNE's search for a property with sufficient acreage. Is there a minimum size (in acres) required for the siting of a wind turbine?
7. What is the average number of hours per day the turbine would be spinning? What is the most active time of day? What is the least active time of day?
8. How often is the proposed facility expected to run a full capacity?
9. How does BNE intend to monitor the facility for ice build up on the blades and potential ice throw? What could be done if ice does begin to build up on the blades?
10. What is the maximum distance that ice could be thrown from a wind turbine, given a worst-case scenario? How many homes are located within this distance?
11. Why did BNE use a Class C (Utility) Emitter for the host property? What is the current use of the host property?
12. Did BNE receive return receipts for each of the abutting landowners of the host property?
13. What is the approximate amount of temporary and permanent vegetative clearing that would be necessary for the construction and operation of the proposed project?
14. What determined the locations of the photo simulations included in Tab J of the Petition? Which turbine is shown in View 1 and in View 3?

15. Provide photo simulations from Lee Road, Coachlight Circle, Barbara Avenue, and George Road.
16. Provide a viewshed map at a smaller scale than those depicted in the Petition, showing visibility within 0.5 miles of the turbines.
17. What are the locations in the site vicinity with the greatest visibility?
18. Please revise the table on page 6 of Tab J (visibility analysis) to include the distance and direction from the nearest turbine to each street. Also, provide the average tree height on each street.
19. Has the cell phone tower owner on the property been notified of the wind project?
20. Would operation of the proposed wind facility have any impact on the cell tower or associated telecommunication services?
21. What is the distance and direction of the nearest residence to the turbines?
22. What is the number of residences within 2,000 feet of the project area?
23. Was notice of the proposed project provided to the landowners on the south side of Kluge Road and to the east of Route 69? If not, please provide notice.
24. Please define the area that would potentially be impacted by shadow flicker from the proposed turbines. How was this area determined?
25. Please provide a shadow flicker analysis that estimates the number of hours per year this condition may occur, and the extent to which the effects may be discerned.
26. What is the approximate distance that parts of the blades could be thrown from a turbine? What is the number of residences within this distance?
27. Volume 1, page 23 of the Petition states that the wind resource area is not in the vicinity of any known bat colonies or features likely to attract large numbers of bats. Please provide supporting documentation.
28. Volume 1, page 23 of the Petition discusses high, middle and low frequency groups of bats. How are endangered bat species distinguished from common bat species within these groups?

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	BNE Energy, Inc.	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax clarson@pullcom.com Paul Corey, Chairman BNE Energy Inc. Town Center, Suite 200 29 South Main Street West Hartford, CT 06107 (860) 561-5101 (888) 891-6450 fax pcorey@bneenergy.com
Party <i>(granted on 01/06/11)</i>	<input checked="" type="checkbox"/> U.S. Mail	Town of Prospect	The Honorable Robert J. Chatfield Mayor Prospect Town Office Building 36 Center Street Prospect, CT 06712-1699 (203) 758-4461 Town.of.prspct.@sbcglobal.net
Intervenor <i>(granted on 01/06/11)</i>	<input checked="" type="checkbox"/> U.S. Mail	Save Prospect Corp (SPC)	Jeffrey J. Tinley, Esq. Tinley, Nastri, Renehan & Dost, LLP 60 North Main Street Waterbury, CT 06702 (203) 596-9030 (203) 596-9036 fax jtinley@tnrdlaw.com noisyprospect@comcast.net
Party <i>(if granted 01/20/11)</i>	<input checked="" type="checkbox"/> U.S. Mail	John and Cheryl Lamontagne 225 New Haven Road Prospect, CT 06712 Thomas and Eileen Satkunas 232 New Haven Road Prospect, CT 06712	Thomas J. Donohue, Jr., Esq. Killian & Donohue, LLC 363 Main Street Hartford, CT 06106 (860) 560-1977 (860) 249-6638 tj@kdjlaw.com

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p>Intervenor <i>(if granted on 01/20/11)</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>	<p>The Connecticut Light and Power Company</p>	<p>Joaquina Borges King Senior Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3678 (860) 665-5504 fax</p>