

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**Petition of BNE Energy Inc. for a  
Declaratory Ruling for the Location, Construction  
and Operation of a 3.2 MW Wind Renewable  
Generating Project on New Haven Road in  
Prospect, Connecticut ("Wind Prospect")**

**Petition 980**

**January 19, 2011**

**OBJECTION TO REQUEST FOR PARTY STATUS**

The petitioner, BNE Energy Inc. ("BNE") respectfully submits this objection to a request for party status filed on January 6, 2011 by John Lamontagne, Cheryl Lamontagne, Thomas Satkunas and Eileen Satkunas (the "Requestors"). As discussed more fully below, in accordance with Connecticut General Statutes § 16-50n and the Council's past practice, the Requestors are more appropriately included in this proceeding as intervenors. In support of its objection, BNE states as follows:

1. This petition for declaratory ruling was submitted to the Council on November 17, 2010 (the "Petition").
2. On or about January 6, 2011, the Requestors submitted a request for party status purportedly based on §§ 16-50l, 16-50n, 22a-15 through 22a-20 and 4-177a.
3. Connecticut General Statutes § 16-50n (a) states that the parties to a declaratory ruling proceeding shall include: (1) the applicant, certificate holder or petitioner; (2) each person entitled to receive a copy of the application under § 16-50l if such person files a notice of intent to be a party; (3) any domestic or qualified nonprofit corporation or association formed in

whole or in part to promote conservation or natural beauty; and (4) any such other persons as the council may at any time deem appropriate.

4. If unable to establish party status pursuant to 16-50n, the Council has the option of deeming interested persons intervenors pursuant to 16-50n (b).
5. The Requestors have not alleged any facts to support their request for party status pursuant to the criteria of 16-50n – the Requestors do not allege (nor can they claim) that they were entitled to notice of the filing of this Petition nor do the Requestors allege to be a domestic or qualified nonprofit corporation.
6. In addition, the Requestors are not abutting property owners so, even if this were submitted as an application, the Requestors would not be entitled to party status pursuant to 16-50n.
7. Since the Requestors do not meet any of the above criteria, the request can only be considered through Connecticut General Statutes § 4-177a and R.C.S.A. § 16-50j-14, whereby a requesting party must establish “facts that demonstrate that the petitioner’s legal rights, duties or privileges shall be specifically affected by the agency’s decision in the contested case” and the manner in which the petitioner claims to be affected.
8. Based on the facts asserted in the Requestors request for party status, the Requestors are more appropriately included in this proceeding as intervenors and not as parties.

**WHEREFORE**, BNE respectfully objects to the Requestors' request for party status and requests that the Council grant intervenor status in this Petition.

Respectfully Submitted,

By: Carrie L. Larson  
Attorney For BNE Energy Inc.  
Carrie L. Larson, Esq.  
clarson@pullcom.com  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
Ph. (860) 424-4312  
Fax (860) 424-4370

**Certification**

This is to certify that a copy of the foregoing has been mailed this date to all parties and intervenors of record.

Mayor Robert Chatfield  
Town Office Building  
36 Center Street  
Prospect, CT 06712-1699

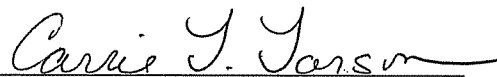
Jeffrey Tinley  
Tinley, Nastri, Renehan & Dost LLP  
60 North Main Street  
Second Floor  
Waterbury, CT 06702

Thomas J. Donahue  
Killian & Donahue, LLC  
363 Main Street  
Hartford, CT 06106

John R. Morissette  
Manager-Transmission Siting and Permitting  
The Connecticut Light & Power Company  
P.O. Box 270  
Hartford, CT 06141-0270

Christopher R. Bernard  
Manager-Regulatory Policy (Transmission)  
The Connecticut Light & Power Company  
P.O. Box 270  
Hartford, CT 06141-0270

Joaquina Borges King  
Senior Counsel  
The Connecticut Light & Power Company  
P.O. Box 270  
Hartford, CT 06141-0270



Carrie L. Larson