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February 7, 2011

Connecticut Siting Council  
Attn: Hon. Daniel F. Caruso, Chair  
10 Franklin Square  
New Britain, CT 06051

**Re: Petition No. 980, BNE Energy, Wind Project, Prospect  
Notice of CEPA Intervention as a Party**

Dear Judge Caruso:

As you are aware, FairwindCT, Inc. ("FairwindCT"), a Connecticut non-profit corporation run by Colebrook residents and comprised of residents of Colebrook, Norfolk, Winchester and other surrounding towns, has requested party status in the above proceeding.

In its request, FairwindCT cited to several statutes providing authority for its party status request. Among those statutes were Sections 22a-19 and 22a-20 of the Connecticut General Statutes, which permit certain non-profit corporations to intervene as parties to certain administrative proceedings. Those sections of the Connecticut Environmental Protection Act ("CEPA") require that corporations intervening as parties file verified pleadings. Please consider the attached verified notice of intervention as an amendment to FairwindCT's request for party status and clarification that FairwindCT is a CEPA intervenor in this proceeding.

Very truly yours,

REID and RIEGE, P.C.



Emily A. Gianquinto

Enclosures

cc: Carrie L. Larson, Esq.  
Paul Corey  
Jeffrey J. Tinley, Esq.  
Hon. Robert J. Chatfield  
Thomas J. Donohue, Jr., Esq.  
John R. Morissette  
Christopher R. Bernard  
Joaquina Borges King

**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 No. 980**

**February 7, 2011**

**NOTICE OF INTERVENTION AS A PARTY**

FairwindCT, Inc. (“FairwindCT”) hereby intervenes in this matter pursuant to General Statutes § 22a-19 and states:

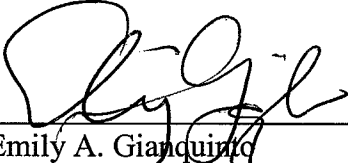
1. FairwindCT is a Connecticut non-profit corporation which is located in Colebrook, Connecticut.
2. FairwindCT is authorized by General Statutes § 22a-19(a) to intervene as a party in this proceeding on the filing of a verified pleading, which statute states, in relevant part:

In any administrative, licensing or other proceeding, and in any judicial review thereof made available by law the Attorney General, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.

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

4. This proceeding involve conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing, or destroying the public trust in the air, water or other natural resources (including acoustic and light) of the state.
5. Wind Prospect will unreasonably impair and/or destroy the public trust in the air surrounding the project and the water in the reservoir adjacent to the proposed site.
6. Wind Prospect will also unreasonably impair and/or destroy the public trust in natural resources by causing the clear cutting of acres of land, disturbing or destroying wetlands and watercourses and the wildlife habitat, and killing birds and bats.
7. The plans submitted to the Siting Council indicate that Wind Prospect will involve Regulated Activities, and BNE has not received or applied for the required permits approving such activities.
8. The Siting Council has authority over BNE's petition for a declaratory ruling under Section 16-50k of the General Statutes and is holding proceedings regarding that petition.

By:

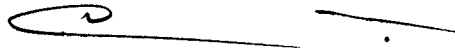
  
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Nicholas J. Harding  
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**VERIFICATION**

I, Joyce Hemingson, being duly sworn, depose and say that I have read the foregoing Notice of Intervention, which amends FairwindCT's Request for Party Status, and that the allegations contained in the Notice of Intervention and the Request for Party Status are true to the best of my knowledge.

By: Joyce Hemingson  
Joyce Hemingson, President, FairwindCT, Inc.

Subscribed and sworn to before me this 4<sup>th</sup> day of February, 2011.



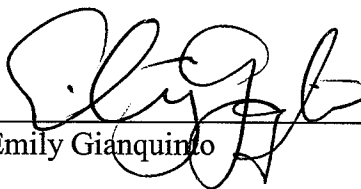
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Notary Public / Commissioner of the Superior Court

My Commission Expires: **CHRISTOPHER ANDERSON**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES OCT. 31, 2013

**CERTIFICATION**

I hereby certify that a copy of the foregoing document was delivered by first-class mail to the following service list on the 7th day of February, 2011:

Carrie L. Larson  
Paul Corey  
Jeffrey J. Tinley  
Hon. Robert J. Chatfield  
Thomas J. Donohue, Jr.  
John R. Morissette  
Christopher R. Bernard  
Joaquina Borges King

  
Emily Gianquinto