



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Daniel F. Caruso

Chairman

DATE: March 17, 2011

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director

LR/AMB

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.

During the evidentiary hearing for the above-referenced matter on March 15, 2011, the Connecticut Siting Council (Council) ruled on the following motions and objections:

- 1. Connecticut Light & Power (CL&P) Motion for Protective Order dated March 8, 2011.**
CL&P's Motion for Protective Order was granted.
- 2. FairwindCT, Inc. (Fairwind) Objection and Motion to Modify BNE Protective Order issued on February 24, 2011, dated March 7, 2011.**
Fairwind's Objection and Motion to Modify BNE Protective Order issued on February 24, 2011 were denied.
- 3. BNE Objection to Save Prospect Corp. (SPC) Pre-Filed Exhibits and Requests for Administrative Notice dated March 14, 2011.**
BNE's Objection to SPC Pre-Filed Exhibits and Requests for Administrative Notice was denied.
- 4. BNE Motions to Strike Pre-Filed Testimony of SPC witnesses, John Ford, John Hurley, Kurt Tramosch, Timothy Reilly, David Pressman and Michael McCann dated March 14, 2011.**
BNE's Motions to Strike the Pre-Filed Testimony of SPC witnesses were denied.
- 5. BNE Objection to Subpoenas dated March 11, 2011 issued by SPC to the Connecticut Clean Energy Fund and Connecticut Innovations dated March 14, 2011.**
BNE's Objection to Subpoenas issued by SPC was denied.

The next evidentiary hearing scheduled for March 31, 2011 shall commence with cross examination of the petitioner by the Town of Prospect. Thereafter, the hearing will continue with the cross examination of the remaining parties and intervenors (Satkunas/LaMontagne, Connecticut Water and CL&P) by the Council, petitioner and other parties and intervenors. Finally, the hearing will conclude with further cross examination of the petitioner by the Council and parties and intervenors. Parties and intervenors have two hours *collectively* remaining for cross examination of the petitioner. Satkunas/LaMontagne, Connecticut Water and CL&P shall have their first opportunity to cross examine the petitioner and any remaining time shall be allotted to SPC/Fairwind/Bibler.

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
Party <i>(granted on 01/06/11)</i> Party <i>(granted 02/08/2011)</i>	<input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail	Save Prospect Corp (SPC) FairwindCT, Inc. P.O. Box 225 Colebrook, CT 06021 (860) 379-6425 info@fairwindct.com	Jeffrey J. Tinley, Esq. Anthony J. Interlandi, 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 Nicholas J. Harding Emily A. Gianquinto Reid and Riege, P.C. One Financial Plaza, 21 st Floor Hartford, CT 06103 (860) 240-1011 (860) 240-1025 nharding@rrlawpc.com egianquinto@rrlawpc.com

LIST OF PARTIES AND INTERVENORS
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Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Intervenor <i>(granted on 02/24/11)</i>	<input checked="" type="checkbox"/> U.S. Mail	<i>Grouped with Save Prospect Corp./FairwindCT, Inc.</i> Eric Bibler 31 Old Hyde Road Weston, CT 06883 (203) 454-7850 (203) 246-2997 – cell ebibler@gmail.com	
Party <i>(granted on 01/20/11)</i>	<input checked="" type="checkbox"/> E-Mail	John and Cheryl Lamontagne 225 New Haven Road Prospect, CT 06712 (203) 509-4158 John.lamontagneconstco.com Thomas and Eileen Satkunas 232 New Haven Road Prospect, CT 06712 (203) 592-1344 Tom.satkunas@snet.net	Thomas J. Donohue, Jr., Esq. Killian & Donohue, LLC 363 Main Street Hartford, CT 06106 (860) 560-1977 (860) 249-6638 tj@kdjlaw.com
Party <i>(granted on 02/24/11)</i>	<input checked="" type="checkbox"/> U.S. Mail	Connecticut Water Company	Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I – 185 Asylum Street Hartford, CT 06103 (860) 240-6000 alord@murthalaw.com Cindy Gaudino Manager Source Protection & Real Estate Connecticut Water Company 93 West Main Street Clinton, CT 06413 (800) 428-3985

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<p>Intervenor <i>(granted on 01/20/11)</i></p>	<p><input checked="" type="checkbox"/> E-Mail</p>	<p>The Connecticut Light and Power Company</p>	<p>John R. Morissette Manager – Transmission Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-2036 (860) 665-6933 fax morisjr@nu.com</p> <p>Christopher R. Bernard Manager, Regulatory Policy (Transmission) The Connecticut Light and Power Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-5967 (860) 665-3314 fax bernacr@nu.com</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 borgej@nu.com</p>