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**
	February 16, 2011

PETITIONER BNE ENERGY INC.'S INTERROGATORY RESPONSES TO SAVE PROSPECT CORP.'S INTERROGATORIES

Petitioner BNE Energy Inc. ("BNE") submits the following responses to interrogatories issued by Save Prospect Corp. ("SPC") dated January 21, 2011:

Q1. Identify BNE's sources of funding, stating the dates and amounts of all loans, grants or other funding.

A1. BNE objects to this interrogatory because the financial records of BNE are irrelevant to this proceeding and economic concerns in general are outside the scope of the Siting Council's jurisdiction as defined by Connecticut General Statutes §§ 16-50g and 16-50k. BNE further objects to this interrogatory because the information sought is confidential business information.

Q2. Provide the name, address, and company name and professional qualifications (or provide a curriculum vitae and/or company profile) for each consultant who conducted field investigations of the site. State the dates, times, nature and duration of all field work conducted by such consultants.

A2. BNE objects to this interrogatory because the information requested has already been provided in BNE's petition, additional filings and pre-filed testimony dated February 16, 2011.

Q3. Provide visibility areas for turbines at 150 meter maximum heights, including the turbine blades, for the winter scenario and including both the graphical representations and calculated areas for each distinct location of visibility and including any supporting graphics, spreadsheets, calculations, notes, and text.

A3. BNE objects to this interrogatory because it is vague and ambiguous. BNE further objects to this interrogatory because the information apparently sought is contained in the visual resource evaluation contained in BNE's petition. *See also* responses to the Council's First Set of Interrogatories dated February 3, 2011.

Q4. Provide the calculations of the various reported percentages attributed to the areas from which the wind turbines are visible and copies of the aerial photographs used in identifying the forested and non-forested areas and copies of the related graphics of the digitized maps indicating which areas were considered to be forested.

A4. BNE objects to this interrogatory because it is vague and ambiguous. BNE further objects to this interrogatory because the information apparently sought is contained in the visual resource evaluation contained in BNE's petition. *See also* response to interrogatory #3 *supra*.

Q5. Provide electronic copies of the exhibits to the visual resources exhibit to the petition and copies of photographs of locations where the turbines will be visible from that were not included in the petition.

A5. BNE objects to this interrogatory because it is vague and ambiguous. BNE further objects to this interrogatory because electronic copies of the visual resources evaluation and exhibits thereto are available in electronic version on the Siting Council's website at www.ct.gov/csc.

Subject to this objection and without waiving the same, BNE notes that, as discussed in the visual resource evaluation (contained in BNE's petition at Exhibit J), as discussed in BNE's interrogatory responses dated February 3, 2011 and as the Siting Council is generally aware from other proceedings, the visual resources evaluation contains representative photosimulations as it is not possible or feasible to submit photosimulations from every location of potential visibility.

Q6. Identify all other sites that were considered and describe the process by which the proposed site was selected.

A6. See BNE's interrogatory response to Siting Council interrogatory Q5 dated February 3, 2011.

Q7. State whether any alternative siting of the turbines on the property was considered or is still under consideration and describe the reasons for the selection of the siting as proposed in the petition.

A7. BNE spent considerable time and resources working to optimize the turbine locations on the property at 178 New Haven Road (the "Property" or the "Site") to maximize renewable electricity production from the wind turbines while minimizing environmental impacts, including wetland impacts and ensuring proper setbacks. BNE was originally targeting to install four GE 2.5 MW wind turbines on the Site. However, BNE worked extensively with VHB, Zapata, West and other members of BNE's team to minimize environmental impacts and to provide for proper setbacks. As a result, the project design and layout were modified numerous times. The number and size of the turbines were reduced, and the turbine locations were moved further down the hill to provide for setback and aesthetic considerations even though the optimal location for electricity production would be at the top of the hill where the Met tower is located and where the property is already cleared. BNE also worked closely with GE to identify the proper locations of the turbines in terms of safety and reliability taking into consideration GE's recommended setbacks. GE conducted a Mechanical Loads Assessment using Site specific wind data that measures numerous factors including wind shear, air density and turbulence intensity to ensure that the turbines will operate safely and reliably on the Site. As a result of extensive study and analysis, BNE determined with considerable input from GE, that two GE 1.6 MW wind turbines may be sited on the Property as proposed. BNE has also made further adjustments to the layout and design in order to address the concerns of the Connecticut Water Company to avoid additional impacts to wetlands and watershed resources. BNE believes that the proposed Project is designed to optimize electricity production while ensuring proper setbacks and minimizing environmental impacts.

Q8. Identify and provide copies of all correspondence with any state or federal agency, town officials and residents regarding the project.

A8. BNE objects to this interrogatory on the basis that the information sought has already been provided in BNE's petition. *See, e.g.*, petition at Exhibit B (SHPO determination of

no adverse effect), Exhibit C (FAA determination of no hazard), Exhibit I (correspondence with DEP). BNE further objects to this interrogatory to the extent that the information sought is irrelevant to this proceeding since all arguably relevant correspondence has been provided. BNE further objects to this interrogatory because it is overly broad and unduly burdensome. BNE further objects to this interrogatory on the basis that the information sought is publicly available.

Q9. State whether all of the studies described in the petition have been completed and identify and describe any ongoing or incomplete studies or environmental assessments of the site.

A9. All of the studies described in BNE's petition are complete. The final Bat Acoustics study is attached to the pre-filed testimony of David Tidhar submitted on February 16, 2011.

Q10. Identify and provide copies of any correspondence with GE, Vesta, or any other manufacturer of turbines.

A10. BNE objects to this interrogatory on the basis that the information sought is irrelevant. BNE further objects to this interrogatory because it is overly broad and unduly burdensome. BNE further objects to this interrogatory on the basis that the information sought is confidential business information.

Q11. If the project is approved, what is the maximum actual installed height of the turbines?

A11. As discussed in BNE's petition, BNE proposes to utilize a 100 meter hub height and up to a 100 meter diameter blade length, making the overall maximum height (when the blade tip is perpendicular to the ground) 492 feet.

Q12. Identify and describe all of the claimed project benefits for the Town of Prospect. With respect to property tax revenues, provide the basis for the calculation of the property tax revenue to be paid to Prospect, the projected tax payment schedule, the projected revenue schedule of the facility, and a useful life estimate for the facility. If the projected property tax payments are based on a projected valuation of the completed site, provide the basis for such valuation, including whether it is based upon any professional evaluation or appraisal, the method of appraisal and the data considered by the appraiser.

A12. BNE objects to this interrogatory on the basis that economic impacts, whether positive or negative, are irrelevant to this proceeding and are outside the scope of the Siting Council's jurisdiction as defined by Connecticut General Statutes §§ 16-50g and 16-50k. *See* objection to interrogatory #1. Subject to this objection and without waiving the same, BNE has provided a detailed description of the benefits of Wind Prospect for illustrative purposes. *See* BNE's response to Siting Council interrogatory Q4 dated February 3, 2011. *See also* the pre-filed testimony of Joel Rinebold submitted on February 16, 2011.

Q13. Provide the exact setback proposed for each turbine location for safety zones, fall zones, abutting property lines, roads, buildings, houses.

A13. BNE objects to this interrogatory because it is vague and ambiguous. Specifically, there is no definition of "safety zones." BNE further objects to this interrogatory because it is overly broad and unduly burdensome. Subject to this objection and without waiving the same, BNE presents the following table:

	NORTHERN TURBINE	**SOUTHERN TURBINE**
Distance to Nearest Property Line	450 feet	225 feet
Distance to Nearest Residential Property Line	765 feet	911 feet
Distance to Nearest Residential Structure	844 feet	1,003 feet
Distance to Route 69	1,020 feet	1,080 feet

Q14. Provide information concerning any analysis, study or investigation you have done concerning the Superfund site abutting the proposed site, the contamination of the ground water at the site or abutting properties, and/or the effect of the proposed project construction and operation On the contamination at the site or abutting properties.

A14. BNE objects to this interrogatory on the basis that it is vague. BNE further objects to this interrogatory on the basis that the information sought is irrelevant. BNE further objects to this interrogatory as the information sought is not in the possession and control of BNE. Specifically, the property that BNE has an option to purchase and access to is located at 178 New Haven Road (the "Site") and is not a Superfund site. BNE does not have access to other private parcels in the vicinity of the Site. Furthermore, BNE is not prohibited from developing the Site based on the purported existence of a Superfund site in the vicinity, just as other parcels of property are developed and currently exist in this area of Prospect. Finally, BNE's Site is not contaminated and the development of Wind Prospect will not have an impact on the Superfund site.

Q15. State in detail the basis for you statement in Volume 1, p. 5, Section C.3 of the Application that BNE has developed a good relationship with the community by pursing a multi-faceted communications approach including "regular discussions with local officials." Provide all documents reflecting or concerning all discussions and meetings with local officials.

A15. BNE objects to this interrogatory because the information sought is irrelevant. BNE further objects to this interrogatory because the information has already been provided. *See* BNE bulk filing submitted on November 17, 2010.

Subject to this objection and without waiving the same, Wind Prospect has been under development for more than four years and the local community has known about them for over two years. In fact, BNE was required to obtain a local approval from the Town of Prospect prior to installing a meteorological (Met) tower on the site in 2008 to measure wind resources and prove that the project is viable. In addition, BNE obtained letters of support from Mayor Chatfield, State Senator Joan Hartley and former State Representative Kevin DelGobbo. These letters of support are attached hereto. BNE has maintained regular communications with local officials providing progress updates since that time to present. Also, as noted in the petition, BNE submitted preliminary information to the Town on October 1, 2010. A copy of this municipal report is included in the bulk filing filed with the petition. At the request of the Mayor of Prospect, BNE and its representatives conducted a public informational presentation for the residents of Prospect on October 18, 2010. The informational meeting was well attended by members of the public. It should be noted that the vast majority of attendees at the informational presentation supported the project. A copy of informational meeting presentation is also

included in the bulk filing. A copy of all letters of support, including the letter of support from the Mayor of Prospect, are attached hereto as Exhibit 1.

Q16. Identify the documents referred to as the informational filing submitted to the Town of Prospect on or about October 1, 2010 and provide a copy of the documents.

A16. The information requested has already been provided. *See* BNE bulk filing submitted on November 17, 2010.

Q17. With respect to the web site http://www.bneenergy.com, provide the date of inception of the website and the date that the information about Wind Prospect was added to the site.

A17. BNE objects to this interrogatory because the information sought is irrelevant.

Q18. With respect to the mailer sent out on or about the week of December 22, state the location and distance of turbines depicted, describe the means by which simulation of turbines was accomplished, and identify the person(s) or entities involved in creating the depictions.

A18. BNE objects to this interrogatory because the information sought is irrelevant. BNE further objects to this interrogatory because the referenced document is not part of the record in this proceeding.

Q19. Identify any consultants you have retained with respect to wetlands issues at the site and describe any analysis, study or investigation they have performed. Describe the plans that are in place or contemplated to protect wetlands within the fall zone or throw zone for ice, blades, oils, chemicals or collapse of the turbine tower.

A19. BNE objects to this interrogatory because the information sought has already been provided. *See* Wetland Impact Analysis contained in BNE's petition at Exhibit I

Subject to this objection and without waiving the same, BNE responds as follows: BNE has retained the services of Vanasse Hangen Brustlin, Inc. (VHB) to delineate wetland resources on the site and evaluate potential impacts resulting from development of the proposed wind energy facility. The results of this evaluation are provided in the *Terrestrial Wildlife Habitat and Wetland Impact Analysis* report provided in Volume 3, Exhibit I of the Petition.

GE wind turbines are extremely safe and reliable. There are over 15,000 1.5 Series wind turbines installed globally. These turbines are considered the work horse of the industry with more units of a single type installed than any other manufacturer. The safety and reliability of GE's 1.5 series wind turbine is excellent. Since the 2007 model year the median turbine availability (The percentage of time the turbine is ready to make power) has been above 97.9% with 2010 model year turbines having a median availability of 99.3%. This high level of availability could not be achieved if turbines were down due to parts breakage or excessive maintenance times. Additionally, if a component fails, or the turbine detects an operational problem related to safety, the control system is designed to automatically bring the turbine to a safe stop minimizing risk or damage to the surrounding area.

Although highly unlikely to occur, a conceptual failure of the structure could result in damage to the vegetation of the nearby wetland habitat. Should this occur, the structure would be properly removed from the wetlands using techniques to minimize the disturbance to wetland vegetation and soils. Disturbances to the microtopography of the wetland would be properly restored to preexisting conditions and native trees, shrubs and herbaceous wetland vegetation would be restored in the disturbed area. Such a disturbance would be considered a temporary wetland impact, although the possibility of such a disturbance is considered extremely remote. In the event of a contaminant release resulting from turbine failure, immediate notifications will be made to the Connecticut Department of Environmental Protection's Emergency Response and Spill Prevention Division and the Connecticut Water Company (CWC).

Potential groundwater contamination resulting from construction activities has been addressed within a letter filed with the Connecticut Siting Council (CSC) in response to discussions with the CWC and will be incorporated into the Development and Management Plan. In summary, the site contractor will be required to adhere to a strict spill prevention plan that will include precautions to contain and properly clean up any inadvertent fuel or petroleum (i.e., oil, hydraulic fluid, etc.) spill due to the project's location in a public water supply watershed. A spill containment kit consisting of a sufficient supply of absorbent pads and absorbent material will be maintained by the site contractor at the construction site throughout the duration of the project. In the unlikely event of a release, immediate notifications will be made to the CTDEP, CWC, CSC and the appropriate local authorities.

Q20. The petition identifies options of class 2 Vesta and Class 3 GE turbines for the site and states that "the applicability of these turbines to the Prospect site must be analyzed before assuming the adoption of these turbines in any additional studies." State whether further investigation or analysis has been conducted and describe all such investigation and analysis.

A20. GE's 1.6 MW wind turbine was selected by BNE after extensive study as the most appropriate wind turbine model for the Site. GE is a Connecticut based company and one of the world's leading wind turbine suppliers with more than 15,000 GE wind turbine installations operating worldwide to provide clean renewable energy. The proposed unit is one of the world's most widely-used wind turbines in its class with operation in 19 countries, 170+ million operating hours and 100,000+ gigawatt-hours (GWh) produced. See BNE's petition. *See also* BNE's response to Siting Council interrogatories Q1, Q2 and Q6 dated February 3, 2011.

Q21. State the reasons for selecting the proposed turbines and in particular the reasons for considering a GE turbine that is less efficient than other turbines.

A21. *See* response to Q20.

Q22. Identify and provide copies of any reports, studies, analyses or investigations conducted by Electric Power Engineers (EPE) in addition to the study that appears in Volume 3 of the petition.

A22. BNE objects to this interrogatory because it is overly broad and unduly burdensome. BNE further objects to this interrogatory because it requests information that is confidential business information and is irrelevant to this proceeding.

Q23. The EPE Report refers at page 2 to Energy Yield Calculations. State whether and how the regional data was considered, the reason that the humidity sensor was not installed on the "met" tower until September 2009, and the reason for choosing New Haven Tweed Metro Station for regional humidity reference of 1.21 against the sample of 1.184.

A23. BNE objects to this interrogatory on the basis that economic impacts resulting from capacity factors, whether positive or negative, are irrelevant to this proceeding and are

outside the scope of the Siting Council's jurisdiction as defined by Connecticut General Statutes §§ 16-50g and 16-50k. *See* objection to interrogatory #1.

Subject to this objection, and without waiving the same, regional reference wind data can be used to determine the air density on the site. As noted in EPE's report, the regional reference air density was utilized for the analysis and was very close to the site calculated air density. New Haven Tweed Airport Metro Station was used for the regional reference air density due to the publicly available information at that location and its relatively close proximity to the Site of less than fifteen miles. However, BNE in consultation with EPE and GE determined that it would be better to install a humidity sensor, in addition to the existing temperature and pressure sensors, on the site to obtain site specific humidity data and thus calculate site specific air density. The humidity sensor was installed in September 2009. The duration of the recorded data was not long enough to be adopted in the energy calculations, and the regional reference continued to be adopted for air density in the analysis underlying the report.

Q24. Provide the data, studies, analyses and conclusions of the wind testing conducted at the site, including wind velocity during the day versus at night, and wind direction and velocity by month.

A24. BNE objects to this interrogatory because it is overly broad and unduly burdensome. BNE further objects to this interrogatory because it is vague and ambiguous. BNE further objects to this information because the information sought is confidential business information. Subject to this objection, and without waiving the same, see EPE's Wind Assessment Report for Prospect, dated April 10, 2010, and filed as an attachment to VHB's Noise Evaluation Report, Exhibit N to the petition.

Q25. The EPE Report states at page 4 that, with respect to rotor spacing, generally four times the rotor diameter is recommended, however for this project, and to site limitations, a smaller spacing was assumed with the understanding of negative impact on turbine power production performance" Identify and describe any study, analysis or investigation of the negative impact on tower production and state whether any sites with comparable spacing of rotors are known to exist.

A25. EPE's Report was completed prior to the determination of the proposed locations of the turbines. Subsequent to the completion of EPE's Report, BNE worked closely with GE to identify the proper locations of the turbines to optimize renewable electricity production from the wind turbines while ensuring proper setbacks. GE conducted a Mechanical Loads Assessment

using Site specific wind data that measures numerous factors including wind shear, air density and turbulence intensity to ensure that the turbines will operate safely and reliably on the Site. The proposed locations of the turbines will not result in any negative impact on turbine power production with respect to rotor spacing.

Q26. In evaluating the impact of the project on wetlands, was the fall height or fall zone of the turbines taken into consideration? If so, describe how it was considered and what measures will be taken to protect wetlands within the fall zone.

A26. *See* response Q19.

Q27. The petition includes a chart tiled "Annual Average Capacity Factor - and Energy Yield Estimates for several turbine types using 14.7 months of measured wind data." The chart includes a footnote which states "This turbine does not meet fall zone requirements from the project boundary, and further investigation is necessary to mitigate this requirement." State the fall zone requirements and blade throw and ice throw distances for each turbine listed or under consideration for this site and identify the source of all such information.

A27. BNE followed GE's recommended setbacks for wind turbines. The document is confidential and being filed pursuant to protective order. See BNE response to Siting Council interrogatory Q31 dated February 16, 2011.

Q28. State whether further investigation has been conducted with respect to fall zone requirements and blade throw and ice throw distances of the turbines listed in the EPE report or any other turbines under consideration for this site. If so, identify the parties conducting the investigation, the methods used, the results of the investigation and all measures considered to address fall zone requirements and blade throw and ice throw distances.

A28. *See* response to Q25.

Q29. Has any analysis been done to consider the financial viability of the proposed facility if turbines that meet the fall zone requirements from the project boundary are used? If so, provide the data and information considered and the results of such analysis.

A29. BNE objects to this interrogatory because the information sought is irrelevant. Specifically, financial concerns and economic impacts are outside the Siting Council's jurisdiction. *See* objection to Interrogatory #1. BNE further objects to this interrogatory because it presumes that the selected turbines as proposed do not meet fall zone requirements. The proposed turbines meet all applicable fall zone requirements. *See* response to Q27.

Q30. The petition states, in Volume 1 - section 7, page 14A (Public Health and Safety), that "the project will meet all applicable safety requirements for construction, operation..." Identify all such applicable safety requirements and the measures that the petitioner proposes to ensure that all such requirements, including but not limited to, safety requirements for the fall zone, blade throw and ice throw zones have been met.

A30. BNE objects to this interrogatory because it is vague and ambiguous. BNE further objects to this interrogatory because it is overly broad and unduly burdensome. The Project was designed to meet GE technical specifications and recommended setbacks. In addition, BNE will comply with applicable safety laws and regulations administered by the Occupational Safety and Health Administration agency, the decision and applicable orders from the Siting Council, and all other applicable building codes and regulations.

Q31. Identify all measures that will be taken to protect wetlands, adjacent properties, buildings, roads, and water resources that are within the fall zone, ice throw zone, or blade throw zone of the turbine towers.

A31. BNE objects to this interrogatory because it is vague and ambiguous. BNE further objects to this interrogatory because it is overly broad and unduly burdensome. BNE further objects to this interrogatory because the information sought has already been provided. *See* Wetland Impact Analysis contained in BNE's petition at Exhibit I. *See also* response to Q19.

Q32. Describe the decommissioning plan for the project, including the sources of funding such a plan. .

A32. BNE objects to this interrogatory because financial considerations and economic concerns are outside the Siting Council's jurisdiction. *See* objection to interrogatory #1.

Subject to this objection and without waiving the same, BNE responds that if the Siting Council requests a decommissioning plan, it will provide one during the anticipated

Development and Management phase of approval. BNE notes that the Siting Council does not require decommissioning bonds.

Q33. Describe BNE's maintenance plan that would ensure proper maintenance of the towers, turbines, blades and other components to mitigate the risk of failures, fires, breaks, collapses and ice throw.

A33. As discussed in the petition, the technology selected is manufactured by GE, one of the world's leading wind turbine suppliers, with over 15,000 GE wind turbine installations operating safely worldwide providing clean, renewable energy. BNE expects to enter into an operations and maintenance agreement with GE to remotely monitor and maintain the turbines. BNE operations and maintenance personnel will also be located on-site to supplement the services provided by GE.

Q34. Has any investigation, study or analysis been undertaken with respect to the effect of the project on property values in the area and the corresponding effect on property tax revenues for the Town of Prospect.

A34. BNE objects to this interrogatory because economic impacts, such as impacts to property values, are outside of the Siting Council's statutory decision-making criteria. *See* objection to interrogatory #1.

Subject to this objection and without waiving the same, generally studies have shown no impact on property values. *See* the extensive property value study attached hereto conducted by the Berkeley National Laboratory titled, "The Impact of Wind Power Projects on Residential Property Values in the United States: A Multi-Site Hedonic Analysis" at http://eetd.lbl.gov/ea/ems/reports/lbnl-2829e.pdf.

Q35. Is BNE prepared to offer any assurances or guarantees with respect to the effect of the project on property values in the area?

A35. *See* objection to interrogatory #34.

Q36. Has BNE undertaken an investigation, study or analysis of shadow flicker study? Why was there no shadow flicker study included with the petition?

A36. *See* Exhibit 3 to BNE's interrogatory responses to the Siting Council dated February 3, 2011.

Q37. What are the distances for which shadow flicker will impact (land) on roads/ property/residences?

A37. *See* Exhibit 3 to BNE's interrogatory responses to the Siting Council dated February 3, 2011.

Q38. Mr. Zupkus has stated at public meetings that shadow flicker will not be an issue in Prospect. Provide the data, analysis, or other basis and source documents that support these statements.

A38. *See* Exhibit 3 to BNE's interrogatory responses to the Siting Council dated February 3, 2011.

Q39. The Project Overview section of the petition states: "The project will meet the annual electric power needs of approximately 25% of the town's residential electric users on average, over the course of the year." Provide the data, analysis, or other basis and source documents that support this statement.

A39. BNE objects to this interrogatory because the information sought is irrelevant.

Subject to this objection and without waiving the same, *see* the pre-filed testimony of Joel Rinebold dated February 16, 2011.

Q40. The Project Overview section of the petition states that the project will produce "numerous economic benefits to the town and the area." State what benefits, aside from projected tax revenues, will be produced for the Town of Prospect and the area and the reasons that you believe such economic benefits will be created.

A40. BNE objects to this interrogatory because the information sought is irrelevant. Specifically, economic considerations are outside the Siting Council's statutory decision-making criteria. *See* objection to interrogatory #1.

Subject to this objection and without waiving the same, refer to BNE's response to Siting Council interrogatory Q4 dated February 3, 2011. *See also* the pre-filed testimony of Joel Rinebold dated February 16, 2011.

Q41. The Project Overview section of the petition states that the project would provide a "reduction of air pollutants when compared to conventional fossil fuel generation." State whether and how this statement takes into account the need for redundant backup generation and the cycling effect of bringing up and powering down fossil fuel plants which serve as primary and backup facilities or are needed to meet peak capacity demands when wind energy is unavailable?

A41. BNE objects to this interrogatory because the information sought is irrelevant. Subject to this objection and without waiving the same, BNE responds as follows the Project would be expected to reduce the operation of conventional fossil fueled generation. When the facility is not operational, energy would be replaced with conventional generation where available from the grid reserve margin; however, no additional redundant backup generation is known to be planned or is expected to be directly needed and dispatched for any cycling effect associated with the placement of the 3.2 MW wind facility. Moreover, the Connecticut State legislature has established the state RPS encouraging the development of up to 20 percent of the State energy supply with renewable energy, fully aware of the characteristics and intermittent nature of renewable energy technology. At 3.2 MW of capacity and projected 8,410 MWH of energy, this load represents 0.0427 percent (3.2/7500 MW) of the state's electric capacity and 0.0263 percent (8410/31,980,000 GWH) of the state's energy demand. This supply of capacity and energy is not expected to be large enough to trigger any significant regional generation load response directly related to the cycling of these wind facilities. Costs at the local level that could result from intermittent facility operation and/or grid operation are being assessed through the interconnection process with switching / protective gear and a transfer trip scheme, and will be borne by BNE.

Q42. The petition states that a 5-mile study area was used to determine percent of area that has visibility. State the visibility percentage within 2640 feet and one mile.

A42. BNE objects to this interrogatory because the information sought has already been provided. *See* BNE petition at Exhibit J and BNE's interrogatory responses dated February 3, 2011 at Exhibit 2.

Q43. Identify and provide all source data and information, calculations, and other information that you considered or relied upon in creating the proposed regulation that BNE presented to the Prospect land use board.

A43. BNE objects to this interrogatory because the information sought is irrelevant and outside the scope of this proceeding.

Q44. Identify any existing wind generating facilities or approved or pending applications for wind generating facilities of which you are aware where the turbine towers are located within 750 feet of the property line of a residential lot or within 850 feet of occupied structures. State the tower heights at such facilities and the manufacturer and model of the turbines used or proposed to be used.

A44. BNE objects to this interrogatory because the information sought is irrelevant. BNE further objects to this interrogatory because the information sought is overly broad and unduly burdensome. BNE further objects to this interrogatory because the information contained therein does not accurately represent the proposal contained in this pending petition. Subject to this objection and without waiving the same BNE presents the following information concerning turbines located in New England:

TURBINE LOCATION	**TURBINE MODEL AND TIP HEIGHT**	**APPROXIMATE DISTANCE TO RESIDENCE**
Phoenix Press Building, 15 James Street, New Haven, Connecticut	Northwind 100 kW wind turbine with a height of 156 feet.	982 feet to nearest residence, 982 feet to school building and immediately adjacent to public recreation areas
Hull Wind Turbine, 180 Main Street, Hull MA	Vestas V47 660 kW wind turbine with a height of 242 feet.	500 feet to nearest structure, 803 feet to nearest residence
Holy Name Central Catholic High School, 140 Granite Street, Worcester, MA	Vestas RRB 600 kW wind turbine with a height of 242 feet	130 feet to school building, 870 feet to nearest residence

Templeton Wind Turbine, 460 Baldwinville Road, Baldwinville, MA	AAER 1.65 MW wind turbine with a height of 383 feet	641 feet to school building
Forbes Park Wind Turbine, 1 Forbes Street, Chelsea, MA	Enertech E48 600 kW wind turbine with a height of 259 feet.	415 feet to nearest residence, 85 residences within 1,000 feet
Portsmouth Abbey School, 285 Cory's Lane, Portsmouth, RI	Vestas V47 660 kW wind turbine with a height of 242 feet.	557 feet to school building, 661 feet to nearest residence
Portsmouth Wind, 120 Education Lane, Portsmouth, RI	AAER 1.5 MW wind turbine with a height of 336 feet.	470 feet to nearest residence, 48 residences within 1,000 feet

Q45. State whether the petitioner has a fire safety or fire extinguishing plan or intends to install a fire extinguishing system. If so, describe the plans and/or systems, including the mechanisms and procedures that would be used to a fire in a turbine mounted on a tower.

A45. GE's 1.6-82.5 turbines have optional automatic fire extinguishers and fire alarms. The turbine control system monitors many temperature inputs and when the inputs reach a predetermined set point, the control system can initiate alarms, and shut down procedures. BNE intends to install automatic fire extinguishers and fire alarms in the turbines. Additional, hand held fire extinguishers will be installed in the turbines and located onsite.

BNE ENERGY INC.

By: /s/ 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 (party request pending)
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

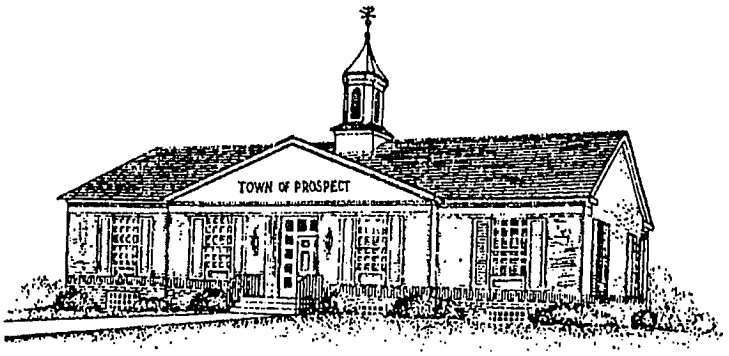
Joaquina Borges King
Senior Counsel
The Connecticut Light & Power Company
P.O. Box 270
Hartford, CT 06141-0270

Nicholas J. Harding
Emily A. Gianquinto
Reid and Riege, P.C.
One Financial Plaza
Hartford, CT 06103

/s/ Carrie L. Larson
Carrie L. Larson

ACTIVE/72955.3/CLARSON/2377302v1

EXHIBIT 1



OFFICE OF THE MAYOR • TOWN OF PROSPECT, CT 06712-1699
ROBERT J. CHATFIELD, MAYOR
758-4461
WWW.TOWNOFPROSPECT.COM

October 7, 2008

Connecticut Clean Energy Fund
Dale A. Hedman
Director – Project Development
200 Corporate Place -3rd Floor
Rocky Hill, CT 06067

Dear Mr. Hedman:

I was very impressed by the presentation of Greg Zupkus on Wind Mills for the south end of Prospect. I see this as a win-win situation because we would be the first green Town in the state and it would benefit our Grand List. Whether the authority is with the Planning and Zoning Commission or the Siting Council for approval is still not clear to me.

Would you please inform us where the nearest Wind Mill Farm is located so the interested parties can meet to view the Wind Mills and discuss the possibilities.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me.

Very truly yours,

Robert J. Chatfield
Mayor

cc: Greg Zupkus

State of Connecticut
SENATE
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

SENATOR JOAN V. HARTLEY
FIFTEENTH DISTRICT

LEGISLATIVE OFFICE BUILDING
ROOM 1800
HARTFORD, CT 06106-1591

CAPITOL: (860) 240-8600
TOLL FREE: 1-800-842-1420
RESIDENCE: (203) 757-6267
FAX: (860) 240-8833
E-MAIL: Hartley@senatedems.ct.gov

CHAIR
HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT COMMITTEE

VICE-CHAIR
APPROPRIATIONS COMMITTEE
INSURANCE AND REAL ESTATE COMMITTEE

MEMBER
LEGISLATIVE MANAGEMENT COMMITTEE

May 19, 2008

Director Dale Hedman
CT Clean Energy Fund
200 Corporate Place, 3rd floor
Rocky Hill, CT 06067

Dear Director Hedman and Members of the Clean Energy Fund:

I write to express my support for the BNE Energy Inc.'s proposal for a wind-power generation project which is currently being considered for pre-development aide funding. As a State Senator representing the 15th district of Waterbury, Prospect and Naugatuck, I have first-handedly witnessed the chilling effects of the spiraling energy costs of Connecticut families and businesses alike. Everyday manufacturers throughout the Naugatuck Valley are faced with having to choose between shutting down their machinery, which in turn diminishes their production and incurring unsustainable energy expenses. Families and most especially senior citizens have increasingly had to choose between heating their homes and purchasing food or medicine; bleak choices without a doubt.

That we need to develop clean renewable and affordable energy sources is universally understood. But the inherent intent of the legislation was not only to increase the volume of energy generation as well as to increase the mix of renewable energy sources. BNE being a wind generation proposal would not only be an additional clean renewable energy generator but would also help to diversify Connecticut's clean energy portfolio mix.

I would like to recognize and thank the Connecticut Clean Energy Fund for the important and critical work that it is charged with and I would like to add my unequivocal support to BNE wind generation project.

Sincerely,

Joan V. Hartley

Joan V. Hartley
Deputy President Pro Tempore
15th District

State of Connecticut

HOUSE OF REPRESENTATIVES

STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE KEVIN M. DELGOBBO
SEVENTIETH DISTRICT

83 MEADOW STREET
NAUGATUCK, CONNECTICUT 06770

HOME: 203-720-7503
CAPITOL: 1-800-842-1423
860-240-8700
EMAIL: Kevin.DelGobbo@po.state.ct.us

May 16, 2008

Dear Members of the Connecticut Clean Energy Fund,

I wish to express my enthusiastic support and endorsement of BNE Energy Inc.'s wind powered generation proposals which are before you for consideration.

I have had the opportunity to review the broad parameters of their submission and firmly believe them to be particularly worthy of **Pre-Development Program** designation and award. As one of the principle co-authors of the legislation under which this program exists, I view this submission as entirely in keeping with the spirit and explicit intent that the General Assembly had in mind when authorizing funding for this program.

I appreciate that you will receive numerous proposals for review offering different renewable technologies and scenarios of benefit in terms of apparent cost, timeliness of construction, and location, to name but a few of the criteria under which you evaluate.

It is my strident belief however that their proposals represent a critical component of the overall generation mix. Their status as wind powered generation facilities makes them a particularly exciting and vital part of what I hope will be a diversified portfolio of renewable assets that you will ultimately approve and support.

Respectfully yours,

Kevin M. DelGobbo
State Representative
Member, Energy and Technology Cmte.

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