

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**Petition of BNE Energy Inc. for a
Declaratory Ruling for the Location,
Construction and Operation of a 4.8 MW
Wind Renewable Generating Project on
Flagg Hill Road in Colebrook,
Connecticut (“Wind Colebrook South”)**

Petition No. 983

March 15, 2011

**PETITIONER BNE ENERGY INC.’S INTERROGATORY RESPONSES
TO ROBIN L. HIRTLE’S INTERROGATORIES**

Petitioner BNE Energy Inc. (“BNE”) submits the following response to the Interrogatories issued by Robin Hirtle dated March 7, 2011:

Q1. As to the roadway depicted on your site plans, Petition Vol. II, Exhibit F, pages C-002 and following, providing access to the site on which the three proposed wind towers are to be placed, please describe when it is scheduled to be substantially completed so as to be available for travel.

A1. Just as with any construction project on undeveloped land, the first item for construction will be the roadway so that construction vehicles can access the Property. BNE is targeting the first half of 2012 for the Project to begin commercial operations.

Q2. Please describe how you intend you access the site prior to the time the roadway depicted on your site plans, Petition Vol. II, Exhibit F, pages C-002 and following, is substantially completed and ready for travel.

A2. See response to interrogatory #1.

Q3. At the Town of Colebrook Zoning Board of Appeals public hearing on February 4, 2009 regarding the permit for the “MET” test tower at 29 Flagg Hill Road, Colebrook, BNE presented a map or survey entitled “Site Plan prepared for BNE Energy, Inc., 29 Flagg Hill Road Date 11/6/08” drafted by Connecticut Consulting Engineers, LLC, of Meriden, CT. Please describe why BNE did not utilize the access roadway depicted on that survey as an “Existing Access Road” for access to the MET test tower.

A3. BNE objects to this interrogatory because the information requested is irrelevant to this proceeding.

Q4. Please provide the visibility areas for the maximum heights of your proposed wind turbine towers, including the turbine blades, as related to visibility from the home of Robin L. Hirtle at 29-A Flagg Hill Road.

A4. BNE objects to this interrogatory because the requested information has already been made available in BNE’s petition at Exhibit J. Subject to this objection and without

waiving the same, BNE responds as follows: the 100 meter hub will be visible from approximately .8 acres of the property at 29-A Flagg Hill Road and the 100 meter hub with the 41.25 blade will be visible from approximately 1.19 acres of the property at 29-A Flagg Hill Road.

Q5. Please provide copies of the calculations of these visibility readings.

A5. BNE objects to this interrogatory because it is vague and ambiguous. Subject to this objection and without waiving the same, see response to interrogatory #4.

Q6. Please describe any specific actions BNE will take to minimize the visual (including but not limited to flicker effect), auditory, traffic, safety and other impacts of the proposed operation of this project on the property of Robin L. Hirtle at 29-A Flagg Hill Road.

A6. BNE has gone to great lengths in choosing the locations for the turbines at the Property in order to reduce visual impacts to the surrounding area. The three wind turbines proposed by BNE will be located in a heavily wooded area on 80 acres, adjacent to hundreds of acres of conservation property and a gun club. While there are a few homes near the project, BNE has provided for appropriate setbacks from residential properties to ensure safe and reliable operations and comply with applicable laws.

Q7. Are any wetlands assessments of the property ongoing? If so, please describe each ongoing wetlands assessment, provide an estimated date of completion, and identify BNE's plans for remediation or retention of wetland on the site.

A7. BNE objects to this interrogatory because it is vague and ambiguous. Subject to this objection and without waiving the same, BNE has completed a wetlands impact analysis of the Property. See petition 983 at Exhibit I

Q8. Since 2008, has any representative of BNE communicated — orally, in writing, via email or other electronic communication or otherwise — with any Colebrook Inland-Wetlands Commission member regarding this project? If so, please provide the approximate type and date of each communication, the name of the BNE representative involved and the Colebrook Inland-Wetlands Commission member involved.

A8. BNE objects to this interrogatory because the information sought is irrelevant to this proceeding.

Q9. Please provide the distance from each turbine as depicted on your site plans, Petition Vol. II, Exhibit F, pages C-002 and following, to the property line and to the home of Robin L. Hirtle at 29-A Flagg Hill Road.

A9. The three turbines are approximately 760 feet, 935 feet and 1,900 feet from the property line of 29-A Flagg Hill Road. The three turbines are approximately 985 feet, 1,055 feet and 2,040 feet from the residential structure at 29-A Flagg Hill Road.

Q10. Please provide the distance from the proposed “Facility Support Building” as depicted on your site plans, Petition Vol. II, Exhibit F, pages C-002 and following, to the property line and to the home of Robin L. Hirtle at 29-A Flagg Hill Road.

A10. The facility support building is approximately 330 feet from the property line of 29-A Flagg Hill Road and 560 feet from the residential structure at 29-A Flagg Hill Road.

Q11. Please provide the distance from the point in the access road, as depicted on your site plans, Petition Vol. II, Exhibit F, pages C-002 and following, which is nearest to the property line and to the home of Robin L. Hirtle at 29-A Flagg Hill Road.

A11. The new access road will be, at its closet, approximately 102 feet from the nearest property line to 29-A Flagg Hill Road and approximately 225 feet from the residential structure on that same property.

Q12. Please provide the dates representative(s) from Zapata, Inc. visited the site to perform field work in preparation for developing the documents which support the petition. Please identify by name the Zapata representative(s) who visited the site, the dates of the visit(s) and the length of time the representative(s) were on site.

A12. BNE objects to this interrogatory because the information sought is irrelevant to this proceeding. Subject to this objection and without waiving the same, BNE responds as follows: see pre-filed testimony of Melvin Cline.

BNE ENERGY INC.

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Certification

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

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