

**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 16, 2011**

**PETITIONER BNE ENERGY INC.’S  
OBJECTION TO NOTICE OF INTERVENTION**

Petitioner BNE Energy Inc. (“BNE”) hereby objects to the Notice of Intervention filed in the above-referenced proceeding on March 14, 2011 by Ms. Brandy Grant of 12B Greenwoods Turnpike, Colebrook. BNE objects to Ms. Grant’s request for intervention for the following reasons:

1. As Ms. Grant correctly points out, current Connecticut law entitles “any person . . . [to] intervene as a party [in an administrative proceeding] 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.” Conn. Gen. Stat. § 22a-19. Ms. Grant’s Notice of Intervention is not verified by a witness to the above-captioned proceeding and therefore does not constitute a verified pleading. For this reason alone, Ms. Grant’s request for intervention as a party pursuant to Conn. Gen. Stat. § 22a-19 must be denied.

2. Ms. Grant further claims that she is authorized to intervene in this proceeding pursuant to Conn. Gen. Stat. § 19a-20. This provision of the General Statutes provides that members of medical boards and commissions are not personally liable for damages. This provision is wholly inapplicable to proceedings before the Siting Council and clearly does not provide any independent right of intervention as a party in a Siting Council proceeding.

Ms. Grant’s Notice of Intervention fails to comply with explicit statutory requirements for intervention pursuant to Conn. Gen. Stat. § 22a-19 and no independent ground for intervention exists. As such, BNE respectfully requests that the Siting Council deny Ms. Grant’s request for intervention as a party to this proceeding pursuant to Conn. Gen. Stat. § 22a-19.

Respectfully Submitted,

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.

Richard Roznoy  
11 School Street  
P. O. Box 850  
East Granby, CT 06026

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

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

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

Joaquina Borges King (*electronic format only*)  
Senior Counsel  
The Connecticut Light & Power Company  
P.O. Box 270  
Hartford, CT 06141-0270

Thomas D. McKeon  
First Selectman  
Town of Colebrook  
P.O. Box 5  
Colebrook, CT 06021

David R. Lawrence MD  
Jeannie Lemelin LPN  
30 Flagg Hill Road  
Colebrook, CT 06021

David M. Cusick  
Howd, Lavieri & Finch, LLP  
682 Main Street  
Winsted, CT 06098

Walter M. Zima  
Brandy Grant  
12B Greenwood Turnpike  
Winsted, CT 06098

Eva Villanova  
134 Forest Avenue  
Winsted, CT 06098

/s/ Carrie L. Larson  
Carrie L. Larson

ACTIVE/72955.2/BHEIPLE/2409361v1