

**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 CEPA Intervention filed in the above-referenced proceeding on March 3, 2011 by Ms. Robin Hirtle of 29-A Flagg Hill Road, Colebrook.

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. Hirtle’s Notice of CEPA Intervention is not verified by a witness to the above-captioned proceeding and therefore does not constitute a verified pleading. Therefore, this request for intervention as a party pursuant to Conn. Gen. Stat. § 22a-19 must be denied.

Ms. Hirtle’s Notice of CEPA Intervention fails to comply with explicit statutory requirements for intervention pursuant to Conn. Gen. Stat. § 22a-19. As such, BNE respectfully requests that the Siting Council deny Ms. Hirtle’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

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