

**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 Kristin M. Mow and Benjamin C. Mow of 12A Greenwoods Turnpike, 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. The Mows’ 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.

The Mows’ 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 this request for intervention as a party to this proceeding pursuant to Conn. Gen. Stat. § 22a-19.

Respectfully Submitted,

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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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