

**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

and

**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
Winsted-Norfolk Road (Route 44) in Colebrook,
Connecticut**

Petition No. 984

March 28, 2011

NOTICE OF ELECTION NOT TO BE MEMBERS OF A GROUP

Robin L. Hirtle, a Party in Petition No. 983; and Kristin M. Mow and Benjamin C. Mow, Parties in Petitions No. 983 and 984 hereby provide notice, pursuant to Conn. General Statutes § 16-50n(c) that they are electing not to be members of a “group” designated by the Connecticut Siting Council (“Council”) in these proceedings:

1. At its meeting on March 17, 2011 the Council voted to group Robin Hirtle, David Lawrence and Jeannie Lemelin, Benjamin and Kristin Mow, Walter Zima and Brandy Grant, and Eva Villanova on the basis that all of those parties have the same interests.

2. Conn. General Statutes § 16-50n(c) provides, in relevant part (emphasis added):

The council in its discretion may provide for the grouping of parties and intervenors with the same interests. ... **Notwithstanding the provisions of this subsection, any party or intervenor who has been included in a group may, at any time by oral or written notice to the council, elect not to be a member of the group to the extent specified in such notice.**

3. Robin L. Hirtle, Kristin M. Mow and Benjamin C. Mow (the Mows) hereby provide such notice that they are electing not to be a member of the “Group” with David Lawrence and Jeannie Lemelin, Walter Zima and Brandy Grant, and Eva Villanova.

4. Ms Hirtle and the Mows make this election because (1) the undersigned represents only the interests of Ms Hirtle and the Mows; (2) the undersigned does not represent David Lawrence and Jeannie Lemelin, Walter Zima and Brandy Grant, and Eva Villanova; and (3) the interests of Ms Hirtle and the Mows are particular to them and are not identical to the interests of the other Parties in the “Group.”

5. This election is also being made because the scheduled hearings and the participation of the undersigned in the scheduled hearings for these petitions must be addressed due to the availability of the undersigned, for which the interests of David Lawrence and Jeannie Lemelin, Walter Zima and Brandy Grant, and Eva Villanova should not be adversely affected.

6. Accordingly, Ms Hirtle and the Mows hereby elect not to be a member of the previously-identified “Group” but are agreeable to being grouped together amongst themselves for purposes of these petitions.

Respectfully Submitted,
ROBIN L. HIRTLE,
KRISTIN M. MOW and BENJAMIN C. MOW

BY: _____ /s/ RTR
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C E R T I F I C A T I O N

I hereby certify that a copy of the foregoing document was sent by U.S. mail and via email/electronic service to the following service list on this the 28th day of the month of March 2011 :

Carrie L. Larson
Paul Corey
Emily A. Gianquinto
Nicholas J. Harding
Thomas D. McKeon
David M. Cusick
John R. Morissette
Christopher R. Bernard
Joaquina Borges King
David R. Lawrence and Jeannie Lemelin
Walter M. Zima and Brandy Grant
Eva Villanova

/s/ RTR

Richard T. Roznoy
Commissioner of the Superior Court