

**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
Winsted-Norfolk Road in Colebrook,
Connecticut (“Wind Colebrook North”)**

Petition No. 984

February 23, 2011

**FAIRWINDCT, INC.’S AMENDED
FIRST SET OF INTERROGATORIES TO BNE ENERGY INC.**

FairwindCT, Inc. (“FairwindCT”) requests that the petitioner, BNE Energy Inc. (“BNE”) respond to the following interrogatories:

1. Please provide the GPS coordinates of each proposed turbine location.
2. Please provide the approximate date on which you or your representatives first informed members of the Siting Council and/or its staff that you would be seeking the Council’s approval for this project.
3. Please provide a copy of any Mechanical Loads Assessment conducted by GE regarding this project.
4. How many wind turbine projects in the Northeast that are presently operating have annual capacity factors of approximately 30 percent? Please identify those projects by location, number of turbines and type of turbines (size and model).
5. How many wind turbine projects in the United States that are presently operating have annual capacity factors of approximately 30 percent? Please identify those projects by location, number of turbines and type of turbines (size and model).
6. Your petition states that this project will create “numerous” jobs. Please provide the specific number of jobs that will be created by this project.

7. On February 3, 2011, Mr. Corey testified at a hearing before the Energy and Technology Committee of the Connecticut legislature and stated that GE has “lots of rules” regarding setbacks that BNE has followed. Please provide copies of those rules.

8. The “Wind Assessment” included in the petition is only a summary of data collected from the meteorological tower on the Site. Please provide the raw data upon which the summary assessment relies, in native electronic format.

9. When did you create the website “Green Colebrook” (<http://greencolebrook.com>)?

10. When did you create the Facebook group “Green Colebrook”?

11. Please provide the visibility areas for the 150 meter maximum heights, including the turbine blades, for the seasonal (winter) scenario (both the graphical representations and the calculated areas).

12. Please provide the calculated areas for each distinct location of visibility, including any supporting graphics, spreadsheets, calculations, notes, text.

13. Please provide copies of the calculations of the various reported percentages attributed to the areas from which the wind turbines are visible.

14. Please provide electronic copies of the aerial photographs used in identifying the forested and non-forested areas.

15. Please provide hard copies of the related graphics of the hand-digitized maps indicating which areas were considered to be forested.

16. Please provide electronic copies of all exhibits to the visual resources exhibit to the petition (Exhibit J).

17. Please provide electronic copies of photographs of locations where the turbines will be visible from that were taken by your consultants and/or agents but not included in the petition.

18. Please provide copies of all correspondence with any state and/or federal agency regarding the project, including but not limited to the Connecticut Clean Energy Fund and the U.S. Department of Energy.

19. What other properties were considered for this project? How was this Site selected?

20. What alternative siting of the turbines on the Site was considered?

21. Have your consultants completed the final version of your bat study? If so, please provide a copy. If not, when will that study be completed?

22. Are any environmental assessments of the property ongoing? If so, please describe each ongoing assessment and provide an estimated date of completion.

23. Please provide copies of all correspondence with GE about this project.

24. Have you signed any contract with GE regarding the use of its turbines on the Site? If so, please provide a copy of that contract.

25. If this project is approved, is there a possibility that the turbines installed will be taller than 100 meters?

26. Please provide copies of all written communications with town officials and residents about this project.

27. Please describe any verbal communications with town officials and residents about this project. For each such communication, please include the names of people involved,

any witnesses to the communication, the approximate date of such communication and the general content of the communication.

28. Do you have contracts or other agreements with any property owners in Colebrook regarding this project besides David Battistoni and/or Rock Hall Associates, LLC? If so, please identify those property owners by name and address.

29. Is BNE Energy Inc. the contracting entity for all contracts or agreements with property owners concerning this project? If not, please provide the name of the contracting entity for each such agreement.

30. What corporate entity will own this project if it gets built?

31. Since 2008, has any representative of BNE spoken at any Colebrook Selectmen meetings, Colebrook Planning & Zoning Commission meetings, Colebrook Inland-Wetlands Commission meetings, Colebrook Conservation Commission meetings or meetings of the Town of Colebrook? If so, please provide the approximate date of each meeting and the name of the BNE representative in attendance.

32. Please describe all efforts you have taken to show the State Historic Preservation Office (also known as the Historic Preservation and Museum Division of the Connecticut Commission on Culture & Tourism) that there will be no adverse effect on Rock Hall.

33. Please provide copies of all correspondence with any representative of the State Historic Preservation Office (also known as the Historic Preservation and Museum Division of the Connecticut Commission on Culture & Tourism).

34. Have you been in contact with the U.S. Department of Energy regarding his project? If so, please provide copies of all correspondence with the U.S. Department of Energy.

35. Have you been in contact with the federal preservation officer at the U.S. Department of Energy regarding this project? If so, please provide copies of all correspondence with the U.S. Department of Energy.

36. Please identify all sources of funding for this project.

37. Will this project require blasting? If so, please describe the expected nature of the blasting.

38. Please provide the distance from each turbine to each abutting property line and home, identifying the property line and homes by either name of the property owner or by address.

39. Please provide the distance from each turbine to Flagg Hill Road, Winsted-Norfolk Road, Rock Hall Road, Beckley Road, Greenwoods Turnpike, and Beckley Bog.

40. How did you measure the wind speed at 100 meters, since your met tower was only 60 meters high? Please describe your methodology and provide copies of any calculations used.

41. How many days of wind data did you collect at this Site?

42. Of the days on which you collected wind data at the Site, how many days had wind speeds lower than 3.5 m/s? How many days had wind speeds higher than 25 m/s?

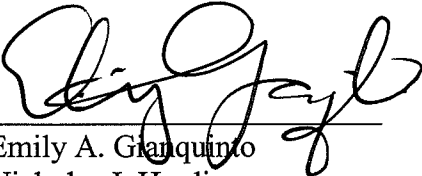
43. Have you received FAA approval for your proposed larger turbine size? If so, please provide a copy of that approval and any related correspondence.

44. On pages 27-28 of the petition, you state that this project complies with the Town of Colebrook's noise ordinance. Please provide a copy of this noise ordinance.

45. Did Zapata, Inc. ever spend time at the Site? If so, please provide the name of the Zapata representative who visited the Site, the dates of the visit(s) and the length of time the representative was on Site.

46. The "Wind Assessment" included in the petition references "fall zone requirements." Please define that term.

By:



Emily A. Gianquinto
Nicholas J. Harding
Reid and Riege, P.C.
One Financial Plaza, 21st Floor
Hartford, CT 06103
Tel. (860) 278-1150
Fax. (860) 240-1002

CERTIFICATION

I hereby certify that a copy of the foregoing document was sent by U.S. mail to the following service list on the 23rd day of February, 2011:

Carrie L. Larson
Paul Corey
John R. Morissette
Christopher R. Bernard
Joaquina Borges King
Thomas D. McKeon
David M. Cusick
Richard T. Roznoy
Kristin M. and Benjamin C. Mow
David R. Lawrence and Jeannie Lemelin
Walter M. Zima


Emily Gianchino