PETITION OF LSE PICTOR LLC ("LODESTAR ENERGY") FOR A DECLARATORY RULING THAT NO CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED IS REQUIRED FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A 1.99 MW AC SOLAR PHOTOVOLTAIC FACILITY IN WINCHESTER, CONNECTICUT

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STATE OF CONNECTICUT SITING COUNCIL

PETITION OF LSE PICTOR LLC FOR A DECLARATORY RULING THAT NO CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED IS REQUIRED FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A 1.99 MW AC SOLAR PHOTOVOLTAIC FACILITY IN WINCHESTER, CONNECTICUT

PETITION NO. _____

March 27, 2020

I. INTRODUCTION

Pursuant to Conn. Gen. Stat.§§ 4-176 and 16-50k(a) and Conn. Agencies Regs.§ 16- 50j-38 *et seq.,* LSE Pictor LLC, a Connecticut limited liability company ("Lodestar" or "Petitioner") requests that the Connecticut Siting Council ("Council") approve by declaratory ruling the location, construction, operation, and maintenance of a solar photovoltaic facility capable of up to 1.99 MW AC, and associated equipment ("Project") consisting of approximately 13.6 acres (inclusive of all of solar panels, transformers, electrical switchgear, monitoring equipment and access roadways) to be constructed on an approximately 104 acre parcel located at Platt Hill Road, Winchester, Connecticut, also known as assessor's Map 43, Block 154, Lots 4-24 (the "Project Site"). The Project Site is currently undeveloped.

Conn. Gen. Stat. § 16-50k(a) provides:

> Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling... the construction or location of any customer-side distributed resources Project or facility or grid-side distributed resources Project or facility with a capacity of not more than sixty-five megawatts, as long as such Project meets air and water quality standards of the Department of Energy and Environmental Protection.

As discussed in this petition, the Petitioner's goal is to design an environmentally compatible Project that produces the maximum amount of energy while avoiding and minimizing adverse environmental impacts. Based on the evaluation presented in this report, the Project will not have a substantial adverse environmental impact to the immediate and surrounding area. Accordingly, the construction, operation, and maintenance of the Project satisfies the criteria of Conn. Gen. Stat. § l6-50k(a).

II. PETITIONER

Lodestar is a Connecticut-based limited liability company that develops renewable energy projects in Connecticut and New England. Lodestar's principal place of business is located in Avon, Connecticut at 40 Tower Lane, Suite 201. Lodestar will lead the Project development, construction and financing and will be the long-term owner and operator of the Project. Lodestar's team has worked with utilities, school districts, cities, housing authorities, counties, Fortune 500 companies, private businesses, commercial and industrial clients and many others to develop more than five hundred (500) MW of solar projects with a value of more than $1 billion across North America including four (4) operating projects in Connecticut and one (1) additional project under construction pursuant to Council Petition #1380.[1]

Please address all correspondence and/or communications regarding this Petition to:

Carrie Larson Ortolano, Esq.
Associate General Counsel
Lodestar Energy LLC
40 Tower Lane, Suite 201
Avon, CT 06001
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Please also provide a copy of all such correspondence and/or communications to:

Jeffrey J. Macel
Principal
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III. PROPOSED PROJECT

A. PROJECT BACKGROUND

In developing this Project, the Petitioner has taken into account the State's energy policy and goals to "develop and utilize renewable energy resources, such as solar and wind energy, to the maximum practicable extent." Conn. Gen. Stat. § 16a-35k. As a solar development, the proposed Project is considered a Class I renewable energy source under Conn. Gen. Stat. § 16-1(a)(26). Through Public Act 11-80, the Connecticut Light and Power Company ("Eversource"), *inter alia*, was required to procure class I renewable energy credits (RECs) to reach Connecticut's renewal energy goals and established the Low and Zero Emissions Renewable Energy Credit Program ("LREC"). The proposed Project was submitted into the state-wide competitive LREC/ZREC solicitation and granted an award from Eversource on July 26, 2019. In addition, the Project will be subject to a virtual net metering agreement(s) with the towns of Winchester and Windsor ("VNM") providing discounted net metering credits and savings of over $1.5 million across the life of the Project. The VNM agreements related to the Project are being negotiated with both towns.

B. SITE SELECTION

The Company utilized its internal expertise and that of outside consultants and industry leaders to base its site selection for the Project on a detailed evaluation of the following key criteria:

- Site suitability (size, topography, and apparent lack of biological and hydrological conflicts in initial fatal flaw screening);

- Site availability;

- Proximity of existing electrical infrastructure and the approval to interconnect to this infrastructure from EDC; and

- Utilization of the existing and previously proposed access road and infrastructure related to the abandoned subdivision project on the Site.

After performing an initial Site evaluation, the Company began a preliminary design of a Site layout that would best avoid or minimize any potential negative environmental impacts. The Project Site is the subject of a previously-approved subdivision approval for twenty-four (24) residences; however, this project was never constructed. Upon approval of the Project, the Petitioner will enter into a lease for approximately 13.6 acres of the 104-acre Site. The Company has designed the Project to minimize the clearing required for the Project and preserve as much of the Site as possible from any future development. In furtherance of that goal, Petitioner will, in the process of developing the Site, work with the Site owner to donate seventy-five (75) acres of the Site to the Winchester Land Trust, which donation will be completed upon approval of this Project and commencement of the Site lease.

The Company performed significant public outreach with Town leadership and administration including attending in-person meetings on November 15, 2019, January 6, 2020 and February 12, 2020. As noted above, the Petitioner is actively negotiating a virtual net metering credit agreement with the Town of Winchester so that the Towns of Winchester and Windsor can save over $1.5 million from the Project. During the site selection and evaluation process, Lodestar has retained the following consultants to assist in the evaluation and design of the Project:

- Trinkaus Engineering LLC– civil engineering/land surveying/planning
- JMM Wetland Consulting Services, LLC – wetlands delineation and impact analysis
- Environmental Land Solutions – habitat review and assessment
- RBI Solar – geotechnical and solar design services
- Anchor Engineering Services – phase I environmental site assessment
- D&E – mechanical engineering and design
- CES – electrical engineering and testing
- ArcDesign – interconnection design and medium voltage analysis

C. PROPERTY DESCRIPTION

The Project will occupy approximately 13.6 acres of the entire 104 acre parcel located on the east side of Platt Hill Road. A vicinity map is included in Exhibit 1. The property is owned by Trade Wind Farms, LLC (the "Landowner") and is currently undeveloped. The property is partially wooded and was subject to a selective timber harvest in 2006. Property uses in the immediate vicinity consist of residential properties and undeveloped properties, several of which are owned by the State of Connecticut. Exhibit 1 includes the vicinity and land use maps which depicts the surrounding land uses within one-half mile of the Project Site based on the Town of Winchester's zoning map and regulations.

The Project Site is located in the central portion of the parcel. The Project Site will be accessible from Platt Hill Road via a newly installed gravel driveway, which is in the same location of the access road for the previously-approved subdivision plan. *See* Exhibit 1. The Petitioner currently holds an option on the Project Site.

D. PROJECT DESCRIPTION

If this Project is approved by the Siting Council, Lodestar will exercise its option lease the Site and will proceed to construct, operate, and maintain the solar facility at the Project Site. The Project will involve the construction of approximately 8 acres of ground-mounted solar photovoltaic panels and related improvements. The work will include clearing and grubbing (5.36 acres), construction of the access road; layout and placement of foundation systems, racking, approximately 7,908 solar PV panels and 16 x 125k Watt inverters; installation of utility pads and associated electrical equipment; installation of electrical conduit, conduit supports, electrical poles, and overhead wire; installation of a transmission line and associated transmission line tap and installation of security fencing. The new twelve (12) foot wide gravel access road will be located off of Platt Hill Road and is designed to minimize any potential visual impact of the Project from Platt Hill Road. The new access drive will be designed in accordance with local requirements to accommodate emergency vehicles and fire trucks. The security fence will completely enclose the PV facilities and will consist of a seven and one half (7.5) foot chain-link ballasted fence with gated access.

The PV panels will be mounted on a driven post racking system at a 25 degree fixed tilt facing due south. Inverters will be mounted on a concrete pad to the west of the array. The maximum height of the panels will be approximately eleven (11) feet. The image below is an example of the type of panels and racking system that will be utilized.

Construction of the Project will require approximately 1,876 trees six (6) inches in diameter or greater to be removed as well as to maximize the electrical production of the system. At the end

of the operational life of the Project, the Company will remove all equipment (*e.g*. racking system, panels, inverters, electrical collection system, equipment pads, etc.) from the Project Site.

The Company will install the Project in the area shown on the Site Plans in Exhibit 1. The image below is an example of a similar solar array field installed by the Company.

The Project construction period is estimated to take approximately 3-4 months from issuance of all required permits. Subject to regulatory approval, Petitioners anticipate commencing construction in the Fall of 2020.

Project Schedule:

Task	Duration
Mobilization and site preparation	2 weeks
Civil work: road construction, tree clearing, grading	2 weeks
Racking, panel & electrical installation	8 weeks
Interconnection and medium voltage	3 weeks
System testing	1 week
Approvals & commissioning	2 weeks

E. UTILITIES AND INTERCONNECTION

Lodestar proposes interconnecting the Project to an existing 23 kV overhead circuit that runs along Platt Hill Road, which is part of Eversource's distribution system. The existing electrical

infrastructure was one of the key reasons the Project was sited here. Petitioner has already completed an interconnection application pending finalization. Completion of the interconnection study and impact study has resulted in the execution of an interconnection services agreement, which will allow the Project to interconnect in the manner set forth above. The interconnection services agreement is pending finalization between the Petitioner and Eversource and will enable the Project to interconnect to the distribution system to deliver the electricity produced at the Site. The Project will be approved to interconnect by Eversource upon execution of the interconnection agreement.

The interconnection will require the installation of three (3) new poles extending from the existing utility pole, located on the west side of Platt Hill Road at the entrance to the access road, to the array location on the east side of the Project Site. Eversource will own and install a load break on the first new pole, a pole-mounted recloser on the second new pole, and an overhead primary metering cluster on the third new pole. The point of common coupling will be on the load side of the primary metering cluster. The extension will follow the path of the access road with poles installed adjacent to the access road on its east side. The Company will install a riser pole with a load break and fuse cutouts and will direct the interconnection circuit underground. The Company will install an underground 3-phase 23 kV line running approximately nine hundred (900) feet from the point of common coupling/riser pole to the pad mounted switchgear at the array location. This is exactly the same process and configuration that has been used on Company's previous projects in other locations across Connecticut.

F. LOCAL INPUT & NOTICE

The Company has actively sought input and approval from the Town of Winchester throughout the planning and development of this Project, and remains committed to providing the Town with

as much information regarding the Project as possible. In support of this goal, the Company attended in-person meetings on:

- November 15, 2019 with the Town manager and Town planner;
- January 6, 2020 presentation to the Mayor, Town manager, Town department of public works personnel and abutting property owners;
- February 12, 2020 meeting with Town manager, Town director of finance and director of public works.

Additionally, as required by the Regulations of Connecticut State Agencies § 16-50j-40(a), the Company provided notice of this petition to all required persons and appropriate municipal officials and governmental agencies. Attached as Exhibits 6 and 7 are copies of the certifications of service to abutters and required officials respectively.

IV. EQUIPMENT AND ENERGY PRODUCTION

The design of the Project focuses on maximizing the efficiency of the system based on existing conditions of the Project Site and local weather patterns. The array layout is a rhombic format with setbacks from east, west and southern forests that cause shading. Within this layout, approximately 7,908 photovoltaic modules will be installed at a 25 degree fixed tilt with an azimuth of 180 degrees due south. The racking configuration will mount two modules on top of one another in a longitudinal format achieving a maximum height of approximately eleven (11) feet. The photovoltaic array will feed sixteen (16) Sungrow Model SG125HV 600 Volt inverters with one unit de-rated to 124kVA, for a total output of 1.99MW AC.

Eversource reviewed the Project's designed output during their system impact study process which is identical to the electrical design of previous projects (Suffield (Petition #1159), Norcap North (East Windsor), and Norcap South (East Windsor) (Petition #1294 & #1295) and Enfield

(Petition #1380). Eversource determined that the distribution circuit 29J1 located to the east of the Site on Platt Hill Road is suitable for the additional output from the Project. This additional clean energy generation will improve grid resiliency by providing distributed energy where it is needed.

The operational life of the Project is based on the designed life expectancy of the equipment. The equipment for the Project is comprised of modules, racking and inverters. Photovoltaic modules and racking equipment, which has a designed life and warranty extending for twenty (20) years. The inverters have a designed life and warranty of approximately ten (10) years. Lodestar expects an inverter replacement during the life of the Project. Therefore, the anticipated operational life of the Project is twenty (20) plus years. At the end of the operational life of the Project, the Company will remove all equipment (*e.g.* racking system, panels, inverters, electrical collection system, etc.) from the Project Site.

In the event of a fault or power outage within the solar facility and/or the Eversource distribution circuit, the Project is required to be isolated from the distribution circuit within two (2) seconds of fault detection. The Project performs this isolation via a SEL 351 Vista Switchgear which continually monitors for deviations in frequency, current and voltage outside of Eversource parameters. If a fault is detected, the switchgear automatically opens the circuit and restricts the Project from production. The equipment specifications for the proposed equipment is attached hereto as Exhibit 2.

V. NO SUBSTANTIAL ENVIRONMENTAL IMPACTS

Conn. Gen. Stat. § 16-50k (a) provides that a Certificate is not required if an electric generating facility meets the air and water quality standards of the Department of Energy and Environmental Protection ("DEEP") and does not have a substantial adverse environmental effect. The Company

engaged various environmental professionals to conduct a comprehensive environmental analysis. *See* Exhibits 5, Carbon Debt Analysis; 8 (environmental documentation"); 10 (wetlands report) and 11 Noise analysis. The Company consulted with CT DEEP and other relevant agencies, evaluated potential environmental impacts, and consulted with the Federal Aviation Administration ("FAA"). For these reasons and those addressed further below, this Project avoids, reduces, and mitigates potential environmental impacts.

A. AIR QUALITY

The Project will not generate any emissions but rather, as demonstrated in Exhibit 5, the Project will contribute to carbon reduction. *See* Carbon Debt Analysis attached hereto as Exhibit 5. The Project will have no air emissions during operation and only very minor air emissions of regulated air pollutants and greenhouse gases during construction. The Company will control any temporary emissions at the Project Site by enacting appropriate mitigation measures *(e.g.*, water for dust control; avoid mass early morning vehicle startups, etc.).

Accordingly, any potential air effects produced by the Project's temporary construction activities will be *de minimus*. During operation, the Project will produce no regulated air pollutants or greenhouse gases (*e.g.*, PM, VOCs, GHG or Ozone). No air permit will be required for either construction or operation of the Project. The Project will reduce particulate disruption by replacing the existing gravel operations on the Site (which is causing significant disturbance) thereby improving air quality for the immediate surrounding area.

B. WILDLIFE RESOURCES

Petitioner submitted the Project Site information to CT DEEP natural diversity database ("NDDB") and received the initial response on February 28, 2020, included in Exhibit 8. Based on the results of this preliminary screening, NDDB, Lodestar has retained Environmental Land

Solutions to review the Project Site. As demonstrated in Exhibit 8, Environmental Land Solutions has determined that the construction and operations of the proposed Project will not have an impact on any threatened, endangered or species of special concern.

C. WETLANDS

The Project Site was investigated for the presence of state and federal wetlands by JMM Wetland Consulting Services, LLC. As noted herein and in Exhibit 10, the Project Site was previously the subject an approved twenty-four (24) lot subdivision by the Town of Winchester. As part of that subdivision approval, four (4) individual wetlands were identified and delineated on the Site. In addition, as part of the previously approved subdivision, the Winchester Inland Wetlands Commission approved crossings at two (2) of those wetlands for the proposed paved roadway. Petitioner's investigations confirmed the previous delineations of these four (4) wetlands on the Site. In addition, as seen from the Site plans and Exhibit 10, Petitioner proposes to use the same, previously approved wetlands crossings for the smaller, twelve (12) foot wide, gravel driveway and an additional boulder retaining wall to further reduce impact to the wetlands. The resulting crossing will result in a total wetland impact of one thousand six hundred seventeen (1,617) square feet. Both crossings will result in minimal impact to the quality of the wetlands. In addition, as noted in the Site plans, the stormwater plan for the Project will result in the creation of a new wetland to the southwest of the Project area.

As a result, the proposed Project is not anticipated to have any substantial negative impacts on wetland resources.

D. STORMWATER MANAGEMENT

Petitioner completed a drainage analysis to review pre-and post-development runoff at the Site. Petitioner's report is attached hereto as Exhibit 9. As can be seen from Exhibit 9 and herein,

construction and operation of the Project at the Site will fully comply with requirements of the Department and Energy and Environmental Protection ("DEEP") stormwater requirements, including the now proposed but no implemented Appendix I.

E. FLOODPLAINS

The attached Federal Emergency Management Agency (FEMA) Flood Map, included in Exhibit 10, indicates that no portion of the Project Site is located within the one hundred (100) year flood zone or special flood hazard areas.

F. DRINKING WATER RESOURCES

A review of the Connecticut Aquifer Protection Area Map prepared by the CT DEEP Bureau of Water Protection and Land Reuse, included in Exhibit 9 attached hereto, shows that the Project Site is not located in an aquifer protection area.

G. HISTORIC RESOURCES

On December 19, 2019, a project notification form was submitted to the Connecticut State Historic Preservation Office ("SHPO") for review of the proposed Project in relation to historic and archeological resources. Lodestar received a response from the SHPO dated March 11, 2020 confirming that the Project will have no adverse effects to historic resources. *See* SHPO response letter attached hereto as Exhibit 13. While SHPO has determined that no historic or archeological have been reported in the vicinity of the Project Site, the SHPO has requested that the Petitioner complete an archeological survey prior to construction activities on that Site. The Petitioner has engaged a third-party professional to conduct such survey and will provide a copy to both the Council and the SHPO upon receipt.

Based on the foregoing, the Petitioner does not anticipate any impact to historic resources as a result of the construction and operation of the Project.

H. SCENIC VALUES

The Project is located approximately 950 feet east of Platt Hill Road. The majority of the existing vegetation along the frontage on Platt Hill Road will remain with the exception of the area on the south of such frontage where tree removal will occur for installation of the twelve (12) foot wide access driveway. As shown the Site Plans, the existing vegetation will remain for the distance of 950 feet until the access drive meets the proposed development area. Given the buffer of existing vegetation to remain, the distance from Platt Hill Road and existing properties and general topography of the area, the Project will have little to no visual impact on the surrounding area.

The nearest potentially sensitive visual receptor to the Project was determined to be a residential structure three hundred twenty (320) feet to the north. The three hundred twenty (320) feet distance includes almost all existing forest vegetation. Therefore, it is anticipated that there will be no visual impact to this residence. Given the existing dense vegetation surrounding the Project Site and the topography of the Project Site and surrounding area, it is anticipated that there will be no visual impact of the Project to the surrounding area. Petitioner will ensure that the dense vegetation surrounding the Project Site will remain by deeding the remainder of the seventy-five (75) acres of the Project Site to the Winchester land trust whereby future development will be expressly prohibited.

I. PUBLIC HEALTH AND SAFETY

The Company is immensely concerned with safety. Overall, the Project will meet or exceed all health and safety requirements applicable for electric power generation. The Project would be designed to applicable industry, State and local codes and standards and will not pose a safety concern or create undue hazard to the public. The Project includes a proposed seven and one half

(7.5) foot high safety fence and gate (which is mandated by National Electric Code), which will limit access to authorized or emergency personnel only. Each employee working on the Project Site will:

- Receive required general and site-specific health and safety training;
- Comply with all health and safety controls as directed by local, state, and federal requirements;
- Understand and employ the Site health and safety plan;
- Know the location of local emergency care facilities, travel times, ingress and egress routes; and
- Immediately report all unsafe conditions to the construction manager.

During construction, heavy equipment will be required to access the Project Site and higher levels of noise are anticipated; however, the Company will conduct all activities during normal working hours.[1]

For the limited construction time required to construct the Project, construction equipment will be required to access the Project Site during normal working hours.

J. NOISE

While no formal noise study was completed for the Project, the Project is not anticipated to be a source of noise and will be in compliance with DEEP and Town of Winchester regulations.

Once the Project is constructed and operational, the only equipment that will emit noise consists of the three (3) inch cooling fans for the sixteen (16) inverters, which cannot be heard outside of

[1] If we are still working under state of Connecticut COVID-19 guideline at the time of construction, Petitioner will abide by all health requirements outlined for outdoor construction including washing stations, worker distances and other applicable requirements.

the Project fence line. The noise output for those inverters is contained in Exhibit 1 attached hereto and Lodestar's analysis and compliance with applicable noise regulations is attached hereto as Exhibit 11. Those inverters are not active at night.

K. FAA

Pursuant to 14 CFR § 77.9 regarding the FAA Notice of Proposed Construction or Alteration, the FAA must be notified of "any construction or alteration that exceeds an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport." 14 CFR § 77.9(b)(l) The Project Site information has been submitted to the FAA for review and approval and a copy of the FAA determination of no hazard is attached hereto as Exhibit 12.

L. CARBON DEBT ANALYSIS

Lodestar has conducted an independent analysis of the Carbon Debt and Carbon Offsets of this Project. The Project calls for the disturbance of no more than 13.6 acres including the removal of any vegetation or trees. Lodestar's analysis is based upon the United States Environmental Protection Agency conversion factor to identify the amount of carbon sequestered in one year by one acre of average U.S. forest: 0.85 metric tons (MT) CO2 (EPA, 2017). Accordingly, the Project will begin with a Carbon Debt of 11.56 metric tons.

The expected annual output of the Project will be 3,625,000 kWhs per year. Using the EPA Greenhouse Gas Equivalencies Calculator, the estimated annual carbon offset of the Project is 2,564 MT CO2. Greenhouse gas equivalencies for this estimated offset include:

- 544 passenger vehicles driven for one year;
- 2,803,173 pounds of coal burned; and

- 447 homes' energy use for one year.

Anticipating an annual "carbon debt" of 11.56 MT CO2 and an annual carbon offset of 2,564 MT CO2, Lodestar performed the following calculation to determine the duration of time to offset the carbon debt of the tree clearing:

Offset Time in Days = Annual Carbon Debt / (Annual MT CO2 Offset/days Per year)

Using this formula, Petitioner has determined that it would take approximately 1.65 days to produce a net improvement in carbon reduction. It would take approximately 32.91 days to recover the loss of carbon sequestration by the 13.6 acres of cleared trees over 20 years.

This analysis does not account for energy used as part of material extraction; solar panel manufacturing and production; manufacturing of balance of system components or Project installation. It also does not include the carbon dioxide that is expected to be released from the tree removal. *See also* Exhibit 5 attached hereto.

VI. PROJECT CONSTRUCTION AND MAINTENANCE

The construction of the Project will have an anticipated duration of approximately four (4) to six (6) months requiring the services of local electrical, civil and structural contractors. The initial phase of construction will be the single access road to be constructed on the western boundary of the photovoltaic array. Next, steel foundations will be driven into the ground. Steel racking components will be mounted on these foundations followed by the installation of photovoltaic modules. The electrical contractor will then install conductors from the photovoltaic modules to the inverters and then to a single transformer on a single pad on the western edge of the array. A single SEL 351 Vista Switchgear will also be mounted to this pad. In parallel, Eversource will install (3) utility poles at the site access and provide utility interconnection to the site. The electrical contractor will then install a medium voltage circuit from the SEL 351 Vista

Switchgear to the Eversource point of common coupling. Construction schedule will be based on a six (6) day work week Monday through Saturday between the hours of 7:00 AM and 5:00 PM but will be modified if required to comply with Town of Winchester requirements. As noted above, the Petitioner will utilize for erosion and sedimentation control consistent with the 2002 Connecticut Guidelines for Erosion and Sedimentation Control throughout construction of the Project.

Once construction is complete and the Project is operational, the Project Site will be monitored remotely twenty-four (24) hours a day, seen (7) days a week through a data acquisition system (DAS). The DAS is capable of detecting weather, production from all equipment at the Project Site and safety concerns related to grid outages or faults. An operations and maintenance team will perform detailed scheduled annual inspections of all equipment at the Project Site. In addition, the operations and maintenance team is on-call at all times in the event of unscheduled equipment maintenance or safety related concerns. Site vegetation is typically mowed three (3) times annually.

VII. CONCLUSION

The Project, a grid-side distributed resources Project with a capacity of less than 65 MW, is among the types of Projects that the Council can approve by declaratory ruling. Accordingly, and for the reasons stated herein, because the proposed Project will meet state air and water quality standards and will not have a substantial adverse effect on the environment, Petitioner respectfully requests that the Council approve the location and construction of the proposed Project by declaratory ruling.

Respectfully submitted,

Petitioner
LSE PICTOR LLC

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