



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 22, 2020

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

RE: **PETITION NO. 1407** – Torrington Solar One LLC and VCP, LLC d/b/a Verogy petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.975-megawatt AC solar photovoltaic electric generating facility on an approximately 66.4 acre parcel located generally south of East Pearl Road and east of Torrington Street (Route 183) in Torrington, Connecticut and associated electrical interconnection.

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than July 9, 2020. To help expedite the Council's review, please file individual responses as soon as they are available. At this time, consistent with the Council's policy to prevent the spread of Coronavirus, please submit an electronic copy only to siting.council@ct.gov. However, please be advised that the Council may later request one or more hard copies for records retention purposes.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

s/Melanie Bachman

Melanie Bachman
Executive Director

MB/MP

c: William Herchel, CEO, VCP, LLC d/b/a Verogy
Bryan Fitzgerald, Director of Development, VCP, LLC d/b/a Verogy

**Petition No. 1407
Interrogatories
Set One
June 22, 2020**

Project Development

1. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
2. Referencing page 4 of the Petition, Torrington Solar One, LLC and VCP, LLC d/b/a Verogy (Petitioner) states that, “Alternatively, in the event virtual net metering capacity becomes available, energy produced by the Project may be delivered to Eversource...” As an update, what is the status of the availability of virtual net metering capacity for this project? Explain.
3. Referencing page 4 of the Petition, the Petitioner notes that, “Energy produced by the Project will be sold to Eversource at market rates specified in the applicable utility tariff...” Would the Petitioner also sell its renewable energy certificates (RECs) it expects to generate with the proposed project? If so, to which public utility? If the RECs are to be sold to more than one public utility, provide the percentage to be sold to each public utility.
4. Would the Petitioner participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?

Proposed Site

5. Referencing page 26 of the Environmental Assessment (EA) of the Petition, the Petitioner notes that, “The Project Area has been in agricultural use for much of its recorded history.” Is any portion of the Project Area currently in use for agricultural purposes. If so, is it used by the property owner or leased to a third party?
6. Section 4.2 of the Decommissioning Plan behind Tab B references the photovoltaic equipment will be “recycled as applicable.” Generally, how would the components be recycled?

Energy Output

7. Have electrical loss assumptions been factored in to the output of the facility? What is the output (MW AC) at the point of interconnection?
8. What is the projected capacity factor (expressed as a percentage) for the proposed project? For clarity, is this capacity factor based on a ratio of AC MWh to AC MWh, or a ratio of AC MWh to DC MWh?
9. What is the efficiency of the photovoltaic module technology of the proposed project?
10. Is the project being designed to accommodate a potential future battery storage system? If so, please indicate the anticipated size of the system, where it may be located on the site, and the impact it may have on the PPA (if applicable).

11. Would the impact of soft or hard shading reduce the energy production of the proposed project? If so, was this included in the proposed projects capacity factor?
12. Could the project be designed to serve as a microgrid?
13. If one section of the solar array experiences electrical problems causing the section to shut down, could other sections of the system still operate and transmit power to the grid?
14. Do solar facilities present a challenge for the independent system operator for balancing loads and generation (to maintain the system frequency) due to the changing (but not controlled) megawatt output of a solar facility? What technology or operational protocols could be employed to mitigate any challenges?

Site Components and Solar Equipment

15. How many panels will each rack hold?
16. Is the wiring from the panels to the inverters installed on the racking? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?
17. Referencing Sheet SP-1 of the Petition, the aisle width between the solar panel rows (measured from panel edge to panel edge) is 16 feet. What is the minimum aisle width at which the solar panel rows could be installed?

Interconnection

18. Is the project interconnection required to be reviewed by ISO-NE?
19. Referencing page 5 of the Petition, the Petitioner notes that, “Eversource will be responsible for all necessary permits/approvals (if any) for this interconnection construction.” Would demarcation point of the Petitioner’s/Eversource’s control (or responsibility for permitting) be at the proposed equipment pads or where the proposed overhead connection route reaches existing distribution on Torringford Street? Referencing page 5 of the Petition, how tall would the four new distribution poles be?
20. Referencing page 5 of the Petition, is the existing 23-kV distribution that the project would connect to three-phase or would it have to be upgraded from single-phase to three-phase?
21. Could the interconnection exit the site to East Pearl Road and avoid the impacts to Wetland #1? Please include a cost and environmental impact comparison of such alternative.

Public Safety

22. Would the project comply with the National Electrical Code, the National Electrical Safety Code and any applicable National Fire Protection Association codes and standards?

23. Referencing page 30 of the EA, the Petitioner notes that, “Conservatively, the Facility would be considered an Industrial noise emitter to Residential receptors. As such, it is subject to noise standards of 55 dB during the daytime and 45 dBA at night at property lines.” Referencing page 31 of the EA, the Petitioner notes that, “...noise levels during Facility operation will be below 55 dBA at surrounding property lines.” Please respond to the following:

- a) Would be correct to say that the DEEP Noise Control limits for an Industrial (Class C) Emitter (Class C) to Residential (Class A) Receptor are 61 dBA during the daytime and 51 dBA at night?
- b) Would it be correct to say that the solar facility would not operate at night, and thus it would only be subject to the daytime noise limits?

24. Where is the nearest federally-obligated airport?

25. Referencing Appendix F of the Petition, Federal Aviation Administration (FAA) Determinations, for Crane Points 1 through 6, page 3 of the FAA determinations note that, “As a condition to this Determination this structure is to be marked/lighted in accordance with FAA Advisory circular...” Would such temporary structures (i.e. cranes) be marked/lit in accordance with FAA requirements?

26. Referencing page 11 of the Petition, with regard to emergency response:

- a. How would site access be ensured for emergency responders?
- b. In the event of a brush or electrical fire, how would the Petitioner mitigate potential electric hazards that could be encountered by emergency response personnel?
- c. Could the entire facility be shut down and de-energized in the event of a fire? If so, how?

27. Due to the proximity to the ballfield, would any project components be susceptible to damage from sporting equipment, such as a baseball?

28. Along the recreational fields, could sporting equipment, such as a baseball, roll under the 6-inch gap at the bottom of the fence? Was consideration given to not including a 6-inch gap in this area?

Environmental

29. Referencing page 9 of the Petition, please provide the fuel storage details and the Spill Prevention, Control and Countermeasures Plan.

30. Are there any wells on the site or in the vicinity of the site? If so, how would the Petitioner protect the wells and/or water quality from construction impacts?

31. What effect would runoff from the drip edge of each row of solar panels have on the site drainage patterns? Would channelization below the drip edge be expected? If not, why not?

32. Would the proposed project be consistent with the 2015 U.S. Army Corps of Engineers Vernal Pool Best Management Practices? Please describe how the Habitat Enhancement Area is directly related to the vernal pool habitat.

33. What is the length of the posts and to what depth would the posts be driven into the ground to provide structural stability? Are any impacts to groundwater quality anticipated? If so, how would the Petitioner manage and/or mitigate these impacts?
34. Referencing page 31 of the EA, the Petitioner notes that, “[V]egetative screening consisting of arborvitae will be installed...” How tall (initially) would the arborvitae plantings be?
35. Describe the visibility of the proposed project from the Torringford Street Historic District.
36. Describe the visibility of the proposed project from nearby residences immediately south of Gaylord Lane.
37. Referencing page 28 of the EA, the Petitioner notes that copies of the Phase 1A and 1B Cultural Resources Assessment and Reconnaissance Survey were submitted to the State Historic Preservation Office (SHPO) for review and comment on April 30, 2020. Has the Petitioner received a response from SHPO? If yes, please provide a copy of such response.

Facility Construction

38. Has the Petitioner submitted an application for a stormwater permit from DEEP? If no, when does the Petitioner plan to submit such application to DEEP?
39. Has the Petitioner met with the DEEP Stormwater Division? If yes, when? Please describe any recommendations, comments or concerns about the project provided by the Stormwater Division.
40. With regard to earthwork required to develop the site, provide the following:
 - a) Will the site be graded? If so, in what areas?
 - b) What is the desired slope within the solar array areas?
 - c) Could the solar field areas be installed with minimal alteration to existing slopes?
 - d) If minimal alteration of slopes is proposed, can existing vegetation be maintained to provide ground cover during construction?
 - e) Estimate the amounts of cut and fill in cubic yards for the access road(s)
 - f) Estimate the amounts of cut and fill in cubic yards for solar field grading.
 - g) If there is excess cut, will this material be removed from the site property or deposited on the site property?
41. Would topsoil be stripped from the site prior to grading? If so, would the topsoil be spread over the disturbed areas once grading is complete? If not, how would growth of new vegetation/grasses be promoted within the graded areas if nutrient rich soils are not present?
42. Referencing page 4 of the Petition, the Petitioner notes that the racking system would be attached to either pile-driven or ground screw foundations. What conditions would determine which method would be employed? How would the posts be driven/spun into the ground? In the event that ledge is encountered, what method(s) would be utilized for installation?
43. What is the minimum road width required for post-construction use?

44. Has a comprehensive geotechnical study been completed for the site to determine if site conditions support the overall project design? If so, summarize the results. If not, has the Petitioner anticipated and designed the project with assumed subsurface conditions? What are these assumed conditions?

45. Please submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

1. wetlands, watercourses and vernal pools;
2. forest/forest edge areas;
3. agricultural soil areas;
4. sloping terrain;
5. proposed stormwater control features;
6. nearest residences;
7. Site access and interior access road(s);
8. utility pads/electrical interconnection(s);
9. clearing limits/property lines;
10. mitigation areas; and
11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features show (e.g., physical staking/flagging or other means of marking the subject area).

The submission shall be delivered electronically in a legible portable document format (PDF) with a maximum file size of <20MB. If necessary, multiple files may be submitted and clearly marked in terms of sequence.

Maintenance Questions

46. Would the Petitioner store any replacement modules on-site in the event solar panels are damaged or are not functioning properly? If so, where? How would damaged panels be detected?