



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

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**VIA ELECTRONIC MAIL**

October 23, 2020

Keith R. Ainsworth, Esq.  
Keith R. Ainsworth, Esq., LLC  
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RE: **PETITION NO. 1408** – FairWindCT, Inc., et al petition, pursuant to Connecticut General Statutes §4-176, for a declaratory ruling that: (a) the January 9, 2020 Development and Management Plan (D&M Plan) Modification submitted by BNE Energy, Inc. in Petition No. 983 conflicts with the Connecticut Siting Council's (Council) June 2, 2011 final decision on Petition No. 983; (b) the Council did not have jurisdiction over the D&M Plan Modification; (c) the Council did not have statutory authority to approve the D&M Plan Modification; (d) the D&M Plan Modification violated due process rights; and (e) the D&M Plan Modification violates the Connecticut Environmental Protection Act.

Dear Attorney Ainsworth:

At a public meeting held on October 22, 2020, the Connecticut Siting Council voted to set the date by which to render a decision on the above-referenced petition for a declaratory ruling as no later than February 26, 2021 in accordance with Section 4-176(e) of the Connecticut General Statutes, Section 16-50j-40(c) of the Regulations of Connecticut State Agencies and Governor Lamont's Executive Order No. 7M issued on March 25, 2020.

Sincerely,

*s/ Melanie A. Bachman*

Melanie A. Bachman  
Executive Director

MAB/MP/emr

c: Service List, dated August 13, 2020