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STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Petition No. 1426

East Windsor Solar One, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes Section 4-176 and Section 16-50k, for the proposed construction, maintenance and operation of a 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road, East Windsor, Connecticut.

VIA ZOOM AND TELECONFERENCE

Public Hearing held on Tuesday, March 2, 2021, beginning at 2 p.m. via remote access.

H e l d B e f o r e:

ROBERT SILVESTRI, Presiding Officer

Reporter: Lisa L. Warner, CSR #061

A p p e a r a n c e s:

Council Members:

ROBERT HANNON
Designee for Commissioner Katie Dykes
Department of Energy and Environmental Protection

JOHN MORISSETTE
DANIEL P. LYNCH, JR.
MICHAEL HARDER
EDWARD EDELSON

Council Staff:

MELANIE BACHMAN, ESQ.
Executive Director and Staff Attorney

CHRISTINA WALSH
Supervising Siting Analyst

LISA FONTAINE
Fiscal Administrative Officer

A p p e a r a n c e s: (Cont'd.)

For East Windsor Solar One, LLC:
PULLMAN & COMLEY, LLC
90 State House Square
Hartford, Connecticut 06103-3702
BY: LEE D. HOFFMAN, ESQ.

Also present: Aaron Demarest, Zoom host

****All participants were present via remote access.**

*****(Inaudible) (AUDIO INTERRUPTION) - denotes breaks in speech due to interruptions in audio or echo.**

MR. SILVESTRI: Good afternoon, all. Ladies and gentlemen, this remote public hearing is called to order this Tuesday, March 2, 2021, at 2 p.m. My name is Robert Silvestri, member and presiding officer of the Connecticut Siting Council.

Other members of the Council are Mr. Robert Hannon, designee for Commissioner Katie Dykes of the Department of Energy and Environmental Protection. Mr. John Morissette, Mr. Michael Harder, Mr. Daniel P. Lynch, Jr., and Mr. Edelson is having difficulty connecting but he will be with us in a moment, but we do have quorum so we could start.

Members of the staff are Ms. Melanie Bachman, executive director and staff attorney; Ms. Christina Walsh, supervising siting analyst; and Ms. Lisa Fontaine, our fiscal administrative officer.

As all are keenly aware, there is currently a statewide effort to prevent the spread of the Coronavirus. And this is why the Council is holding this remote public hearing, and we ask for your patience. And if you haven't done so already, I ask that everyone please mute their

audio and/or telephone at this time.

This hearing is held pursuant to the provisions of Title 16 of the Connecticut General Statues and of the Uniform Administrative Procedure Act upon a petition from East Windsor Solar One, LLC for a declaratory ruling pursuant to Connecticut General Statues, Section 4-176 and Section 16-50k for the proposed construction, maintenance and operation of a 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road East Windsor, Connecticut. This petition was received by the Council on August 10, 2020.

The Council's legal notice of the date and time of this remote public hearing was published in The Journal Inquirer on January 19, 2021. And upon this Council's request, the petitioner erected a sign at the access road entrance along East Road so as to inform the public of the name of the petitioner, the type of facility, the remote public hearing date, and contact information for the Council.

And as a reminder to all, off-the-record communication with a member of the

Council or a member of the Council staff upon the merits of this petition is prohibited by law.

The parties and intervenors to the proceeding are as follows: The petitioner is East Windsor Solar One, LLC. Its representative is Lee D. Hoffman, Esq. from Pullman & Comley, LLC.

We will proceed in accordance with the prepared agenda, a copy of which is available on the Council's Petition No. 1426 webpage, along with the record of this matter, the public hearing notice, instructions for public access to this remote public hearing, and the Council's Citizens Guide to Siting Council Procedures. Interested persons may join any session of this public hearing to listen, but no public comments will be received during the 2 p.m. evidentiary session. At the end of the evidentiary session, we will recess until 6:30 p.m. for the remote public comment session.

And please be advised that any person may be removed from the remote evidentiary session or the public comment session at the discretion of the Council.

The 6:30 p.m. public comment session will be reserved for members of the public who

signed up in advance to make brief statements into the record. And I wish to note that the petitioner, parties and intervenors, including their representatives and witnesses, are not allowed to participate in the public comment session.

I also wish to note for those who are listening and for the benefit of your friends and neighbors who are unable to join us for the remote public comment session that you or they may send written comments to the Council within 30 days of the date hereof either by mail or by email, and such written statements will be given the same weight as if spoken during the remote public comment session.

A verbatim transcript of this remote public hearing will be posted on the Council's Petition No. 1426 webpage and deposited with the East Windsor and Ellington Town Clerk's Offices for the convenience of the public.

And please be advised that the Council does not issue permits for stormwater management. If the proposed project is approved by the Council, a Department of Energy and Environmental Protection Stormwater Permit is independently

required. The Department of Energy and Environmental Protection could hold a public hearing on any stormwater permit application.

And please also be advised that the Council's project evaluation criteria under the statute does not include consideration of property values.

The Council will take a 10 to 15 minute break at a convenient juncture somewhere around 3:30 p.m. this afternoon.

Now, I wish to call your attention to those items shown on the hearing program marked as Roman Numeral I-B, Items 1 through 99.

Does the petitioner have an objection to the items that the Council has administratively noticed? Attorney Hoffman.

MR. HOFFMAN: There are no objections, Mr. Silvestri.

MR. SILVESTRI: Thank you, Attorney Hoffman. Accordingly, the Council hereby administratively notices these documents.

(Administrative Notice Items I-B-1 through I-B-99: Received in evidence.)

MR. SILVESTRI: Attorney Hoffman, also good afternoon. I see there are no applicant

administrative notice items, so would you present the witness panel for the purpose of taking the oath, Attorney Bachman will then administer the oath, and we'll follow through by verifying all exhibits by the appropriate sworn witnesses.

MR. HOFFMAN: Thank you, Mr. Silvestri, and good afternoon. We have something that's a bit new for the Siting Council, we have most of our witnesses all in one place. So as they speak, they will identify themselves so that the court reporter can know which witness is which. However, as I'm looking at my screen, the witnesses for East Windsor Solar One are left to right, Kyle Perry, Steve DeNino, Bryan Fitzgerald and William Herchel. In addition, Brad Parsons is our fifth witness, but Brad doesn't work for Verogy; he works for All-Points. And those are our five witnesses that we'd like to have sworn in.

MR. SILVESTRI: Thank you, Attorney Hoffman. Attorney Bachman.

MS. BACHMAN: Thank you, Mr. Silvestri.

If the witnesses could please just raise your right hand.

W I L L I A M H E R C H E L,

S T E V E N D e N I N O,

B R Y A N F I T Z G E R A L D,

K Y L E P E R R Y,

B R A D P A R S O N S,

called as witnesses, being first duly sworn (remotely) by Ms. Bachman, were examined and testified on their oath as follows:

MS. BACHMAN: Thank you.

MR. SILVESTRI: Thank you, Attorney Bachman.

Attorney Hoffman, back to you.

MR. HOFFMAN: Thank you, Mr. Silvestri. We have six exhibits for identification purposes. They're listed in the hearing program as Roman Numeral II, letter B, 1 through 6. They include the petition, the responses to interrogatories, the petitioner's response to East Windsor's request for hearing, our sign posting affidavit, and then responses to the supplemental sets of interrogatories that were dated February 23rd and 26th. I'd ask that they be so identified at this this point.

MR. SILVESTRI: So identified, if we could have your appropriate witnesses verify them.

MR. HOFFMAN: That would be fantastic.

DIRECT EXAMINATION

MR. HOFFMAN: So we'll pick on Mr. Parsons first since he's standing alone and it will be simple. Mr. Parsons, are you familiar with the six exhibits in Roman Numeral II-B of the hearing program?

THE WITNESS (Parsons): Yes, I am.

MR. HOFFMAN: And did you prepare those exhibits or cause those exhibits to be prepared?

THE WITNESS (Parsons): Yes, I did.

MR. HOFFMAN: And are they accurate to the best of your knowledge and belief?

THE WITNESS (Parsons): Yes, they are.

MR. HOFFMAN: And do you have any changes to those exhibits?

THE WITNESS (Parsons): No, I do not.

MR. HOFFMAN: And do you adopt them as your sworn testimony here today?

THE WITNESS (Parsons): Yes, I do.

MR. HOFFMAN: Thank you. And then we'll go from my right, I think their left. Mr. Herchel, are you familiar with the exhibits that were listed in Roman Numeral II-B?

THE WITNESS (Herchel): Yes, I am.

MR. HOFFMAN: And did you prepare or cause those exhibits to be prepared?

THE WITNESS (Herchel): Yes, I did.

MR. HOFFMAN: And are they accurate to the best of your knowledge and belief?

THE WITNESS (Herchel): Yes, they are.

MR. HOFFMAN: And do you have any changes to those exhibits?

THE WITNESS (Herchel): No, I do not.

MR. HOFFMAN: And do you adopt them as your sworn testimony here today?

THE WITNESS (Herchel): Yes, I do.

MR. HOFFMAN: Mr. Fitzgerald, I'll have the same questions for you. Are you familiar with the exhibits listed in Roman Numeral II-b?

THE WITNESS (Fitzgerald): Yes, I am.

MR. HOFFMAN: And did you prepare or cause those exhibits to be prepared?

THE WITNESS (Fitzgerald): Yes, I did.

MR. HOFFMAN: And are they accurate to the best of your information and belief?

THE WITNESS (Fitzgerald): Yes, they are.

MR. HOFFMAN: And do you have any changes to those exhibits today?

THE WITNESS (Fitzgerald): No, I do not.

MR. HOFFMAN: And do you adopt them as your sworn testimony here today?

THE WITNESS (Fitzgerald): Yes, I do.

MR. HOFFMAN: Very good. Mr. DeNino, are you familiar with the exhibits listed in Roman Numeral II-B?

THE WITNESS (DeNino): Yes, I am.

MR. HOFFMAN: And did you prepare or cause those exhibits to be prepared?

THE WITNESS (DeNino): Yes, I did.

MR. HOFFMAN: And are they accurate to the best of your knowledge and belief?

THE WITNESS (DeNino): Yes, they are.

MR. HOFFMAN: Do you have any changes to those exhibits?

THE WITNESS (DeNino): No, we don't.

MR. HOFFMAN: And do you adopt them as your sworn testimony here today?

THE WITNESS (DeNino): Yes, I do.

MR. HOFFMAN: And Mr. Perry, are you familiar with the exhibits listed in Roman Numeral II-B in the hearing program?

THE WITNESS (Perry): Yes, I am.

MR. HOFFMAN: And did you prepare or cause those exhibits to be prepared?

THE WITNESS (Perry): Yes, I did.

MR. HOFFMAN: And are they accurate to the best of your knowledge and belief?

THE WITNESS (Perry): Yes, they are.

MR. HOFFMAN: And do you have any changes to them today?

THE WITNESS (Perry): No, I do not.

MR. HOFFMAN: And do you adopt them as your sworn testimony?

THE WITNESS (Perry): Yes, I do.

MR. HOFFMAN: Mr. Silvestri, with that, I would ask that the Council adopt those six exhibits as full exhibits for the hearing.

MR. SILVESTRI: Thank you, Attorney Hoffman. The exhibits are indeed admitted. Thank you.

(Petitioner's Exhibits II-B-1 through II-B-6: Received in evidence - described in index.)

MR. SILVESTRI: I'd like to begin cross-examination at this time with Ms. Christina Walsh, please.

CROSS-EXAMINATION

MS. WALSH: Thank you. Good afternoon. In the response to Council Interrogatory Number 67, it states there are three separate meters at the site that would support the potential of three separate LREC/ZREC contracts, and page 5 of the petition seems to imply that the petitioner was awarded one ZREC contract. Does the project currently have three LREC or ZREC contracts?

THE WITNESS (Herchel): The project currently has two LREC/ZREC contracts, two LRECs to be specific. They were awarded in the same solicitation in the year eight solicitation of the LREC/ZREC program. It does not have a third LREC/ZREC contract at this time.

MR. HOFFMAN: Mr. Herchel, I would just ask that you identify yourself when you answer questions because it's not possible for everybody to keep straight who's talking, and we want to have an accurate transcript. Thank you.

THE WITNESS (Herchel): This is Will Herchel.

MS. WALSH: Thank you. So you said two LREC contracts. Does that account for 4 megawatts of the project?

THE WITNESS (Herchel): It does. This is Will Herchel.

MS. WALSH: Thank you. And have you seeked out other revenue mechanisms for the remaining capacity of the project or are you waiting for a ZREC contract to come through for that?

THE WITNESS (Herchel): This is Will Herchel. Yes, we are seeking an LREC/ZREC contract for the remaining one megawatt AC or thereabouts at the location.

MS. WALSH: And maybe I missed it. What was the delivery date for the LREC contracts you already have?

THE WITNESS (Herchel): This is Will Herchel. The delivery term start date for the two contracts that we have was originally for 1/2021. It was extended via the 90-day extension for COVID. So the current delivery term start date for the two contracts that are in our possession is 7/1/2021.

MS. WALSH: And is that extendable any further?

THE WITNESS (Herchel): Not to our knowledge. This is Will Herchel.

MS. WALSH: Okay. The response to the Council Interrogatory Number 3 states the petitioner intends to participate in the ISO New England forward capacity auction number 15 in 2021. Did the petitioner participate?

THE WITNESS (Herchel): This is Will Herchel. We have not submitted to participate in that program at this time.

MS. WALSH: Do you have further plans to participate next year or in the future?

THE WITNESS (Herchel): This is Will Herchel. Yes, we do. We have plans to submit a statement of interest and get into the forward capacity market for this project. We are uncertain as to whether that will actually transpire based upon the circumstances for this individual project in a year's time from now.

MS. WALSH: Were any alternative project locations ever considered for a solar PV facility?

THE WITNESS (Herchel): This is Will Herchel. Yes, we currently review many parcels to identify the optimal location for a solar project. We are trying to mesh different interests, one being the landowners and the willingness to

provide access to the land for the installation, another being interconnection by ability, and another being the site characteristics of an individual location. Yes, we did review additional locations in this region.

MS. WALSH: In the general vicinity?

THE WITNESS (Herchel): That is correct.

MS. WALSH: Okay. Do you have any idea how many were reviewed at the time this project was being planned?

THE WITNESS (Herchel): This is Will Herchel. I do not.

THE WITNESS (Fitzgerald): Yes, this is Bryan Fitzgerald. We reviewed, I'm guessing, up to two to three dozen sites in the Hartford County, Tolland County area. Of those, like Will mentioned, were, you know, some level of suitableness to solar and to siting specifically.

MS. WALSH: I have a few questions about the sheep. Approximately how many sheep would be on site during the sheep grazing period?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And right now through our work with Agrivoltaic Solutions we're estimating a

stocking rate of about three sheep per acre. So across the 24 acre project area we're looking at approximately 72 sheep in any given growing season. And what we've learned and what we're continuing to learn from Agrivoltaics is that that stocking rate can change and fluctuate based on the growing season and the rotational grazing that happens within that array area.

MS. WALSH: So would they all be on the site at one given time, or is there a delivery of a few at a time, or how does that work?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. So it's currently our understanding that at the start of the growing season the sheep manager or flock manager would bring all of the head of sheep to the site and rotationally graze them throughout the array area throughout the growing season, and the growing season is typically April to October or November or May depending on the season.

MS. WALSH: Okay. So they are rotated. Are they physically kept in a certain area at a given time, or are you allowing them to kind of roam freely over the site?

THE WITNESS (Fitzgerald): This is

Bryan Fitzgerald. So the sheep would be kept in different paddocks, and we'd estimate right now that for this site specifically there would be three to four paddocks that the full head of sheep would be kept in at any one given point in time. And then they'd be rotationally grazed from paddock to paddock effectively managing the vegetation as to prevent overgrazing and just make sure all the vegetation is managed accordingly, but they would be cycled through the array area across the 24 acres in totality throughout different stages as they move from one paddock to the next.

MS. WALSH: And who moves them, does somebody come in, does the management company come in and move the sheep from one paddock to the next?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. Correct, the flock manager or the sheep farmer at that point in time who we have contracted with would be responsible for bringing the sheep in and managing them on a day-to-day basis tending to them with water and care and moving them throughout the paddocks that are demarcated within the array area.

MS. WALSH: And how are the paddocks divided, is there any kind of plan for a temporary electric fence?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And yes, that's correct. Right now Agrivoltaic, who's our grazing partner, they have planned for an ElectroNet fencing which is how you describe a temporary electrically charged fence at low voltage to manage the sheep to make sure they stay within those certain paddocks.

MS. WALSH: And that's removed after the grazing season for the year?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. Yes, that's correct, they would be installed for the grazing season specifically.

MS. WALSH: Is there any concern or safety measures that need to be put in place to protect the public and/or emergency response personnel from electric fence shock hazards?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. There could very well be. We're working through that portion of the grazing plan right now with our grazing partner to address protocols for emergency response. But it should be noted that the public would not necessarily be

allowed within the array area and only representatives of the project owner, East Windsor Solar One, would be allowed to enter into the array area specifically.

MS. WALSH: Okay. On page 6 of the environmental assessment portion of the petition states that mowing and routine maintenance would occur once per year. Would this occur at the same time the sheep are located on site?

THE WITNESS (Fitzgerald): This Bryan Fitzgerald. And it would likely occur whether the sheep are there or if they've been taken off site for any one reason or another, but we currently estimate that supplemental landscaping and traditional mowing may be necessary throughout the array or around the outside of the perimeter fencing and such to keep up that landscaping, but that the grazing program would serve as the primary mechanism for vegetation management within the array area.

MS. WALSH: So you don't anticipate mowing to occur in the same area as the sheep at any given time?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And that's correct, at any

given time we would not anticipate that.

MS. WALSH: In the response to Council Interrogatory Number 7 it mentions fencing around the site will be 7 feet high, and the petition states that fencing on the eastern, southern and western sides will be 6 feet high with the northern portion being 8 feet high. Do you have a clarification on the fence height at this time?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And we do have a clarification on the fencing. The northern fence line will be 8 feet tall in height, as noted in the petition, and the southern, eastern and western fence lines specifically will be 7 feet tall in height as deemed by the National Electric Code.

MS. WALSH: Okay. And in response to Council Interrogatory Number 34, you state that you are amenable to installing privacy slats along the entire western fence line. Is that still the case?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And that is still the case through the conversations we've had and work we've done with the town through planning and zoning and additional guidance as provided by the Council

we've decided that, as we mentioned in that response, it would be best to install privacy slats along that entire western fence edge.

MS. WALSH: Sorry, is that correct, it's being proposed as part of the project at this time?

THE WITNESS (Fitzgerald): Sorry, Christine, this is Bryan Fitzgerald. We missed that last part.

MS. WALSH: Sorry. I'm getting an unstable internet connection.

The privacy slats along that western side are now being proposed as part of the project?

THE WITNESS (Fitzgerald): This Brian Fitzgerald. Yes, that is correct.

MS. WALSH: Regarding the response to Council Interrogatory Number 47, during the 100-year storm event, the portion of the access road and panels located within the stormwater basin could be under about one foot of water. Would the stormwater affect operation of the panels within the basin?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And Brad, would you mind?

THE WITNESS (Parsons): Yes. This is Brad Parsons. So no, the stormwater would not affect the panels within the basin. The panels themselves are going to be elevated at the lowest point of 3 feet above grade, therefore there would still be 2 feet between the proposed water surface elevation. Furthermore, the site is designed with a full drop in hydraulic soil group, part of the Appendix I. So there is also believed to be -- you know, that that level may actually be less if the full drop in hydraulic soil group does not come into play with regards to compaction.

MS. WALSH: Okay. What about for a 500-year storm event?

THE WITNESS (Parsons): The 500-year storm event is just not something that we model from a stormwater standpoint. But at that point in time, the basin itself would overflow, the actual berm on the basin. So most likely that 500-year storm event would just pass over and not through the basin itself.

MS. WALSH: Without affecting the panels?

THE WITNESS (Parsons): I wouldn't see that that would effect the panels in this case

either, correct.

MS. WALSH: And can you just state what kind of stormwater basins are designed for the site, is it a dry detention basin or sand filter basin?

THE WITNESS (Parsons): It's just a straight infiltration basin. There's some slight excavation on the south side outside the fence to install the berm for the basin itself, but the rest of the basin is just existing grade and it will infiltrate as it does today.

MS. WALSH: And would you expect the racking posts and solar panels to affect the basin substrate so the water would not infiltrate through the basin bottom?

THE WITNESS (Parsons): No.

MS. WALSH: When rain falls on panels located within the stormwater basin, would there be any impact to stormwater management flows, for example, would water flow off drip edges and outside the basin?

THE WITNESS (Parsons): No. In this (inaudible) that wouldn't be the case. It would drop into the basin itself and then just flow down to the lower point in the basin towards the south,

outside of the facility, and then everything that is inside the facility there, or the panels that are inside the stormwater basin would continue to function as they would under normal circumstances.

MS. WALSH: Okay. In Council Petition No. 1397, Constitution Solar in Plainfield, stormwater basins were located within a solar array area as well. The Council requested Constitution Solar in that case to examine the feasibility of moving the panels from the basin in the D&M plan. Is it feasible to relocate the panels out of the stormwater basin in this case?

THE WITNESS (Parsons): In my opinion, while it may be feasible, I think the additional, I'm unclear whether Constitution has a -- the Constitution project had a full drop in hydraulic soil group for the stormwater management, but while that could be done, I don't think it's necessary in this case as the full drop in the hydraulic soil group is above and beyond normal stormwater engineering practices that's being applied to solar. So as such, the basin actually has more capacity than it would for a normal development, i.e., a Walmart or a Costco.

MS. WALSH: And have you consulted with

DEEP Stormwater about this?

THE WITNESS (Parsons): Yes.

MS. WALSH: About the location, about panels within the basin, and the stormwater management plan?

THE WITNESS (Parsons): Yes, this project has been approved by DEEP Stormwater and it's just pending a letter of credit.

MS. WALSH: Page 27 of the environmental assessment of the petition states the area will be seeded with low-growing grasses and forbs suitable for sheep as well as pollinator-friendly species. Does the seed mix itself contain pollinator-friendly species?

THE WITNESS (Parsons): Bryan, do you have the final mix on what's required for the sheep? But I believe there is some pollinator species in the seed mixture there.

THE WITNESS (Fitzgerald): Yes. This is Bryan Fitzgerald. And I think, Brad, to your point, at this point we've been working on mostly likely acquiring the Ernst Fuzz & Buzz mix. And I don't have that species list up in front of me right now, but I do know there is a good mixture of pollinator support species in there as well.

MS. WALSH: So there's no separate pollinator plants species area, it's incorporated within the seed mix; is that correct?

THE WITNESS (Parsons): This is Brad Parsons. That's correct.

MS. WALSH: On page 14 of the petition it states phase two of construction can begin upon stabilization of the sediment basin. What is the estimated time frame between the completion of phase one and the commencement of phase two construction?

THE WITNESS (DeNino): Hi. This is Steve DeNino. We would look to complete the installation of the stormwater basin and then immediately start the construction of the array.

MS. WALSH: So what is considered stabilization in that case?

THE WITNESS (Parsons): This is Brad Parsons. Stabilization in this case would be the use of erosion control blankets on the berm for the temporary sediment.

MS. WALSH: Okay. Thank you. I don't have any further questions at this time. Thank you.

MR. SILVESTRI: Thank you, Ms. Walsh.

I'd like to continue cross-examination of the petitioner by Mr. Morissette, and he'll be followed by Mr. Hannon.

Mr. Morissette.

MR. MORISSETTE: Thank you, Mr. Silvestri. Good afternoon, everyone. Can you hear me okay? Great. Thank you.

For the record, I would like to let everyone know that I did visit the site on Wednesday, February 17th. I drove around the area. I did not enter the site itself, but viewed the parcel that we are talking about here today.

I would like to follow up on Ms. Walsh's questions relating to Question 1, 2 and 3 and just clarify. So we have two ZREC contracts, no forward capacity market contract. And what is the status of the virtual net metering, has there been any change in that regard?

THE WITNESS (Herchel): This is Will Herchel. Currently the virtual net metering program in Connecticut is capped in the Eversource territory, there is no available space. In order for that cap to be increased, there would need to be a piece of legislation to come forth from the Connecticut General Assembly. I believe that

there is proposed bills to effectuate that situation that are currently with the Energy and Technology Committee, but that would need to occur in order for there to be an addition of virtual net metering capacity in the Eversource territory.

MR. MORISSETTE: Thank you. So at this time you are proposing to sell energy into the market at market rates?

THE WITNESS (Herchel): This is Will Herchel. We will be selling under the Rate 980 tariff directly with Eversource, so we will not be participating in the wholesale market for the sale of electricity with ISO New England.

MR. MORISSETTE: Yes. And for the record, Rate 980 essentially models the market rate. I believe it's on average. So essentially you are receiving market rates, but not directly on an hourly basis; is that correct?

THE WITNESS (Herchel): That is correct. There is a small line loss adder in addition to the wholesale price and locational marginal price that's described in Rate 980, but that is correct.

MR. MORISSETTE: Great. Thank you. What's currently being planted, what crops are

being planted on the site?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. To the best of my knowledge, and I'm guessing here, I believe in 2020 rye hay was grown at the location.

MR. MORISSETTE: Rye hay, okay. Okay. Moving on to page 16 of the petition having to do with benefits, bullet two I think is a little bit deceiving, quite frankly. I do understand that the statement on its face value is true and that it does reduce energy demand during the peak and has a direct result on energy usage. However, if you factor in virtual net metering into the equation, would you agree that the cost to ratepayers would actually go up?

THE WITNESS (Herchel): This is Will Herchel. I would not know the answer to that question directly, and it is yet to be determined whether this project would participate with virtual net metering.

MR. MORISSETTE: Okay, fair enough. Moving on to the bullet having to do with the project will provide infrastructure upgrades that will improve the reliability of East Windsor's electric grid. Could you expand on that, please?

THE WITNESS (Herchel): This is Will Herchel. Specifically what's referred to there is the upgrade to three-phase for the interconnection of the facility.

Kyle, I don't know if there's anything more to add to that specific upgrade.

THE WITNESS (Perry): I do not have the exact length here, but if you give me a couple minutes I can pull up the interconnection agreement.

THE WITNESS (Herchel): That was Kyle Perry, and this is Will Herchel. We can give you the exact length of that upgrade momentarily.

MR. MORISSETTE: That would be great. I'm going to talk a little bit about the interconnection itself, so we can talk further about that as well. Let's see here, so why don't we start there. So you're interconnecting at distribution voltage level 23 kV. And when you find that interconnection point to the distribution system let me know.

I'd like to go to the drawing that was submitted with questions, Set Three, having to do with the interconnection, if you have that in front of you.

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. We're pulling it up now.

MR. MORISSETTE: Great. Thank you. While you're doing that, the facility study is still being implemented or done by Eversource?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. The facility study has been concluded by Eversource, and we are working through the final stages of amending the interconnection agreements accordingly.

MR. MORISSETTE: Okay. And out of the impact study there were no operational constraints at all?

THE WITNESS (Fitzgerald): No -- this is Bryan Fitzgerald -- not on the impact study there was no flagged operational constraints.

MR. MORISSETTE: Okay. So essentially since you have two LREC contracts and a potential for one additional contract, if I understand it correctly, you have essentially three separate interconnection facilities; is that correct?

THE WITNESS (Herchel): This is Will Herchel. That is correct.

MR. MORISSETTE: Okay. So you have three separate transformers, you have three

separate disconnect switch, you have three separate revenue meters, and you have three separate ZREC meters, correct?

THE WITNESS (DeNino): This is Steve DeNino. That is correct.

MR. MORISSETTE: Okay. So your ZREC meters, are they on the secondary or the primary side of the transformer?

THE WITNESS (DeNino): Steve DeNino. The ZREC meters are on the secondary side of the transformers.

MR. MORISSETTE: Okay. And the revenue meters are on the primary side of the transformers?

THE WITNESS (DeNino): This is Steve DeNino. That's correct, the primary meters are on the -- or the customer meters are on the primary side of the transformers.

MR. MORISSETTE: Okay. So the reason you have two separate sets of meters is your contract requires you to have the ZREC meter separate from the revenue meter; am I interpreting that correctly?

THE WITNESS (DeNino): This is Steve DeNino. That is correct.

MR. MORISSETTE: Okay. You've had discussions with Eversource about moving the revenue meter to the secondary side of the transformer?

THE WITNESS (DeNino): This is Steve DeNino. Yes, we have.

MR. MORISSETTE: And the response was no?

THE WITNESS (DeNino): This is Steve DeNino. That is correct.

MR. MORISSETTE: Okay. So looking at the drawing, do you have that up and available?

THE WITNESS (Herchel): We do, yes.

MR. MORISSETTE: Great. So I'm a little confused. So you've got one, two, three, four, five, six 30 to 40 foot distribution poles to the left of the barn that the project will own; is that correct?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. That is correct.

MR. MORISSETTE: And then there's one to the left of that, which I believe is CL&P's pole?

THE WITNESS (Fitzgerald): That is correct.

MR. MORISSETTE: Okay. Is that where you're connecting to the distribution system or do you go down East Street?

THE WITNESS (Fitzgerald): That is correct. This is Bryan Fitzgerald. We do interconnect to the distribution network at that pole that is closest to the corner of Middle and East Road.

MR. MORISSETTE: Okay, so right at that corner. So the distribution circuit three-phase will be brought up to that structure. Is that where your point of interconnection is with the utility?

THE WITNESS (Fitzgerald): It is, correct.

MR. MORISSETTE: Okay. All right. So you have six poles and then one of CL&P's right on Middle Road. Just so you know, I have a real problem with this interconnection facility because the visual impact is terrible. So what I'd like to do is go to Exhibit B, if we could.

MR. HOFFMAN: I'm sorry, Mr. Morissette, "B" as in "boy"?

MR. MORISSETTE: "B" as in "boy," yes, which is the visual viewshed analysis. And if you

look at the first, I think it's the first page, the viewshed, that area is all farmlands and your facility is right in the middle of all this farmland. You can see by the viewshed that there is, what, 368 acres of visible area, and all the surrounding property is farmland, wide open, but right across the street you have a development, fairly new development, which I believe homes are being built as we speak.

All right. So if we go down to, first we'll look at photo 2, that's the corner of Middle Road and East Road, and there is CL&P's distribution pole, that's where you're going to interconnect, correct?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. That is correct.

MR. MORISSETTE: Okay. So the left of that pole you're going to have six 30 to 40 foot, what is it, what is the height of those poles, could you remind me again?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. Those are 40 foot poles.

MR. MORISSETTE: 40 foot poles. In relation to the CL&P pole, is that also 40 foot?

THE WITNESS (Fitzgerald): I believe

so, but I'm guessing here. We'd have to confirm that with Eversource.

MR. MORISSETTE: That's fine. It's probably close to that. So, if you go to the next one, next photo is photo 2, this is proposed. I'm a little confused because this has one, two, three, four, five, six poles where your drawing had in total six poles plus CL&P's pole, this has five plus CL&P's pole, so this is not -- which is correct?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. So the drawing that was most recently provided in the interrogatory Set Three is the correct design, and the disconnect here between the viewshed analysis that was produced at the time of submission in August is that since that point of time we have been working with Eversource and they've requested that additional pole for their purposes only. I believe it was to extend three-phase down East Road potentially in the future, but that was completely separate and apart from our design.

MR. MORISSETTE: Okay. That's fine. So there's another pole that's going to be parallel with Middle Road that's going to be added

to this picture?

THE WITNESS (Fitzgerald): That is correct. It would likely -- and this is Bryan Fitzgerald, sorry -- it would go in line there at a slight diagonal and then into the project area.

MR. MORISSETTE: I'm not quite sure I understood that. So could you try that again?

THE WITNESS (Perry): This is Kyle Perry with Verogy. I can elaborate a little bit. So that first additional pole and where that disconnect happens between five and six poles that you're talking about, to Bryan's point, they want to keep that existing pole that's out there, the second tap position open for three-phase expansion down East Road for future expansion via Eversource. So that pole will just act as a junction pole. And they want that about 50 feet, and it has to be in line with the pole across the street.

So it's a little hard to see based off this map, but there's currently single-phase wire from that pole on the corner to across the street at a diagonal. So we have to come in at a diagonal with our junction pole about 50 feet or so, we will guy or anchor that to the ground, and

then the five remaining poles will now be inside the fence line instead of in that viewshed that you were looking at or the photo that it's currently outside. We're actually going to put those poles inside of our fence line.

MR. MORISSETTE: So --

THE WITNESS (Perry): That was mainly a correspondence -- sorry to cut you off there. That was mainly a correspondence back and forth with Eversource because they were requesting an additional gravel access path for that pole setup, and we thought it would be a little too close to the intersection there. So we would give them access via our project, access into the site, and have those poles inside of our fence line.

MR. MORISSETTE: Okay. So that really changes this picture quite a bit. Okay. Can you describe for the record what you'll actually see on these poles? If you use photo 2, is the top of the poles going to be clean like this or are you going to see equipment?

THE WITNESS (DeNino): This is Steve DeNino. One of the poles will have a recloser on it, a utility owned recloser. The next pole will have a GOAB, it's a gang operated air switch

that's not -- and then the three remaining poles will have primary metering setups on them, so they will have a conduit that comes down to a meter installed at ground level.

MR. MORISSETTE: Okay. So the viewshed will reflect additional equipment on these pole heights at the top of the poles?

THE WITNESS (DeNino): That is correct.

MR. MORISSETTE: Okay. While we're on photo 2, we talked earlier about down East Road the fence line having slats. Are you also putting any landscaping along that west edge of the fence line?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And at this point we are just going with the privacy slats, and the landscaping would end there, as pictured, with the one difference between you'd see privacy slats going down the entire western edge.

MR. MORISSETTE: Okay. Are you willing to consider landscaping if the Council has issue with not having landscaping at that area?

THE WITNESS (Herchel): This is Will Herchel. Yes, we are.

MR. MORISSETTE: Okay. Moving on to

photo 3, now photo 3 is from Jessie Lane. And actually, if you go to photo 4, I think it's more along the lines of what I'm trying to get at. So, this picture shows the landscaping in front of the facility, but it doesn't show the poles. Would the distribution poles be visible from this location?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. It's tough to be able to predict that right now with the existing stockpiles of soil that are in this photo specifically here. I'm trying to orient myself here with the barn there in the left side of the photo. Excuse me. It would be difficult given what's presently there at the time of this photo.

MR. MORISSETTE: Yeah, I would agree, it's difficult. I think it's going to be pretty close. I do think that those structures are going to be highly visible.

All right. I'd like to go to the second set of questions having to do with the, what is it, the photographs taken for the remote field review. Okay. I think it's photo -- I'd like to go to photo 4. So beyond the barn there's clearly a new neighborhood out in that area, and

these photos were taken last August. Do you know if there's been additional housing that has been, houses that have been put up since these photos were taken?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And to my understanding, they may have, but I haven't been actively up there. I would assume that additional houses would have been built between August and now.

MR. MORISSETTE: Yeah. If we could go to photo 8, 8 and 8A. And this is more for the benefit of the Council. So this location on 8A is essentially the location where the distribution poles will be installed along Middle Road, and across the street will be the housing complex with new houses being built. And 8 is the view of the corner of Middle Road and East Road so everybody can get a perspective of how wide open it is, and there's the distribution pole that will be the interconnection point.

So in your discussions with Eversource, was there discussions about how to minimize the impact of the distribution interconnection facilities?

THE WITNESS (Herchel): Absolutely. So

for probably around two years now, if not longer, we've been working directly with Eversource on all of the projects that we've looking to develop in the state in an Eversource territory. With regards to the interconnection and the visual and aesthetic disturbance that's caused by the multi-metered setup, specifically we have been working with them to implement a secondary metered system that you alluded to earlier. Although it was originally approved, it was later denied.

We even went so far as to having a memorandum drafted by our outside counsel, Lee Hoffman, to try to encourage Eversource to recognize the disturbance that this type of interconnection was causing. We've had multiple conversations with them about the lack of necessity for this specific type of interconnection method, but we have not been successful in getting that overturned.

In addition to having a significant visual impact, there's also impacts in terms of siting, not necessarily on this site, but in terms of the interconnection area that's necessary for us to effectively interconnect to the distribution network that are obviously not optimal using this

strategy.

MR. MORISSETTE: Okay. Thank you. Just one last follow-up item. We were able to track down where the distribution three-phase facilities are going to end up going down the, is it Middle Road or East Road or --

THE WITNESS (Perry): This is Kyle Perry with Verogy. So the three-phase extensions are from Pole 13300 on Rockville Road, and that goes up north Rockville Road down Middle Road.

MR. MORISSETTE: Okay. Just hang on a second. Could you say that one more time?

THE WITNESS (Perry): Yes. It extends the three-phase from Rockville Road. I have the pole number here. I believe it's Pole 13300 on Rockville Road, which is the start of our upgrade that replaces a radio recloser that closes the gap to convert the 4.8 kV to 23 kV three-phase, and that is on Rockville Road, and it goes north from there and up through Middle Road.

MR. MORISSETTE: Okay. That's interesting. We recently were talking to another facility, and they said it was 13.8 kV at Rockville Road. Okay. That concludes my questions. Thank you very much.

MR. SILVESTRI: Thank you, Mr. Morissette. I'd like to continue cross-examination of the petitioner this time by Mr. Hannon, and he'll be followed by Mr. Edelson.

Mr. Hannon.

MR. HANNON: Thank you, Mr. Silvestri. Yeah, I do have some questions.

On page 12 of the petition you talk about utilizing 395 watt panels and 380 watt panels. If something were of a higher wattage, would you be looking at that when it comes time to actually place the order for the panels?

THE WITNESS (Herchel): This is Will Herchel. For this particular project, we would not. Sorry, I'm getting a little feedback. We would not simply because we've acquired the modules for this parcel, or for this project, excuse me.

MR. HANNON: Okay. Thank you. Page 13, it talks about -- this is the first full paragraph -- an 8 foot tall chain-link security fence equipped with privacy slats, and then the remaining sections will be enclosed by a 6 foot tall chain-link security fence without the privacy slats, but I didn't see anything anywhere as to

whether or not there would be like that 6 inch gap at the bottom of the chain-link fence and the ground. Is that something that's being contemplated?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And Brad, I'll start this response, and if you wouldn't mind stepping in. Mr. Hannon, at this point with our work with NDDB and DEEP, we've received a final determination and there's no really concerns for species and traveling through that area as a corridor. So we have looked at bringing the fence line all the way to the ground as to provide better protection for the sheep that would be rotationally grazing that specific project. We'd like to have a fence line. And at the further request of our grazing partners, the fence line would go all the way to the ground in that situation across the entirety of the site.

MR. HANNON: Okay. Thank you. On page 14, I think this is where we kind of need a rewrite of what's going on here. Under construction schedule and phasing, petitioner anticipates that construction of the project will begin no earlier than November 19, 2020. We're

already kind of long past that. What do you anticipate as a potential construction schedule going forward?

THE WITNESS (Herchel): This is Will Herchel. That is contingent upon approval with the Siting Council, of course, as well as approval of any D&M plan that's required. And we will begin construction as soon as we are able to after obtaining the necessary permits to do so, including the Siting Council's approval.

MR. HANNON: Okay. And then if I understood you correctly a little bit earlier that you have received the approval from DEEP regarding the stormwater, it's just you need to post, is it the bond?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. That is correct. We are approved through the design, and the permit can can be authorized upon our delivery of a letter of credit.

MR. HANNON: Okay. Thank you. Also on this page on phase one the first bullet talks about removing existing impediments, if necessary. What existing impediments, can you be a little more specific?

THE WITNESS (Parsons): This is Brad Parsons. There wasn't anything specific, Mr. Hannon. It was just if anything was out in the field that needed to be removed. It's more of just a standard kind of note in this case for the contractors.

MR. HANNON: Okay. Thank you. And I'm just trying to get things a little clearer in my head. On page 15, this is the continuation of what's on 14 under Phase 2, because I see under number 2, temporarily seed disturbed areas not under construction for 30 days or more. Then number 6, after substantial completion you've got to stabilize disturbed areas. Now you go to number 8, fine grade, rake, seed, mulch remaining disturbed areas. So I'm not positive what you're referring to with this kind of sequencing in the disturbed areas, so can you maybe provide a little more guidance on that?

THE WITNESS (Parsons): Sure. This is Brad Parsons. So the temporary seeding disturbed areas that are not under construction for 30 days or more is a standard requirement per the 2002 Erosion Control Guidelines. So if there was an area on site that for whatever reason was not

being worked, that should be temporarily seeded.

The bullet number 6 about that seeding, really what that is referring to is the remainder of the seeding of the area within the array itself. And then once that area is stabilized inside the array, the conversion of the temporary sediment basin into a permanent sediment basin is the final piece. There's probably limited work that needs to be done there rather than cleaning out any residual sediment in the basin itself, but that would need to be done, and then any disturbed areas within, inside that would be seeded.

MR. HANNON: Okay. Thank you. I know that this is on existing agricultural land. I'm just curious if there has been like any borings done in this area. And the only reason I'm raising the question is because we've had some other projects come in where agricultural land that's used year after year after year there's sometimes a hardpan that gets created 18, 20 inches below the soil. I'm just wondering if you've done any investigation on that.

THE WITNESS (DeNino): Hi, this is Steve DeNino. Yes, we have done geotechnical borings and pole tests for the racking system.

MR. HANNON: And did you run into anything like with the hardpan under the soil about 18, 20 inches down or not?

THE WITNESS (DeNino): This is Steve DeNino. To my knowledge, we did not. We've shared that information with the racking provider who suggested use of driven pile which would indicate that there's not hardpan.

MR. HANNON: Okay. Thank you. On page 45 under lighting it said there will be some small, non-intrusive lighting fixtures within the equipment to aid project maintenance. Can you describe what you mean by some small non-intrusive lighting?

THE WITNESS (DeNino): Hi, this is Steve DeNino. Upon final design there may or may not be small incandescent or LED type light fixtures installed near the monitoring equipment. That will be part of the final design, and it may or may not be installed, but that would be what that would be referring to.

MR. HANNON: If something like that was to be installed, is it possible that it could be activated by motion detectors, things of that nature, or are these lights that would be staying

on at all times?

THE WITNESS (DeNino): Steve DeNino. If they were to be installed, I would think they would have a switch that would be operated by the operations and maintenance personnel, but, you know, it is possible that any other type of control could be installed, if that was something that was requested, but I would think that we would have a switch, a weather-proof switch out on site to operate them.

MR. HANNON: Thank you. I had a couple of questions related to the panels, the temporary sediment basin, the final sediment basin, the sediment trap baffle. So if I'm understanding this correctly, the sediment trap baffle that's being proposed is basically a 4 foot by 8 foot sheet of plywood that's going to be mounted to, I guess, what is it, a 4 inch square post or a 5 inch round post. And if that is the case, what I'm curious about is how long that might be in place as that plywood would tend to deteriorate. I'm specifically looking at map EC-2.

THE WITNESS (Parsons): Yes. So this is Brad Parsons. So that would be in place during the duration of construction. And if it was

deteriorated to a point at which it needed to be replaced, that would be done through the Swit monitoring and would be something that would be called out as a maintenance item to be replaced.

MR. HANNON: Thank you. And then in terms of how the panels will be installed as it relates to the stormwater basin, are the panels going to stay more or less on the same vertical plane or will they follow more of the contour? So, for example, where you have the detention basin, will the panels be higher than 3 feet above the detention basin at ground level so that that excavator is gone, but yet the panels aren't 3 feet down and you may have a problem with some overflow in that area. So I'm just trying to get a better understanding how the panels will be mounted in that area over the basin.

THE WITNESS (Parsons): This is Brad Parsons. The panels will be mounted, it is intended that the panels will follow the grade here and be, the bottom edge still be 3 feet above the ground through there. Again, the water surface elevation in the area of the panels may get up to about an additional foot above existing grade still leaving about 2 feet of freeboard if

you went based on the full drop in hydraulic soil group which it's designed to.

MR. HANNON: Okay. Thank you. And then the road that you're putting in where the one that runs north-south that runs all the way down into the basin and up against the chain-link fencing, is that something then you're going to have to try to work around? I've got to assume that that's in the early stages of the development to get that roadway installed.

THE WITNESS (Parsons): That is correct. This is Brad Parsons. In some way, shape or form that road will be installed in the early stages of development, but towards the end of construction there may be times where that road needs to be top dressed just to clean it up, if there was any potential sediment deposits on the road itself. And again, that would be done as part of a maintenance piece of the Swit monitoring.

MR. HANNON: And part of that roadway would remain in the finalized basin, correct?

THE WITNESS (Parsons): That is correct.

MR. HANNON: I don't believe I have any

other questions at this time.

MR. SILVESTRI: Thank you, Mr. Hannon. We'll continue cross-examination of the applicant by Mr. Edelson, and he'll be followed by Mr. Harder please.

Mr. Edelson.

MR. EDELSON: Thank you, Mr. Silvestri. Everyone can hear me okay?

MR. SILVESTRI: Yes.

MR. EDELSON: So, my first question is about the land ownership. It wasn't clear to me exactly, but the land is not owned by the farmer who has been farming that area; is that correct? And I think I should be addressing this question to Mr. Herchel. I'm not sure.

THE WITNESS (Herchel): This is Will Herchel. That is correct, it is not owned by the farmer. It is owned by the Catholic Cemeteries Association.

MR. EDELSON: And that's who you have the lease with?

THE WITNESS (Herchel): That is correct. This is Will Herchel.

MR. EDELSON: Okay. In the narrative you indicated a fairly long period of, or expected

period that these panels will be in service, I think it was 35 years. Is that consistent with the lease is 35 years?

THE WITNESS (Herchel): This is Will Herchel. That is consistent with the lease. The lease is 20 years in initial term. It has three five-year renewal options.

MR. EDELSON: Okay. Turning now to the website that you created, which I want to compliment you on. I think it's a great outreach tool for public comment. But I'm curious, in particular, with public comment that you tried to get from the public through the website. Did you receive many or any comments regarding the project?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And to the time of this hearing we have not received any public comments through that webpage. That webpage has been available since approximately June of 2020, in the second week of June to be specific. And I would note that we do deploy similar websites for a lot of our projects, and those do function. We do receive comments and we can converse and talk via email and set up phone calls and meetings

accordingly, but we did not have any comments on this project.

MR. EDELSON: On this project, okay. Thank you very much. So when I look at the layout, it looks to me that you've leased quite a bit of land and you're not making full use of it. And I'm trying to really understand the trade-offs that determine that because most of the land, especially through the remote field review pictures, look pretty similar to me. So, can you give me a little bit better understanding of your decision making to only use, let's say, you know, a fraction or, you know, not a great percentage of the land for the solar arrays?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And yes, in the development process the project was designed as a distribution level interconnected project, so sub 5 megawatts AC, which is how we're interconnecting to the distribution network. And based on our final module counts, we ended up using right around 29.1 or so acres of the parcel for the entire project area inclusive of all fencing and landscaping.

Now, the parcel itself is approximately 75 acres or so and that site in East Windsor. And

the logic behind keeping it, you know, dense and concise in one specific area was to not obstruct the use of the rest of the parcel in a good amount of acreage for the co-tenant or tenant farmer who is also going to be active on that parcel and will continue to be active on that parcel, to our knowledge.

MR. EDELSON: So will the farmer, in this case the farmer you're referring to, be subleasing from you, because it sounds like you have the lease to the major portion of the land. That's the boundary that you show in the diagram.

THE WITNESS (Herchel): This is Will Herchel. So the tenant farmer will not be subleasing the land from us. At the completion of the project in the project area and the commencement of the actual lease, the commencement of construction, the leased area will be confined to the area of disturbance for our array. So the remainder of the parcel will remain with the CCA as the landlord and they will contract with any farmers to farm the remainder of the parcel.

MR. EDELSON: Okay. So at the end of the day you'll only -- and I'm not trying to put words in your mouth, I'm just trying to clarify --

at the end of the day you'll only lease basically the land you need with maybe a little bit of a buffer around it?

THE WITNESS (Herchel): That's correct, to maintain access and things like that.

MR. EDELSON: Because I was going to go with a different line of questioning if that was, if there was any potential for increasing the number of solar arrays eventually on the site, but it sounds like the interconnection is the main limitation here in your design, so that would be the, if you will, the first issue you would need to deal with is how much Eversource is willing to take from you from that site or from that area.

THE WITNESS (Herchel): This is Will Herchel. That is correct.

MR. EDELSON: Okay. So I want to turn to what you called, what was the term on page 14, sheet off as a way that the snow will be removed. And I'm sure you saw pictures of what happened in Texas. And I think up until some of the pictures I saw there of solar panels frozen over, I was willing to believe that most solar panels within, you know, 12, 24 hours after a storm would sheet off, but I could see with the very cold weather in

some of my own personal experience with problems with my roof that's not always the case.

So my question is, my first question is, is there anything other than sheet off as a technique for removing frozen snow, in other words, I'm assuming the snow has happened and we've had some very, very cold weather, you know, single digits, and it is really frozen onto the glass. Is there any other manual way to remove that type of ice condition without damaging the panels?

THE WITNESS (DeNino): This is Steve DeNino. The answer to that would be no.

MR. EDELSON: So currently that is the only technique. Is there anything that can be done as we saw or heard with regard to the difference in windmills and turbines, windmill turbines in Texas versus upstate New York where they put heating elements on the turbines to prevent icing up, is that an option that you're hearing any of the panels come with?

THE WITNESS (DeNino): This is Steve DeNino. To my knowledge, no, that is not an option.

MR. EDELSON: So, other than sheet off,

if we have a very bad storm followed by freezing weather, you could be stuck with your panels not being able to produce, would that be a fair assessment?

THE WITNESS (Herchel): This is Will Herchel. To the extent that there was a situation like that, we could manually remove the snow without damaging the panels themselves. However, we do not anticipate doing them, and we do recognize that there will be losses associated with coverage for those individual solar panels throughout its life.

MR. EDELSON: And obviously the concern here is not about your 5 megawatts, but if this is a pervasive problem as we get to have more and more solar panels throughout the state and we do have a bad storm situation, what are we going to do about this, and we're not going to solve that here, but I'm kind of hearing that might be something that we need to address down the road for all of these projects.

I wanted to turn now, I think it's page 14 of the narrative -- I'm sorry, I think it's page 15 -- on site stabilization. You know, as a commission, I think we've been trying to encourage

solar developers to allow a longer growing season, or at least a full growing season for site stabilization. But I'm wondering if here the situation is different because you're not allowing that much time between your work, seeding and then installation because the area or the land is already pretty stabilized because of the farming that's gone on. Is that part of your rationale for moving so quickly from initiating the site stabilization with seeding to moving forward with development?

THE WITNESS (Parsons): This is Brad Parsons. That is correct. And additionally, there's really not as much concern with any slopes on this site as well, but it didn't seem to warrant in this case.

MR. EDELSON: Related to that, I'm just trying to understand, in this particular setup you made a particular point that I didn't think I've seen before that the panels will not be butted up against each other, and so rather than a drip line happening at the bottom of the panels, the lower edge of the panels, you're indicating that there's going to be dripping around the perimeter of each solar panel. So I guess two questions, one, am I

correct about my description of or my understanding of what you're going to do here, and I guess I'm kind of addressing this to Mr. Parsons because I've seen you at many solar hearings, is this a different configuration than we've seen in other instances?

THE WITNESS (Parsons): No, Mr. Edelson, this is not different. Usually there is at least a minimum of one-inch gap between every panel on every ground-mounted solar array, so both in the horizontal and the vertical plane. So that's one of the reasons I've tried to remove that misnomer that these are, you know, sheet off like large roofs. I mean, you've got varying degrees of pitch, both, you know, down towards the ground and also sideways. So, you know, the water will flow off in numerous directions of these panels and won't actually, you know, collect at that bottom edge drip line in one spot like it may on a gutter coming off of a house.

MR. EDELSON: Okay. Because that to me, that's very helpful because I think I was overly concerned about that bottom drip line and the furrowing that would happen from that. Now again, some of that, as you pointed out, has to do

with the topography itself and where the dripping is happening, but in this case with the flat terrain it's less of a problem in all manner of speaking.

Let me see, so obviously we had a few questions about our favorite four-legged animal, the sheep. I'm wondering, is there a back-up plan to the sheep. In other words, if your relationship with a farmer who has the sheep says, you know, it's not working out for me for, you know, it could be a thousand and one different reasons having nothing to do with the site, what's plan B for taking care of the vegetation on site?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And plan B, quite honestly, would be to look and try to source another farmer in the area who could come in and graze their flock of sheep to manage that vegetation. It's going to be our goal throughout the life of the array to keep that area and that real estate within agricultural production and doing so through sheep grazing.

MR. EDELSON: So what you didn't say is that you would revert back to just -- not revert, but frequent mowing, you really want to keep that

as a -- I don't know the best way to describe it, but your worst-case scenario?

THE WITNESS (Fitzgerald): That is correct. We do intend to keep that with the grazing program throughout the duration of the project's operational life.

MR. EDELSON: Okay. So if I could turn towards the visibility analysis, and the first diagram shows the one-mile radius. And based on the three sites that you showed us, or the three locations, for the pictures, even within those three pictures or those three points, which are pretty closely proximate to the site, I had trouble visualizing why such a large area would see the solar panels as being visible. They're close to the ground, and even between, I think, site 2 and 3, you know, it was almost like half the panels disappeared, and that's just natural from, you know, the shape of the earth. And as you got further away, it would be even harder to see.

So, I was just surprised by the extent of it. I guess part of me is wondering, is that visibility related to the panels or really to the utility poles that need to be put up there? So

maybe you can just help me understand that visibility analysis, why it was showing such a large percentage of the one-mile radius as being that kind of yellow and orangish color.

THE WITNESS (Parsons): This is Brad Parsons. So Mr. Edelson, the way that that viewshed analysis is done, it's strictly based on topography. It doesn't really take into account, obviously, that as you get further away from an object it is going to get smaller. It just strictly assumes that if there isn't anything in the way, basically trees, houses and the like, that that will be visible there. So really we're using the state's lidar technology or topographic information, both their tree canopy and their ground information, to extrapolate that, and that's really what defines it. So if you were all the way out maybe at Clark Road, yes, if you took a pair of binoculars out you could probably see it, but you're likely not going to actually see the system with the naked eye.

MR. EDELSON: And even I would offer or I'd ask you to comment on this. From that kind of a distance something as thin as a utility pole would be pretty hard to make out.

THE WITNESS (Parsons): That's correct. You'd probably have a better chance of making out the solar array itself than the utility pole.

MR. EDELSON: And this goes back to maybe Mr. Herchel going back to public comment. On figure 3 or picture 3 in the visibility analysis it does prominently show that existing utility pole at the intersection. Did anyone from the subdivisions or anyone else from the town mention a visibility concern about that utility pole that sticks out there?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And to our knowledge, we have not received direct commentary from town officials or from owners of homes across the way in the subdivision about the utility poles or the configuration in photo 3 there.

MR. EDELSON: Okay. I think this will be my last question, and it's probably just my reading skills. But interrogatory Set One, Question Number 21, if we could take a look at that. The first question I have there is a term that maybe just passed me by all this time, but was bifacial solar panels. So can somebody clarify what a bifacial solar panel is so I make

sure I've got a proper understanding?

THE WITNESS (Perry): Sure. This is Kyle Perry with East Windsor Solar One. Bifacial panel doesn't have the back sheet that a typical monofacial would, so it actually allows the collection of sunlight through the back side of these panels as well which increases the production and generation of that particular panel and string.

MR. EDELSON: That's what I thought it meant. So it can pick up solar as a reflection, let's say, off of the ground or off of another panel?

THE WITNESS (Perry): That is correct. And that is modeled in some of our assumptions in our production analysis. It's what's called albedo, which is the reflectivity of the ground. So as you can imagine when there's a foot of snow on the site or six inches of snow, it reflects back into the back side of these panels and even the reflection off the posterior row of modules will help the row in front of it produce a little bit more.

I just want to point out that those wattages that we mentioned earlier, 395 and 380,

are only the front side, the monofacial value. So any bifacial value is added onto that at a certain percentage estimated to be what we believe around 10 percent extra.

MR. EDELSON: Is it fair to say that a bifacial panel in general is more expensive than a monofacial?

THE WITNESS (Herchel): This is Will Herchel. It is not fair to say that at this time. That is primarily a result of tariffs that the United States is imposing on Chinese modules, specifically monofacial modules, and that same tariff does not apply to bifacial modules which are considered a different technology. So you are probably correct in terms of the actual manufacturing cost of that bifacial module, but other trade agreements are causing for that price discrepancy.

MR. EDELSON: So walking through the answer to Interrogatory 21 where I feel like we saw some different spacing, that spacing is related to try to optimize what you can derive as solar energy from, I'll call it, the back face of the panel which we might not have seen before in other configurations?

THE WITNESS (Herchel): This is Will Herchel. That is correct.

MR. EDELSON: Interesting. I'm going to have to look for that term. Maybe it's been there in other projects, but this seemed to be the first time I've seen that discussion.

But with that, Mr. Silvestri, I think I've finished my questions. Thank you.

MR. SILVESTRI: Thank you, Mr. Edelson. We're getting close to the 3:30 mark where I mentioned we should take a break. So I don't want to start with Mr. Harder and have to interrupt him, but in the couple minutes that we have before 3:30, let me pose three quick follow-up questions that we had.

Mr. Edelson just talked about the one-inch gap around the panels. Mr. Parsons, is that basically driven by stormwater or is there potential thermal expansion on the panels?

THE WITNESS (Parsons): Mr. Silvestri, it's basically driven by the racking manufacturers and the actual modules themselves and their attachment to that. So, depending on your racking manufacturer, they may have, for instance, RBI, which is one of the standards, has a standard

punch, so to speak, with their purlins that they'll then attach the modules to, and so that's really what ends up dictating the final module gap on the racking. So it could vary. Usually the minimum is half inch, but I have seen it in certain locations, not here, it will be upwards of an inch at times.

MR. SILVESTRI: Understood. Thank you. Kind of like the gap on car doors depending on who's the manufacturer.

THE WITNESS (Parsons): Yes.

MR. SILVESTRI: Another follow-up I had goes back to Ms. Walsh when she was talking about the fence for sheep. Would that be battery operated, the electric fence?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. It's our understanding here that that would be battery operated.

MR. SILVESTRI: Thank you. And then one last quick one before 3:30 here. Somebody had mentioned before one side of the fencing area for the project would be 8 feet, the other three sides would be 7 feet. Why the difference between 8 feet and 7 feet?

THE WITNESS (Fitzgerald): This is

Bryan Fitzgerald. We had led in with the 8 foot fence on the northern edge, including the privacy slats, in order to provide more of a screening buffer and coupling that as well with the landscaping we're currently proposing along that northern edge which would be approximately 200 mature arborvitae. We felt the 8 foot fence would do a good job helping individual aspects from Middle Road of the project.

MR. SILVESTRI: Very good. Thank you. I do have 3:30. Why don't we take a 15 minute break, come back here for 3:45, and we'll continue cross-examination with Mr. Harder, to be followed by Mr. Lynch. We'll see you in about 15 minutes. Thank you.

(Whereupon, a recess was taken from 3:30 p.m. until 3:45 p.m.)

MR. SILVESTRI: Okay. Before we get going with cross-examination with Mr. Harder -- and thank you, Mr. Harder, for being patient -- Attorney Hoffman, I believe we have a correction to one testimony part that was made earlier today. And without redirect, if it's just a clarification, please go ahead.

MR. HOFFMAN: Mr. Morissette had asked

about, I believe it was Mr. Morissette, who had asked about the responses to the website and the public outreach. There have been other responses. They just didn't come through the website. So if the Council wants to hear about that, fine; and if not, we can move on with Mr. Harder's cross. I don't want to ask the question. I just wanted to let the Council know that that occurred.

MR. SILVESTRI: Thank you, Attorney Hoffman. What we'll do, we have Mr. Harder, Mr. Lynch, and then myself for cross-examination. I always like to go back to the beginning because questions and answers may result in more questions. So let's hold that thought, and if somebody wants to raise it when we go back, we'll answer it at that time. Very good.

MR. HOFFMAN: Thank you.

MR. SILVESTRI: Thank you. Mr. Harder, thank you again for being patient. Let's continue cross-examination with you.

MR. HARDER: Okay. Thank you. No problem. Actually, maybe we could take care of Mr. Hoffman's point right now. I was going to ask a question about public comments, noting that apparently there were no comments submitted

through the website, but my questions are going to be concerning or was going to be whether there were other comments offered through other means. And if someone could summarize those comments, and also especially indicate if there are any outstanding concerns or objections that might have been raised that were not resolved.

THE WITNESS (Fitzgerald): Thank you, Mr. Harder. This is Bryan Fitzgerald. And to that point directly, when we previously answered the question on questions or comments that came through the website, although none had come through the website specifically, in response to our initial public outreach campaign, a landowner to the south of our proposed project had called me and discussed potential solar options for land that him and his family owned in East Windsor and bordering towns as well. And that was the extent of those comments and the outreach we received in totality through the website or in response to our public outreach campaign.

MR. HARDER: All right. Thank you for that. Also a follow-up to Mr. Edelson's question on the bifacial panels. I'd like to thank him for asking that. I saw that term and wasn't really

sure what it meant and then completely forgot to write a note down to ask the question. But now understanding what it is, I guess the more interesting question, especially since apparently the net cost of those panels is no more than and perhaps less than the monofacial panels, and assuming that over time a bifacial panel would generate more power, just out of curiosity, why do you think we don't see or haven't seen more proposals incorporating bifacial panels?

THE WITNESS (Herchel): This is Will Herchel. I'm not sure as to the answer to that. It could simply be module availability.

MR. HARDER: So it sounds like what you're saying is the bifacial are just typically not as available on the market?

THE WITNESS (Herchel): I don't know if I could characterize it like that, but it's just -- I really don't know the answer to that question, to be honest.

MR. HARDER: Okay. All right. That's fine. Again, more curiosity than anything.

Also following up on the issue of sheep grazing, I assume, and I'm sure, although I don't think it specifically said so in the application,

but the DEEP, the stormwater staff, is aware of the proposal for sheep grazing?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. I believe so, but I'm guessing here. I wouldn't be able to confirm exactly if they know or they do not know.

MR. HARDER: So from there were I think a few, maybe several site visits and discussions, including stormwater staff, there's no recollection of the issue of sheep grazing coming up in those discussions or any communication where that came up?

THE WITNESS (Parsons): This is Brad Parsons, Mr. Harder. The stormwater plan for this was submitted, I think, before we actually had any specific requirements or understanding of what was going to be occurring with the sheep grazing on the site, but in this case I think there is limited impact with that with regards to the stormwater controls in the sense that it will just be as though the site is being mowed from a stormwater standpoint.

MR. HARDER: Well, I guess maybe with one exception, the lawn mowers produce manure, and that was the point I was getting to, again,

agreeing, I guess, that it's not a terribly steep site, obviously, well vegetated now, so you're not going to be, you know, stripping the vegetation off to any great extent. But I would assume that the stormwater staff would want to know, you know, that you're proposing sheep grazing, to at least be aware of that, and to consider that as part of their evaluation, again, perhaps the result is the same. I assume the result would be the same, but I would think they should know. If I was them, I would want to know.

So, I mean, I would suggest that they be notified, especially if it's possible that they have done their review and they're about to issue the stormwater general permit without the knowledge that there's going to be sheep grazing there. So, I mean, I think they should know.

But let me ask you the question directly, I guess, along the same lines or on the same point. Knowing that manure will be spread on the site, obviously, just from the grazing animals on the site, is it your opinion that there will be no adverse impact from that manure in terms of the stormwater runoff, whether it's nutrients or elevated levels of BOD or any other constituent of

manure impacted runoff?

THE WITNESS (Parsons): So in this case I think I would take it as the point of it's an existing farm field now that could ultimately be used for sheep grazing which would not require a stormwater permit in and of itself. And I don't have any actual answers on what the manure levels of sheep would do. I will say that our stormwater management basin treats, I believe in this case treats water quality, so it will have some -- it does treat water quality, so we will have some water quality treatment on site that was associated with the panels themselves. So I would likely come to the conclusion that if there is any concern with the sheep manure that that would be handled through the treatment of water quality with the stormwater basin itself.

THE WITNESS (Fitzgerald): Thanks, Brad. Mr. Harder, this is Bryan Fitzgerald here. And we have been in discussions with Agrivoltaic Solutions who is our grazing partner for this project and others like it in Connecticut. And some of the feedback we received from them so far on this topic is that at the start of each grow season the correct sheep stocking rate and

density, which is effectively the sheep per acre per unit of time, will be calculated before any sheep actually make it to the site. And this is done to ensure there's no overgrazing and that the correct amount of manure that gets deposited on the site would not outpace the rate of the decomposition of that manure throughout the grazing rotation of that season. So the stocking rate effectively it handles two components, one being so the site doesn't get overgrazed and have erosion issues, and the second being that you don't have stockpiles of sheep manure and that they effectively biodegrade into the soils. And that's going to be determined and taken care of through that -- at the beginning of each grow season when the stocking rate is finalized.

And more specifically, during normal grazing activities the rotation of the flock across the array area itself, so the rotation of the flock across that 24 acres, is going to help disperse that manure across the acreage, and you're not going to have large piles of it. And I had to be informed myself that sheep manure more so resembles rabbit poop and deer poop than it does cow patties or horse poop to that nature. So

I was educated to that effect as we got through this with them.

But they also got into the fact that any manure that's deposited on the site could effectively be decomposed and start decomposing into the soil two to three weeks after the point at which it's deposited onto those soils. And I'll just add, it's not anticipated that there would be any manure visible from outside of the site itself. So you're not going to be a passerby and notice large piles or unforeseen piles of manure within the array area.

THE WITNESS (Herchel): This is Will Herchel. I would just add that in discussions with our grazing partner, they anticipate that this would actually, you know, the livestock grazing with the seed mix at the site would actually increase the water holding capacity of the soil on site as opposed to the traditional mowing that was originally proposed or originally contemplated for this location prior to the grazing plan going into place.

MR. HARDER: Okay. I appreciate those comments. And I think that represents, I guess, the kind of evaluation, I guess, or discussion of

that issue that I think, you know, that the stormwater program would want to know about. Again, if I were them, I'd want to know about it.

And again, let me say, first of all, also I think it's great that that project and one other one that we just recently considered are proposing a joint agricultural use of the site along with the solar system, you know, it's a good thing to do.

But I would say very strongly that the department, again, should be made aware of it. And, you know, they obviously, as you know, they have staff that can evaluate these issues, nutrient loading and whatever other issues that might come along with the deposition of manure on the site. And again, assuming that the end result is going to be the same, but I think it's clearly better or more important that they know about it as part of their evaluation, not that assumptions are made.

But another question not on the manure issue but on the issue of the paddock arrangement and the use of the electric fences. I know there was some discussion in the comments about that emergency responders would be -- or the need for

emergency responders to go on site would be considered, and there would be some, I guess, education there or indication to them that those fences are there so they can access the site and not have any problems.

But aside from those emergency situations and more of a routine maintenance scenario, how would those needs be met with the electric fencing being there, is it just a case of, you know, knowing that the maintenance is necessary and scheduling or planning the paddocking system accordingly, is that pretty much what you would do?

THE WITNESS (Fitzgerald): Yes. This is Bryan Fitzgerald. And that is the case. We would likely do that, along with signage and initial contractor training and technician training at the outset on the operation of the array itself. But there would be notification to the grazers that we would have technicians going into the array area at a certain point in time, and we would facilitate the interaction between the grazer and the O&M technician as to avoid any type of concerns through routine maintenance and standard operation and maintenance procedures.

MR. HARDER: Okay. Also, I think it was Mr. Edelson that asked a question about plan B if the grazing arrangement doesn't work out. Your indication was plan B was to go to another farmer. And it made me wonder, are sheep the only livestock that are feasible in situations like this, or is it possible that, are you aware of the possible use of other types of animals for this purpose?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. To our knowledge at this point, sheep are the best suited livestock to graze within solar arrays. We haven't been brought any other options, or any other livestock species haven't been made available to us for certain projects.

MR. HARDER: Okay. Thank you. Let's see, I think I just have one other question, I guess, two parts. The response to Interrogatory 47, my question is about that response, and I just want to read part of it just to refresh. The second sentence starts out, due to, number one, the flat nature of the site; two, the requirements/guidelines of DEEP's draft Appendix 1; and three, the potential existence of

groundwater within 5 feet of the existing grades, the proposed basin required the utilization of existing topography and depression with an earthen berm on the southern side.

Could you explain why or what it is about the DEEP's guidelines and also the existence of groundwater within 5 feet that requires the use of the basin as you've proposed it? And one thing I guess that I'm thinking about especially is, I'm sure there are plenty of other situations where sedimentation basins, stormwater control basins have been proposed where groundwater is much closer than 5 feet from the surface. So, could you explain what's behind those statements?

THE WITNESS (Parsons): Sure, Mr. Harder. This is Brad Parsons. So because we are treating this basin as an infiltration basin and, in essence, one of the locations of the discharge is back to groundwater, the 2004 Stormwater Quality Manual requires a 3 foot separation from the bottom of your basin to your groundwater elevation, and basically to mean that your -- if it were closer, say, 6 inches, you're really not going to infiltrate as well during seasonally high groundwater locations. So that's really the

rationale of looking at that depth there. And again, it's just the way these contours worked out, how kind of everything played together here, that was just the best spot for the basin in order to minimize any additional earth work on site too.

MR. HARDER: Okay. Thank you for that. That was useful.

THE WITNESS (Parsons): And one other point. I just did want to go back to your point about informing DEEP stormwater since we are on that. I will take a note and go back to the stormwater division just to ensure that they understand that sheep will be grazing on site.

MR. HARDER: Okay. Good. I think that would be very important.

Following up, just completing the point or the question on the response to Interrogatory Number 47, you indicate, even during the 100-year storm event, the basin is modeled not to stage above 1 and a half feet, and during a typical 2-year storm event neither the road nor the module racking should experience any staging.

At what point -- but you've proposed a spillway on this basin, correct? I think you're muted.

THE WITNESS (Parsons): You are correct, I am muted. That is correct, Mr. Harder.

MR. HARDER: So what circumstances would you envision where that spillway would come into use, I mean, how bad would it have to get?

THE WITNESS (Parsons): So the emergency spillway in this situation, and I can try and go back to my drainage calculations to find out when exactly it discharges, but likely either in the 10 or 25-year storm event that will start to discharge slightly. So you're going to have a storm event where you're going to have maybe at a 25-year storm event you're going to have a couple inches going out of that spillway versus when you get up to your 100-year storm event that elevation increases to maybe 6 to 8 inches coming out of that spillway of water itself. So it really is going to fluctuate depending on those storms.

Again, I will say that this was designed for the full drop in hydraulic soil group. The recent stormwater general permit that was issued is now, only requires a half a drop of hydraulic soil group. I have not gone back to look at this site specifically, but anecdotally

looking at other sites, some farmland sites that were planted with row crops would actually not require permanent stormwater controls even with a half drop in hydraulic soil group just strictly based on ground cover change. So it's very likely that, in essence, I don't see this, the water surface elevation getting as high as our calculations are showing right now.

MR. HARDER: Okay. Thank you. I appreciate that. That's all the questions I have right now. Thank you.

MR. SILVESTRI: Thank you, Mr. Harder. I'd like to continue cross-examination with Mr. Lynch at this time.

Mr. Lynch.

MR. LYNCH: Can you hear me, Mr. Chairman?

MR. SILVESTRI: Yes, I can.

MR. LYNCH: I have a couple questions. But first off, I want to say I've been on this Council for a few years now, and this is the first time I've ever heard a conversation about poop, sheep or otherwise.

Now, I'd like to get a clarification on a couple things that Mr. Edelson started out with.

And I agree with him that we have to work more on preparing for storms, whether it's snow, ice or hurricane or something. But I also have noticed in our last couple of storms that the sheet off that you talk about doesn't really happen that often. I mean, snow and ice can be packed on these panels for a long time. So I'm just agreeing that I think it's something, and Mr. Edelson brought it up, that we should be looking at.

Let me start out though with interrogatory, I think it's number 12, battery storage, which I'm glad to hear that you were saying that you're not looking to use battery storage now, but you are not opposed to adding it in the future. How will you go about doing that and how difficult a process is it to install a -- if you can elaborate on Question Number 12 -- to install the batteries on the site?

THE WITNESS (Herchel): This is Will Herchel. It is a bit of a complex question to answer because there's so many variables to consider, especially with regards to where you locate that storage system in terms of its interconnection to the grid, whether it's located

on the customer side really and only being able to be charged from the solar itself, or whether it can both discharge onto the grid and pull energy from the grid.

And we don't know exactly which formulation we would use for this location or for this project in this hypothetical scenario because, frankly, the economic drivers for that situation are not yet understood. So it could be fairly innocuous in terms of the interconnection if we are staying on our side, on the customer side, maybe our interconnection will not be significantly changed, and you guys can correct me on that if that's off, but if we were to be in a position where we would pull from and deploy from the grid, power I'm referring to, I would imagine that there would be a new interconnection application that would need to be submitted to get that individual battery on the grid.

MR. LYNCH: If I heard you correctly, you would be pulling from the grid and sending supply to the grid?

THE WITNESS (Herchel): Yes, there's two different configurations that we would potentially use for this hypothetical situation.

One would be where we're both drawing power from and deploying power to the grid. The other would be where we would exclusively charge the battery from the production of the solar array itself and deploy power to the grid both from the solar array and from the battery. And choosing between each of those methods can have a significant difference in the impact to interconnection and the complexity of the project deployment.

MR. LYNCH: Thank you. I have a better understanding. Now I've got it.

I also had a question on the 400 watt panels, but Mr. Silvestri is much better asking that question than I am, so I'm going to pass. He can take it over.

Also, you also in the interrogatories said that you would not design this project to fit into a microgrid. And in the future more and more communities are looking at, you know, microgrids. Could you redesign, as you said in your interrogatory, a plan that would actually allow you to incorporate into a microgrid?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. That's a great question. The one thing I would add in that response, and maybe

Will or Steve or Kyle can chime in too, is that the differentiator between a project like this and a microgrid is that a microgrid also has battery storage, but it also has a load center, meaning it's serving, a load center, it's serving customers directly without necessarily the use of the traditional utility infrastructure. And in my opinion, that might be the most drastic change to the project would be having it serve a specific load center or multiple load centers, for that matter, and where those would come from, where they would originate and how we would be able to serve. Maybe Steve or Kyle or Will, if they have additional.

THE WITNESS (Herchel): This is Will, I think that's generally correct, Will Herchel. I think that in order to have an islanded critical facility where you're able to operate in situations where the aggregate grid or distribution network is down, you need to have additional safeguards put into place that would involve multiple stakeholders and not just us and the utility company in achieving that goal.

MR. LYNCH: I understand that. Thank you very much. I thought that would probably be

your answer.

Now, you talk about the two airports, private airports that are located in the vicinity. Are you aware that in Ellington they also have a parachute jump school that's there?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. I was not directly aware that there's a parachute jump school at one of those airports.

MR. LYNCH: Does that in any way cause a problem on a windy day? It's a crazy question, but on a windy day could someone get blown into your facility?

THE WITNESS (Herchel): This is Will Herchel. Yes, it is a possibility.

MR. LYNCH: Sorry, I had to ask.

THE WITNESS (Herchel): No problem.

MR. LYNCH: Also, you talked about the major airport being Bradley, and you gave a nice explanation as to why, you know, the difference between a commercial airport and a private airport. But also in the same vicinity you have two Air Force facilities, you have the Air Guard at Bradley and you have the U.S. Air Force at Westover. Are they under the same constraints as

a commercial airport?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. I'm not quite sure. I don't know, Will, if you have a response to that.

THE WITNESS (Herchel): Brad, I don't know if you would agree. My expectation would be yes. I do not know conclusively if they fall under the same purview that the FAA requires of commercial facilities, but my expectation would be that would be the case.

Brad, I don't know if you have anything to add.

MR. LYNCH: All right. Thank you.

THE WITNESS (Parsons): This is Brad. I don't have anything specific. I would assume that the FAA though does oversee those flights within inside the United States border.

MR. LYNCH: All right. I just didn't know whether the military had any exceptions or not.

My next question involves the emergency responders. It kind of tails into your Interrogatory Number 30. Now, this area you said you're going to provide training, but to what fire departments are you going to provide training?

There's actually three, and they're all volunteer, that would be East Windsor, South Windsor and Ellington. And if I'm not mistaken, I think South Windsor is actually the closest fire department to your facility. Are you going to provide training to all of them?

THE WITNESS (DeNino): Hi. Steve DeNino here. We would coordinate the training of that with the fire department in town, and any of the necessary fire personnel that they would like to be trained would receive training.

MR. LYNCH: What would be incorporated in that training?

THE WITNESS (DeNino): So typically we provide a facility access plan, and also an operations plan for how to de-energize the facility, if need be, and then that would be run through with the personnel that they wanted us to train.

MR. LYNCH: You mentioned -- you led right into my next question on the de-energizing. Is that something that can be done internally by yourself or do you have to incorporate with, especially as far as the transformer is concerned, with Eversource?

THE WITNESS (DeNino): So there's actually multiple ways to disconnect power to the site. The facility has a remote recloser that could be operated remotely. There is equipment on site, the GOAB on site is a gang operated air break switch that could be operated that would de-energize the transformers or there are disconnects on each of the pieces of switchgear. So depending on where the issue is, there are multiple points of connection that you can de-energize from.

MR. LYNCH: In incorporating your training, are you telling or trying to influence the fire department as to whether they should use water or CO2 to fight any fire, or do you have a preference?

THE WITNESS (DeNino): I don't think that we would advise them on that. We would talk about the dangers and what is present on site, and I think that they would then determine as the experts what applicable measures that would pertain to that.

MR. LYNCH: Now, if you do have a fire on a sunny day and you de-energize everything, wouldn't those solar panels still be hot panels,

and can someone get a good shock from them?

THE WITNESS (DeNino): So there is still potential at the modules, but there's no current flowing to the inverters once they are disconnected.

MR. LYNCH: Okay. All right. Thank you. I want to talk about going back to damages caused by storms or other types of damage that you could incur from a large animal, you know, getting inside the facility. You know, how long would it take, especially as it related to the storm similar to what Mr. Edelson mentioned in Texas, how long would it take you to actually, if it was severe damage, to get the panels back in place and get back online again just an approximate time?

THE WITNESS (DeNino): So obviously that question would really be determined by how severe the damage would be and what equipment was damaged. The facility will have a monitoring system capable of real-time monitoring, so if there was damage to the facility we would receive alerts to that. We would then be able to dispatch our personnel accordingly, and they would evaluate the damage and put a plan in place to re-energize the facility, if need be. Like I said, depending

on the severity and what equipment was damaged, that timeline could be quite drastic, you know, modules could be something that are changed on that visit, but if it's a transformer or a piece of custom switchgear, there could be a longer duration to that fix.

MR. LYNCH: That's what I was going to ask. I figured the panels would be a simple replacement, but the inverters and the transformer would -- how long would something like that keep you offline?

THE WITNESS (DeNino): That's really, it's difficult to determine an exact duration. Inverters are something that are pretty readily available from all the distributors. The transformers, you know, that's sort of market dependent. There's a lot of factors there. There are ways to expedite those, when need be, but it could definitely fluctuate a little bit. And there's also three services, so the likelihood that the entire facility would be down would be very slim due to the fact that if one transformer was down it would only be a part of the array.

MR. LYNCH: Now, along the lines of damage control, have you ever had on any of your

facilities damage done by larger animals, bears coyotes, foxes that get into the facility?

THE WITNESS (DeNino): No, we have not had any damage caused by any larger animals on any facilities that we have.

MR. LYNCH: I'm very familiar with this area, and you have all of those animals within that area, so that's why I asked the question.

Hold on one second. In the future, if you have the ability to sell this site to an investor, maybe this is more of a legal question, but would all the contracts still remain in place, or would you have to renegotiate new contracts with the new owners?

THE WITNESS (Herchel): This is Will Herchel. It would depend on the nature of the sale, but one would anticipate that there would be a membership interest sale in which case the entity itself is transferred and not the underlying contracts. If that were to be the case, then it would not be necessary to assign any of those agreements.

MR. LYNCH: Thank you. And I think this is probably my last question. Are the state and federal tax credits and subsidies still in

place or have they gone away?

THE WITNESS (Herchel): This is Will Herchel. There are still federal tax credits that are available for this project. There are no state tax credits that I'm aware of.

MR. LYNCH: And do those federal tax credits have an expiration date, you have to be up and running by a certain time?

THE WITNESS (Herchel): They do. It is a little bit in flux in terms of the way things have been changing at the federal level. Specifically, there's a deadline for completing the project by a certain date. If you do not complete the project by that date, you will drop to a lower percentage of that federal investment tax credit.

MR. LYNCH: That's what I thought. Thank you.

Mr. Silvestri, those are all of my questions.

MR. SILVESTRI: Very good. Thank you, Mr. Lynch.

One of the nice things about going last for cross-examination is I could piggyback on some of the questions that other Council members had

asked, and then at times the downside is some of my questions have been asked already. So bear with me as I bounce around a little bit.

The first question I have for you goes to sheep. Will the sheep be staying on site at night?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. Yes, Mr. Silvestri, the sheep will stay on site at night.

MR. SILVESTRI: And would the, I'm going to call them a sheep herder for lack of a better term, would the sheep herder be there as well or would that particular person leave?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. It's our understanding that the sheep herder would not stay overnight with the sheep during the grow season. They would stay there and tend to them as needed.

MR. SILVESTRI: Okay. So getting back to what Mr. Lynch was talking about with emergency response, should a fire happen say at night without a sheep herder present, would there be a contingency plan as to how to evacuate the sheep?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. That's a great question, Mr.

Silvestri, and one that we'll absolutely get in place and work to get in place with the herders and the sheep farmers.

MR. SILVESTRI: Very good. Thank you. I also had a follow-up what Mr. Lynch, when he was talking about the batteries. Do you have any installations where you do have batteries at the locations?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And at this time, we do not have installations where we have solar and storage.

MR. SILVESTRI: Okay. So you might not be able to answer my follow-up question. But if batteries are on site with solar facilities, do you know how batteries get into the grid? You know, I know those with solar power, solar, the sun comes out, your feeding automatically into the distribution system, you're on the grid. When batteries might be needed, do you know how they're called for or deployed?

THE WITNESS (Fitzgerald): Mr. Silvestri, this is Bryan Fitzgerald. And I'll get it started, and Steve and you can chip in here. It's my understanding based on certain state level

programs, Massachusetts has specific programs and other states do as well, the battery system could be deployed at certain times when the utility company deemed it be necessary to have that additional capacity deployed, and those times and those time frames would be set by those specific programs, and there would be different requirements around that.

And Steve, if you have anything else to add on that.

THE WITNESS (DeNino): Steve DeNino. All I was going to say was to add to Will's earlier point. It really depends on the orientation of the battery, the way they're connected, whether they're AC or DC coupled, and what, you know, what the financing mechanisms is. So there could be multiple different scenarios.

MR. SILVESTRI: But in all cases there would be some type of switch, I would think, that would have to be thrown by someone to get the battery electrons back onto the grid; would that kind of be correct?

THE WITNESS (DeNino): Yeah, there would be a charge controller, so it wouldn't necessarily be a human being on site flipping a

switch, but there would be an electronic device that controls the amount of charge to those batteries and then the discharge and then the times that it does discharge or how it's discharged.

MR. SILVESTRI: That's fair enough. I appreciate that information. Thank you.

Mr. Parsons, a follow-up question. I think you were discussing this with Mr. Harder, and a reply came back that the, something to the effect that the stormwater basin treats the stormwater. How does the stormwater basin treat stormwater?

THE WITNESS (Parsons): I guess the stormwater basin, to use the word "treats," maybe the better word is "controls." The stormwater feature treats/controls the peak runoff from the site.

MR. SILVESTRI: Right. So treat in the common sense of the word could mean biological, it could mean chemical, we're not looking at either of those two?

THE WITNESS (Parsons): Well, I think maybe where I'm seeing the word treat come into play is that it does treat the water quality

volume, so that water quality volume is treated through infiltration into the soil and the natural breakdown that the soil provides to that stormwater. That is one way the basin is treating stormwater.

MR. SILVESTRI: Okay. Let's stay on the stormwater and the basins for a few moments. Groundwater, if I read everything correctly, appears to exist within 5 feet of the existing grades. So the question I have for you, in times of high groundwater tables, would the basin still fully drain out within 72 hours?

THE WITNESS (Parsons): Yes, because those groundwater elevations were taken during early May of 2020 during what would be considered high groundwater season.

MR. SILVESTRI: Okay. Thank you. And I think you answered this, but when it drains it would go mostly to groundwater; is that correct?

THE WITNESS (Parsons): That's correct, but it does vary based on the storm event. So I am looking at the model here, and it is page 62 of the PDF, which is Exhibit D, the stormwater management report that was part of the petition filing. In the 25-year storm event, the 11 CFS

are being discharged to the ground or exfiltrated from the basin, and the remaining 6.6 CFS are discharging through the weir on that basin, and that's at the 25-year storm event.

MR. SILVESTRI: Understood. Thank you. And again, getting back to the weir, getting back to the overflow, that would go where, would that just go south to the property?

THE WITNESS (Parsons): Correct, it would continue to flow in the way that the stormwater flows today. So it would head south pretty much southeast towards the wetland system that's further to the south and east.

MR. SILVESTRI: Okay. Thank you. Staying with the basin, in times of freezing temperatures it's possible that the water in the basin would also freeze. So the question I have for you is, if the gravel road and the modules are now under one foot of ice because you could have a foot of water there, what would happen to access should something occur that access to those panels is needed?

THE WITNESS (Parsons): I think that would have to be dealt with potentially on a case-by-case basis. And at the time that that

would happen, you know, there is likelihood that it could be, but they would be -- you know, potential precautions would need to be taken. I think one of the other things I would like to evaluate here on this to at least for Verogy to understand is what the water surface elevation would be without the drop in hydraulic soil group because that may actually be outside of the array area as well.

MR. SILVESTRI: My concern actually goes back to what we had, they called the polar vortex a couple years ago where it was extremely cold for an extremely long period of time. So that's why I posed the question.

THE WITNESS (Parsons): I can defer to Steve, Mr. DeNino, but I think the only reason they would end up having to do maintenance in that area would really be to replace modules or a damaged module in that case. So I would guess if conditions were not satisfactory that module would just have to potentially wait until conditions were satisfactory.

MR. SILVESTRI: All right. That's going to lead me to two follow-ups. With what you just mentioned, if that module in that row of

panels goes out, does that the affect the whole row of panels?

THE WITNESS (DeNino): Hi. Steve DeNino here. If a module was to have an issue, yes, it would affect production to that string. We do have string level monitoring on site though, and we would be able to -- I'm sorry, inverter level monitoring, and we would be able to identify the down production of an inverter. They are all independently fuse protected though, so if a maintenance technician went out to the site he could isolate that from production. It would not affect the rest of the array.

MR. SILVESTRI: But it would affect the string. How many panels would be in a string?

THE WITNESS (DeNino): There's 26 modules per string.

MR. SILVESTRI: Okay. So you could lose something and not be able to get it back necessarily if you can't access that panel?

THE WITNESS (DeNino): That would be correct.

MR. SILVESTRI: Okay. Then a follow-up to that as well. Someone earlier talked about could the panels be moved out of the basins, and a

response came on that one. My question would be could the basin be relocated south to avoid having the panels in the basin and the access road in the basin?

THE WITNESS (Parsons): I think, Mr. Silvestri, we did look at that when we were trying to lay this system out. Once you get just even a little bit further south and east, the grades just flatten out there, and so the disturbance level, no matter where we potentially were able to move the basin to, even if we were to move it, you know, say a few hundred feet south, our water surface elevation is still going to be defined on that elevation of grade there. And I'm not even sure we would be able to make up some of the grades in that case. This was a very kind of tricky spot to get this basin in, and we did some kind of back and forth on even making sure it could get to where it would be and all the stormwater would drain to where it does.

MR. SILVESTRI: So you need a slight drain for that basin in order to make it function the way it should?

THE WITNESS (Parsons): Correct.

MR. SILVESTRI: Okay. Let me then

continue on that line. And I want to reference you to your response to Interrogatory Number 22. I'll highlight one sentence here. It says, "Currently East Windsor Solar One is working to incorporate 400 watt panels into the project's design in order to maximize production per square foot." The question I have for you, what happened, why did you stay with the 385, 395 panels?

THE WITNESS (Fitzgerald): Mr. Silvestri, this is Bryan Fitzgerald. And at that point in time we were working to see if it would have been possible to acquire those 400 watt modules. Obviously, that would have been beneficial. And we ultimately were able to land on the 395 for the majority of the modules, which I believe is about 82 percent of the total site and total modules to be deployed on the site. It really came down to availability, what was available in the marketplace, and what we could transact on and secure for the project.

MR. SILVESTRI: Because we've seen other projects come in with upwards of 400, 455, I think was a magic number that sticks out. And what I look at is in general the higher wattage

you could go on panels, the less panels you would have, the less footprint that you would produce. So my related part of it is could you still incorporate higher watt panels into this project to reduce the footprint, to do one of two things or both of two things, one would be to create more of a buffer to the 750 foot CTH, and the other would be to reduce the number of panels that would be installed in the basins.

THE WITNESS (Herchel): This is Will Herchel. No, we cannot. The modules have been purchased for this individual installation at this time. And I would just add that at the time of making the selection of the module, the wattages that you're referring to were not as readily available as they are now. The density of modules have continued to increase over time. And the ability to manufacture at scale those higher density modules is also increasing. So newer projects that are submitting that maybe have construction start dates that are farther out in the future or other developers in the space that have been able to acquire those in a more advantageous or an expedited way may have access to those panels. We do not.

MR. SILVESTRI: I appreciate your response.

Let me move on to something different, a couple different follow-ups that I do have. I think I heard -- well, first of all, you have a fence with privacy slats and added vegetation screening proposed for Middle Road. Did I hear that you're going to also have such a fence with privacy slats along East Road?

THE WITNESS (Fitzgerald): This is Bryan Fitzgerald. And yes, that is correct, Mr. Silvestri, we will have privacy slats along the entire fence line that runs parallel with East Road.

MR. SILVESTRI: As well as the potential for additional vegetative screening, correct?

THE WITNESS (Fitzgerald): That's correct as well, yes.

MR. SILVESTRI: Okay. Then I want to go back to what Mr. Morissette was asking before about the poles, the utility poles in the response to Interrogatory 26. As stated in that response, "the petitioner proposed a secondary metered configuration which would drastically reduce the

impact to the site both geographically and aesthetically." And I said to myself that it sounds good, but it also stated that Eversource rejected the secondary metered configuration.

Could you elaborate as to what actually was proposed for that configuration, and do you know why it was rejected?

THE WITNESS (Herchel): Sure. This is Will Herchel. I can give generically, and maybe Kyle or Steve can help me with some of the technical specifics. But very simply, we proposed a configuration in consultation with Eversource where there would be secondary meters or not the primary meters that are currently designed at the facility to accommodate each of the individual LREC or ZREC meters that would be there. That would allow us to not have all of the poles that you're seeing in the current configuration. For a period of time, that was an approved process or means and methods for completing the interconnection at this location, and after a period of time and review from the metering department and other departments within Eversource, it was determined that that configuration would not be approved. That's the

extent of my ability to explain that. I don't know if, Kyle, or Steve, if you have any clarifications.

THE WITNESS (Perry): This is Kyle Perry with East Windsor Solar One. The conversation we had with the metering department, their reasoning for denying secondary metering was that the current solar facility's rate class or tariff that it is under does not contemplate transformer loss. So in a secondary metered situation the revenue meter would be behind that transformer and would have to go from the solar array through that revenue meter through the transformer and at that transformer there would be what's known as transformer loss which does not get back to the grid. So their current rate class and/or tariff that they had proposed for solar facilities like this does not contemplate that loss, so they would not allow a secondary metering configuration.

MR. SILVESTRI: Okay. Thank you for your response. And just to clarify before I go on, where is the change of ownership for the proposed overhead connection, at which pole?

THE WITNESS (Perry): It is at the -- I

can double check for you, but I believe it's at the primary meters.

MR. SILVESTRI: Would that be the one at the stop sign right on the corner?

THE WITNESS (Perry): No, it's actually the last three meters are the POCOs, the point of change of ownerships, it's at their primary meters, which is the last three poles to the east.

MR. SILVESTRI: Got you. Okay. All right. Broad question for you then. Can anything else be proposed to make that corner less conspicuous?

THE WITNESS (Herchel): This is Will Herchel. Not to our knowledge. And just in regards to the metering consideration that Kyle described for us, we were willing to address transformer loss or find some other solution to install the secondary metering configuration. It was not acceptable to Eversource to take up that charge. So not to our knowledge.

MR. SILVESTRI: And undergrounding was also out; is that correct?

THE WITNESS (DeNino): That's correct. They indicated that a pole top meter setup was the only solution that they -- I believe that they

were willing to work with us on this one.

THE WITNESS (Perry): This is Kyle. We did have a brief conversation about pad mounted primary metering solutions, but they did not want to install pads. And when we offered to have our pads inside the fence array hold their primary metering equipment, it was told to us that no Eversource equipment would sit on a pad nor pole owned by us.

MR. SILVESTRI: Interesting. Thank you for your responses. That's really all I had for either new questions or follow-up. But as everyone knows, when you pose questions and you obtain answers, it may result in other Council members and staff having more questions. So I'd like to go back and start with Ms. Walsh to see if she has any follow-up questions.

MS. WALSH: I don't have any follow-up questions at this time. Thank you.

MR. SILVESTRI: Thank you, Ms. Walsh.

Mr. Morissette, any follow-up questions?

MR. MORISSETTE: Thank you, Mr. Silvestri. Yes, I do have some follow-up questions.

Could you tell me what rate class that you're going to be operating under and that CL&P is indicating that secondary metering is not allowed under that rate class?

THE WITNESS (Perry): This is Kyle. I do not have that information in front of me. I can reach out in the coming days, but it's not available to me at this time. I don't know if Will --

THE WITNESS (Herchel): This is Will Herchel. I do not know that answer as well. As part of our discussions with Eversource on the matter, it was difficult for us to obtain that specific tariff that was prohibiting us to follow the secondary metering configuration ourselves. So we can again ask for that information that is prohibiting our ability to use secondary metering. But I believe that it would be a Rate Class 30 interconnection just as a standard going matter, but that is just from -- that's my expectation, not a certain fact.

MR. MORISSETTE: Thank you. You'll be selling at Rate 980. They weren't referring to that rate class, were they?

THE WITNESS (Herchel): That is not the

rate class that they were referring to for purposes of metering.

MR. MORISSETTE: Okay. Thank you. Concerning your two LREC contracts, are the rates in both of those contracts the same or were they separately bid and resulted in separate rates?

THE WITNESS (Fitzgerald): Mr. Morissette, this is Bryan Fitzgerald. The rates in the LREC contracts are the same, and they were bid in the same auction.

MR. MORISSETTE: So both contracts are the exact same rate, and they're requiring you under the contractual arrangement to have separate meters even though they have the same rate?

THE WITNESS (Herchel): That is correct. This is Will Herchel.

MR. MORISSETTE: Can you tell me whether those LREC contracts have a megawatt hour delivery requirement?

THE WITNESS (Herchel): This is Will Herchel. They do not have a minimum delivery requirement. There is a maximum annual quantity that they are willing to purchase at that particular LREC price, contractual price.

MR. MORISSETTE: So each contract has a

maximum limit?

THE WITNESS (Herchel): That is correct.

MR. MORISSETTE: So to track that you would need a separate meter?

THE WITNESS (Herchel): That is correct.

MR. MORISSETTE: Thank you. Okay. That's all the questions I have, Mr. Silvestri. Thank you.

MR. SILVESTRI: Thank you, Mr. Morissette.

Mr. Hannon, do you have any follow-up questions?

MR. HANNON: I do not have any other follow-up questions. Thank you.

MR. SILVESTRI: Thank you, Mr. Hannon.

Mr. Edelson, any follow-up questions?

MR. EDELSON: I think I have one for Mr. Parsons, and I meant to bring this up, regarding the visibility analysis. I think we've become pretty familiar with All-Points Technology's approach to the visibility analysis which usually includes maybe a dozen or more sites, and here we only had three. And I'm just

kind of curious how that decision was made to have so few vantage points for the visibility analysis.

THE WITNESS (Parsons): Mr. Edelson, as far as it relates to solar itself, usually it's been my experience on the projects that I've been involved with that we would have anywhere from two to five potentially, not as many as we may see in a telecommunications visibility analysis where we're dealing with a taller tower that could be seen from further locations. Again, it kind of goes to the point of doing these visibility analysis where we have receptors. So looking at those, the houses, and then understanding where we would actually see, you know, be seeing the facility from as well.

MR. EDELSON: Do you see my point, they are all sort of were co-located in that, I think it was the northwest corner, there was nothing of a view from let's say the other quadrants?

THE WITNESS (Parsons): Right. Again, the main visibility receptor there was that newer development that had gone in or was in the process of going in across the street.

MR. EDELSON: Okay. That's all the questions I had, Mr. Silvestri. Thank you.

MR. SILVESTRI: Thank you, Mr. Edelson.

Mr. Harder, any follow-up questions?

MR. HARDER: No. No further questions. Thanks.

MR. SILVESTRI: Thank you, Mr. Harder.

Mr. Lynch, any follow-up questions?

MR. LYNCH: No follow-up, Mr. Chairman.

MR. SILVESTRI: Thank you, Mr. Lynch.

I have no follow-ups as well. So I believe we reached the end of our cross-examination. So the Council will recess until 6:30 p.m., at which time we will commence the public comment session of this remote public hearing. So we'll see everyone for 6:30. Thank you.

MR. HOFFMAN: Thank you, Mr. Silvestri.

(Whereupon, the hearing adjourned at 4:47 p.m.)

CERTIFICATE OF REMOTE HEARING

I hereby certify that the foregoing 121 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the Remote Public Hearing in Re: PETITION NO. 1426, EAST WINDSOR SOLAR ONE, LLC PETITION FOR A DECLARATORY RULING, PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 4-176 AND SECTION 16-50k, FOR THE PROPOSED CONSTRUCTION, MAINTENANCE AND OPERATION OF A 4.9-MEGAWATT AC SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITY LOCATED WEST OF THE ELLINGTON TOWN BOUNDARY AT 341 EAST ROAD, EAST WINDSOR, CONNECTICUT, which was held before ROBERT SILVESTRI, Presiding Officer, on March 2, 2021.

Lisa L. Warner, CSR 061
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I N D E X

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STEVEN DeNINO
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PETITIONER'S EXHIBITS
(Received in evidence.)