

BRUCE L. McDERMOTT  
203.772.7787 DIRECT TELEPHONE  
860.240.5723 DIRECT FACSIMILE  
BMcDERMOTT@MURTHALAW.COM

June 10, 2022

Melanie A. Bachman, Esq.  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Re: Petition No. 1506 – SCEF1 Fuel Cell, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a grid-side 2.8-megawatt fuel cell facility located at 49 Coon Hollow Road, Derby, Connecticut, and associated electrical interconnection to The United Illuminating Company's existing Ansonia Substation

Dear Ms. Bachman:

Enclosed for filing with the Connecticut Siting Council ("Council") are SCEF1 Fuel Cell, LLC's responses to the Council's first set of interrogatories dated May 20, 2022.

An original and fifteen (15) copies of this filing will be hand delivered to the Council.

Should you have any questions regarding this filing, please do not hesitate to contact me.

Very truly yours,



Bruce L. McDermott

Enclosure

**Murtha Cullina LLP**  
265 Church Street  
New Haven, CT 06510  
T 203.772.7700  
F 203.772.7723

Interrogatory CSC-1

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness:  
Page 1 of 1

Q-CSC-1: Referencing Exhibit C-3 of the Petition, please provide corrected Affidavits of Service of Notice that identify the site location at “49 Coon Hollow Road, Derby, Connecticut.”

A-CSC-1: See Exhibit CSC-1-1.

**EXHIBIT CSC-1-1**

AFFIDAVIT OF SERVICE OF APPLICATION

STATE OF CONNECTICUT     )  
  ) ss. New Haven  
COUNTY OF NEW HAVEN     )

Pursuant to section 16-50/(b) of the Connecticut General Statutes, I hereby certify that on or about April 14, 2022, I caused a copy of the petition of SCEF1 Fuel Cell, LLC to the Connecticut Siting Council for a declaratory ruling that a Certificate of Environmental Compatibility and Public Need is not required for the installation of a 2.8 MW fuel cell power generating facility, including all associated equipment and related site improvements at 49 Coon Hollow Road, Derby, Connecticut (the "Project Site") to be served upon the individuals and agencies set forth on Exhibit C-2.



Bruce L. McDermott, Esq.

On this 9<sup>th</sup> day of June, 2022, before me, the undersigned officer, personally appeared, Bruce L. McDermott, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and office seal.



Liza Blair


My Commission Expires January 31, 2026

**EXHIBIT CSC-1-1**

AFFIDAVIT OF SERVICE OF NOTICE UPON ABUTTING PROPERTY OWNERS

STATE OF CONNECTICUT        )  
  ) ss. New Haven  
COUNTY OF NEW HAVEN        )

Pursuant to section 16-50(b) of the Connecticut General Statutes, I hereby certify that on or about April 14, 2022, I caused notice regarding SCEF1 Fuel Cell, LLC’s intent to file a petition with the Connecticut Siting Council for a declaratory ruling that a Certificate of Environmental Compatibility and Public Need is not required for the installation of a 2.8 MW fuel cell power generating facility, including all associated equipment and related site improvements at 49 Coon Hollow Road, Derby, Connecticut (the “Project Site”) to be sent by certified or registered mail to abutting property owners to the Project Site. The list of abutting property owners who were notified and a sample letter can be found on Exhibit C-1 and Exhibit C-4, respectively.

  
\_\_\_\_\_  
Bruce L. McDermott, Esq.

On this 9<sup>th</sup> day of June, 2022, before me, the undersigned officer, personally appeared, Bruce L. McDermott, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and office seal.

  
\_\_\_\_\_  
Liza Blair

My Commission Expires January 31, 2026

Interrogatory CSC-2

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-2: What is the estimated cost of the proposed project?

A-CSC-2: The estimated cost is \$10,500,000.

### Interrogatory CSC-3

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Derek Phelps  
Page 1 of 1

Q-CSC-3: Referencing page 9 of the Petition, when did SCEF1 Fuel Cell, LLC (SCEF1) meet with City of Derby (City) officials to discuss the proposed project?

A-CSC-3: FuelCell Energy first approached the City of Derby about the availability of sites that would be suitable to the SCEF program on May 8, 2020. In response to that inquiry, the City referred FuelCell Energy to the subject site (also known as the Old Dog Pound) on May 21, 2020.

FuelCell Energy has maintained regular contact with the City to keep them apprised of the status of this potential project.

Interrogatory CSC-4

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Derek Phelps  
Page 1 of 1

Q-CSC-4: Referencing page 10 of the Petition, have the Cities of Derby and Ansonia and/or abutters provided comments to SCEF1 since the petition filing? If yes, summarize the comments.

A-CSC-4: SCEF1 Fuel Cell has received no comment or request for additional information from either municipality.

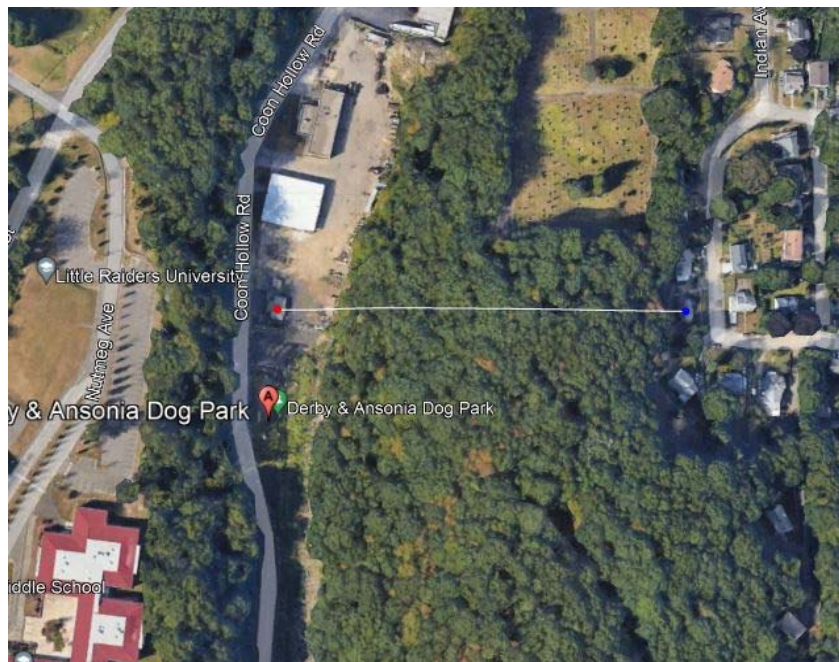
## Interrogatory CSC-5

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-5: Referencing page 15 of the Petition, "The closest residential property and structure is more than 725 feet to the east of the Site." Provide the address and distance to the nearest residential property line.

A-CSC-5: The nearest residential property is directly to the east, located at 6 Indian Avenue, Derby. The distance from the proposed site to the residential dwelling is about 740 feet and the distance to the property line is about 660 feet.





Interrogatory CSC-6

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-6: Are there provisions for any extension of time in the Tariff Terms Agreement (TTA)? Is there an option to renew at the end of the 20-year term?

A-CSC-6: No. There are no provisions for an extension of time in the TTA. There is no option to renew at the end of the 20-year term.

Interrogatory CSC-7

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-7: Does the TTA include the transfer of capacity to The United Illuminating Company, or would SCEF1 participate in the ISO-NE Forward Capacity Auction (FCA)? If SCEF1 plans to participate in the ISO-NE FCA, indicate which auction(s) and capacity commitment period(s).

A-CSC-7: The TTA includes the transfer of capacity to UI.

## Interrogatory CSC-8

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-8: Referencing Exhibit A of the Petition, Preliminary Site Plan Sheet 20-0010 and Exhibit E, Emergency Response Plan, Appendix A, Sheet C-004 – Utilities Layout, both drawings are inconsistent in terms of concrete pad and switchgear locations. Please provide the following:

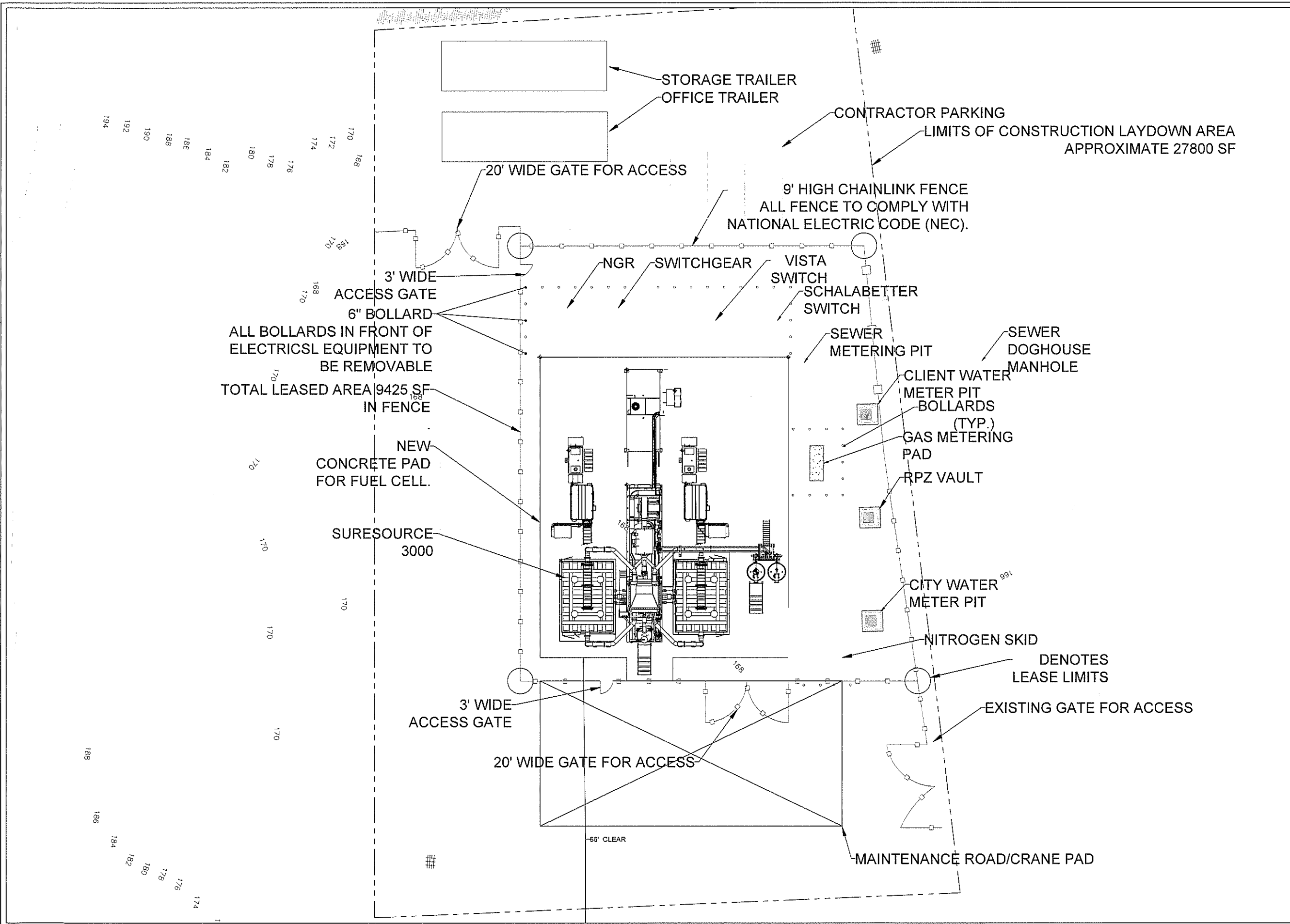
- a) A corrected version of Sheet 20-0010 including notes and dimensions that are legible;
- b) A revised version of Sheet C-002 with notes that are legible; and
- c) A corrected version of Sheet C-004 with the correct map orientation. Please identify proposed fencing and bollards. Also label/identify the rectangular area with “X” diagonals located immediately adjacent to the fuel cell facility.

A-CSC-8:

- a) The reference to Sheet 20-0100 was in error and Drawing C-002 should be referenced.
- b) and c) Drawing C-002 has been revised with the corrected map directional symbol orientation. Additional label identifiers for equipment and locations were added. See Exhibit CSC-8-1.

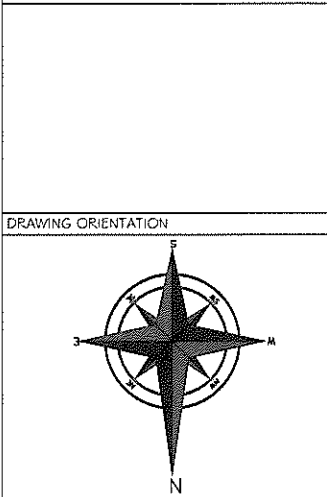
Drawing C-004 has been revised with additional detail information. See Exhibit CSC-8-2. The compass symbol on each one of drawing is in the correct direction. The “X” on Drawing C-002 that is located immediately adjacent to the north side of the unit is an area designated for the future maintenance area and for temporary construction location for the crane location (for future equipment lifts onto the foundation).

Drawing C-004 is a plant site utilities drawing which does not include fencing and bollards on the drawing. Drawing C-002 has been revised to show the fencing and bollards locations. Bollards will be set around the gas metering pad on the west side and the electrical equipment designated on the south side of the unit. Drawing C-002 depicts the preliminary locations of the bollards with this symbol “o”.



PROJECT DESIGNER  
**one**  
 DEVELOPMENT & CONSTRUCTION, LLC  
 60 UNION STREET WESTFIELD, MA 01095 P: (413) 485-4060 F: (413) 485-4090 www.one-d-c.com  
 90 MAIN STREET P.O. BOX 620 CENTERBROOK, CT 06426 P: (860) 982-0689

PROJECT DEVELOPER  
 CONSULTING ENGINEER  
 PROFESSIONAL SEAL



NOTES/COMMENTS

NO.	DESCRIPTION	DATE
1	Comments from CSC	6/3/22

SURE SOURCE 3000™  
 POWER PLANT  
 49 COON HOLLOW ROAD  
 DERBY, CT  
 SITE LAYOUT  
 PROJECT NUMBER  
 DATE 6/3/22  
 DESIGNED BY DEREK HEULE  
 CHECKED BY  
 C-002  
 SCALE 1" = 10'-0"

Approved: *[Signature]*  
 6/18/2022



## Interrogatory CSC-9

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-9: Referencing Sheet C-004, please describe the following:

- a. the 13.8-kV electrical interconnection
- b. the natural gas connection; and
- c. the water/sewer connection.

A-CSC-9:

- a) The 13.8kv electrical interconnection will be tied in and connected to the site through the switchgear component equipment along with the electrical metering assembly.
- b) The natural gas connection is a preliminary design and will be located on a concrete pad designed to connect to the site with the gas metering assembly and isolation cut off valve(s).
- c) The water and sewer preliminary connections locations are presently located in concrete vaults toward the front of the fuel cell unit near the roadway. The reducing pressure zone vault identified on the drawing is the location where the back flow preventor for the water system is installed.

Design of the site utility connections will be the responsibility of the project's EPC contractor.

Interrogatory CSC-10

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-10: At what pressure in pounds per square inch gauge (psig) would the natural gas be supplied to the fuel cell?

A-CSC-10: The natural gas pressure to the site is 15 psig.

Interrogatory CSC-11

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-11: Referencing page 13 of the Petition, fuel cell delivery would involve the use of a crane. Would notice to the Federal Aviation Administration be required for temporary use of a crane?

A-CSC-11: No. A notice to the Federal Aviation Administration is not required for the crane that will be used because the crane's height will not exceed 200 feet.



Interrogatory CSC-12

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-12: What is the general slope/gradient of the project area?

A-CSC-12: The present slope in the site is graded mostly flat given that this section was originally graded for the City of Derby Public Works yard. The top of the concrete pad foundation will be designed with a slight pitch to allow for top water drainage and minimize pooling.

Interrogatory CSC-13

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-13: What is the voltage of Ansonia Substation? Would the project require any upgrades to the substation? If so, describe the nature of these upgrades.

A-CSC-13: The electrical voltage of the Ansonia substation is 115kV. UI electrical impact studies are in progress but no substation upgrades are currently expected.

Interrogatory CSC-14

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-14: Has SCEF1 consulted with the natural gas utility regarding the adequacy of the existing pipeline/main to serve the fuel cell facility or whether upgrades would be required? Which natural gas utility would serve the fuel cell facility?

A-CSC-14: SCEF1 has consulted with the Yankee Gas regarding the adequacy of the existing supply and has confirmed that it will be able to serve the fuel cell facility and that no upgrades are required.

Interrogatory CSC-15

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-15: Would the operation of the fuel cell facility produce any type of vapor plume or cloud? If so, is there a potential for icing in colder temperatures and/or a potential to interfere with air navigation? If so for both, are there any mitigation measures?

A-CSC-15: The fuel cell facility will not produce any appreciable vapor plume or cloud and will not interfere with air navigation.

Interrogatory CSC-16

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

- Q-CSC-16: What is the quantity of oil in the transformers? Will the transformers have secondary containment and/or the use of biodegradable oil?
- A-CSC-16: The transformer holds 126 gallons of biodegradable oil. No secondary containments are required since the transformer is installed outside and is less than 660 gallons.

Interrogatory CSC-17

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-17: What is the distance of the closest facility associated equipment to Coon Hollow Road? How would the proposed facility's associated equipment be protected from a traffic accident?

A-CSC-17: The fuel cell unit will be constructed within the City of Derby Public Works property and will be surrounded by a fence. The City has a separate driveway entrance next to the office building and the driveway which is approximately 300 feet away from the unit.

Given that the unit is set back substantially from the road a traffic accident will not adversely impact the facility.

Interrogatory CSC-18

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-18: Page 11 of the Petition states nitrogen will be stored on-site. Are nitrogen tank leaks or ruptures addressed in the Emergency Response Plan? If not, how would SCEF1 respond to any leaks?

A-CSC-18: Nitrogen tank leaks or ruptures are not directly addressed in the Emergency Response Plan, however, the Plan will identify a nitrogen gas response contact to address the tank leak or rupture.

Interrogatory CSC-19

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-19: Referencing Page 13 of Exhibit D – Facility Sound Assessment, it states, “Mitigation measures are engineered into the equipment configuration to keep the Fuel Cell facility cumulative sound within applicable standards.” What mitigation measures are engineered into the equipment configuration?

A-CSC-19: A variety of design measures are employed for the fuel cell design for sound level reduction. Most notably, the fresh air blower is designed with an inlet silencer added to the fresh air intake system to significantly reduce the noise generated by the blower.

In addition, fuel cell design and operations do not require a significant amount of rotating apparatus/equipment which otherwise contribute to noise levels.



## Interrogatory CSC-20

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-20: Referencing page 7 of the Petition, SCEF1 indicates that the proposed facility would be enclosed by an approximately eight-foot tall fence. Would the proposed fence surround all four sides of the fuel cell facility? What do the larger squares represent at the limits of the facility along Coon Hollow Road on Sheet C-004? Does the proposed fence comply with the National Electrical Code?

A-CSC-20: The facility is planned with perimeter fencing that will enclose the unit on all sides with locked access gate(s) from Coon Hollow Road. The fence will meet the standards of the National Electrical Code.

Drawing C-004 depicts the three boxes by Coon Hollow Road as the preliminary locations of the site utility connections for each utility service (gas, water and sewer). The unlabeled middle square (now labeled as RPZ) denotes an extension of the water utility service.

Interrogatory CSC-21

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-21: What safety/security measures are proposed to protect the fuel cell facility from trespassing, theft, vandalism and/or sabotage?

A-CSC-21: The site will be surrounded by a permanent perimeter security fence to prevent trespassing, theft, vandalism and/or sabotage.

Interrogatory CSC-22

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-22: Referencing page 9 of the petition, it states, “the proposed facility will have back-up capabilities.” Explain.

A-CSC-22: As stated in the petition the proposed project involves the installation and operation of a FCE 2.8 MW SureSource 3000 power plant. All such units have the potential to be designed as microgrids such that they would provide back-up power to critical loads in the event of a power outage.

However, to be clear, as currently contemplated the proposed project will not be designed as a microgrid and as such will not be able to directly serve loads in the event of a grid outage.

Interrogatory CSC-23

SCEF1 Fuel Cell, LLC  
Petition No. 1506

Witness: Karl Jacobs  
Page 1 of 1

Q-CSC-23: Referencing the October 4, 2021 letter from SHPO, it states, "Several nonhistoric sheds are present on within the project area and are proposed to be removed." Are any of the referenced nonhistoric sheds located on the proposed facility "site," as that term is defined under Regulations of Connecticut State Agencies §16-50j-2a(29)? If so, please identify the ownership and locations of the nonhistoric sheds and any other existing structures to be removed to accommodate development of the fuel cell site.

A-CSC-23: No. There are no non historic sheds that are located within the leased area. A small building which previously was used as the Dog Pound Office has been abandoned. This is the only building/shed that will be demolished to allow for the construction of the facility.