

STATE OF CONNECTICUT

SITING COUNCIL

PETITION OF TRITEC AMERICAS, LLC : PETITION NO. 1583  
FOR A DECLARATORY RULING THAT :  
NO CERTIFICATE OF ENVIRONMENTAL :  
COMPATIBILITY AND PUBLIC NEED IS :  
REQUIRED FOR THE CONSTRUCTION, :  
OPERATION, MAINTENANCE, AND :  
DECOMMISSIONING OF A 0.999 MW AC :  
SOLAR PHOTOVOLTAIC PROJECT IN :  
BETHANY, CONNECTICUT : August 2, 2023

**RESPONSE OF TRITEC AMERICAS, LLC TO THE TOWN OF BETHANY'S  
RESOLUTION ADOPTING A PUBLIC STATEMENT OPPOSING THE PETITION  
FOR DECLARATORY RULING**

TRITEC Americas, LLC (“TRITEC”) hereby responds to the Town of Bethany’s (“Bethany”) Resolution Adopting a Public Statement Opposing TRITEC’s Petition for a Declaratory Ruling.

First, it is unclear whether this is a request for public comment with the inclusion of a public statement or whether it is a formal written response attacking the merits of the Petition. Regardless of how the Connecticut Siting Council (“Siting Council”) intends to treat it, TRITEC requests that it be stricken. Bethany’s entire argument is that the Petition should be denied because TRITEC failed to comply with certain statutory obligations. The problem is, Bethany bases its argument on *Connecticut General Statutes (“C.G.S.”) section 16-50l, which sets out requirements for applications for certificates of environmental compatibility and public need.* TRITEC, however, filed a properly supported petition for a declaratory ruling that no certificate proceeding is needed. Thus, TRITEC cannot have failed to comply with statutory obligations with which it was not bound to comply in the first place. Bethany further confuses things when it repeatedly cites the wrong statute but is requesting that the petition be denied based on the

Regulations of Connecticut State Agencies section that does apply in this matter. See Resolution, p.4. Bethany's entire argument is faulty because it is based on the wrong law. Therefore, TRITEC requests that this entire document titled "Resolution" be stricken.

Second, Bethany has submitted this as a resolution adopting a "public statement." But it is also a written objection to the Petition when it has not yet been granted party status. Bethany cannot do both. It can oppose the Petition or participate in public comment.

In any event, TRITEC received this yesterday. TRITEC is submitting this brief response considering this matter is scheduled on the agenda for the Energy/Telecommunications meeting of the Siting Council on Thursday, August 3, 2023, at 1:00 p.m. If the Siting Council does not strike the Resolution and accompanying argument as requested, TRITEC reserves the right to more fully respond to the factual statements and legal argument raised therein and in the context of an evidentiary hearing with the opportunity for cross-examination and a briefing schedule.

RESPECTFULLY SUBMITTED,

**TRITEC Americas, LLC**



By: \_\_\_\_\_

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