

1                   STATE OF CONNECTICUT  
2                   CONNECTICUT SITING COUNCIL

3  
4                   PETITION NO. 1589

5                   Petition from USS Somers Solar, LLC for a  
6                   declaratory ruling, pursuant to Connecticut  
7                   General Statutes, Section 4-176 and Section  
8                   16-50k, for the proposed construction, maintenance  
9                   and operation of a 3.0-megawatt AC solar  
10                  photovoltaic electric generating facility located  
11                  at 360 Somers Road, Ellington, Connecticut, and  
12                  associated electrical interconnection

13                  VIA ZOOM AND TELECONFERENCE

14                  Public Hearing held on Tuesday,  
15                  December 5, 2023, beginning at 2 p.m.,  
16                  via remote access.

17                  H e l d   B e f o r e :

18                  JOHN MORISSETTE, Presiding Officer

19  
20  
21  
22  
23  
24  
25                  Reporter: Lisa L. Warner, CSR #061

1   **A p p e a r a n c e s :**

2  
3   **Council Members:**

4           **BRIAN GOLEMBIEWSKI, Designee for**  
5           **Commissioner Katie Dykes, Department of**  
6           **Energy and Environmental Protection**

7           **QUAT NGUYEN, Designee for**  
8           **Commissioner Katie Dykes, Department**  
9           **of Energy and Environmental Protection**

10           **ROBERT SILVESTRI**

11           **DANIEL P. LYNCH, JR.**

12   **Council Staff:**

13           **MELANIE BACHMAN, ESQ.**  
14           **Executive Director and Staff Attorney**

15           **IFEANYI NWANKWO**  
16           **Siting Analyst**

17           **LISA FONTAINE**  
18           **Fiscal Administrative Officer**

19           **DAKOTA LaFOUNTAIN**  
20           **Clerk Typist**

21           **For USS Somers Solar, LLC:**  
22           **PULLMAN & COMLEY, LLC**  
23           **90 State Street**  
24           **Hartford, Connecticut 06103-3702**  
25           **Phone: 860.424.4315**

**BY: LEE D. HOFFMAN, ESQ.**  
          **lhoffman@pullcom.com**

**Zoom co-host: Aaron Demarest**

1 MR. MORISSETTE: This public hearing is  
2 called to order this Tuesday, December 5, 2023, at  
3 2 p.m. My name is John Morissette, member and  
4 presiding officer of the Connecticut Siting  
5 Council. Other members of the Council are Brian  
6 Golembiewski, designee for Commissioner Katie  
7 Dykes of the Department of Energy and  
8 Environmental Protection; Quat Nguyen, designee  
9 for Chairman Marissa Paslick Gillett of the Public  
10 Utilities Regulatory Authority; and Daniel P.  
11 Lynch, Jr.; and Robert Silvestri.

12 Members of the staff are Melanie  
13 Bachman, executive director and staff attorney;  
14 Ifeanyi Nwankwo, siting analyst; Lisa Fontaine,  
15 fiscal administrative officer; and Dakota  
16 LaFountain, clerk typist.

17 If you haven't done so already, I ask  
18 that everyone please mute their phones and  
19 computer audio now.

20 This hearing is held pursuant to the  
21 provisions of Title 16 of the Connecticut General  
22 Statutes and of the Uniform Administrative  
23 Procedure Act upon a petition from USS Somers  
24 Solar, LLC for a declaratory ruling pursuant to  
25 Connecticut General Statutes, Section 4-176 and

1 16-50k, for the proposed construction, maintenance  
2 and operation of a 3.0-megawatt AC solar  
3 photovoltaic electric generating facility located  
4 at 360 Somers Road in Ellington, Connecticut, and  
5 associated electrical interconnection. This  
6 petition was received by the Council on August 23,  
7 2023.

8           The Council's legal notice of the date  
9 and time of this public hearing was published in  
10 The Journal Inquirer on November 13, 2023. Upon  
11 this Council's request, the petitioner erected a  
12 sign in the vicinity of the proposed site as to  
13 inform the public of the name of the petitioner,  
14 type of facility, the public hearing date, and  
15 contact information for the Council, including the  
16 website and phone number.

17           As a reminder to all, off-the-record  
18 communication with a member of the Council or a  
19 member of the Council's staff upon the merits of  
20 this petition is prohibited by law.

21           The party to the proceeding is as  
22 follows: The petitioner is USS Somers Solar, LLC,  
23 represented by Lee D. Hoffman, Esq. of Pullman &  
24 Comley, LLC.

25           We will proceed in accordance with the

1 prepared agenda, a copy of which is available on  
2 the Council's Petition Number 1589 webpage, along  
3 with the record of this matter, the public hearing  
4 notice, instructions for public access to this  
5 public hearing, and the Council's Citizens Guide  
6 to Siting Council Procedures. Interested persons  
7 may join any session of this public hearing to  
8 listen, but no public comments will be received  
9 during the 2 p.m. evidentiary session. At the end  
10 of the evidentiary session, we will recess until  
11 6:30 p.m. for the public comment session. Please  
12 be advised that any person may be removed from the  
13 evidentiary session or the public comment session  
14 at the discretion of the Council.

15           The 6:30 p.m. public comment session  
16 will be reserved for members of the public who  
17 signed up in advance to make brief statements into  
18 the record. I wish to note that the petitioner,  
19 parties and intervenors, including their  
20 representatives and witnesses, are not allowed to  
21 participate in the public comment session. I also  
22 wish to note for those who are listening and for  
23 the benefit of your friends and neighbors who are  
24 unable to join us for the public comment session  
25 that you or they may send written statements to

1 the Council within 30 days of the date hereof by  
2 either mail or by email, and such written  
3 statements will be given the same weight as if  
4 spoken during the public comment session.

5 A verbatim transcript of this public  
6 hearing will be posted on the Council's Petition  
7 Number 1589 webpage and deposited with the  
8 Ellington Town Clerk's Office for the convenience  
9 of the public.

10 Please be advised that the Council does  
11 not issue permits for stormwater management. If  
12 the proposed project is approved by the Council, a  
13 Department of Energy and Environmental Protection,  
14 also known as DEEP, Stormwater Permit is  
15 independently required. DEEP could hold a public  
16 hearing on any Stormwater Permit application.

17 Please also be advised that the  
18 Council's project evaluation criteria under the  
19 statute does not include consideration of property  
20 values.

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

23 We have one motion to take care of  
24 before we start the hearing. The motion is from  
25 USS Somers Solar, LLC, a motion for protective

1 order, dated November 9, 2023. Attorney Bachman  
2 may wish to comment.

3 Attorney Bachman.

4 MS. BACHMAN: Thank you, Mr.  
5 Morissette. The petitioner filed a motion for  
6 protective order under Connecticut General  
7 Statutes, Section 1-210(b) related to the project  
8 costs, and staff recommends approval. Thank you.

9 MR. MORISSETTE: Thank you, Attorney  
10 Bachman. Is there a motion?

11 MR. SILVESTRI: Mr. Morissette, I'll  
12 move to approve the motion for protective order.

13 MR. MORISSETTE: Thank you, Mr.  
14 Silvestri. Is there a second?

15 MR. NGUYEN: I second it, Mr.  
16 Morissette.

17 MR. MORISSETTE: Thank you, Mr. Nguyen.  
18 We have a motion by Mr. Silvestri to approve the  
19 motion for protective order, and we have a second  
20 by Mr. Nguyen. We'll now move to discussion.

21 Mr. Silvestri, any discussion?

22 MR. SILVESTRI: No discussion. Thank  
23 you.

24 MR. MORISSETTE: Thank you. Mr.  
25 Nguyen, any discussion?

1 MR. NGUYEN: No discussion. Thank you.  
2 MR. MORISSETTE: Thank you. Mr.  
3 Golembiewski, any discussion?  
4 MR. GOLEMBIEWSKI: No discussion.  
5 Thank you.  
6 MR. MORISSETTE: Thank you. Mr. Lynch,  
7 any discussion?  
8 MR. LYNCH: I have no discussion.  
9 MR. MORISSETTE: Thank you. And I have  
10 no discussion. We'll now move to the vote.  
11 Mr. Silvestri, how do you vote?  
12 MR. SILVESTRI: Vote to approve. Thank  
13 you.  
14 MR. MORISSETTE: Thank you. Mr.  
15 Nguyen, how do you vote?  
16 MR. NGUYEN: Vote to approve. Thank  
17 you.  
18 MR. MORISSETTE: Thank you. Mr.  
19 Golembiewski?  
20 MR. GOLEMBIEWSKI: Vote to approve.  
21 Thank you.  
22 MR. MORISSETTE: Thank you. Mr. Lynch?  
23 MR. LYNCH: Vote to deny.  
24 MR. MORISSETTE: Thank you, Mr. Lynch.  
25 And I also vote to approve. We have four for



1 approval and one for denial. The motion passes.  
2 The motion for protective order is granted. Thank  
3 you.

4 We'll now move on to administrative  
5 notice taken by the Council. I wish to call your  
6 attention to those items shown in the hearing  
7 program marked as Roman Numerals I-C, Items 1  
8 through 99. Does the petitioner have any  
9 objection to the items that the Council has  
10 administratively noticed?

11 Attorney Hoffman, good afternoon.

12 MR. HOFFMAN: Good afternoon, Mr.  
13 Morissette. We have no objection, sir.

14 MR. MORISSETTE: Thank you, Attorney  
15 Hoffman. Accordingly, the Council hereby  
16 administratively notices these existing documents.

17 (Administrative Notice Items I-C-1  
18 through I-C-99: Received in evidence.)

19 MR. MORISSETTE: We'll now continue  
20 with the appearance of the petitioner. Will the  
21 petitioner present its witness panel for the  
22 purpose of taking the oath, and we'll have  
23 Attorney Bachman administer the oath.

24 Attorney Hoffman.

25 MR. HOFFMAN: Thank you, Mr.

1 Morissette. With us today for USS Somers Solar we  
2 have Daniel Csaplar from United States Solar;  
3 Mitchell Ott from Westwood; and Larry Durocher who  
4 represents the -- who's the managing member of the  
5 property owner. I'd ask that all three be sworn  
6 in as witnesses.

7 MR. MORISSETTE: Thank you, Attorney  
8 Hoffman.

9 Attorney Bachman, please administer the  
10 oath.

11 MS. BACHMAN: Thank you, Mr.  
12 Morissette. Could the witnesses please raise  
13 their right hand.

14 D A N I E L C S A P L A R,  
15 M I T C H E L L O T T,  
16 L A R R Y D U R O C H E R,

17 having been first duly sworn by Attorney  
18 Bachman, were examined and testified on their  
19 oaths as follows:

20 MS. BACHMAN: Thank you.

21 MR. MORISSETTE: Thank you, Attorney  
22 Bachman.

23 Attorney Hoffman, please begin by  
24 verifying all the exhibits by the appropriate  
25 sworn witnesses.

1 MR. HOFFMAN: Yes, Mr. Morissette.

2 DIRECT EXAMINATION

3 MR. HOFFMAN: So Mr. Csaplar, we'll  
4 start with you. Are you familiar with the  
5 petition itself as well as the responses to the  
6 interrogatories that the petitioner provided in  
7 this petition?

8 THE WITNESS (Csaplar): Yes.

9 MR. HOFFMAN: And did you prepare those  
10 pieces of information or cause them to be  
11 prepared?

12 THE WITNESS (Csaplar): Yes.

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

15 THE WITNESS (Csaplar): Yes.

16 MR. HOFFMAN: And do you have any  
17 changes to those materials?

18 THE WITNESS (Csaplar): Not at this  
19 time.

20 MR. HOFFMAN: And do you adopt those as  
21 your sworn testimony here today subject to  
22 cross-examination?

23 THE WITNESS (Csaplar): Yes.

24 MR. HOFFMAN: Mr. Ott, I'm going to ask  
25 you the same series of questions. So are you

1 familiar with the petition and the interrogatory  
2 responses that were served in this petition by the  
3 petitioner?

4 THE WITNESS (Ott): Yes.

5 MR. HOFFMAN: And did you prepare those  
6 materials or cause them to be prepared?

7 THE WITNESS (Ott): Yes.

8 MR. HOFFMAN: And are those materials  
9 accurate to the best of your knowledge and belief?

10 THE WITNESS (Ott): Yes.

11 MR. HOFFMAN: And do you have any  
12 changes to those materials?

13 THE WITNESS (Ott): No.

14 MR. HOFFMAN: And do you adopt those as  
15 your sworn testimony today subject to  
16 cross-examination?

17 THE WITNESS (Ott): Yes.

18 MR. HOFFMAN: Mr. Durocher, we have a  
19 slightly different set of questions for you. Did  
20 you file prefile testimony in this petition, sir?

21 Mr. Durocher, you're on mute.

22 THE WITNESS (Durocher): Yes.

23 MR. HOFFMAN: And is that prefile  
24 testimony correct and accurate to the best of your  
25 knowledge and belief?

1 THE WITNESS (Durocher): Yes.

2 MR. HOFFMAN: And do you have any  
3 changes to that prefile testimony?

4 THE WITNESS (Durocher): No.

5 MR. HOFFMAN: And do you adopt that  
6 testimony as your sworn testimony today?

7 THE WITNESS (Durocher): Yes.

8 MR. HOFFMAN: With that, Mr.  
9 Morissette, I would ask that the Council adopt for  
10 evidentiary purposes the petition, the  
11 interrogatory responses and the prefiled testimony  
12 of Mr. Durocher.

13 MR. MORISSETTE: Thank you, Attorney  
14 Hoffman. The exhibits are hereby admitted.

15 (Petitioner's Exhibits II-B-1 through  
16 II-B-5: Received in evidence - described in  
17 index.)

18 MR. MORISSETTE: We'll now begin with  
19 cross-examination of the petitioner by the Council  
20 starting with Mr. Nwankwo followed by Mr.  
21 Silvestri.

22 Mr. Nwankwo, good afternoon.

23 MR. NWANKWO: Good afternoon, Mr.  
24 Morissette. Thank you.

25

1 CROSS-EXAMINATION

2 MR. NWANKWO: My first question to the  
3 petitioner will be why was the site selected for  
4 the proposed solar facility?

5 THE WITNESS (Csaplar): Yes. So we go  
6 through an extensive process of siting for these  
7 solar facilities. There are a few criteria that  
8 we look out for, whether the parcel is clear,  
9 flat, dry and next to existing utility  
10 infrastructure, 3 phase, and we believe that this  
11 parcel met all of those criteria.

12 MR. NWANKWO: Thank you.

13 MR. MORISSETTE: Thank you. Before we  
14 continue, please state your name before responding  
15 to the question so that the court reporter may  
16 properly and accurately document the testimony.  
17 Thank you.

18 MR. NWANKWO: My next question. How is  
19 the proposed solar facility consistent with the  
20 State Plan of Conservation and Development?

21 THE WITNESS (Csaplar): Sure. My name  
22 is Dan Csaplar on behalf of USS Solar. It's  
23 consistent with the state's plan in that we  
24 actually bid into the Eversource SCEF program in  
25 their attempt to build a more renewable

1 infrastructure. We bid into the Year 1 SCEF  
2 program again through Eversource and were awarded  
3 a 4-megawatt slot within the Eversource --

4 MR. LYNCH: Excuse me, Mr. Morissette.  
5 Could you have the witness speak up or talk into  
6 the microphone? I have a hard time hearing.

7 MR. MORISSETTE: Thank you, Mr. Lynch.  
8 Mr. Csaplar, could you kindly speak up  
9 a little bit? Thank you.

10 THE WITNESS (Csaplar): So I was just  
11 explaining that we were awarded a Year 1 SCEF PPA  
12 through the Eversource SCEF program. And, you  
13 know, we believe that this project will help  
14 Connecticut meet its renewable energy target.

15 MR. NWANKWO: Thank you. Will the  
16 number of utility poles associated with the  
17 interconnection be reduced by the use of pad  
18 mounted equipment or any other alternate design?

19 THE WITNESS (Ott): Mitchell Ott. From  
20 an engineering standpoint, the way the design is  
21 currently laid out as poles that have been  
22 approved through the FAA notice criteria  
23 procedures.

24 Dan, if you have anything to add to  
25 that.

1                   THE WITNESS (Csaplar): Dan Csaplar,  
2 USS. We can talk with Eversource, but, you know,  
3 it is standard procedure to have three poles at  
4 the point of interconnection.

5                   MR. NWANKWO: Thank you. Approximately  
6 how many construction vehicles and what type of  
7 vehicles will be expected to enter the site during  
8 construction?

9                   THE WITNESS (Csaplar): This is Dan  
10 from USS. Mitchell, I don't know if you have that  
11 information, but I can get back to you.

12                   THE WITNESS (Ott): This is Mitchell.  
13 I do not have that immediately available.

14                   MR. NWANKWO: Any idea where they will  
15 park these vehicles?

16                   THE WITNESS (Ott): Mitchell Ott. In  
17 the project staging or laydown area.

18                   MR. NWANKWO: Where will that be  
19 referenced in the observation layout map provided  
20 in the photosimulation?

21                   THE WITNESS (Ott): In the  
22 photosimulation I don't know if that was called  
23 out specifically in that log.

24                   MR. NWANKWO: Would you be able to  
25 provide that information at a later date?



1 THE WITNESS (Ott): Yes.

2 MR. NWANKWO: Thank you. How  
3 frequently would the site be visited for  
4 maintenance purposes?

5 THE WITNESS (Csaplar): This is Dan  
6 Csaplar from USS. We'll send an operation and  
7 maintenance team out there quarterly to inspect  
8 the panels, clean them off, mow any grasses, and  
9 make sure everything looks clean and tidy, but to  
10 answer your question, roughly quarterly.

11 MR. NWANKWO: Thank you. How  
12 frequently would the sheep farmer typically visit  
13 the site while sheep are being hosted at the  
14 facility?

15 THE WITNESS (Csaplar): So part of our  
16 preliminary -- sorry, this is Dan Csaplar, USS.  
17 Part of our preliminary grazing plan has five  
18 padlocks, and they will rotate the sheep through  
19 the padlocks, but I will have to get back to you  
20 on how many times the grazer will visit the site.  
21 That is yet to be determined as we are going to  
22 enter into an agreement with a grazer in the  
23 future.

24 MR. NWANKWO: Thank you. Just to add  
25 to that, would the sheep farmer require 24/7

1 access?

2 THE WITNESS (Csaplar): Dan Csaplar  
3 from USS. Yes, we'll abide by that and grant the  
4 sheep grazer 24-hour access.

5 MR. MORISSETTE: Excuse me, if I may  
6 interrupt for one moment here. Our intent here is  
7 not to have Late-Files and follow up. If we could  
8 answer the questions this afternoon, we do have a  
9 break at around 3:30. You can respond to those  
10 questions at that point, or sooner, so we can get  
11 these all off the record -- or on the record prior  
12 to the closing of the hearing this afternoon.  
13 That would be greatly appreciated.

14 MR. HOFFMAN: Mr. Morissette, if I may?

15 MR. MORISSETTE: Sure. Yes, Attorney  
16 Hoffman.

17 MR. HOFFMAN: I think that that was Mr.  
18 Csaplar's intent with the question on the number  
19 of construction vehicles. And I'm sure that  
20 during the break we can look at the drawing and  
21 point the Council to where -- look at the drawings  
22 that were included in the petition and point out  
23 to where the construction laydown and parking area  
24 will be.

25 With respect to the grazing plan, I

1 think if there is a concern that the Council has  
2 as to how often the sheep farmer will be there, I  
3 think that that is going to have to be a  
4 post-approval, assuming the Council approves, a  
5 post-approval condition because we simply don't  
6 yet have the contract with the sheep farming  
7 company yet.

8 MR. MORISSETTE: Very good.

9 MR. HOFFMAN: I'm certain that Mr.  
10 Csaplar would be willing to provide that as a  
11 condition of approval.

12 MR. MORISSETTE: Very good. Thank you.  
13 Thank you for that. And we can now continue, Mr.  
14 Nwankwo.

15 MR. NWANKWO: Thank you, Mr.  
16 Morissette.

17 I also have one more question on the  
18 sheep pasture rotation and grazing plan. My  
19 question would be how would water be brought to  
20 the site for the sheep?

21 THE WITNESS (Csaplar): This is Dan  
22 Csaplar. We can get that answer for you.

23 MR. NWANKWO: Also, in addition, what  
24 months, during what months would grazing most  
25 likely occur, will the sheep be on the site

1 continuously for a certain period or will there be  
2 periods where there are no sheep on site?

3 THE WITNESS (Csaplar): Dan Csaplar.  
4 There will be periods when the sheep will not be  
5 on site.

6 MR. NWANKWO: Thank you.

7 THE WITNESS (Csaplar): And what was  
8 the first part of your question?

9 MR. NWANKWO: During what months would  
10 sheep grazing most likely occur?

11 THE WITNESS (Csaplar): It would be  
12 April through November.

13 MR. NWANKWO: Thank you. I'd like to  
14 refer to the response to Council Interrogatory  
15 Number 20, and also the letter from Westwood  
16 Engineering to the Farmland Preservation Program,  
17 dated July 10, 2023. My question is, where would  
18 the proposed facility host an apiary or beekeeping  
19 operations in the future?

20 THE WITNESS (Csaplar): This is Dan  
21 Csaplar. We don't have an exact location for the  
22 hives. We keep this option open for, you know, a  
23 potential partnership later on down the road with  
24 a potential beekeeper in order to maximize the  
25 efficiency of the parcel.

1 MR. NWANKWO: Thank you.

2 THE WITNESS (Csaplar): We don't have  
3 an exact location at this time. Again, we have  
4 not entered into an agreement with a beekeeper.

5 MR. NWANKWO: Thank you. I would like  
6 to refer to the prefile testimony of Larry  
7 Durocher with the Connecticut Parachuters  
8 Association. Sorry, I apologize for that. That  
9 was an error.

10 I'd like to refer to the prefile  
11 testimony of Larry Durocher. My question is, did  
12 the Connecticut Parachuters Association at any  
13 time indicate any preference for a different  
14 location on the site development of the solar  
15 facility?

16 THE WITNESS (Durocher): They cited  
17 concerns. This is Larry Durocher. They cited  
18 several concerns about the size of the area used,  
19 especially on the west side, and we adapted it.

20 MR. NWANKWO: Thank you. Has the  
21 petitioner conducted any preliminary soil testing  
22 within the project area?

23 THE WITNESS (Csaplar): Dan Csaplar.  
24 I'm sorry, did you say "salt" testing?

25 MR. NWANKWO: Soil, soil testing.

1 THE WITNESS (Ott): The geotech report  
2 had not been completed at the time of this  
3 hearing. There has been existing soil mapping  
4 that has taken place via public data sources and  
5 then investigations for the cultural resources  
6 which, again, is not specifically soil testing but  
7 is related to investigation within that soil.

8 MR. NWANKWO: Thank you.

9 THE WITNESS (Ott): That was Mitchell  
10 Ott. Sorry.

11 MR. NWANKWO: Thank you. I'd like to  
12 refer to Item Number 3, herbicide restrictions, as  
13 shown on page 3 of the Resource Protection Plan.  
14 Under what circumstances will pesticides and/or  
15 herbicides be used for vegetative management  
16 within the project area?

17 THE WITNESS (Csaplar): This is Dan  
18 Csaplar, USS. Mitchell, I don't know if you have  
19 an answer to that, otherwise we can get an answer  
20 for you.

21 THE WITNESS (Ott): Mitchell Ott.  
22 Typical procedures I've seen is in spot type of  
23 treatment in isolated locations to limit that,  
24 particularly during establishment of the native  
25 grasses that are being put out there. Once those

1 are established, you usually see that maintaining  
2 the general openness -- or not openness -- cover  
3 that doesn't require much of any herbicide  
4 treatment.

5 MR. NWANKWO: Thank you. Will they be  
6 used while sheep are present on site?

7 THE WITNESS (Ott): Dan, I don't have  
8 an answer to that.

9 THE WITNESS (Csaplar): So we'll work  
10 with the potential grazer on that to get their  
11 best input.

12 MR. NWANKWO: Thank you. What will be  
13 the dominant source of noise from the solar  
14 facility?

15 THE WITNESS (Ott): It would come  
16 from -- Mitchell Ott. It would come from the  
17 project transformer primarily. The project  
18 inverters, those are string inverters, and  
19 distributed throughout the array area also have  
20 some noise, but the loudest component would be the  
21 transformer, which is located centrally within the  
22 array, to minimize its impact on any surrounding  
23 properties.

24 MR. NWANKWO: Thank you. I would like  
25 to refer to the FAA lighting requirement for the

1 utility poles as referenced on petition page 28.  
2 My question is, is it a steady light or a  
3 pulsating red light?

4 THE WITNESS (Ott): I would have to  
5 double check what the regulations on that are. I  
6 am not familiar off the top of my head.

7 MR. NWANKWO: I would like to reference  
8 attachment K of the response to interrogatories.  
9 Could the petitioner please identify the locations  
10 of Solar Panel Somers 5, 6 and 7? You could use  
11 the observation site map as provided in response  
12 to Council Interrogatory Number 7.

13 THE WITNESS (Csaplar): This is Dan  
14 Csaplar. I'm sorry, could you repeat the  
15 question?

16 MR. NWANKWO: I would like to refer to  
17 attachment K, which is the FAA determination, the  
18 three locations Solar Panel Somers 5, 6 and 7.  
19 Could you identify those locations?

20 MR. HOFFMAN: I'm sorry, sir.  
21 Attachment K of -- I'm having a hard time locating  
22 the document. Attachment K of what document?

23 MR. NWANKWO: Part of the response to  
24 interrogatories was Exhibits A to K.

25 MR. HOFFMAN: Oh, exhibit, I'm sorry.



1 I was looking at the petition. Okay. So on  
2 Exhibit K where are you, sir?

3 MR. NWANKWO: So that would be, yeah,  
4 Solar Panel 5, the second page, and then the next  
5 determination will be Somers 6, and the next one  
6 would be Somers 7.

7 MR. HOFFMAN: Okay. So is your  
8 question matching up the FAA determinations to the  
9 locations?

10 MR. NWANKWO: Yes, of those arrays,  
11 yes.

12 THE WITNESS (Ott): I'm having a hard  
13 time locating that document. I can take a look at  
14 that and get back to you and make sure that that's  
15 the FAA locations.

16 MR. NWANKWO: Thank you.

17 THE WITNESS (Ott): Specific to the POI  
18 is what you're asking, is that correct, the poles?

19 MR. NWANKWO: Yeah. I was also  
20 referencing the response to Interrogatory Number  
21 7 -- 17, which is the photosimulation. There's a  
22 map there with locations. So that will make it  
23 easier and clear to identify the location of those  
24 arrays.

25 THE WITNESS (Ott): Okay.

1 MR. NWANKWO: Next question. I would  
2 like to refer to the label woven wire fabric,  
3 Figure FN01 on Sheet C400 of the construction  
4 plans. Could you please describe the appearance  
5 of the security fence?

6 THE WITNESS (Csaplar): Yes. This is  
7 Dan Csaplar from USS. We like to use more of a  
8 farm style cattle fencing. It's more of a type of  
9 square woven wire instead of chain linked. We  
10 think this meshes better with the surrounding  
11 community than a chain linked fence. We also use  
12 wooden posts instead of your typical metal posts  
13 that would accompany a chain linked fence.

14 MR. NWANKWO: Thank you. I would like  
15 to refer to answers provided in attachment F as  
16 part of the response to Council interrogatories,  
17 or Exhibit F, if that's more clear. Are the  
18 Savannah sparrow protection measures consistent  
19 with the growing season?

20 THE WITNESS (Ott): They are more in  
21 line with the nesting season of the sparrows than  
22 with the growing season as a whole.

23 MR. NWANKWO: Thank you. Also  
24 referring to Sheet C200 of attachment B, can the  
25 fence line on the northwestern side be adjusted to

1 the 100-foot wetland setback?

2 THE WITNESS (Ott): Not without  
3 capacity implications on the array itself.

4 MR. NWANKWO: So you mean the arrays  
5 will be affected?

6 THE WITNESS (Ott): Correct.

7 MR. NWANKWO: Thank you. I also have a  
8 question about aisle width. Will there be a  
9 consistent aisle width or will there be varying  
10 dimensions for the aisle width?

11 THE WITNESS (Ott): Mitchell Ott here.  
12 When you say "aisle," are you talking the  
13 east-west gap between the modules or the  
14 north-south gap between rows, which aisle?

15 MR. NWANKWO: Between rows.

16 THE WITNESS (Ott): Between rows. That  
17 will be consistent. In the northern array there's  
18 only one gap there. There's only two north-south  
19 gaps. On the northern one it will be consistent  
20 for the full range, and on the southern gap it's  
21 where the road is, so that will have a different  
22 north-south gap.

23 MR. NWANKWO: Thank you. That will be  
24 all my questions, Mr. Morissette.

25 MR. MORISSETTE: Thank you, Mr.

1 Nwankwo. We'll now continue with  
2 cross-examination of the petitioner by Mr.  
3 Silvestri followed by Mr. Nguyen.

4 Mr. Silvestri, good afternoon.

5 MR. SILVESTRI: Good afternoon, Mr.  
6 Morissette. Good afternoon, everyone. I have a  
7 few follow-ups to Mr. Nwankwo's questions that I'd  
8 like to start with.

9 Mr. Csaplar, you mentioned that the  
10 panels would be cleaned. How would the panels be  
11 cleaned?

12 THE WITNESS (Csaplar): So the  
13 operation and maintenance team will simply brush  
14 off any, you know, fallen, more or less anything  
15 would hinder, you know, the panel from accruing  
16 electricity.

17 MR. SILVESTRI: So you're looking at  
18 mechanical just to brush it off, no chemicals, no  
19 water, et cetera, correct?

20 THE WITNESS (Csaplar): Correct.

21 MR. SILVESTRI: Okay. Thank you. The  
22 second follow-up I had goes back to the herbicide  
23 and pesticide question. My question is, do you  
24 need to use them at all or could you rely more on  
25 mechanical methods or the sheep to do the job?

1           THE WITNESS (Csaplar): Mitchell, I'll  
2 defer to you on the herbicide.

3           THE WITNESS (Ott): Sorry about that.  
4 The way we might typically see it used is in spot  
5 treatment. It is typically an O&M decision on  
6 whether or not the herbicides and pesticides are  
7 used and to what extent. Westwood specifically  
8 doesn't specify those. We leave that to whoever  
9 the operator or maintenance contractor may be.

10          MR. SILVESTRI: So you're not sure if  
11 they would actually use a mechanical means and not  
12 use herbicides or pesticides at this point?

13          THE WITNESS (Ott): At this point in  
14 time, no, I don't have an answer for that.

15          MR. SILVESTRI: All right. Then one  
16 other follow-up I had goes back to the electric  
17 poly fencing. That is an electric fence, correct?

18          THE WITNESS (Csaplar): This is Dan  
19 Csaplar. We are going to just go off the  
20 Department of Ag's recommendation of not using an  
21 electric fence.

22          MR. SILVESTRI: Okay. Because the  
23 follow-up I was going to have is how is it  
24 powered, but if you're not using an electric fence  
25 then I don't have to ask that question. Thank

1 you. All right. That's all the follow-ups I had  
2 for Mr. Nwankwo, and I appreciate the comments.

3 For my questions I'm looking at a  
4 number of drawings and plot plans that were  
5 submitted. They show the proposed southern array  
6 that's located west of the runway, and I want to  
7 clarify that that southern array has been  
8 eliminated from consideration. Am I correct?

9 THE WITNESS (Durocher): Larry  
10 Durocher. Yes, you're correct. This is west,  
11 directly west of the runway, correct?

12 MR. SILVESTRI: That is correct, yes.  
13 One of the reports I'm looking at is the  
14 environmental, for example, page 179 out of 446  
15 has that array still posted there which is why I  
16 asked the question. So thank you.

17 But a follow-up to that is did the  
18 stormwater analysis report include that southern  
19 array that has since been eliminated?

20 THE WITNESS (Ott): Mitchell Ott. It  
21 did at one point. It has been revised to just be  
22 the northern remainder now.

23 MR. SILVESTRI: So what we looked at  
24 that was submitted does not have the southern  
25 array in whatever calculations for stormwater,

1 correct?

2 THE WITNESS (Ott): That's correct.

3 MR. SILVESTRI: All right. Thank you.  
4 All right. Moving on to the transformers, how  
5 many transformers are proposed for the project?

6 THE WITNESS (Ott): There's one  
7 transformer on this project.

8 MR. SILVESTRI: Just one, okay. Do you  
9 know how much oil that transformer might contain?

10 THE WITNESS (Ott): I don't have that  
11 value off the top.

12 MR. SILVESTRI: Okay. Do you know if  
13 the transformer would be equipped with low level  
14 alarms?

15 THE WITNESS (Ott): I'm not familiar  
16 with that term. Can you further clarify?

17 MR. SILVESTRI: If the transformer has  
18 a leak, the oil level is going to drop and there  
19 is a sensor and an alarm that would indicate that  
20 you have a problem because the oil level is low.

21 THE WITNESS (Ott): Low level, got it.  
22 I'm not familiar with that.

23 Dan, do you know?

24 THE WITNESS (Csaplar): We can get an  
25 answer for you.

1 MR. SILVESTRI: Because a related  
2 question I have, if you don't have one in the  
3 event of a transformer oil leak, first of all, how  
4 would you know; and secondly, what measures might  
5 be in place to prevent the oil from potentially  
6 going somewhere that you don't want it to go?  
7 That's the follow-up question.

8 THE WITNESS (Ott): Understood.  
9 Oftentimes transformers have a self-containment  
10 within them for this size transformer, but we will  
11 confirm the plan for that.

12 MR. SILVESTRI: Okay. Then related to  
13 oil, is it your intention to store any fuels on  
14 site during construction?

15 THE WITNESS (Csaplar): It is not our  
16 intention. Sorry, this is Dan Csaplar. It is not  
17 our intention to store any fuels on site.

18 MR. SILVESTRI: Thank you. All right.  
19 Now, this might go back to the absence of soil  
20 testing, I'm not sure, but on a number of site  
21 plot plans there are blue crosshatched areas that  
22 are designated as high water areas, and then it  
23 has greater than 0.5 feet flooding. Could you  
24 explain what is meant by high water area?

25 THE WITNESS (Ott): Mitchell Ott.



1 Those areas are areas where water will temporarily  
2 be standing after a storm event of a 24-hour 100  
3 year event until it infiltrates or runs off.

4 MR. SILVESTRI: So it would be from  
5 rainwater as opposed to groundwater migrating up,  
6 correct?

7 THE WITNESS (Ott): Correct.

8 MR. SILVESTRI: Is there any intent to,  
9 how should we say, level out the areas so you  
10 don't have any pooling of rainwater at those high  
11 water areas?

12 THE WITNESS (Ott): Mitchell Ott again.  
13 At this time that's not the intent. It changes  
14 surface conditions more than existing than would  
15 be necessary for existing, and the equipment that  
16 is being installed over it is set up to be that,  
17 or is raised out of any flood depths.

18 MR. SILVESTRI: And the high water  
19 areas were taken into account in the stormwater  
20 report?

21 THE WITNESS (Ott): Correct.

22 MR. SILVESTRI: Let me shift gears at  
23 this point. I'd like to talk about the trackers  
24 and their operations. First question I have, for  
25 the rotary mechanism that actually turns the

1 trackers do you know if it's internal to the  
2 tractors or an external mechanism?

3 THE WITNESS (Ott): Mitchell Ott here.  
4 Internal to the tractors or external, can you  
5 clarify, or maybe I can explain how it will work.

6 MR. SILVESTRI: Well, is it gear driven  
7 or chain driven?

8 THE WITNESS (Ott): There are gears,  
9 but they are exterior. So this is intended at  
10 this point in time to be an ATI system which has a  
11 drive shaft with a single motor per row. So  
12 there's a drive shaft connecting all of the  
13 arrays. So there would be one motor turning a  
14 gear on each single tracker and rotating it in  
15 sequence.

16 MR. SILVESTRI: Understood. Do you  
17 know if the tracker and the gears and the rotating  
18 mechanisms would require any periodic maintenance?

19 THE WITNESS (Ott): Yes, they typically  
20 do. I don't know the frequency of that as, again,  
21 that kind of comes under the O&M area.

22 Dan, do you have any input on that?

23 But yes, over the life of any mechanism  
24 they typically do.

25 THE WITNESS (Csaplar): This is Dan

1 Csaplar. Mitchell, I think that's a valid  
2 assumption. There's really no typical amount of  
3 maintenance that is required. It's just kind of  
4 on a case-by-case basis.

5 MR. SILVESTRI: Do you know if they'd  
6 need greasing of the gears or anything like that?

7 THE WITNESS (Csaplar): This is Dan  
8 Csaplar. It's part of the O&M. I'm unsure, but I  
9 can look into that.

10 MR. SILVESTRI: Do you know how the  
11 trackers would be actually powered to move?

12 THE WITNESS (Ott): Mitchell Ott. They  
13 are powered by the system itself. There's power  
14 coming through. It's backfed from the transformer  
15 essentially, so the system powers its own self.

16 MR. SILVESTRI: So when you say the  
17 system powers it, would the power for the trackers  
18 actually come from the distribution grid or would  
19 it actually feed from the solar panels to the  
20 transformer and then back to the trackers?

21 THE WITNESS (Ott): The latter.

22 MR. SILVESTRI: The latter.

23 THE WITNESS (Ott): Yes.

24 MR. SILVESTRI: So if you don't have  
25 sufficient solar power to generate anything, then

1 the trackers won't move?

2 THE WITNESS (Ott): Correct, if there  
3 was not sufficient solar power. And in no way is  
4 this trying to come off combative. If there's not  
5 sufficient solar energy to move the trackers, then  
6 there's not usually a good reason to be moving  
7 them.

8 MR. SILVESTRI: Okay. Now, in the  
9 event of, say, a forecasted snow event, would you  
10 be able to tilt the panels so that they're  
11 perpendicular to the ground to avoid snow  
12 accumulation?

13 THE WITNESS (Ott): Mitchell Ott. The  
14 feasibility of the system is such that it could be  
15 like that, yes.

16 MR. SILVESTRI: Do you know if the  
17 panels would have what I call an automatic weather  
18 tracking system that would do that automatically?

19 THE WITNESS (Ott): Not to my  
20 knowledge. Dan?

21 THE WITNESS (Csaplar): I don't believe  
22 it does. Often cases when there is snow  
23 accumulation on the panels, since this is a  
24 tracker system, they essentially shake the snow  
25 off themselves.

1 MR. SILVESTRI: But you might have to  
2 go in there just in case to remove snow or would  
3 you let nature take its course?

4 THE WITNESS (Csaplar): We would let  
5 nature take its course.

6 MR. SILVESTRI: Okay. Thank you. Now,  
7 Mr. Nwankwo brought up the three new utility  
8 poles, but I have some related questions to that.  
9 Do you know the distance of the poles to the  
10 nearest residence?

11 THE WITNESS (Ott): I would have to  
12 look at the document here if we've dimensioned  
13 that already. I don't know it off the top of my  
14 head, but I will look into it here as I pull up  
15 the drawings.

16 MR. SILVESTRI: And then related to the  
17 FAA determination, the way I read it is that the  
18 pole structures are to be marked/lighted. To me  
19 that could be a difference. Is the intent to  
20 either mark the poles or to light the poles?

21 THE WITNESS (Ott): That FAA  
22 determination in our understanding is that they  
23 will be lighted.

24 MR. SILVESTRI: Lighted. All right.  
25 Are there any other structures at the airport that

1 are currently lighted?

2 THE WITNESS (Durocher): The only other  
3 structure would be the windsock located south of  
4 the runway.

5 MR. SILVESTRI: Okay. Thank you. And  
6 then going back to the distance from the proposed  
7 lighted poles to the residences, would the  
8 residences be impacted by either, you know, the  
9 constant red light or blinking red light; and if  
10 so, how could it be mitigated?

11 THE WITNESS (Csaplar): This is Dan  
12 Csaplar. We'd have to determine how any  
13 residences would be affected by any of this  
14 lighting. There is natural vegetation that will  
15 essentially (AUDIO INTERRUPTION) --

16 MR. MORISSETTE: I'm sorry, Mr.  
17 Csaplar, you're cutting in and out. You're not  
18 coming in real clear.

19 THE WITNESS (Csaplar): I was just  
20 mentioning that there is natural vegetation that,  
21 you know, surrounds those poles as where they're  
22 located near the POI.

23 MR. SILVESTRI: If you can get back to  
24 me with the distance part of it, I might have a  
25 follow-up on that. But my concern is, is if we

1 approve the project, you have different plantings  
2 for the solar panels themselves, but I worry that  
3 you have this blinking light or constant light  
4 that could be an impact to residents in the area.  
5 That's where I'm coming from on this. All right.  
6 Let me move on.

7 We received an airside alternative 4  
8 drawing that I believe came in from the town, and  
9 that depicts the potential runway extension. And  
10 I just want to be sure that that extension, is it  
11 going to be south of the existing runway; is that  
12 correct?

13 THE WITNESS (Durocher): No, there are  
14 no immediate plans for an extension on the runway.  
15 However, if there was, it would be to the north  
16 end of the runway.

17 MR. SILVESTRI: To the north end of the  
18 runway more towards where the solar panels would  
19 be located?

20 THE WITNESS (Durocher): Correct.  
21 That's why we allowed for the cutout at the north  
22 end.

23 MR. SILVESTRI: All right, so the  
24 north. All right. Thank you for that  
25 clarification.

1                   THE WITNESS (Durocher): You're  
2 welcome.

3                   MR. SILVESTRI: And with the comments  
4 that you provided back to the town about the  
5 modifications that you had for the project, have  
6 you heard anything further from the town  
7 concerning your modifications or the way the  
8 layout is proposed right now?

9                   THE WITNESS (Durocher): Larry Durocher  
10 here. No, I have not heard anything.

11                  MR. SILVESTRI: Thank you for that  
12 response. This kind of goes back to Mr. Nwankwo's  
13 question about the trucks and construction  
14 vehicles. If the project is approved, how would  
15 construction actually proceed without interfering  
16 with airport operations?

17                  THE WITNESS (Csaplar): Hi, this is Dan  
18 Csaplar. Mr. Silvestri, we have not selected an  
19 EPC contractor at this time. We'd be happy to  
20 make that a condition in that we could have our  
21 future EPC contractor -- (AUDIO INTERRUPTION)

22                  MR. SILVESTRI: Okay. Perhaps one last  
23 question at least at this point until we get  
24 feedback on the questions that couldn't be  
25 answered at this time. This goes back to the



1 sheep pasture rotation and grazing plan. It  
2 comments that various soil plantings would be  
3 established, and I noted such as rye grass, native  
4 grasses and flowers, alfalfa, for example, and  
5 climbing vegetables. Would these plantings be  
6 specific for the sheep or would they be harvested  
7 or serve some other purpose?

8 THE WITNESS (Csaplar): This is Dan  
9 Csaplar. Within the grazing plan, the preliminary  
10 grazing plan, this would be used to supplement the  
11 sheep's diet.

12 MR. SILVESTRI: You kind of broke up at  
13 the end, if you could repeat that.

14 THE WITNESS (Csaplar): Yes. This  
15 would be used to supplement the sheep's diet and  
16 then to also contribute to soil health.

17 MR. SILVESTRI: Okay. So you wouldn't  
18 be doing any harvesting of vegetables or anything  
19 like that?

20 THE WITNESS (Csaplar): Not at this  
21 time.

22 MR. SILVESTRI: Okay. Thank you.

23 Mr. Morissette, I believe that's all I  
24 have at this point. Thank you.

25 MR. MORISSETTE: Thank you, Mr.

1 Silvestri. We'll now continue with  
2 cross-examination of the petitioner by Mr. Nguyen  
3 followed by Mr. Golembiewski.

4 Mr. Nguyen, good afternoon.

5 MR. NGUYEN: Good afternoon, Mr.  
6 Morissette. Thank you.

7 Let me ask the company, bring your  
8 attention to application page 11, under 10 and 11  
9 under public health and safety. The application  
10 indicated that USS will coordinate with regional  
11 emergency response personnel. To me that seems  
12 very generic. Could you identify which entity  
13 would that be?

14 THE WITNESS (Csaplar): Yes. This is  
15 Dan Csaplar. Was the question which entity that  
16 would be?

17 MR. NGUYEN: Yes.

18 THE WITNESS (Csaplar): So USS Somers  
19 Solar, LLC would be conducting the training.

20 MR. NGUYEN: Who would be the regional  
21 emergency response personnel to develop an  
22 appropriate means for accessing the facility in  
23 case of emergency?

24 THE WITNESS (Csaplar): I'm sorry, I'm  
25 a little confused by the question.

1 MR. NGUYEN: Your application stated  
2 that the company will coordinate with regional  
3 emergency response personnel. Who would that be?

4 THE WITNESS (Csaplar): Yes, that would  
5 be whoever would essentially respond to any  
6 emergency within the Town of Ellington's airport,  
7 so I believe it would be the Ellington Fire  
8 Department.

9 MR. NGUYEN: Have you talked to them?  
10 Have you consulted with them as part of the  
11 planning here?

12 THE WITNESS (Csaplar): We have not as  
13 we have not received approval on the project.

14 MR. NGUYEN: You did not receive  
15 approval? I'm sorry, could you please restate  
16 your answer?

17 THE WITNESS (Csaplar): Sure. This is  
18 Dan from USS Somers Solar. Usually the  
19 progression of this is for a solar project like  
20 this we will receive approval of the project and  
21 then contact the fire department. We don't really  
22 want to put the cart before the horse, per se, and  
23 training the fire department if the project is not  
24 going to move forward and get constructed.

25 MR. NGUYEN: The system -- on the same

1 page 11, the application stated that the system  
2 will be remotely monitored and will have the  
3 ability to remotely de-energize in case of an  
4 emergency; is that correct?

5 THE WITNESS (Csaplar): Hi, this is Dan  
6 Csaplar. Yes, that is correct.

7 MR. NGUYEN: And where is that remotely  
8 monitored, is it in state, is it out of state?

9 THE WITNESS (Csaplar): This is Dan.  
10 It is out of state, but we do use a 24-hour  
11 monitoring system, and are currently going to  
12 partner with a company called QE Solar which will  
13 handle all of that.

14 MR. NGUYEN: So you're going to  
15 contract out the system monitor?

16 THE WITNESS (Csaplar): That's correct.

17 MR. NGUYEN: And what does it mean by  
18 "the ability to remotely de-energize," how does  
19 that work in case of emergency?

20 THE WITNESS (Csaplar): So QE Solar --  
21 Mitchell, do you have anything on that?

22 THE WITNESS (Ott): There are controls  
23 within the system that are remotely communicative  
24 that can disconnect either physically or via, you  
25 know, breakers, which is physical, but physically

1 disconnect the system. And that is true typically  
2 at the POI and within either the inverters or  
3 transformer. So to back it up, I guess, starting  
4 at the panels, there's no way to shut off a panel,  
5 but you can stop the energy coming from the panels  
6 going farther into the inverters via disconnects.

7 MR. NGUYEN: Okay. That's all I have,  
8 Mr. Morissette. Thank you.

9 MR. MORISSETTE: Thank you, Mr. Nguyen.  
10 We'll now continue with cross-examination of the  
11 petitioner by Mr. Golembiewski followed by Mr.  
12 Lynch.

13 Mr. Golembiewski, good afternoon.

14 MR. GOLEMBIEWSKI: Good afternoon, Mr.  
15 Morissette. I have no questions. All my  
16 questions have been asked. Thank you.

17 MR. MORISSETTE: Very good. Thank you,  
18 Mr. Golembiewski. We'll now continue with  
19 cross-examination of the petitioner by Mr. Lynch  
20 followed by myself.

21 Mr. Lynch, good afternoon.

22 MR. LYNCH: Before I ask any questions,  
23 Mr. Morissette, I'm going to ask a favor. Seeing  
24 that nature is calling, would you mind giving me a  
25 few minutes?

1 MR. MORISSETTE: Not at all. Why don't  
2 I continue with my cross-examination and when you  
3 get back we can jump back to you. Does that work?

4 MR. LYNCH: I hope so.

5 MR. MORISSETTE: Very good. So I will  
6 start with my cross-examination. What I would  
7 like to do is go to the exhibits that were part of  
8 the interrogatory responses starting with Exhibit  
9 A, and that has to do with the comparison of the 3  
10 megawatt to the 4 megawatt. And I just want to  
11 make sure. We talked about the area to the west  
12 of the runway is being eliminated. Was there  
13 anything that was further north that was  
14 eliminated? It's difficult for me to tell. The  
15 lines are very light on the drawings. So is that  
16 basically it except for the, I'll say, an access  
17 point going between the north and south arrays?

18 THE WITNESS (Ott): This is Mitchell  
19 Ott. Yes, that's correct.

20 MR. MORISSETTE: Great. Thank you.

21 MR. LYNCH: Mr. Morissette, I have  
22 returned.

23 MR. MORISSETTE: Okay. Very good. I  
24 just got one question in. So please continue, Mr.  
25 Lynch. Thank you.

1 MR. LYNCH: I've got a number of  
2 questions, but I'm going to start with some that  
3 have already been asked that I have inquiries  
4 about. And that would be, the first part, the  
5 sheep being on site, if you get approval for the  
6 sheep and then some other vegetables and stuff,  
7 what's to prevent bears, coyotes and deer from  
8 getting into the compound and doing damage?

9 THE WITNESS (Ott): Dan, if you have  
10 something specific to the sheep there. I can talk  
11 to the fence. This is Mitchell Ott, sorry. The  
12 fence as it's currently designed is set 4 inches  
13 above grade to allow for traverse of small game  
14 and reptiles, but it is the hope that that is  
15 small enough that larger animals such as a bear  
16 wouldn't make it through that gap.

17 I don't know if, Dan, you have more.

18 MR. LYNCH: Just to continue on with  
19 that same thinking, coyotes could go under, but  
20 bears and deer, that fence is not going to stop  
21 them. They could easily get over that fence. And  
22 whether they go after the sheep, which they  
23 probably think it's McDonald's or something,  
24 you've got them all out there. But if a bear,  
25 especially a bear, if he gets inside the facility,

1 what damage can he do to your panels? And seeing  
2 that the panels are hot, what's going to happen,  
3 could the bear start a fire?

4 THE WITNESS (Ott): Mitchell Ott here.  
5 I've never heard of a bear getting inside of a  
6 facility, so that would be a new one for me. And  
7 I know that US Solar has also never seen deer  
8 inside any of their facilities. So not that that  
9 isn't, you know, that potential possible, but the  
10 feasibility of either of those occurring seems  
11 relatively low. And I don't know that they would  
12 have any interest in the electrical equipment.

13 MR. LYNCH: Mr. Ott, I'm not  
14 questioning you, and I can't testify, but I know  
15 bears get into facilities around here, so I'm just  
16 letting you -- again, I can't testify.

17 My other question, could you explain or  
18 could someone explain to me the phrase that you  
19 used in your application, the usual life span of  
20 the project is the phrase you used. Now, your  
21 project could be 20 years, if you exercise the  
22 option to go up to 40 years. What exactly is the  
23 usual life span of the project if you could just  
24 define that for me?

25 THE WITNESS (Csaplar): This is Dan



1 Csaplar. So we actually have a 20-year PPA in  
2 place with Eversource, so at a minimum the life  
3 span of the project will be 20 years. We here are  
4 just at the whim of Eversource. So if they enact  
5 a new program at the end of the 20-year life  
6 cycle, we will adjust accordingly, but I would say  
7 that the life span as it stands now will be 20  
8 years.

9 MR. LYNCH: Now, that leads me to a  
10 couple follow-up questions. I forget which  
11 question in the interrogatories where you say  
12 you're not going to use batteries, but you leave  
13 it open for the future. Now, if you decide to  
14 use -- well, I guess I'll backtrack. I'll come  
15 back to the batteries in a minute. The panels  
16 you're putting in now are not going to have the  
17 same power output that panels 20 years from now  
18 are going to have. During the life span of 20  
19 years and when new and more powerful solar panels  
20 come out will you substitute them or not?

21 THE WITNESS (Csaplar): This is Dan  
22 Csaplar. If it makes economic sense, we will  
23 substitute them.

24 MR. LYNCH: Thank you. And the same  
25 question pertaining to the batteries. If you find

1 out somewhere in the future, you know, 5, 10, 15  
2 years that batteries will be more useful for the  
3 facility, is this something you would consider  
4 implementing?

5 THE WITNESS (Csaplar): This is Dan  
6 Csaplar. Yes, that is something we would consider  
7 implementing.

8 MR. LYNCH: Huh?

9 THE WITNESS (Csaplar): Yes, that is  
10 something we will --

11 MR. LYNCH: Okay. Thank you very much.  
12 Now, Mr. Silvestri asked you about the power to  
13 the trackers, and you said they were going to come  
14 from the solar -- I hope I've got this right --  
15 from the solar panel project itself. So that  
16 would mean internally you're supplying the power  
17 for the trackers; is that correct?

18 THE WITNESS (Ott): Correct.

19 MR. LYNCH: And now I forget which  
20 question it is. It's in my notes. But you also  
21 say that the output of the project will be less .5  
22 percent. Is that what is included in the tracking  
23 system?

24 THE WITNESS (Ott): Mitchell Ott here.  
25 I think you're referring to the losses that are

1 assumed in the design. And yes, those internal  
2 requirements are part of that.

3 MR. LYNCH: Hold on a second here. You  
4 also talked about the inverters and the  
5 transformer, from what you said to Mr. Silvestri,  
6 one transformer. And the inverters, are they  
7 going to be on each panel, or how are they set up?

8 THE WITNESS (Ott): The inverters are  
9 string inverters -- sorry, this is Mitchell Ott --  
10 distributed throughout the array. They are at the  
11 ends of rows but not at the ends of all the rows.  
12 They collect a handful of arrays and combine them  
13 into one inverter, and those are distributed.  
14 Those can be seen also on the overall site plans  
15 that have been provided. But there are some along  
16 the road and a few in the northern array gap as  
17 well.

18 MR. LYNCH: Now, you also -- I think it  
19 pertains to both the inverters and the transformer  
20 you said you have a shut-off valve or something.  
21 Who turns off that valve, is that the company or  
22 do you have to get Eversource in there to throw  
23 that switch?

24 THE WITNESS (Ott): Dan, correct me if  
25 I'm wrong. US Solar would control any shut-offs

1 within the fence line itself. Eversource would  
2 stop their ownership, as it were, or control at  
3 the POI.

4 MR. LYNCH: But Eversource has control  
5 of the transformer; am I wrong or right?

6 THE WITNESS (Ott): Dan, can you speak  
7 to the interconnection?

8 THE WITNESS (Csaplar): Yeah. This is  
9 Dan Csaplar. Eversource owns -- the transfer of  
10 ownership is the last pole that we are proposing  
11 at the POI, so US Solar retains control over all  
12 the inverters.

13 MR. LYNCH: But as far as if Eversource  
14 has control of the transformer, they're the only  
15 one that can turn it off or can someone in your  
16 operation shut down the transformer? In other  
17 words, my question really is, do you have to call  
18 Eversource in to shut off the transformer?

19 THE WITNESS (Ott): Mitchell Ott. No  
20 would be my understanding. Their disconnect is at  
21 the pole at the POI.

22 MR. LYNCH: Thank you. There was talk  
23 earlier about the expansion of the airport runway.  
24 I guess the original proposal was 700 feet, and I  
25 guess it's now cut down to 500. How would that

1 impact -- the 700 expansion was to allow other  
2 planes a little bit bigger than what they have  
3 there now to come in. Would a shorter runway  
4 impact how many, what types of airplanes can  
5 arrive at the airport?

6 THE WITNESS (Durocher): This is Larry  
7 Durocher again. Again, there are no immediate  
8 plans to extend the runway at all. It was  
9 proposed about a year ago, and it's since been  
10 eliminated.

11 MR. LYNCH: All right. I'll now come  
12 to what I'm really interested in is the parachute  
13 school or parachute club. They have a school  
14 there too. I would think having been there  
15 watching them jump, you know, there could be an  
16 incident where they get, you know, out of their  
17 control and end up in your solar field and your  
18 panels are all hot. How much of a danger is that  
19 to any of these parachuters that end up in that  
20 solar field?

21 THE WITNESS (Durocher): The chances  
22 are really remote of any of them drifting over to  
23 the solar area. But I have no idea what the  
24 temperature is on those solar panels. Can you  
25 advise me, Dan?

1 MR. LYNCH: I guess would it give  
2 somebody a shock or could it electrocute them?  
3 That's my question.

4 THE WITNESS (Ott): Mitchell Ott here.  
5 When you say "hot" I think you mean and they're  
6 electrified?

7 MR. LYNCH: That's what I meant.  
8 Sorry.

9 THE WITNESS (Ott): Okay. The design  
10 of the electrical system it requires via the  
11 electric code to undergo a grounding study that  
12 reduces the step and touch potential below the,  
13 again, code level of safety. So they have to have  
14 a grounding system in place that if you  
15 accidentally touch something you're not  
16 electrified. There is some step touch potential,  
17 but it is below the threshold that would be  
18 required by code.

19 MR. LYNCH: Thank you. I'm familiar  
20 with grounding. Thank you. Now, the question I  
21 have is, I forget again which question it was. I  
22 don't have it in front of me. You say that all  
23 the power from the solar panels will be exported  
24 out to Eversource and you will not be using net  
25 metering; is that correct?

1           THE WITNESS (Csaplar): That's correct.  
2 This will participate in the Eversource SCEF  
3 program where all of the energy will be fed back  
4 to Eversource.

5           MR. LYNCH: Now, coming back to  
6 questions that were asked earlier on emergency  
7 response, whether it's fire or, you know, other  
8 responders, you're going to provide -- what type  
9 of training are you going to provide for them  
10 because Ellington has a volunteer fire department,  
11 not a paid fire department, not that it should  
12 make any difference, but what are you going to  
13 give them for training, on site or classroom?

14           THE WITNESS (Csaplar): This is Dan  
15 Csaplar. That is yet to be determined. Again, we  
16 will put together an extensive training program  
17 that will likely be on site and will use industry,  
18 will teach industry best practices to the  
19 volunteer fire department.

20           MR. LYNCH: I know the firefighters  
21 have a concern about getting their trucks in and  
22 out of a facility. Their big ladder trucks would  
23 never go into the compound, but can rescue trucks  
24 and other smaller fire vehicles get in and out of  
25 the compound without any problem?

1 THE WITNESS (Csaplar): This is Dan  
2 Csaplar. Yes, and we're happy to work with the  
3 fire department to put in KnoxBox, and we've also  
4 implemented a hammerhead turnaround within the  
5 site plan for vehicles to gain access and then  
6 turn around, if need be.

7 MR. LYNCH: Now, in your training of  
8 the firefighters would you provide them with any  
9 type of material for fighting a fire other than  
10 with water using either CO2, and now I think foam  
11 is outlawed, but CO2 probably or would you still  
12 let them use water?

13 THE WITNESS (Csaplar): This is Dan  
14 Csaplar. Industry best practices are to let the  
15 electrical fire burn out and then contain with  
16 water around the site. If those industry best  
17 practices do change between now and construction  
18 of the site, we will implement them.

19 MR. LYNCH: Now, if there is a fire  
20 inside the facility and the fire department is  
21 unable to put it out with water, how much damage  
22 can that do as it spreads to your facility? And  
23 I'm saying a hot summer day when everything is  
24 dry.

25 THE WITNESS (Csaplar): This is Dan



1 Csaplar. We really do not foresee a fire  
2 occurring. However, I guess, you know, the answer  
3 to you, Dan, is if a fire were to occur then there  
4 is a hypothetical situation where the entire array  
5 could catch fire, but again, we do not foresee  
6 that whatsoever.

7 MR. LYNCH: Mr. Morissette, I think I'm  
8 all set here.

9 MR. MORISSETTE: Thank you, Mr. Lynch.

10 I will now continue with my  
11 cross-examination. I would like to go like to  
12 response to Question Number 31 just for  
13 clarification. The response indicates that it's  
14 relating to capacity of the facility, and at the  
15 end it says the project has no capacity  
16 commitments. Isn't capacity assigned to  
17 Eversource as part of their PPA along with the  
18 energy and the RECs?

19 THE WITNESS (Csaplar): This is Dan  
20 Csaplar. Yes, that is correct.

21 MR. MORISSETTE: Okay. Thank you.  
22 Okay. I would like to go to the responses -- the  
23 attachments, excuse me, attachment C -- Exhibit C,  
24 excuse me, which is the abutting property owners  
25 list of off site residents distances exhibits. I

1 think this will actually answer one of Mr.  
2 Silvestri's questions. The resident to the east  
3 of the access road is 246 feet, and that's  
4 approximately where the point of interconnection  
5 is. So the interconnection facilities are 246  
6 feet or greater.

7           Concerning that resident on the hill,  
8 now that hill is like a ridge line, it goes up  
9 very quickly. So my concern is twofold. My  
10 concern is the view from all those residents down  
11 to the solar array and also the interconnection  
12 facility. So we'll have three poles plus the  
13 Eversource pole which I believe that will be four  
14 poles. I don't know if the Eversource pole will  
15 also be lit. That property owner is going to have  
16 a birds-eye view right down to the lighted poles,  
17 and that's a real concern of mine because I would  
18 not want to be looking at those poles every day  
19 and every night given that there's three of them,  
20 or possibly four. So there is two questions in  
21 there I'd like you to respond to. The first is,  
22 has anybody looked at the views from the ridge  
23 line onto the solar facility?

24           THE WITNESS (Ott): Mitchell Ott. At  
25 this time, a viewshed analysis has not been

1 performed. However, much of the area is screened  
2 via a mix of evergreen and deciduous trees that  
3 would screen a lot of the views. And that, I know  
4 it's not the specific house that you were  
5 referencing, but in the photolog we show some of  
6 the adjacent residents and the view that they  
7 would have at the cul-de-sac on other side. So  
8 that's the approach at this point. And I know  
9 it's slightly off, but it's slightly related,  
10 related to the FAA lighting, flashing versus  
11 steady, that was a question earlier. It would be  
12 steady lighting based on the FAA guidance.

13 MR. MORISSETTE: You just have to  
14 follow up the lines -- yes, Attorney Hoffman, did  
15 you have something to add?

16 MR. HOFFMAN: I think during the break  
17 we need to revisit that FAA guidance, Mr.  
18 Morissette.

19 MR. MORISSETTE: Yes. And please  
20 consider whether the FAA guidance is, is that  
21 going to be on 24/7 and what color it's going to  
22 be, if it's going to be red, for example. So the  
23 property owner at 389 Somers Road is going to be  
24 looking right down at those three, possibility  
25 four, poles. So that's a real concern of mine.

1 So think about that in your response.

2 So using the same drawing, I'd like to  
3 go over a couple of additional items. Now, the  
4 transformer is in the middle of the array, is that  
5 correct, that's the black box in the middle,  
6 that's the transformer pad?

7 THE WITNESS (Ott): Mitchell Ott. Yes,  
8 that's correct.

9 MR. MORISSETTE: Okay. And the  
10 inverters are the little black dashes that go  
11 along the access road; is that correct?

12 THE WITNESS (Ott): Mitchell Ott. Yes,  
13 that's correct.

14 MR. MORISSETTE: So the inverters are  
15 all in the inside of the solar array with the  
16 exception of the three inverters that are in the  
17 northern array which are delineated but are not  
18 along the access road, those are also inverters in  
19 the northern array; is that correct?

20 THE WITNESS (Ott): That is correct.

21 MR. MORISSETTE: Okay. Thank you.  
22 Okay. Concerning the safety zone for the runway,  
23 is the safety zone at the end of the runway to the  
24 road, is that accurate, or should I be thinking of  
25 it in another way?

1 THE WITNESS (Durocher): I'm not sure  
2 what you are referring to. You're talking about  
3 the north end?

4 MR. MORISSETTE: Yes.

5 THE WITNESS (Durocher): We are -- I'm  
6 sorry, go ahead.

7 MR. MORISSETTE: I'm sorry, there was  
8 testimony that there is also a safety zone built  
9 into the design, and I'm just trying to figure out  
10 where that safety zone is to the runway.

11 THE WITNESS (Durocher): So we actually  
12 added that safety road. It was not required by  
13 the FAA, nor is it right now, unless the runway is  
14 eventually extended, of course. The FAA requires  
15 nothing greater than I believe 3 feet high within  
16 125 feet of the centerline of the runway.

17 MR. MORISSETTE: Okay. So in the  
18 exhibit that I'm looking at the runway ends.  
19 That's the shaded area. I think it's with a --  
20 it's a 61 or an upside down 19. So beyond the  
21 shaded area where the runway is depicted, that's  
22 it, there's no additional runway safety zone  
23 beyond that; is that accurate?

24 THE WITNESS (Durocher): That's  
25 correct.

1 MR. MORISSETTE: Okay. So -- (AUDIO  
2 INTERRUPTION) -- is that correct?

3 THE COURT REPORTER: This is the court  
4 reporter. You were cutting in and out.

5 MR. MORISSETTE: I'll repeat the  
6 question. Thank you.

7 THE COURT REPORTER: Thank you.

8 MR. MORISSETTE: I understand that  
9 because there's no control tower at this location  
10 for the airport that the FAA did not require a  
11 glare analysis.

12 THE WITNESS (Durocher): What type of  
13 analysis?

14 MR. MORISSETTE: A glare.

15 THE WITNESS (Durocher): No, I've never  
16 been asked that before.

17 MR. MORISSETTE: Well, I understand  
18 that there has been no glare analysis performed  
19 for this facility; is that correct?

20 THE WITNESS (Durocher): That's  
21 correct. It's my understanding there is no glare  
22 concerning the pilots. I've flown over many solar  
23 panels in my lifetime, and I've never noticed any  
24 glare.

25 MR. MORISSETTE: Okay. My next set of

1 questions is relating to the panels themselves.  
2 Now, I understand that these specific panels that  
3 you're going to be using you're going to be using  
4 a panel that has a film to eliminate glare. Could  
5 you further elaborate on that for me, please?

6 THE WITNESS (Ott): Mitchell Ott here,  
7 Larry, unless you're going to go.

8 (No response.)

9 THE WITNESS (Ott): Okay. So the  
10 panels have a nonreflective coating that's applied  
11 to the front face of them to limit glare off of  
12 them.

13 MR. MORISSETTE: Okay. Is that just  
14 the normal type of panel?

15 THE WITNESS (Ott): Correct. Almost  
16 all tier 1 panels, I would say. To my knowledge,  
17 all tier 1 panels, which is what's being  
18 considered for this project, and almost all panels  
19 in general have a nonreflective coating for the  
20 reason of glare but also for the production reason  
21 of if we're reflecting sunlight then we're not  
22 capturing sunlight with the panels. So it's both  
23 an engineering increase as well as a glare  
24 resistance.

25 MR. MORISSETTE: That's the normal

1 design, it wasn't specifically to eliminate or to  
2 mitigate any glare for the airport?

3 THE WITNESS (Ott): That's correct.  
4 The other thing related to glare that I'll, just  
5 to add context, is you are correct that the FAA  
6 does not require a glare study unless there is a  
7 control tower, and there is not in this case.  
8 That said, there was a glare study performed,  
9 though it wasn't required, and the results of that  
10 were clean as well.

11 MR. MORISSETTE: I'm sorry, I didn't  
12 quite understand that response. Could you repeat  
13 that again?

14 THE WITNESS (Ott): The FAA does not  
15 require a glare study, but a glare study was  
16 performed given its proximity and doing due  
17 diligence, and the results were favorable.

18 MR. MORISSETTE: Oh, so there was a  
19 glare study. Is that part of the record?

20 THE WITNESS (Ott): I don't believe so  
21 because it was not a requirement from the FAA.

22 MR. MORISSETTE: Okay. Thank you.  
23 Concerning the town's comments, one of their  
24 concerns was that they just spent a million  
25 dollars to get a sewer extension into the area to



1 supply or for the industrial land in that area.  
2 Do you happen to know what percentage of the solar  
3 array will consume of the entire industrial area?

4 THE WITNESS (Ott): This is Mitchell  
5 Ott. I don't have that value immediately handy,  
6 but I can find that out.

7 MR. MORISSETTE: Mr. Csaplar, do you  
8 have any rough idea?

9 THE WITNESS (Csaplar): You're asking a  
10 percentage of what the solar array would consume  
11 of the industrial area, correct?

12 MR. MORISSETTE: Yes.

13 THE WITNESS (Csaplar): So the entire  
14 parcel is 127 acres. I believe the entire parcel  
15 is zoned industrial, and our project is taking up  
16 19.2 acres and that would be 15.1 percent.

17 MR. MORISSETTE: Thank you. Do you  
18 know if the industrial area goes beyond your 127  
19 acres in this area? I believe it goes further  
20 north as well. And was the sewer, you know,  
21 intended specifically for this area or is it  
22 encompassing a greater area beyond your project?

23 THE WITNESS (Csaplar): I do not know  
24 the intentions of the sewer installation nor the  
25 extent to the industrial zoning.

1           Larry, I don't know if you have an  
2 answer to that.

3           THE WITNESS (Durocher): Originally the  
4 intent was one business on Route 83. The airport  
5 was actually against a sewer initially, and this  
6 goes back quite a few years.

7           MR. MORISSETTE: Okay. Thank you.  
8 Okay. I would like to go to, I believe it's  
9 Interrogatory Number 70 which was filed on its own  
10 which is basically the photos, the photolog, and I  
11 would like to view location 1. So this is  
12 basically where the interconnection facility is  
13 going to go. Now, the pole on the right is  
14 Eversource's pole. Is that pole the point of  
15 interconnection or are they going to put a new  
16 pole where the arrow goes?

17           THE WITNESS (Ott): I'm pulling it up  
18 right at this moment. This is Mitchell Ott.

19           MR. MORISSETTE: Sure. I'm sorry, I'll  
20 give you time to pull it up.

21           THE WITNESS (Ott): I think I did have  
22 it open, but there's a few of them open right now.  
23 Mitchell Ott here. Yes, that is correct, the pole  
24 on the right would be the interconnected pole.

25           MR. MORISSETTE: All right. So you

1 probably don't know this yet. Are they going to  
2 replace that pole or -- it doesn't really matter,  
3 never mind. So, in addition to that  
4 interconnection pole, there's going to be three  
5 other poles kind of hugging the road on the right?

6 THE WITNESS (Ott): That's correct, as  
7 of this time.

8 MR. MORISSETTE: Okay. All right. So  
9 just for the Siting Council's observations, so  
10 that's, you know, going downhill, and across the  
11 street the terrain goes uphill, and the resident  
12 on Route 83 will have a clear shot of the lights  
13 on top of the poles. Okay.

14 Now, you had mentioned that there was  
15 photos, photo views that I may want to look at  
16 that's from across the street, or is that really  
17 from the cul-de-sac only?

18 THE WITNESS (Ott): That was from the  
19 cul-de-sac.

20 MR. MORISSETTE: Okay. Great. All  
21 right. I think that pretty much covers the  
22 questions that I have this afternoon. Thank you,  
23 everyone, for answering.

24 So we'll take a quick break. And  
25 Attorney Hoffman, you have a laundry list of

1 questions to answer here.

2 MR. HOFFMAN: So Mr. Morissette, I want  
3 to make sure that we have all of the questions  
4 that we need to have answered so that we don't  
5 have to come back later because I recognize that  
6 you want to close out the hearing tonight.

7 MR. MORISSETTE: Thank you.

8 MR. HOFFMAN: So on my list, and if I'm  
9 missing something please correct me, but on my  
10 list I have the question of how many vehicles will  
11 we have out there during construction, where they  
12 will be parked, how often the sheep farmer will  
13 come out. The question about, and I want to make  
14 it clear that the question is about FAA marking or  
15 lighting, correct, of the poles?

16 MR. MORISSETTE: Yes.

17 MR. HOFFMAN: And then there is the  
18 linkage between the pieces, I believe it's 5, 6  
19 and 7, for the FAA determinations, exactly where  
20 they are at the facility?

21 MR. MORISSETTE: Yes.

22 MR. HOFFMAN: Okay. You successfully  
23 answered the distances from the poles to the  
24 residences, so I think that that one is done.

25 Am I missing anything, sir?

1 MR. MORISSETTE: Yes, two. The  
2 low-level oil design and self-containment.

3 MR. HOFFMAN: Correct. I'm sorry, yes.

4 MR. MORISSETTE: And the gear tracking  
5 maintenance asked by Mr. Silvestri.

6 MR. HOFFMAN: Part of the problem, sir,  
7 is that actual transformers haven't been selected  
8 so there may be an issue there, but we can get you  
9 those answers.

10 MR. MORISSETTE: Take a look at it, and  
11 if this is approved we can make it a condition of  
12 approval.

13 MR. HOFFMAN: So I know that it is  
14 tradition for the Council to take a 15-minute  
15 break right about now.

16 MR. MORISSETTE: Yes.

17 MR. HOFFMAN: I might ask that we take  
18 a 20-minute break.

19 MR. MORISSETTE: That would be fine.  
20 So let's reconvene at 10 of 4 or 3:50.

21 MR. HOFFMAN: Thank you very much.

22 MR. MORISSETTE: Thank you, Attorney  
23 Hoffman.

24 MR. HOFFMAN: Thank you.

25 (Whereupon, a recess was taken from

1 3:31 p.m. until 3:51 p.m.)

2 MR. MORISSETTE: We are back on the  
3 record. Please continue.

4 MR. HOFFMAN: Okay. So I believe that  
5 we have successfully completed our homework.

6 Mr. Csaplar, how many vehicles do you  
7 anticipate will be present during construction?

8 THE WITNESS (Csaplar): So this is  
9 going to be a small construction project, so we do  
10 not anticipate more than 20 construction vehicles.

11 MR. HOFFMAN: Thank you. And Mr. Ott,  
12 can you describe where those vehicles will be  
13 parked during construction?

14 THE WITNESS (Ott): Yes, the vehicles  
15 will be parked along the access road and within  
16 the fence line but within the disturbed limits as  
17 noted currently.

18 MR. HOFFMAN: Very good. And Mr.  
19 Durocher, when we ended the evidentiary session  
20 with Mr. Morissette, Mr. Morissette pointed out  
21 the point of interconnection and the poles that  
22 were there, and we pulled up a photograph of that  
23 point of interconnection. And when you looked at  
24 that point of interconnection there were no lights  
25 on those poles. Can you explain? That was on

1 page 3 of 14 in the response to Interrogatory 7 --  
2 70, excuse me, which was the photolog. You could  
3 see the proposed point of interconnection, if you  
4 look at it, and there's no lights on those utility  
5 poles. Can you explain why that is?

6 THE WITNESS (Durocher): I don't have a  
7 copy on hand here, but the FAA only requires  
8 lighting if it's within 125 feet of the centerline  
9 of the runway, which this obviously is not, or if  
10 it's going to be greater than 190 feet in altitude  
11 in height. Again, these poles are going to be up  
12 on Route 83 which is much greater than 125 feet.

13 MR. HOFFMAN: And Mr. Ott, when you  
14 originally did the FAA determination, you also  
15 included the southern arrays which are now  
16 eliminated. Were those closer to the runway than  
17 the northern arrays?

18 THE WITNESS (Ott): Yes.

19 MR. HOFFMAN: Okay. So Mr. Durocher,  
20 you're saying that we do not need lighting for the  
21 points of interconnection given their heights?

22 THE WITNESS (Durocher): I do not  
23 believe so.

24 MR. HOFFMAN: Okay. And Mr. Csaplar,  
25 if that changes, will we notify the Siting

1 Council?

2 THE WITNESS (Csaplar): Yes.

3 MR. HOFFMAN: Okay. Mr. Csaplar, can  
4 you talk about the low level gauges and systems  
5 for the transformers?

6 THE WITNESS (Csaplar): Yeah. So  
7 again, we haven't decided on a final inverter make  
8 or model. However, the inverters are filled with  
9 a mineral oil --

10 MR. HOFFMAN: I'm sorry, sir, did you  
11 say inverters or transformers?

12 THE WITNESS (Csaplar): Sorry, I meant  
13 the transformers, excuse me, they're filled with a  
14 natural mineral oil, and they will have a low  
15 level detection.

16 MR. HOFFMAN: Okay. And then finally,  
17 what can you tell me about the maintenance for the  
18 tracking gears for the trackers?

19 THE WITNESS (Csaplar): Yeah, we will  
20 be using oil to put on a natural lubricant for the  
21 trackers during operation and maintenance.

22 MR. HOFFMAN: And I think we covered  
23 this during testimony, but just in case we didn't,  
24 Mr. Csaplar, as we sit here now, you do not know  
25 how often the sheep farmer will come out to



1 investigate the flock, but you're willing to  
2 provide that information to the Siting Council  
3 once a sheep farmer has been selected for this  
4 project, correct?

5 THE WITNESS (Csaplar): Correct.

6 MR. HOFFMAN: Mr. Morissette, if  
7 there's a question that I missed, I apologize, it  
8 was inadvertent.

9 MR. MORISSETTE: Thank you, Attorney  
10 Hoffman. I believe you covered them all. Thank  
11 you.

12 MR. HOFFMAN: Okay. I'm sure that  
13 you'll have follow-ups as a result of those  
14 answers.

15 MR. MORISSETTE: Yes. What we're going  
16 to do now is we're going to go back and poll the  
17 Council to see if they have any follow-up  
18 questions. We will start with Mr. Nwankwo and  
19 then followed by Mr. Silvestri.

20 Mr. Nwankwo, do you have any follow-ups  
21 on the questions that were just answered?

22 MR. NWANKWO: Thank you, Mr.  
23 Morissette. Yes, I have two questions. One would  
24 be an original question, I don't think we got an  
25 answer to that, and the question was how water

1 will be brought to the site for the livestock, the  
2 grazing livestock.

3 THE WITNESS (Csaplar): Similar to our  
4 answer of how many times the grazer will be out, I  
5 can provide the Siting Council with that once a  
6 grazer is chosen.

7 MR. HOFFMAN: And I apologize, Mr.  
8 Nwankwo. Mr. Ott has the information on linking  
9 the 5, 6 and 7 FAA determinations and where that  
10 is. I did skip over that, and I apologize.

11 MR. NWANKWO: Thank you, Attorney  
12 Hoffman. My second question will be in reference  
13 to response to Interrogatory Number 62. I do  
14 believe Mr. Lynch asked the question about the  
15 fence, and the petitioner responded that there  
16 will be a 4-inch gap, but the response to the  
17 interrogatory does state that there will be no gap  
18 below the fence to protect the sheep from  
19 predators. I just wanted to get clarity of that.

20 THE WITNESS (Ott): Sorry. This is  
21 Mitchell Ott. That was a mistake on my behalf.  
22 That gap was there originally because at the onset  
23 of the project there was a turtle that was flagged  
24 as a species, but that has since been removed from  
25 a concern for the project through correspondence

1 so that a gap can be lowered or removed.

2 MR. NWANKWO: Thank you. That will be  
3 all. Thank you.

4 MR. MORISSETTE: Thank you, Mr.  
5 Nwankwo.

6 Mr. Ott, Attorney Hoffman indicated  
7 that you had a response to the FAA plots and the  
8 point of interconnection.

9 THE WITNESS (Ott): Yes, sir. So I  
10 believe the question was where are the filings 5,  
11 6, 7 from the FAA determinations that were  
12 included. And if you can go to Exhibit D in the  
13 Appendixes A through K, it's page 13 of that PDF.  
14 It's an overall site plan, C106. I know I threw a  
15 lot of direction there, but let me know when you  
16 find that. Is that available?

17 MR. MORISSETTE: Yes, please continue.

18 THE WITNESS (Ott): Okay. So on that  
19 overall site plan number 5, the filing is the  
20 first fence corner to the northwest from the end  
21 of the runway. So if you go from the runway and  
22 travel northwest, the first fence corner that is  
23 there, which is also the southeast fence corner,  
24 that's filing number 5.

25 If you traverse straight north from

1 that to the next corner past the fence line --  
2 excuse me, past the access road to the north  
3 immediately south of the north-south array gap,  
4 that's number 6.

5 And then from there if you go east to  
6 the farthest eastern fence corner of the project,  
7 that is number 7. Let me know if that wasn't  
8 clear.

9 MR. MORISSETTE: Thank you, Mr. Ott.  
10 Mr. Nwankwo, does that answer your  
11 question?

12 MR. NWANKWO: It does for number 5, but  
13 I would like a little -- a second explanation for  
14 number 6. I didn't get number 6.

15 THE WITNESS (Ott): Sure. So number 6  
16 is, if from number 5 you traverse all the way  
17 north to where the fence takes an eastward turn,  
18 it's the inner corner.

19 MR. NWANKWO: Okay.

20 THE WITNESS (Ott): That's number 6.  
21 And then number 7 is the east traverse from that,  
22 so it's the farthest east corner.

23 MR. NWANKWO: I'm clear on that now.  
24 Thank you, Mr. Morissette.

25 MR. MORISSETTE: Thank you, Mr.

1 Nwankwo, and thank you, Mr. Ott. We will now  
2 continue with Mr. Silvestri.

3 Mr. Silvestri, any follow-up?

4 MR. SILVESTRI: Thank you, Mr.  
5 Morissette. I want to go back to the lighting or  
6 not lighting issue. If the determination was just  
7 made now that lighting is not needed, does the  
8 applicant need to get back to the FAA for  
9 clarification or any type of modification that FAA  
10 has already sent to them regarding the project?

11 THE WITNESS (Ott): This is Mitchell  
12 Ott. I don't have an answer for that at this  
13 time.

14 I don't know if, Larry, you have any  
15 thoughts.

16 THE WITNESS (Durocher): No. I'm not  
17 even sure how the FAA got involved in it  
18 concerning these poles. They certainly should  
19 have had the correct answers.

20 MR. SILVESTRI: This is where I have  
21 concern now, because when you read what was  
22 submitted already, you know, they should be  
23 marked/lighted with the new information you had  
24 about, you know, distance from center of runway,  
25 that you wouldn't need it, but should the project

1 be approved, it gets built without lights, what  
2 happens with the FAA? That's where my confusion  
3 exists at this point.

4 MR. HOFFMAN: I suppose, Mr. Silvestri,  
5 that the answer is a legal one, and I know that I  
6 can't testify, but it has to be lighted in  
7 accordance with the FAA guidance. And  
8 Mr. Durocher defined for you what the FAA guidance  
9 is, so the FAA can't go out and make individual  
10 determinations.

11 MR. SILVESTRI: I just want to make  
12 sure we're aboveboard, Mr. Hoffman. Thank you.

13 MR. HOFFMAN: Fully understood, sir.

14 MR. SILVESTRI: Thank you, Mr.  
15 Morissette.

16 MR. MORISSETTE: Thank you, Mr.  
17 Silvestri.

18 Mr. Nguyen, any follow-up questions?

19 MR. NGUYEN: Yes, I do. Thank you.  
20 The FAA requirements for safety, in the prefile  
21 testimony, Mr. Durocher -- I apologize if I  
22 mispronounced your last name -- on page 3 of your  
23 prefile testimony it talks about an extension that  
24 has been added to the runway touchdown zone at the  
25 north end of the runway that meets FAA

1 requirements for safety. Do you see that?

2 THE WITNESS (Durocher): I think I --  
3 this is Larry Durocher. I think I might be able  
4 to answer the question. I didn't hear the entire  
5 question though.

6 MR. NGUYEN: Are you on page 3, the  
7 last sentence on page 3? The question is when was  
8 that runway, the extension was implemented, do you  
9 have any idea what was the reason other than  
10 safety?

11 THE WITNESS (Durocher): It was  
12 strictly a question of safety at the time. It was  
13 implemented about seven or eight months ago. We  
14 decided to do a cutout there just for safety in  
15 the event of an overrun by an airplane. There's  
16 no intention at this time of extending the runway.

17 MR. NGUYEN: And with respect to the  
18 skydivers, for the past few years or prior to that  
19 were there any incidents where skydivers that  
20 drifted away and landed in the north array,  
21 proposed north array area, do you know?

22 THE WITNESS (Durocher): I'm sure  
23 there's been several incidents in which they used  
24 the north end for an alternate landing area. They  
25 use several fields around the airport, including

1 the west side. They've landed on people's  
2 property at times. So it depends on the  
3 situation. But they have many, many, many areas  
4 to land in the event of an emergency.

5 MR. NGUYEN: Okay. Thank you very  
6 much. That's all I have, Mr. Morissette.

7 MR. MORISSETTE: Thank you, Mr. Nguyen.  
8 We'll now continue with Mr. Golembiewski followed  
9 by Mr. Lynch.

10 Mr. Golembiewski, any follow-up  
11 questions?

12 MR. GOLEMBIEWSKI: Mr. Morissette, no  
13 follow-up questions. Thank you.

14 MR. MORISSETTE: Thank you.

15 Mr. Lynch, any follow-up questions?

16 MR. LYNCH: All my questions have been  
17 asked by my colleagues. Thank you, Mr.  
18 Morissette.

19 MR. MORISSETTE: Thank you, Mr. Lynch.

20 I have one follow-up question, and it  
21 concerns the ridge, I'll call it, going up to the  
22 east. Is there any loss of energy production due  
23 to the hill going to the east? So, in other  
24 words, your sunrises are going to, the sun will  
25 rise later, and does that have an impact on your



1 energy production?

2 THE WITNESS (Csaplar): This is Dan  
3 from US Solar. It could, Mr. Morissette. We run  
4 what is called a PVSyst for all of our arrays, and  
5 what this does is give us a generation value. So  
6 I'm sure the PVSyst tool that we use took this  
7 into consideration.

8 MR. MORISSETTE: Very good. So your  
9 analysis is based on real-time measurements of the  
10 sun and then you incorporate that into your energy  
11 production calculation?

12 THE WITNESS (Csaplar): That's correct,  
13 as well as the actual location of the array.

14 MR. MORISSETTE: Right.

15 THE WITNESS (Csaplar): It takes into  
16 consideration shading and all that good stuff.

17 MR. MORISSETTE: Very good. I was just  
18 curious about that. That's the only question I  
19 had. So that concludes our hearing for this  
20 afternoon.

21 So the Council will recess until 6:30  
22 p.m., at which time we will commence with the  
23 public comment session of this public hearing.  
24 And thank you, everyone, for your participation,  
25 and we will see you at 6:30. Thank you.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. HOFFMAN: Thank you, Mr.

Morissette.

(Whereupon, the hearing adjourned at  
4:07 p.m.)

1 CERTIFICATE FOR REMOTE HEARING

2  
3  
4 I hereby certify that the foregoing 82 pages  
5 are a complete and accurate computer-aided  
6 transcription of my original stenotype notes taken  
7 before the CONNECTICUT SITING COUNCIL of the  
8 REMOTE PUBLIC HEARING IN RE: PETITION NO. 1589,  
9 Petition from USS Somers Solar, LLC for a  
10 declaratory ruling, pursuant to Connecticut  
11 General Statutes, Section 4-176 and Section  
12 16-50k, for the proposed construction, maintenance  
13 and operation of a 3.0-megawatt AC solar  
14 photovoltaic electric generating facility located  
15 at 360 Somers Road, Ellington, Connecticut, and  
16 associated electrical interconnection, which was  
17 held before JOHN MORISSETTE, PRESIDING OFFICER, on  
18 December 5, 2023.  
19  
20  
21  
22  
23  
24  
25



-----  
Lisa L. Warner, CSR 061  
Court Reporter

I N D E X

\*Administrative Notice Items I-C-1 through I-C-99 received in evidence on page 9.

**WITNESSES:**

DANIEL CSAPLAR  
MITCHELL OTT  
LARRY DUROCHER

**EXAMINERS:**

	PAGE
Mr. Hoffman (Direct)	11
Mr. Nwankwo (Start of cross)	14,73
Mr. Silvestri	28,77
Mr. Nguyen	42,78
Mr. Morissette	46,57,80
Mr. Lynch	47

PETITIONER'S EXHIBITS  
(Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
II-B-1	Petition for a declaratory ruling filed by USS Somers Solar, LLC, received August 23, 2023, and attachments	13
II-B-2	Petitioner's responses to Council's interrogatories (Redacted), Set One, dated November 9, 2023	13
II-B-3	Petitioner's sign posting affidavit, dated November 28, 2023	13
II-B-4	Petitioner's pre-filed testimony of Larry Durocher, dated November 28, 2023	13
II-B-5	Petitioner's response to Council Interrogatory Number 70, dated December 4, 2023	13

\*All exhibits were retained by the Council.