



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Hearing Program
Petition No. 1589
Tuesday, December 5, 2023
2:00 p.m./6:30 p.m.
Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer

B. Motions

1. Petitioner's Motion for Protective Order – Response to Council Interrogatory No. 5 Cost Information, dated November 9, 2023

C. Administrative Notice taken by Council

FEDERAL

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, last updated December 28, 2022, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
6. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at https://www.nerc.com/pa/rrm/ea/October%202011%20Northeast%20Snow%20Storm%20Event/NE_Outage_Report-05-31-12.pdf

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11. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf
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13. UNITED STATES DEPARTMENT OF AGRICULTURE, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at <https://www.ourenergypolicy.org/wp-content/uploads/2013/08/Solar.pdf>
14. UNITED STATES DEPARTMENT OF AGRICULTURE, *Soil Survey Manual, Handbook No. 18*, March 2017 (Amended 2018), available at <https://www.nrcs.usda.gov/sites/default/files/2022-09/The-Soil-Survey-Manual.pdf>
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29. ISO-NEW ENGLAND, INC., *Final 2023 PV Forecast*, April 28, 2023, available at https://www.iso-ne.com/static-assets/documents/2023/04/2023_pv_forecast_final.pdf
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35. CONNECTICUT SITING COUNCIL, PETITION 754 - *Electric and Magnetic Field Best Management Practices for the Construction of Electric Transmission Lines in Connecticut*, December 14, 2007, revised December 30, 2022, available at https://portal.ct.gov/-/media/CSC/Publications/EMF-BMP-12-30--2022-update_final_s.pdf
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39. **PETITION NO. 1558** – Community Power Group LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4-megawatt AC solar photovoltaic electric generating facility located at 24 Middle Road, Ellington, Connecticut, and associated electrical interconnection. Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1501-1600/PE1558

40. **PETITION NO. 1572** – East Windsor Solar Two, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.0-megawatt AC solar photovoltaic electric generating facility located at 31 Thrall Road, East Windsor, Connecticut, and associated electrical interconnection. Record and Final Decision, *available at* https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1501-1600/PE1572

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42. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *The Connecticut Stormwater Quality Manual, 2004, and appendices*, *available at* http://www.ct.gov/DEP/cwp/view.asp?a=2721&q=325704&depNav_GID=1654#download
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Department of Public Health

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Department of Transportation

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Other State Agencies

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MAPS

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- C. CGS §16-50k Core Forest and Prime Farmland Determinations
1. Department of Energy and Environmental Protection No Material Impact to Core Forest Determination Letter, dated May 5, 2022
 2. Department of Agriculture No Material Impact to Prime Farmland Determination Letter, dated March 6, 2023
 3. Department of Agriculture Revised No Material Impact to Prime Farmland Determination Letter, dated August 2, 2023
- D. State Agency comments
1. Council on Environmental Quality Comments, dated September 28, 2023

E. Municipal comments

1. Town of Ellington Planning and Zoning Commission Comments, dated September 1, 2023
2. Town of Ellington Comments, dated September 18, 2023

II. Appearance by Petitioner: USS Somers Solar, LLC (USS)

Representative: Lee D. Hoffman, Esq.
Pullman & Comley, LLC

A. Administrative Notice.

B. Exhibits for Identification.

1. Petition for a Declaratory Ruling filed by USS Somers Solar, LLC, received August 23, 2023, and attachments.
2. Petitioner's Responses to Council's Interrogatories (Redacted), Set One, dated November 9, 2023
3. Petitioner's Sign Posting Affidavit, dated November 28, 2023
4. Petitioner's Pre-filed Testimony of Larry Durocher, dated November 28, 2023
5. Petitioner's Response to Council Interrogatory No. 70, dated December 4, 2023
6. Signed Protective Order – Response to Council Interrogatory No. 5 Cost Information, dated December 5, 2023

C. Swear Witnesses

1. Dan Csaplar, USS Somers Solar, LLC
2. Mitchell Ott, P.E., Westwood
3. Larry Durocher, JLM Associates, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council

III. Closing by Connecticut Siting Council.