



February 5, 2024

VIA ELECTRONIC MAIL AND HAND DELIVERY

Melanie Bachman
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

**Re: Post Hearing Brief
PETITION NO. 1592 - Santa Fuel, Inc. petition for a declaratory ruling,
pursuant to Connecticut General Statutes §4-176 and §16-50k, for the
proposed construction, maintenance and operation of a 3.85-megawatt AC
solar photovoltaic electric generating facility located at the 159 South Road,
Somers, Connecticut, and associated electrical interconnection.**

Dear Ms. Bachman:

On behalf of Santa Fuel, Inc., I am enclosing the original and fifteen copies of the Post Hearing Brief in connection with the above-referenced petition. Should you have any questions concerning this submittal, please contact me at your convenience. I certify that copies of this submittal have been submitted to all parties on the Petition Services List as of this date.

Sincerely,

Timothy A. Coon, P.E.
J.R. Russo & Associates, LLC

Enclosure

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

Santa Fuel, Inc. petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 3.85-megawatt AC solar photovoltaic electric generating facility located at the 159 South Road, Somers, Connecticut, and associated electrical interconnection.

Petition No. 1592

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POST HEARING BRIEF

Petitioner Santa Fuel, Inc (“SFI” or “Petitioner”) thanks the Council for its diligent questioning and review of the Petition at the Hearing on January 11, 2024. The council asked some very detailed questions during the Hearing and the Petitioner believes that it was able to provide answers to all of the questions. Despite answering all of the questions, it appeared that there may have been a couple of outstanding concerns of the Council. These are discussed below:

1. Proximity of Proposed Solar Array to the House at 187 South Road

Some of the Council members asked questions regarding the possibility of shifting the array northerly in order to provide additional buffer between the array and the existing house at 187 South Road. The Petitioner indicated that the array could be shifted to increase the buffer; however, it would require shifting panels into the Town’s building setback associated with the northern property line. The Petitioner expressed that they would be open to this shift; however, there was still some question as to whether the panels would be allowed within the building setback with the Council’s approval. After the Hearing, a more detailed review of the Site Plans revealed that there is currently about 15’ between the closest point of the array and the northern building setback. As a result, the Petitioner actually has the ability to shift the array 15’ north to increase the buffer to the house at 187 South Road without encroaching into the building setback.

2. Potential for Interconnection through Frontage on Mountainview Road

The Council Chair, Mr. Morrissette, questioned whether the power lines could extend through the woods southerly directly to Mountainview Road. The Petitioner believes this question was driven by concern about the visibility of the 7 poles along the access driveway and the overbuild work required to extend the existing power line from the intersection of

Mountainview Road and South Road to the proposed interconnection point at the proposed site entrance. Mr. Morrissette stated that poles along a route through the woods out to Mountain View Road would not be visible. In response, the Petitioner stated that an access road and interconnection point at the Mountainview Road property frontage was initially investigated. However, for several reasons, including topography challenges, additional tree clearing, utility requirements, and, most importantly, the lack of sufficient sight lines to provide safe access, the access drive and interconnection point were moved to the South Road frontage. It was unclear after the line of questioning whether the Council thinks that there is still a possibility of having the power line go directly out through the woods while maintaining the site access from South Road. Since Eversource requires a driveway to access their poles for maintenance, this scenario would require an access drive to be constructed in an easement through the interior of the site to the final pole locations. However, it has been the Petitioner's experience that Eversource will not accept an interior access road of that length to access any of their utility-owned equipment. Eversource typically requires that all utility-owned equipment be located so that access can be provided immediately off of the adjacent public street within a maximum distance of 100 feet from the edge of the property boundary. Another solution to the concern about the visibility of the utility poles from South Road that was discussed included the possibility of the elimination of some of the poles and replacement with pad-mounted equipment and underground conduit. As stated at the Hearing, this possibility would be part of future negotiations with Eversource.

3. Conclusion

Based on the written record provided to the Council throughout this Petition, the answers provided to the Council's questions, and the lack of any evidence presented to the contrary, the Petitioner believes that it has demonstrated that the proposed project is in the public interest and will have no adverse environmental effects. As such, the Petitioner respectfully requests that the Council approve this Petition.