

STATE OF CONNECTICUT

SITING COUNCIL

TRITEC AMERICAS, LLC, NOTICE OF : PETITION NO. 1609  
ELECTION TO WAIVE EXCLUSION FROM :  
CONNECTICUT SITING COUNCIL :  
JURISDICTION PURSUANT TO :  
CONNECTICUT GENERAL STATUTES §16-50k(e), :  
AND PETITION FOR A DECLARATORY RULING :  
PURSUANT TO CONNECTICUT GENERAL :  
STATUTES §4-176 AND §16-50k, FOR THE :  
PROPOSED CONSTRUCTION, MAINTENANCE, :  
AND OPERATION OF A 0.999-MEGAWATT AC :  
SOLAR PHOTOVOLTAIC ELECTRIC :  
GENERATING FACILITY LOCATED AT 250 :  
CARTER STREET, MANCHESTER, CONNECTICUT: :  
AND ASSOCIATED ELECTRICAL :  
INTERCONNECTION : April 24, 2024

**TRITEC AMERICAS, LLC’S OBJECTION TO MANCHESTER ADVOCATES FOR RESPONSIBLE SOLAR DEVELOPMENT’S REQUEST FOR INTERVENOR STATUS**

TRITEC Americas, LLC (“TRITEC”) hereby objects to Manchester Advocates for Responsible Solar Development’s (“MARSD”) Request for Intervenor Status and requests that it be denied for the following reasons.

First, the request does not comply with the requirement set out in the Connecticut General Statutes (“C.G.S.”) that “the petition states *facts that demonstrate* that the petitioner’s participation is in the interests of justice...” C.G.S. §4-177a (b)(2) emphasis added. Likewise, the request does not comply with the requirements of Regulations of Connecticut State Agencies (“R.C.S.A”) that the petition state *facts that demonstrate the petitioner’s participation shall furnish assistance to the Council in resolving the issues in the proceeding...the relief sought...and the legal authority therefor...*” R.C.S.A. §16-50j-15(b) emphasis added. Instead of facts, MARSD offers only conjecture and speculation that it “believes” that there will be adverse environmental consequences that would be “felt by the citizenry of Manchester.”

Second, the description given for who MARSD even is, is cryptic—and does not adequately convey who comprises the entity, how formally or informally the entity is formed, when it was formed, and for what specific purpose. This begs the question of how MARSD will contribute to the proceedings on behalf of “the citizenry of Manchester,” but also how it has standing to speak for “...the State of Connecticut more generally...” as it states in its Request for Intervenor Status. But even so, Connecticut courts have recognized that allowing status as a party or intervenor must be based on specific personal and legal interests rather than a general interest of all members of the community as a whole. See Brouillard v. Conn. Siting Council, 52 Conn. Supp. 196, \*204; 2010 Conn. Super. LEXIS 2523, \*\*\*12 (J.D. of New Britain 2010) (aff’d 133 Conn. App. 851; 2012 Conn. App. LEXIS 96).

To that end, the third reason for objection to MARSD’s Request for Intervenor Status is that the Town of Manchester has sought to intervene in the proceeding. The Town states in its request to intervene that it represents the interests of Manchester residents. Therefore, if the Town is permitted to intervene, MARSD’s input will be repetitive and could impair the orderly conduct of proceedings. The members of MARSD could voice their concerns to the Town who in turn will represent them in this proceeding.

Lastly, one of the statutes that MARSD gives as authority for its intervention is C.G.S. §22a-120. This statutory section does not apply as it governs certification proceedings, and this is a proceeding on a petition for declaratory ruling.

Based on the foregoing, TRITEC requests that the Siting Council deny MARSD’s Request for Intervenor Status.

RESPECTFULLY SUBMITTED,

**TRITEC Americas, LLC**



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

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cc: Service List