

PE 1609 : Questions for Siting Council at April 10 pre-Hearing Conference

Submitted by Ray Welnicki, 121 Amanda Dr., Manchester, CT 06040

1. Please review for us the instructions for submitting interrogatories, testimony and evidence
 - a. Electronic only or paper copies as well? **both**
 - b. How many paper copies? **15 copies**
 - c. Is a disk required if we also submit via emailed pdf? **No**
2. Is cross examination of the Petitioner and Petitioner's witness limited in scope to only those matters that are included in the Petition, matters submitted in evidence and testimony by the Petitioner, and matters identified in interrogatories by various parties? **Yes**
3. When a Party cross examines a witness is that Party limited to just those matters that the Party identified in their own evidence, testimony and interrogatories or may they cross examine a witness on any matter that is on the record? **Witnesses for each party and intervenor are cross-examined as a panel and the witness/author of the written testimony, interrogatory response or exhibit that is the subject of the cross examination would respond to any questions during cross examination.**
4. Can the interrogatories, evidence and testimony include legal subject matters pertaining to laws, regulations and/or court cases that may bear on this facility? **The lawyers for the petitioners are not witnesses and the witnesses for the petitioners are not lawyers. They cannot answer legal questions.**
5. Can cross examination of the Petitioner include questions related to statutory, regulatory and/or judicial issues pertinent to their filing? For example, questions asking how they have complied with certain statutory requirements or how their Petition is consistent with principles established in Connecticut case law? **The lawyers for the petitioners are not witnesses and the witnesses for the petitioners are not lawyers. In its final decision, the Siting Council determines whether statutory requirements are met and how a proposal is consistent with state law.**
6. Can a Party or Intervenor also be a witness for another Party or Intervenor? **No, as every party and intervenor will have an opportunity to cross examine the petitioner and every other party and intervenor during the proceedings.**
7. Can a Party or Intervenor cross examine a person who is a witness for a different Party or Intervenor or are they restricted to cross examining only the Petitioner's witnesses? **Every party and intervenor will have an opportunity to cross examine the petitioner and every other party and intervenor during the proceedings.**
8. Can the spouse of a Party or Intervenor make a public comment during that portion of the hearing or submit such a comment in writing? That is, does the exclusion of Parties and Intervenors from submitting public comments extend to their spouses? **Often, couples will provide public comment together. There is no prohibition on a spouse of a party or intervenor providing comment.**
9. Can video evidence be submitted and, if so, what media must be used for filing them? **Yes, sometimes filing a video requires a drop-box or other application.**

10. We assume that photo evidence can be included as part of an evidence document submission. Is this correct? **Yes**
11. If an association were to file for Intervenor status could a member of that association file for Party or Intervenor status separately based on their individual eligibility to be a Party or Intervenor? **No**