



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

July 3, 2024

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
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RE: **PETITION NO. 1626** – North Franklin Solar One, LLC and Verogy Holdings, LLC d/b/a Verogy, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.975-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 932 Route 32, Franklin, Connecticut, and associated electrical interconnection. **Council Interrogatories to Petitioner.**

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than July 24, 2024. Please submit an original and 15 copies to the Council's office and an electronic copy to siting.council@ct.gov. In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies, the Council requests all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Please be advised that the original and 15 copies are required to be submitted to the Council's office on or before the July 24, 2024 deadline.

Copies of your responses are required to be provided to all parties and intervenors listed in the service list, which can be found on the Council's website under the "Pending Matters" link.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

Melanie Bachman
Executive Director

MAB/MP

Enclosure: Revised Schedule, dated July 3, 2024

c: Service List dated April 5, 2024

Petition No. 1626
North Franklin Solar One, LLC
931 Route 32, Franklin

Interrogatories
July 3, 2024

Notice

1. Has North Franklin Solar One, LLC (NFSO) received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.

Project Development

2. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
3. What is the estimated cost of the project?
4. Is the project, or any portion of the project, proposed to be undertaken by state departments, institutions or agencies, or to be funded in whole or in part by the state through any contract or grant?
5. If NFSO transfers the facility to another entity, would NFSO provide the Council with a written agreement as to the entity responsible for any outstanding conditions of the Declaratory Ruling and quarterly assessment charges under CGS §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee?

Proposed Site

6. Under Regulations of Connecticut State Agencies (RCSA) §16-50j-2a(29), “Site” means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located. Referencing Petition pp. 6 and 7, is the “Project area” described in the Petition synonymous with the facility “site?” Explain.
7. What is the length of the lease agreement with the property owner? Describe options for lease extension(s), if any.
8. Referencing Petition p. 26, NFSO notes that, “The project proposes no agricultural uses besides the routine vegetation maintenance by goats.” Does the lease agreement with the property owner contain provisions for agricultural co-uses at the site? If yes, describe the co-uses.
9. Referencing Petition p. 13 and Appendix E, in the lease agreement with the property owner, what are the provisions related to decommissioning or site restoration at the end of the project’s useful life? Please describe and/or provide any such provisions.
10. If agricultural co-uses are implemented at the site, who would be responsible for responding to concerns and/or complaints related to these agricultural co-uses? How would contact information be provided for complaints?
11. Is the site, or any portion of the host parcel(s), part of the Public Act 490 Program? If so, how does the municipal land use code classify the parcel(s)? How would the project affect the use classification?

12. Has the State of Connecticut Department of Agriculture (DOAg) purchased any development rights for the facility site or any portion of the facility site as part of the State Program for the Preservation of Agricultural Land?
13. Is the host parcel subject to any development restrictions?
14. If the project is sold and/or transferred to another entity, would the sale and/or transfer include management and maintenance of the agricultural co-use areas?
15. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence and the proposed utility trench.

Proposed Facility and Associated Equipment

16. Referencing Petition p. 8, would any upgrades be necessary to the existing paved and gravel access road between Route 32 and the proposed solar facility double-swing gate? Explain.
17. Referencing Petition, pp. 8 and 36 and Appendix B, Sheet 2.12, would the approximately 40 inverters each be located on the equipment concrete pads or free standing on posts next to the equipment concrete pads? Explain.
18. What is the approximate angle with the horizontal that the solar panels would be oriented at?
19. What are the minimum and maximum clearances between the bottom edge of the solar panels and grade? What is the maximum height from grade to the top edge of the solar panels?
20. What factors determined the use of goats to maintain vegetation at the site rather than sheep or periodic mowing?
21. Would the wiring from the panels to the inverters be installed on the racking system? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals, including the goats?
22. Referencing Petition Sheet 2.12, list the equipment that would be installed on the two proposed equipment pads.

Energy Output

23. Referencing Petition p. 3, has NFSO executed a Tariff Terms Agreement (TTA) with Eversource? Would NFSO also sell the renewable energy certificates (RECs) to Eversource? Would the TTA include the transfer of capacity to Eversource?
24. Referencing the November 7, 2023 NFSO letter to DOAg, Section 2b, the percentages of energy production to be delivered to various customer groups under the Shared Clean Energy Facility (SCEF) program are provided. Would the percentages remain approximately the same on a capacity (rather than energy) basis?
25. Is the project being designed to accommodate a potential future battery storage system? If so, please indicate the anticipated size of the system, where it may be located on the site, and the impact it may have on the SCEF Agreement.

26. If one section of the solar array experiences electrical problems causing the section to shut down, could other sections of the system still operate and transmit power to the grid? By what mechanism are sections electrically isolated from each other?
27. Would NFSO participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
28. Referencing Petition p. 8, what electrical loss assumptions have been factored into the output of the facility? What is the output (MW AC) at the point of interconnection?
29. If the facility operates beyond the terms of the SCEF Agreement, will NFSO decommission the facility or seek other revenue mechanisms for the power produced by the facility?
30. Would NFSO construct the facility if the solar array area footprint was reduced and/or if the facility design features (ex. row spacing, panel height, etc.) were modified? Explain.

Electrical Interconnection

31. Provide the line voltage of the proposed electrical interconnection.
32. Does the interconnection require a review from ISO-NE?
33. Referencing Petition p. 9, what is the status of the final distribution impact study?
34. Referencing Petition p. 9, what is the status of the transmission impact study and the interconnection agreement with Eversource?
35. Will the interconnection provide energy to a substation? If yes, which one?
36. Referencing Petition p. 8, NFSO notes that, "...[T]he existing utility poles on the access road would be utilized to make the overhead service connection to the utility grid." What are the approximate heights above grade of these poles?
37. Referencing Petition p. 9, NFSO indicates that five new utility poles would be installed: three NFSO poles and two Eversource poles. Sheet 2.11 indicates that there would be two NFSO poles and three Eversource poles. Please clarify how many poles would be customer-side or controlled by NFSO and how many poles would be utility-side or controlled by Eversource? Clarify what equipment would be on each pole. Provide the heights of the five proposed poles.
38. Referencing Sheet 2.11, would the northeastern-most proposed pole be a riser pole to convert the underground electrical interconnection line to overhead?
39. Referencing Sheet 2.11, is three-phase available on the existing overhead distribution line where the "Proposed Interconnection Point" is located, or would it need to be upgraded from single-phase to three-phase?
40. Has NFSO discussed with Eversource the possibility of reducing/minimizing the number of poles required for the interconnection? Explain. Provide cost estimates for both an overhead and underground interconnection.

Public Health and Safety

41. Would the project comply with the current Connecticut State Building Code, National Electrical Code, Connecticut State Fire Prevention Code?
42. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices?
43. Referencing Petition p. 16, would training be provided for local emergency responders regarding site operation and safety in the event of a fire or other emergency at the site? How would site access be ensured for emergency responders?
44. In the event of a brush or electrical fire, how are potential electric hazards that could be encountered by emergency response personnel mitigated? What type of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
45. What is the distance of the nearest municipal fire hydrant to the proposed facility? What alternative water sources are available to the fire department? How would water be brought to the site in the event of a fire?
46. Would firewater or other runoff from a solar panel/electrical fire be considered hazardous and require cleanup by a hazardous materials response contractor?
47. What type of insulating oil is used within the transformers? Is it biodegradable? Do the transformers have containment systems in the event of an insulating oil leak? Would the transformers have low oil alarms?
48. Petition p. 37 indicates that "A glare analysis is not required at this time." Under what circumstances would a glare analysis be required in the future? Explain.
49. Would notice to the Federal Aviation Administration (FAA) be necessary for the temporary use of a crane during construction?
50. What noise-generating equipment would be installed at the site? Would operation of the proposed facility meet the applicable state noise standards at the nearest property boundary?
51. Referencing Petition p. 36, provide a copy of the previously completed sound analysis.
52. Referencing Petition p. 36, NFSO notes that, per manufacturer's specifications, an inverter would generate a maximum sound level of less than 65 dBA at a distance of 1 meter. Referencing Petition p. 8, has NFSO accounted for the combined effects of thirty-nine 125 kW inverters, one 100 kW inverter and two 2,500 kVA transformers in its noise projections? Explain.
53. Referencing Petition p. 26, provide a Goat Grazing Plan that includes, but is not limited to:
 - a. Environmental Notes on Sheet 3.01, Post Construction, indicate that mowing would generally be avoided from May 15 to September 15 unless protective measures are employed. When would the goats be on-site?
 - b. Identification of flock protection animals such as dogs, llamas or donkeys, if necessary;
 - c. How do goats interact with wood turtles and eastern pearlshell mussels?
 - d. How many days per week would the goat manager visit the site to tend to the goats?
 - e. How would goats be managed if electrical contractors/personnel were dispatched to the site for nonscheduled maintenance or emergency repair work?

- f. Provide a copy of a sample sign for contact information for the goat manager and DOAg Animal Control Officer and the location where it would be prominently displayed on the fence at the facility.
- g. How would water be provided at the site for the goats?

Environmental Effects and Mitigation Measures

- 54. Could livestock manure affect the water quality of downgradient wetlands/watercourses? How can such effects be mitigated?
- 55. What is the length of the posts and to what depth would the posts be driven into the ground? How would the posts be driven into the ground? Are any impacts to groundwater quality anticipated? If so, how would NFSO manage and/or mitigate these impacts?
- 56. Are there any water supply wells in the vicinity of the site? If yes, would vibrations from the installation of racking posts affect well function and/or water quality, such as well water sedimentation?
- 57. Describe the visibility of the proposed facility from Windham Road (Route 32) and from the nearest off-site residence.
- 58. Could the site host habitat for the tricolor bat?
- 59. Referencing Petition p. 18, the project would occupy approximately 15.4 of 18.4 acres of Cropland/Row Crops. Would the remaining approximately 3 acres be used to grow crops?
- 60. Referencing Petition, Appendix B, Sheet 3.01, the proposed chain link fence would have a 6 inch wildlife gap at the bottom of the fence. Would such gap be compatible with hosting goats at the site? Explain.
- 61. Submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

- 1. wetlands, watercourses and vernal pools;
- 2. forest/forest edge areas;
- 3. agricultural soil areas;
- 4. sloping terrain;
- 5. proposed stormwater control features;
- 6. nearest residences;
- 7. Site access and interior access road(s);
- 8. utility pads/electrical interconnection(s);
- 9. clearing limits/property lines;
- 10. mitigation areas; and
- 11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location

number and viewpoint direction, and clearly identify the locations of site-specific and representative site features show (e.g., physical staking/flagging or other means of marking the subject area).

Facility Construction

62. Provide the range of final slopes within the solar array area.
63. Referencing Petition p. 9, has NFSO met with the Department of Energy and Environmental Protection (DEEP) Stormwater Division? If yes, when? Please describe any recommendations, comments or concerns about the project provided by the Stormwater Division and how such feedback was addressed in the project design.
64. Estimate the amounts of cut and fill in cubic yards to develop the facility. If there is excess cut, will this material be removed from the site property or deposited on the site property?
65. Has a comprehensive geotechnical study been completed for the site to determine if site conditions support the overall Project design? If so, summarize the results. Was any tree clearing necessary to perform the geotechnical study? If so, where?
66. Referencing Petition p. 32, Will blasting be required to construct the site or stormwater features? If not, how will racking posts be installed if bedrock or ledge is encountered?
67. Referencing Petition Appendix B, Sheet 2.31.4, it states, "Contractor to clear of all trash and debris within project area." What is the composition of the trash and debris?

Facility Maintenance/Decommissioning

68. Would the inverters last the life of the project? If not, at what time intervals would the inverters need to be replaced?
69. Referencing Petition p. 13 and Appendix D – Operations and Maintenance Plan, Table 2, would regular mowing still be expected to be required with grazing goats at the site?
70. Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?
71. Referencing Petition Appendix E, explain how the value of the components of the array at the end of the project's useful life in a salvage or resale value would be greater than the expected cost of decommissioning the facility.
72. Does the DOAg or other entity oversee livestock grazing operations in the state? Do livestock farmers have to be certified by DOAg or other entity? What certifications are required?



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REVISED SCHEDULE

PETITION NO. 1626 – North Franklin Solar One, LLC and Verogy Holdings, LLC d/b/a Verogy, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.975-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 931 Route 32, Franklin, Connecticut, and associated electrical interconnection.

Petition received	04/05/2024
Public Comment Period Deadline	05/05/2024
Council 60-day Action – Set Date for Decision to 10/01/2024	05/23/2024
Deadline for Action	06/04/2024
Council Interrogatories	
• Set One Issued	07/03/2024
• Set One Responses due	07/24/2024
Deadline for Decision	10/01/2024