



LODESTAR ENERGY

PETITION OF LSE LIBRA LLC (“LODESTAR ENERGY”) FOR A DECLARATORY RULING THAT NO CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED IS REQUIRED FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A 1.5 MW SOLAR PHOTOVOLTAIC FACILITY IN HAMDEN, CONNECTICUT

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	PETITIONER	2
III.	PROPOSED PROJECT	3
A.	PROJECT BACKGROUND	3
B.	SITE SELECTION	4
C.	PROPERTY DESCRIPTION	4
D.	PROJECT DESCRIPTION	5
E.	UTILITIES AND INTERCONNECTION	8
F.	LOCAL INPUT & NOTICE	9
IV.	EQUIPMENT AND ENERGY PRODUCTION	10
V.	NO SUBSTANTIAL ENVIRONMENTAL IMPACTS	11
A.	AIR QUALITY	11
B.	WILDLIFE RESOURCES	12
C.	WETLANDS AND WATERCOURSES	12
D.	STORMWATER MANAGEMENT	13
E.	FLOODPLAINS	14
F.	DRINKING WATER RESOURCES	14
G.	HISTORIC RESOURCES	14
H.	SCENIC VALUES	15
I.	PUBLIC HEALTH AND SAFETY	15
J.	NOISE	15
K.	FAA	16
L.	CARBON DEBT ANALYSIS	16
VI.	PROJECT CONSTRUCTION AND MAINTENANCE	17
VII.	CONCLUSION	19

EXHIBIT LIST

1. Site Plans
2. Equipment Specifications
3. Operations and Maintenance Plan
4. Decommissioning Plan
5. Service List - Abutters Notification
6. Service List - Agencies and Officials
7. Environmental Assessment
 - a. Noise Analysis (Appendix D in Environmental Assessment)
 - b. FAA Determination of No Hazard (Appendix E in Environmental Assessment)
8. Carbon Debt Analysis

STATE OF CONNECTICUT SITING COUNCIL

**PETITION OF LSE LIBRA LLC
FOR A DECLARATORY RULING
THAT NO CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED IS
REQUIRED FOR THE CONSTRUCTION,
OPERATION, AND MAINTENANCE OF
A 1.5 MW AC SOLAR PHOTOVOLTAIC
FACILITY IN HAMDEN, CONNECTICUT**

PETITION NO. _____

April 12, 2024

I. INTRODUCTION

Pursuant to Conn. Gen. Stat. §§ 4-176 and 16-50k(a) and Conn. Agencies Regs. § 16- 50j-38 *et seq.*, LSE Libra LLC, a Connecticut limited liability company (“Lodestar” or “Petitioner”) requests that the Connecticut Siting Council (“Council”) approve by declaratory ruling the location, construction, operation, and maintenance of a 1.5 MW solar photovoltaic facility, and associated equipment (“Project”) occupying a total of approximately 4.26 acres of fenced-in solar panels. The Facility is a fixed tilt system.

The total site spans about 8.02 acres (inclusive of solar panels, transformers, electrical switchgear, monitoring equipment, and access roadways) (the “Site) to be constructed on a parcel on the west side of Denslow Hill Road in the Town of Hamden that total approximately 11.05 acres (the “Property”). The parcel is located at 410 Denslow Hill Road, assessor’s parcel ID 2626-33. The Site interconnection and vehicular access to the array will extend from the northwestern corner of the Site on Denslow Hill Road. Currently, the Site is undeveloped wooded land.

Conn. Gen. Stat. § 16-50k(a) provides:

Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling... the construction or location of any customer-side distributed resources Project or facility or grid-side distributed resources Project or facility

with a capacity of not more than sixty-five megawatts, as long as such Project meets air and water quality standards of the Department of Energy and Environmental Protection.

The energy is being sold through a net metering agreement to the City of West Haven at a discount to offset their energy costs.

As discussed in this petition, the Petitioner's goal is to design an environmentally compatible Project that produces the maximum amount of energy while avoiding and minimizing adverse environmental impacts. Based on the information presented herein, the Project will not have a substantial adverse environmental impact to the immediate and surrounding area.

Accordingly, the construction, operation, and maintenance of the Project satisfies the criteria of Conn. Gen. Stat. § 16-50k(a).

II. PETITIONER

Lodestar is a Connecticut-based limited liability company that develops renewable energy projects in Connecticut and across New England. Lodestar's principal place of business is located in Avon, Connecticut at 40 Tower Lane, Suite 201. Lodestar will lead the Project's development, construction and financing and plans to be the long-term owner and operator of the Project. Lodestar has worked with utilities, school districts, cities, housing authorities, counties, private businesses, commercial and governmental clients to develop more than 125 MW of solar projects with a value of more than \$350 million across the Northeastern US, including eleven (11) projects in Connecticut, including two recently approved by the Council (petition #1557 and petition #1544) and one pending (petition #1611).

Please address all correspondence and/or communications regarding this Petition to:

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III. PROPOSED PROJECT

A. PROJECT BACKGROUND

In developing this Project, the Petitioner has taken into account the State’s energy policy and goals to “develop and utilize renewable energy resources, such as solar and wind energy, to the maximum practicable extent.” Conn. Gen. Stat. § 16a-35k. As a solar development, the proposed Project is considered a Class I renewable energy source under Conn. Gen. Stat. § 16-1(a)(26).

The Project, upon approval, will participate in the statewide Non-Residential Renewable Energy Solutions (“NRES”) Program. The NRES program is a successor program to the Low Emission Renewable Energy Credit and Zero Emission Renewable Energy Credit (LREC/ZREC) and Virtual Net Metering (VNM) programs with the objectives to foster the sustained, orderly development of the state’s Class I renewable energy industry and to encourage the participation by customers in underserved and environmental justice communities, among others. Lodestar has been awarded eleven contracts under the NRES Program across the first two years, including the Project. NRES Plays an important role in the renewable energy goals by the State of Connecticut by providing the benefits of the clean renewable energy in the form of on bill-credits to state,

agricultural, or municipal customers, generating substantial savings for such entities over a 20-year term.

B. SITE SELECTION

Lodestar and its experienced development team have designed the proposed development on the Project Site to minimize or avoid any potential environmental impacts. Those criteria included:

- Location suitability (size, topography, and apparent lack of biological and hydrological conflicts in initial fatal flaw screening);
- Proximity of existing electrical infrastructure and the approval to interconnect to this infrastructure from EDC

On February 26, 2024, Petitioner attended a pre-application meeting with the Department of Energy and Environmental Protection (“DEEP”). At the meeting, measures to stabilize the steeper northern portion of the Site were discussed. Lodestar added woody debris berms along the contour lines in this area to address these comments.

As noted above, the Project will be part of the NRES program through United Illuminating. During the site selection and evaluation process, Lodestar has retained the following consultants to assist in the evaluation and design of the Project:

- J.R. Russo & Associates, LLC - civil engineering and stormwater design
- All-Points Technology Corp., P.C. (“APT”) – environmental assessment
- Heritage Consulting – archeological consulting
- ArcDesign – interconnection design and medium voltage analysis

C. PROPERTY DESCRIPTION

The Project will occupy ± 8.02 acres. The array will be interconnected and accessed via Denslow Hill Road. The Property's existing topography ranges from approximately 203 feet above mean sea level ("AMSL") to 110 feet AMSL. Grades within the northern portion of the Site area generally slope east to west, with ground elevations ranging from approximately 170 feet AMSL to 126 feet AMSL. Grades within the southern portion of the Site area generally slope north to south, with ground elevations ranging from approximately 140 feet AMSL to 130 feet AMSL. The surrounding area includes a mix of farming and residential development.

D. PROJECT DESCRIPTION

If this Project is approved by the Siting Council, Lodestar will proceed to construct, operate, and maintain the solar facility at the Project Site. Upon its completion, the solar electric energy generating facility (the "Facility") will consist of one (1) array with a total of 2,704 photovoltaic modules ("Panels") and associated equipment. A fixed tilt racking system will be used to secure the Panels. The Project will also require one electrical service interconnection that will extend from the existing United Illuminating distribution system along Denslow Hill Road. As required by United Illuminating, the Facility will utilize a series of three (3) new utility poles, a pad-mounted meter, and a pad mounted fused disconnect switch off of Denslow Hill Road. From the pad-mounted disconnect switch, the interconnection will run underground to the central equipment pad near the array. Construction of the Project will require 7.9 acres of tree clearing. Once complete, the Facility will occupy approximately 4.26 acres inside the fence, with an additional 3.76 acres of improvements beyond the fenced limits, for a total Project area of ± 8.02 acres. The seven foot security fence will be raised six (6) inches off the ground to allow for animal migration. Emergency access will be available via Denslow Hill Road and will be

designed in accordance with local requirements to accommodate emergency vehicles and fire trucks.

The Panels will be mounted on a driven post racking system at a 25-degree fixed tilt facing south to maximize energy production. The maximum height of the Panels will be approximately eleven (11) feet. The image below is an example of the type of Panels and racking system that will be utilized.



Inverters will be mounted at the centralized pad location, where small concrete pads will also be installed for transformers and switchgear. At the end of the operational life of the Project, Lodestar will remove all equipment (*e.g.* racking system, Panels, inverters, electrical collection

system, equipment pads, etc.) from the Project Site, will recycle all recyclable materials, and will dispose of all non-recyclable materials in accordance with applicable law.

Lodestar will install the Project in the area shown on the Site Plans in **Exhibit 1**. The image below is an example of a similar solar array field installed by the Petitioner.



The Project construction period is estimated to take approximately 6-9 months from issuance of all required permits, due to the required growing season between periods of disturbance. Subject to regulatory approval, Petitioner anticipates commencing construction in Q2 2025 or upon approval from the Siting Council.

Project Schedule:

Task	Approximate Duration
Mobilization and site preparation	2 weeks
Civil work: road construction, tree clearing, grading and stormwater controls	4-8 weeks
Site Stabilization	8-12 weeks
Racking, panel & electrical installation	8 weeks
Interconnection and medium voltage	3 weeks
System testing	1 week
Approvals & commissioning	2 weeks

E. UTILITIES AND INTERCONNECTION

Lodestar proposes interconnecting the Project to an existing 13.8 kV overhead circuit that runs along Denslow Hill Road on the western edge of the Property, which is part of United Illuminating’s distribution system. Lodestar previously completed an interconnection application and United Illuminating determined that the distribution circuit located along Denslow Hill Road is suitable for the additional output from the Project. Completion of the interconnection impact

studies has resulted in approval to move forward with an interconnection agreement, which will allow the Project to interconnect in the manner set forth above.

United Illuminating's interconnection of the array will require the installation of three (3) new poles extending from the existing utility pole, located in the vicinity of the northwestern end of the Property on Denslow Hill Road as depicted in **Exhibit 1**. United Illuminating will own and install an angle pole for the first new pole, a pole-mounted recloser on the second new pole, and a pole-mounted riser at the third new pole, which will direct the interconnection circuit underground. Lodestar will install a customer-owned, pad-mounted primary meter for official United Illuminating use. The point of common coupling ("POCC") will be on the load side of the primary metering cluster. The extension will follow the path of the access road with poles installed adjacent to the access road on its north side. Lodestar will install a pad-mounted fused disconnect switch. Lastly, Lodestar will install an underground 3-phase 13.8 kV line running approximately 270 feet from the point of common coupling/riser pole to the pad mounted switchgear at the Site area. This is a similar process and configuration that has been used on all of Lodestar's previous projects across Connecticut.

F. LOCAL INPUT & NOTICE

Lodestar has actively sought input from the Town of Hamden and remains committed to providing the Town with as much information regarding the Project as possible. Lodestar met with the Hamden Planning and Zoning Commission on August 29, 2023 to share an initial site plan and Lodestar sent updated plans to the Town on March 4, 2024. Lodestar addressed the Town's questions regarding the layout and the process.

Additionally, as required by the Regulations of Connecticut State Agencies § 16-50j-40(a), Lodestar provided notice of this petition to all required persons and appropriate municipal

officials and governmental agencies. Attached as **Exhibits 5 and 6** are copies of the certifications of service to abutters and required officials respectively.

IV. EQUIPMENT AND ENERGY PRODUCTION

The design of the Project focuses on maximizing the efficiency of the system based on existing conditions of the Site and local weather patterns while, at the same time, minimizing environmental impacts. Within this layout, approximately 2,704 photovoltaic modules will be installed at a 25-degree fixed tilt with an azimuth of 180 degrees south. The array will feed six (6) Solectria XGI 1500-166/166 inverters for a total output of approximately 1.5 MW.

United Illuminating reviewed the Project's designed output during their system impact study process. United Illuminating determined that the distribution circuit located along Denslow Hill Road is suitable for the additional output from the Project. This incremental clean energy generation will improve grid resiliency in Connecticut by providing distributed energy where it is needed.

The operational life of the Project is based on the designed life expectancy of the equipment. The equipment for the Project consists of modules, racking and inverters. photovoltaic modules and racking equipment have a designed life and warranty extending for twenty (20) years or greater. The inverters have a designed life and warranty of approximately ten (10) years or greater. Therefore, the anticipated operational life of the Project is twenty (20) plus years. At the end of the operational life of the Project, Lodestar will remove all equipment (*e.g.* racking system, Panels, inverters, electrical collection system, etc.) from the Project Site, recycle all recyclable materials and dispose of all non-recyclable materials in accordance with applicable law. See **Exhibit 4**.

In the event of a fault or power outage within the solar facility and/or the United Illuminating distribution circuit, the Project is required to be isolated from the distribution circuit per IEEE standard 1547 and UL standards 1741 and 1741SA. The project's inverters continuously monitor for deviations in frequency, current and voltage outside of United Illuminating parameters. If a fault is detected, the inverter automatically restricts the Project from production. The equipment specifications for the proposed equipment are attached hereto as **Exhibit 2**.

V. NO SUBSTANTIAL ENVIRONMENTAL IMPACTS

Conn. Gen. Stat. § 16-50k (a) provides that a Certificate is not required if an electric generating facility meets the air and water quality standards of the Department of Energy and Environmental Protection ("DEEP") and does not have a substantial adverse environmental effect. Lodestar engaged various environmental professionals to conduct a comprehensive environmental analysis. See **Exhibit 7** (Environmental Assessment), which includes information regarding the location of the Site, wetlands on an abutting property, along with associated impacts, State Historic Preservation Office ("SHPO"), Natural Diversity Database ("NDDB"), Federal Aviation Administration ("FAA") determinations, and noise analysis. Lodestar consulted with CT DEEP and other relevant agencies to evaluate potential environmental impacts. For these reasons and those addressed further below, this Project avoids, reduces, and mitigates potential environmental impacts.

A. AIR QUALITY

The Project will not generate any emissions but rather, as demonstrated in **Exhibit 8**, the Project will contribute to carbon reduction. The Project will have no air emissions during operation and only very minor air emissions of regulated air pollutants and greenhouse gasses

during construction from the conventional construction equipment used to install the Project. Lodestar will control any temporary emissions at the Project Site by enacting appropriate mitigation measures (*e.g.*, water for dust control; avoid mass early morning vehicle startups, etc.).

Accordingly, any potential air effects produced by the Project's temporary construction activities will be *de minimis*. During operation, the Project will produce no regulated air pollutants or greenhouse gases (*e.g.*, PM, VOCs, GHG or Ozone). No air permit will be required for either construction or operation of the Project.

B. WILDLIFE RESOURCES

As detailed in the Environmental Assessment in Exhibit 7, the Project is not expected to have any negative impact on wildlife resources in the vicinity. The Petitioner's review of the most recent CT DEEP Natural Diversity Database mapping resulted in no threatened, endangered or species of special concern habitat identified within the Property. In accordance with the USFWS Interim Consultation Framework for the northern long-eared bat, APT submitted the effects determination using the current NLEB Determination Key ("DKey") within the IPaC system for this Facility and determined the Subject Property is in a known sensitive area for NLEB and therefore the Project "May Affect" NLEB. As a result, further consultation/coordination for this project is required with the USFWS New England field office. The Petitioner proposes to restrict tree clearing to the NLEB inactive period, November 1 – April 14, and to install four bat boxes along the western edge of the Project to support bat habitat for roosting and pup rearing that could be used by NLEB.

C. WETLANDS AND WATERCOURSES

APT Registered soil scientists performed a field inspection and wetland investigation of the Property on April 24, 2023 and determined no wetlands are present. A perennial watercourse and bordering vegetative wetlands associated with Wilmot Brook were identified on abutting property approximately 125 feet to the west of the Site.

No direct wetland impacts would result from development of the Project. Installation of Panels, perimeter fencing, and stormwater management basins will maintain a minimum 125-foot separating distance from the wetland resource located off-Site. Development of the Project will entirely occur within upland forest habitat. Post-development, the remaining mature upland forested vegetation will provide typical buffer functions supporting the nearby Wilmot Brook riparian wetland system. In addition, since the Project's stormwater design is compliant with Appendix I regulations and the Connecticut Guidelines for Erosion and Sediment Control, the Project is not anticipated to result in a likely adverse impact to the nearby aquatic resources.

D. STORMWATER MANAGEMENT

Petitioner completed a drainage analysis to review pre-and post-development runoff at the Site. As can be seen from the site plans and environmental assessment, construction and operation of the Project at the Site will fully comply with requirements of the Department and Energy and Environmental Protection ("DEEP") stormwater requirements, including Appendix I. The Project will have no adverse environmental effect on surface water quality.

On February 26, 2024, Petitioner participated in a pre-application meeting with DEEP. DEEP confirmed that the Project was designed in accordance with the Appendix I requirements. Petitioner has not received any further comments from DEEP staff since February 2024. Simultaneous with the filing of this Petition, Lodestar is filing its general permit application with DEEP's stormwater division.

E. FLOODPLAINS

The Project avoids impacts to the 100- or 500-year flood zone. Based upon the United States Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps (“FIRMs”) covering the Property, the Site is located in an area designated as Zone X, which is defined as an area of minimal flooding, typically above the 500-year flood level. Therefore, no special design considerations or precautions relative to flooding are required for the Project, and no impacts are anticipated to floodplain or downstream areas.

F. DRINKING WATER RESOURCES

The Project is not anticipated to result in any adverse impact to either ground or surface water resources. The Site is not located in an Aquifer Protection Area. There is a public water system serving the area surrounding the Site. Typical construction techniques for installation of the Facility do not require blasting or other similar measures. Construction and operation of the Facility should have no impact on groundwater resources.

Provided that erosion and sediment (“E&S”) controls are installed and maintained in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control and stormwater is managed in accordance with the Connecticut Stormwater Quality Manual, no adverse effect on surface water quality is anticipated from development and operation of the Project.

G. HISTORIC RESOURCES

Heritage Consultants performed a Phase 1A investigation and determined that the Property requires an additional Phase IB investigation, which is in process. Once completed, the Petitioner will submit the findings to SHPO.

H. SCENIC VALUES

The Project is not expected to have any effect on scenic or recreational resources in the area of the Site.

I. PUBLIC HEALTH AND SAFETY

Lodestar is immensely concerned with safety. Overall, the Project will meet or exceed all health and safety requirements applicable for electric power generation. The Project would be designed to applicable industry, state and local codes and standards and will not pose a safety concern or create undue hazard to the public. The Project includes a proposed seven (7) foot high safety fence and locked gate (which is mandated by National Electric Code), which will limit access to authorized or emergency personnel only. Each employee working on the Project Site will:

- Receive required general and Site-specific health and safety training;
- Comply with all health and safety controls as directed by local, state, and federal requirements;
- Understand and employ the Site health and safety plan;
- Know the location of local emergency care facilities, travel times, ingress and egress routes; and
- Immediately report all unsafe conditions to the construction manager.

J. NOISE

Noise generated by this Project will derive from the operation of (6) Solectria XGI 1500-166/166kW inverters and (1) Maddox 1250kVA on a central equipment pad. A single Solectria inverter has an acoustic noise output of 73dBA at 1 meter (3.28 ft) from the unit and a single 1250kVA Maddox transformer has an output of 60 dBA at 1 meter (3.28 ft). As stated in

Regulations of Connecticut State Agencies Sec. 22a-69-3.5, noise received within residential zones shall not exceed 51dBA at night and 61dBA during the daytime in order to minimize disturbance to abutting and adjacent property owners.

As calculated in **Exhibit 7, Appendix D**, the noise levels emitted from the inverters and transformers on the equipment pad will be 49.2 dBA at the closest abutting property line, which is 125 ft away from the origin of noise emanation. Noise will be further reduced at farther property lines and buildings. Therefore, the proposed Project and its components comply with the applicable regulations.

During construction, heavy equipment will be required to access the Project Site and higher levels of noise are anticipated; however, Lodestar will conduct all activities during normal working hours.

K. FAA

Pursuant to 14 CFR § 77.9 regarding the FAA Notice of Proposed Construction or Alteration, the FAA must be notified of “any construction or alteration that exceeds an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport.” 14 CFR § 77.9(b)(1) The Project Site information was submitted to the FAA for review and approval and a copy of the FAA determination of no hazard is attached hereto as **Exhibit 7, Appendix E**.

L. CARBON DEBT ANALYSIS

Lodestar has conducted an independent analysis of the Carbon Debt and Carbon Offsets of this Project. The proposed solar array Project area of disturbance, also referred to as “the Site,” (including Panels, electrical equipment, access roads, and related ground clearing) is designed to cover approximately 8.02 acres of the 11.05-acre Property. All recyclable materials

will be recycled, and all non-recyclable materials will be disposed of in accordance with applicable law. Approximately a 0.12-acre footprint of the proposed solar Project consists of unforested terrain. In total, the project calls for 7.9 acres of tree clearing for placement of the access road and shade mitigation in select areas within the vicinity of the arrays. There are demonstrable net benefits to the construction and operation of the solar Project which significantly offset the proposed 7.9 acres of clearing. The removed 7.9 forested acres results in a carbon debt of 6.6 MT CO₂ in the first year. The net result of the project is a carbon offset of 1,228 MT CO₂ in the first year. It will take less forty (40) days to recover the loss of carbon sequestration by the 7.9 acres of cleared trees with benefits accruing over twenty (20) years.

The proposed solar Project is calculated to produce 1,758 MWh of energy during the first operational year. As shown in **Exhibit 8**, the energy generation of the proposed Project results in an annual carbon offset of 1,228 MT CO₂. Greenhouse gas equivalencies for this estimated offset include:

- 292 gasoline-powered passenger vehicles driven for one (1) year;
- 1,353,484 pounds of coal burned; and
- 160 homes' energy use for one year.

VI. PROJECT CONSTRUCTION AND MAINTENANCE

The construction of the Project will have an anticipated duration of approximately six to nine months, depending on the timing of applicable approvals, requiring the services of local electrical, civil and structural contractors. The initial phase of construction will include the creation of an access road, clearing and grubbing of the stormwater controls and, as required by DEEP, construction activities will not commence until full site stabilization has occurred. Based on the existing schedule, construction activities would then commence in Q2 2025 or upon

approval. Next, steel foundations will be driven into the ground for the arrays. Steel racking components will be mounted on these foundations followed by the installation of photovoltaic modules. The electrical contractor will then install conductors from the photovoltaic modules to the inverters and then to the transformers on the equipment pad. A single 15 kV class pad-mounted lockable fused disconnect and a separate 15 kV class pad mounted primary utility metering cabinet will be installed on the interconnection equipment pad area. United Illuminating will install three (3) utility poles at the site access to facilitate utility interconnection to the site. The electrical contractor will then install a medium voltage circuit from the equipment pad located near the array to and between the interconnection equipment pads to the United Illuminating point of common coupling. Construction schedule will be based on a six (6) day work week Monday through Saturday between the hours of 7:00 AM and 5:00 PM but will be modified if required to comply with Town of Hamden requirements. As noted above, the Petitioner will utilize erosion and sedimentation control consistent with the Connecticut Guidelines for Erosion and Sedimentation Control throughout construction of the Project.

Once construction is complete and the Project is operational, the Project Site will be monitored remotely twenty-four (24) hours a day, seven (7) days a week through a data acquisition system (DAS). The DAS is capable of detecting weather, production from all equipment at the Project Site, and safety concerns related to possible issues on site, grid outages, or faults. See **Exhibit 3**. An operations and maintenance team will perform detailed scheduled annual inspections of all equipment at the Project Site to make sure equipment is operating safely and reliably. In addition, the Petitioner's operations and maintenance team is on-call at all times in the event of unscheduled equipment maintenance or safety related concerns. Site vegetation is typically mowed three (3) times annually or as needed.

VII. CONCLUSION

This Project is precisely the type of project that Connecticut legislature, regulatory agencies, environmental groups, utilities, and ratepayers have been promoting to support our State's renewable energy goals and provide benefits to municipal customers like the City of West Haven. The Project, a grid-side distributed resources Project with a capacity of less than 65 MW, is among the types of Projects that the Council can approve by declaratory ruling. Accordingly, and for the reasons stated herein, because the proposed Project will meet state air and water quality standards and will not have a substantial adverse effect on the environment, Petitioner respectfully requests that the Council approve the location and construction of the proposed Project by declaratory ruling.

Respectfully submitted,

Petitioner
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