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June 26, 2024

**VIA HAND DELIVERY**

Melanie A. Bachman, Esq.
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition of IPB Fuel Cell 1, LLC and IPB Fuel Cell 2, LLC for a Declaratory Ruling, Pursuant to Connecticut General Statutes §§ 4-176 and 16-50k, for the Proposed Construction, Maintenance and Operation of a 1-megawatt Fuel Cell Combined Heat and Power Generating Facility to be Located at 159 Discovery Drive, Storrs, Connecticut.

Dear Ms. Bachman:

Pursuant to Connecticut General Statues Sections 4-176 and 16-50k(a), IPB Fuel Cell 1, LLC and IPB Fuel Cell 2, LLC, each a wholly-owned subsidiary of FuelCell Energy, Inc., hereby submit to the Connecticut Siting Council a Petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is necessary for the installation of a 1-megawatt fuel cell facility, including associated equipment (collectively, the "Project") located at 159 Discovery Drive, Storrs, Connecticut.

Should you have any questions regarding this filing, please do not hesitate to contact me.

Very truly yours,

Bruce L. McDermott

Enclosures

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

| | | |
|---|---|---|
| Petition of IPB Fuel Cell 1, LLC and IPB Fuel Cell 2, LLC for a Declaratory Ruling, Pursuant to Connecticut General Statutes §§ 4-176 and 16-50k, for the Proposed Construction, Maintenance and Operation of a 1-megawatt Fuel Cell Combined Heat and Power Generating Facility to be Located at 159 Discovery Drive, Storrs, Connecticut. | : | Petition No. |
| | : | June 26, 2024 |

Petition for Declaratory Ruling of IPB Fuel Cell 1, LLC and IPB Fuel Cell 2, LLC

I. Introduction

Pursuant to Sections 4-176(a) and 16-50k(a) of the Connecticut General Statutes ("CGS") and Section 16-50j-38 et seq. of the Regulations of Connecticut State Agencies ("RCSA"), IPB Fuel Cell 1, LLC (“IPB1”) and IPB Fuel Cell 2, LLC (“IPB2”) (each the “Company”, collectively the “Companies" or the “Petitioner”), each a wholly-owned subsidiary of FuelCell Energy, Inc. (“FCE”), hereby petition the Connecticut Siting Council ("Council") for a declaratory ruling that a Certificate of Environmental Compatibility and Public Need (“Certificate”) is not required for the proposed location, construction, operation and maintenance of a 1 megawatt (“MW”) fuel cell combined heat and power generating facility, an electrical interconnection, and associated equipment (collectively, the "Facility"). The Facility will be constructed in two phases. Phase 1 will be constructed by IPB1 (the “IPB1 project”) and Phase 2 will be constructed by IPB2 (the “IPB2 project”) (collectively referred to as the “Project”). The Project will be located at 159 Discovery Drive, Storrs, Connecticut, on the campus of the University of Connecticut by the Innovation Partnership Building (“Property”).

As discussed more fully in this petition, the construction, operation, and maintenance of the Project satisfies the statutory elements of CGS § 16-50k(a)[1] and will not have a substantial adverse environmental effect. Accordingly, this petition for a Declaratory Ruling ("Petition") should be approved by the Council.

## II. Background

### A. Petitioner

The Companies are wholly-owned, indirect special purpose subsidiaries of FCE created for the financing and development of the Project. Over the past 53 years FCE, together with its subsidiaries, has designed, manufactured, sold, installed, operated, and serviced fuel cells across the world, thereby, becoming a global leader in the delivery of clean, efficient and affordable fuel cell solutions. FCE is a Delaware corporation headquartered in Danbury and has manufacturing plants in Torrington, Connecticut and Calgary, Canada. FCE's global fleet of SureSource power plants spans three continents and is leading the industry with millions of megawatts of ultra-clean power produced.

FCE's state-of-the-art fuel cells provide environmentally responsible solutions for various applications such as utility-scale and on-site power generation, carbon capture, local hydrogen production for both transportation and industry, and long duration energy storage. The fuel cell systems are catered to meet the needs of customers across several

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[1] CGS Section 16-50k(a) provides, in pertinent part:

"Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdictions over the siting of generating facilities, approve by declaratory ruling . . . (B) the construction or location of any of any fuel cell, unless the council finds a substantial adverse environmental effect, or 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: (i) Such project meets air and water quality standards of the Department of Energy and Environmental Protection, (ii) the council does not find a substantial adverse environmental effect…".

industries including educational institutions (e.g., Trinity College, Central Connecticut State University, the University of Bridgeport, San Francisco State University, among others), hospitals (such as Hartford Hospital and UC Irvine Medical Center), municipalities, and a variety of industrial and commercial enterprises (e.g., Toyota, Pepperidge Farm Bakery and Pfizer).

All correspondence and/or communications regarding this Petition should be addressed to:

C. A. Strong
Project Manager
FuelCell Energy, Inc.
3 Great Pasture Road
Danbury, Connecticut 06810
Phone: (203) 825-6000
Email: cstrong.consultant@fce.com

A copy of all such correspondence or communications should also be sent to the Companies' attorney:

Bruce L. McDermott
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Email: bmcdermott@murthalaw.com

B. Project

On February 29, 2024, each Company entered into an 8-year Power Purchase Agreement ("PPA") with the University of Connecticut ("UConn"), whereby IPB1 will design, install, own, and operate two 250 kilowatt ("kW") units of FCE's Solid Oxide Fuel Cell ("SOFC") power plants at the Facility. FCE's other subsidiary, IPB2, which is party to the second and identical PPA with UConn will design, install, own and operate two

additional 250-kW units of this SOFC power plant at the Facility. FCE will be responsible for the construction and long-term service of the Project under separate contracts with each Company for the term of the PPA. In accordance with the terms and conditions of the PPAs, energy will be sold to UConn at a rate of $0.078/kWh with a 3% escalation factor.

The Project will be located on a site near the UConn Innovation Partnership Building ("IPB") and will deliver thermal energy and electric power to the IPB; excess electric power will be delivered to the local utility, the Connecticut Light and Power Company dba Eversource Energy ("Eversource"). Under these agreements, FCE will build the Project on open land near the IPB. FCE will build the IPB1 project first, followed by the IPB2 project, which will be built adjacent to the IPB1 project. *See* Exhibit A (Site Plan).

## III. Description of the Project

### A. Overview

The Project will occupy an area of approximately 10,000 square feet of space near the IPB (the "Site"). Currently, this area of the Property is vacant, consisting of grass between paved areas, therefore, no existing structures will either be demolished or altered to construct the fuel cell facility. The closest residential property is the Charter Oak Apartments, located approximately 850 feet from the Project Site. The Property is located on the grounds and campus of UConn and it is subject to the University's established design practices and operating policies.

Construction of the Project will not result in any disturbances to natural resources. Further, disposal of the minimal amount of soil that will be removed for Project foundations and trenches will be in accordance with applicable laws and regulations.

The existing elevation is approximately 650 feet above mean sea level.

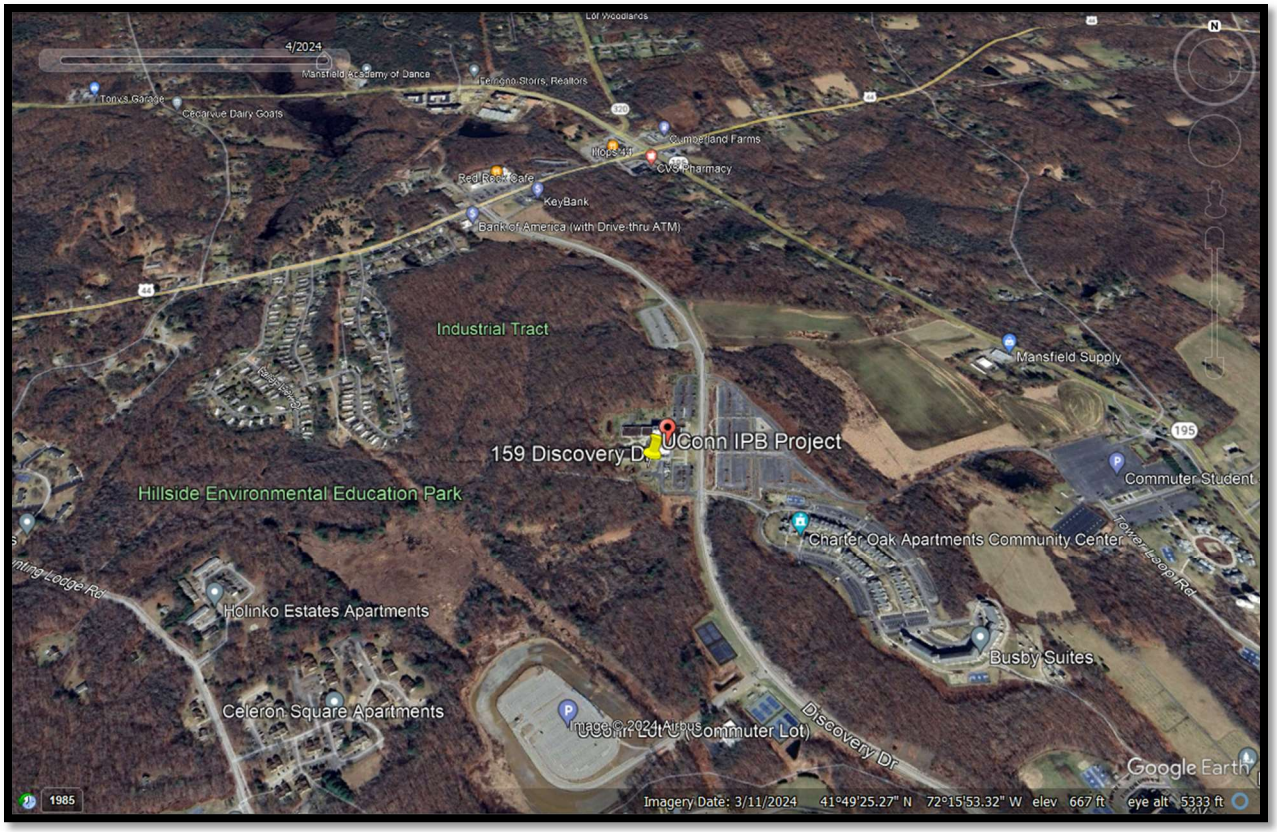


**Figure 1:** Site Location

The Project area will be enclosed on all four sides by an approximately eight-foot-high aluminum fence. *See* Exhibit A for additional information.

B. Project Specifications

The Project will consist of four natural gas-fueled 250-kW SOFC power plant units, each of which will be configured to operate as a combined heat-and power generation unit. Each SOFC unit will deliver a nominal 250 kW of Connecticut Class I renewable electric energy to UConn in accordance with the requirements of the PPA. All the electricity generated by the proposed fuel cell unit will be supplied to UConn to meet the demand of the IPB with any surplus delivered to Eversource, as set forth in the PPAs. UConn will own all the Renewable Energy Certificates generated by the Facility. *See* the Equipment Specification Sheet attached hereto as Exhibit B.

The Project will also deliver thermal energy in the form of hot water to the IPB utility system. The Companies will deliver thermal energy to a point just outside the IPB, specifically to a flange to allow for interconnection to the UConn thermal system.

The SOFC is a natural gas power generation consisting of a single assembly. Each unit is divided into three major subsystems within the assembly, including solid oxide fuel cell module, mechanical balance of plant, and electrical balance of plant. In some applications (such as for this Project), the unit includes a fuel cell exhaust heat recovery system.

Each SOFC will have a footprint of approximately 35’ x 8’ with door panels on all sides of the unit. These door panels will have necessary locks to restrict access to the system to the authorized personnel only. The fuel cell system will be installed on a concrete foundation approximately 6 inches above finished grade. All utility service piping and electric cabling will be trenched below the grade and rise to connect at the underside of the SOFC unit. The exhaust heat recovery system will be located on top of the unit

and it will be the highest feature of the fuel cell system, approximately 12 feet above the top of the concrete foundation.

The fuel cell facility will operate on natural gas and will require approximately 72 gallons of water for each SOFC unit when starting up. Water will only be needed upon start-up; once operational, the SOFC fuel cell units will neither consume nor produce water. For this reason, there will not be any water discharges from the Facility during operation. The Project will be connected to the existing UConn water service line and to the natural gas main to the east of the Site across the IPB driveway. It is anticipated that the Project will be interconnected to the Mansfield Substation 12J. The Companies have had preliminary discussions with Eversource and an interconnection application will be filed when plans are finalized and approved.

C. Project Benefits

The State of Connecticut has articulated its energy goals in the Comprehensive Energy Strategy ("CES") as encouraging the provision of cheap, clean, reliable electricity, fostering the development of microgrids and promoting economic development and job growth. As a distributed, baseload source of electricity, the Project will reduce the electric load that would otherwise be required of the electric grid, thereby reducing stress on the system, contributing to grid stability and reducing load on overloaded transmission lines. The fuel cell power plant will be manufactured in Connecticut and in Calgary and installed and operated by FCE on behalf of the Companies. Thus, the Project satisfies the articulated goals of the CES. Additionally, the Project will result in monetary savings to the University in their annual utility costs – electricity and thermal energy - and will reduce the University's dependency on the grid.

D. Municipal Input

Representatives of FCE have met with representatives of UConn, including the President of UConn, to discuss the Project. To this date, UConn has not expressed any concerns regarding the Project, and it is generally supportive of the Project. Additionally, it should be noted that FCE has previously developed, installed, and operated many fuel cell projects and systems on university campuses in the United States and it is currently successfully developing a similar SOFC project at Trinity College in Hartford, which was recently approved by the Council. (Petition No. 1553 (Trinity College) Approved, March 17, 2023).

E. Public Notice

The Companies have provided notice of this Petition via certificate of mailing to all persons and appropriate municipal officials and governmental agencies to whom notice is required to be given pursuant to RCSA § 16-50j-40(a).[2] Sample copies of the notice letters and service lists are attached. *See* Exhibit C.

## IV. No Substantial Adverse Environmental Effect

As discussed more fully below, the Project will have no substantial adverse environmental effect.

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[2] RCSA § 16-50j-40(a) in part provides:

"Prior to submitting a petition for a declaratory ruling to the Council, the petitioner shall, where applicable, provide notice to each person other than the petitioner appearing of record as an owner of property which abuts the proposed primary or alternative sites of the proposed facility, each person appearing of record as an owner of the property or properties on which the primary or alternative proposed facility is to be located, and the appropriate municipal officials and government agencies…The term "appropriate municipal officials and government agencies" means, in the case of a facility required to be approved by declaratory ruling, the same officials and agencies to be noticed in the application for a certificate under Section 16-50l of the Connecticut General Statutes…".

A. Environmental Effects

1. Air Quality Impact

The Project will meet all applicable state and federal air quality standards. The total potential emissions for the fuel cell facility, assuming continuous year-round full power operation, are calculated to be:

| **Criteria Pollutant/ Greenhouse Gas** | **Emission Rate (lb/MWh)** |
|---|---|
| Nitrogen Oxides ($NO_x$) | 0.01 |
| Sulfur Oxides ($SO_x$) | Negligible |
| Particulate Matter ($PM_{10}$) | Negligible |
| Carbon Monoxide (CO) | 0.01 |
| Volatile Organic Compounds (VOC) | Negligible |
| Carbon Dioxide ($CO_2$) | 715 (electric-only operation) |

**Table 1:** Emission Rates for the 250 kW SOFC

Consequently, a New Source Review permit will not be required for the construction and operation of the Project. Further, the total emissions associated with the construction and operation of the Project will be below levels that will render the Project a "major stationary source" as defined in RCSA § 22a-174-1(65) or a major source of hazardous air pollutants. Thus, the Project will be considered a minor stationary source and will not be subject to Non-Attainment New Source Review or require emission offsets for its construction. Lastly, the potential greenhouse gas emissions from the Project will be well below the 75,000 tpy threshold established by the US Environmental Protection Agency ("EPA") Tailoring Rule, and thus, the emissions will not trigger a requirement for an air permit.

The Project will ultimately displace less efficient fossil fueled marginal generation on the ISO New England system. The EPA's Emissions & Generation Resource Integrated Database ("eGRID") is a comprehensive source of data from EPA's Clean Air

Power Sector Programs. Based upon the most recent eGRID data (USEPA EGRID 2020 (January 2022) US, non-baseload), each unit of the Project is expected to generate 190 lb/MWh less carbon dioxide emissions than utility grid power,[3] while emitting virtually no criteria air pollutants.

2. Water Quality Impacts

The Project will comply with the applicable water quality standards. As previously discussed, each SOFC unit will require approximately 72 gallons of water upon startup and will have a water connection to the UConn IPB water system. Once operational, the units will neither consume potable water nor discharge wastewater under normal operating conditions. For this reason, the Project will not require a wastewater discharge permit. Additionally, because the Site is less than one acre, the Project will not require a Connecticut Department of Energy and Environmental Protection ("DEEP") General Permit for Discharge of Stormwater and Dewatering Wastewaters for Construction Activities either.

A review of the DEEP Water Quality Classification Maps indicated that groundwater at the Site and in the vicinity is classified as "GA" which designated uses are existing private and potential public or private supplies of water suitable for drinking without treatment and baseflow for hydraulically-connected surface water bodies. *See* Exhibit F2. The Companies anticipate that construction of the proposed fuel cell facility will require only limited excavation of soils and any groundwater in the vicinity to the Site will not be impacted by the installation and operation of the Project. Consequently, there

[3] To produce 250 kW of electricity.

will be an adequate water supply and infrastructure to supply the Project (for the initial water-injection), and no substantial adverse environmental effects will occur from the Project's construction and water use.

3. Hazardous Materials (Natural Gas Desulfurization Process and Materials Storage)

Liquid nitrogen or an inert gas mixture of 4% hydrogen and 96% nitrogen will be stored on the Site to protect the fuel cell from damage from air and humidity ingress when the fuel cell is switched off-line and not in operation. Nitrogen is not used as part of normal fuel cell operation, and it is considered a non-toxic, nonflammable gas hazardous material. The Companies will comply with the applicable EPA reporting requirements for nitrogen. Approximately 1,835 kiloliters of liquid Nitrogen-Hydrogen will be stored on-site for the first two units, and 3,670 kiloliters for all four units.

The operation of the fuel cell facility will also result in the production of some hazardous materials. The SOFC unit incorporates a desulfurization process to remove the sulfur odorant compounds that are generally present in the natural gas. The desulfurization process consists of two flow-through vessels configured in series filled with a specialized, proprietary desulfurization adsorption media. When the adsorption media reaches capacity - it is unable remove any more sulfur and thereby becomes "spent" - it needs to be replaced. At that point, the fuel gas process flow is switched to the lag vessel only so that the spent media can then be removed from the off-line vessel and replaced with fresh media. Prior to accessing the spent media, the vessel is inerted with nitrogen to allow safe access into the vessel. During this inertion process, a small volume of natural gas is vented to the atmosphere. After media replacement and once

the vessel containing the fresh media has been inerted and purged into service, this vessel then serves as the second (polishing) desulfurizer vessel in the process flow service. The total waste generation quantity (media plus adsorbed sulfur compounds) during any single desulfurizer media replacement event is less than 320 pounds and the waste is generally characterized as Resource Conservation and Recovery Act hazardous material. Desulfurized media replacement events are expected to occur approximately every two years, but it might vary depending on the actual sulfur concentration in the natural gas locally. The Companies will comply with all rules for hazardous waste generators in RCSA § 22a-449(c)-1 through 22a-449(c)-119, as applicable.

4. Wildlife and Aquifer Protection Areas

The Site is not located within a DEEP Natural Diversity Data Base ("NDDB") polygon area. A map representing the NDDB areas in the vicinity of the Project Site, attached hereto as Exhibit F3, shows that the Project Site is not located within an identified location of endangered, threatened and special concern species and no significant natural communities exist within the Project Site. The Site is not within or in close proximity to designated critical habitat. Given that the Project is not expected to impact any state-listed species, consultation with DEEP relating to construction of the Project is not required. Lastly, the Site is not located within a mapped (preliminary or final) DEEP Aquifer Protection Area. *See* Exhibit F3.

5. Wetlands and Watercourses

There are no jurisdictional wetlands or watercourses at or in close proximity to the Site. As illustrated in the U.S. Fish & Wildlife Service's National Wetlands Inventory, the

nearest watercourse to the Project Site is approximately 790 feet to the west. *See* Exhibit F4. It should be noted there is a stormwater retention pond that was constructed with the IPB, located approximately 50 feet west of the Site. The Project Site will be sufficiently set back from jurisdictional wetland resources and no direct impacts are expected to occur. Nonetheless, the Companies will implement sedimentation and erosion controls in accordance with the 2023 Connecticut Guidelines for Soil Erosion and Sediment Control. Additionally, the Project will be designed such that any stormwater generated by the proposed development will be properly handled and treated in accordance with the 2023 Connecticut Stormwater Quality Manual. Based on the foregoing, the Companies do not expect the Project to negatively impact any wetlands or watercourses.

6. Flood Zones

A review of the Federal Emergency Management Agency's ("FEMA") National Flood Insurance Program ("NFIP") flood mapping data for map Number 0901280005C (effective on1/2/1981), depicts the Project area as an area of minimal flood hazard (Zone C). *See* Exhibit F5. Lastly, the Project is not expected to impact floodplain or downstream areas.

7. Prime Farmland and Core Forest Resources

The Site is not located in Core Forest, but it is located within Prime Farmland. Consequently, construction of the Project will not impact Core Forest resources. As illustrated in the Connecticut Environmental Conditions Online ("CT ECO") Maps, specifically the Farmland Soils map, the Site is located within Prime Farmland (statewide

and locally important farmland soils). *See* Exhibit F6. However, soils within the Project area were previously disturbed as part of the IPB, therefore, impacts to Prime Farmland have previously been mitigated for. *See* Exhibit F6 for Forested Habitat map and the Soils map.

8. Noise Analysis

The Project has been designed with significant attention to protecting the community sound environment. The SOFC units and ancillary equipment, including small transformers, electrical buses and inverters, as well as fans providing ventilation to some of the equipment, will produce minimal sound, well below the applicable local and state noise ordinance levels.

FCE retained Modeling Specialties, a third-party consultant that analyzed the impacts of the Project relative to the most restrictive applicable sound levels, in this case the Town of Mansfield Noise Ordinance. The Town of Mansfield limits background noise in residential areas to 55 decibels during the daytime and 45 decibels during nighttime. Because the on-campus properties surrounding the Project Site are residential, the Project must not exceed the noise limits at residential receptors.

Modeling Specialties calculated the combined sound levels for the Facility (the four 250-kW units) to be 65 dBA at 10 feet from the fuel cell skids. The closest residential receptors are the Charter Oak Apartments, located at approximately 850 feet from the Project Site, and the residential complex at Grandview Circle, located at approximately 1435 feet from the Project Site. The Project sound levels at both of these receptors is below the more stringent nighttime limit of 45 dBA. Consequently, the Project meets the applicable local and state noise ordinance levels. *See* Exhibit D for additional information.

9. Visual Impact

The Project will not create a substantial change in the visual and aesthetic characteristics of the Project area. The height of the proposed fuel cell facility will be lower than nearby building (the IPB). Further, the Project will occupy an area behind the IPB, and views of the Project will be obscured by woodland. *See* Figures 2 and 3. For this reason, any views of the Project Site will be obstructed by nearby man-made structures and natural features. Lastly, no state or local designated scenic roads or scenic areas are located near the Site. For this reason, no scenic and recreational areas will be physically or visually impacted by construction of the Project.


**Figure 2:** View of the proposed fuel cell facility Site, looking West


**Figure 3:** View of the proposed fuel cell facility Site, looking North to the IPB

10. Public Health and Safety Areas

The Project will be constructed and operated in compliance with all applicable local, state, national and industry health and safety standards and requirements related to electric power generation, including the National Fire Protection Association 853 standards. Further, the SOFC units are certified to the ANSI/CSA FC 1-2014 standard, which incorporates dozens of normative references to other codes and standards including NEMA, ASME, ASTM, NFPA and UL. The SOFC units also comply with the applicable provisions of mechanical, piping, fire protection, safety and electric codes.

For the most part, the fuel cell facility will be remotely operated and monitored, but technicians will periodically visit the Site to oversee operations and perform the required maintenance. The SOFC units will be equipped with sensors that will alert each Company of any malfunction and the appropriate shut-down procedures will be initiated.

The Companies will adhere to the maintenance and fuel pipe cleaning procedures established in accordance with Public Act 11-101 and the Council's Docket NT-2010. As such, a clean rag will be drawn though the pipe multiple times to ensure there is no construction debris or foreign matter remaining in the pipe. Any remaining dust will then be blown out with compressed air. No gas blows of any flammable gas will be used for pipe cleaning.

In accordance with the Council's decision in Docket NT-2010, the Project will also have a customized Emergency Response Plan ("ERP"). *See* Exhibit G. The ERP includes the following information:

1. A description of any simulated emergency response activities with any state and/or local emergency response officials;
2. Details of the Site access system; and
3. Establishment of an emergency responder/local community notification system for on-site emergencies and planned construction-related activities that could cause community alarm.

Before commercial operation, the Companies will discuss the Project with the UConn safety department, and offer to provide on-site training on emergency procedures, if requested. In addition, copies of the ERP will be provided to the University's safety departments and personnel and to local emergency responders.

The SOFC enclosures will be equipped with doors for necessary access. All doors will be kept locked when operating personnel are not present. In the event of an emergency, if the doors are locked, the Emergency Fire Department will be able to access the Site by cutting the lock/chain with a bolt cutter. The appropriate signs will be placed at the Site to deter trespassers. The Site will be located beside the parking lot with adequate lighting for security and for maintenance. Lastly, the fuel cell facility will be

located within property of the University that is generally monitored by campus security personnel including by means of video surveillance.

The construction of the Project will not cause any significant disturbances to traffic conditions and/or local roads. It is anticipated that the heavy equipment will be delivered to the Site over a 60-day period and most movement of heavy equipment at the Site will be taken up behind the IPB, which avoids significant impact to normal traffic along Discovery Drive. The UConn police department and/or campus safety personnel will be notified prior to delivery of the equipment to coordinate such delivery(ies). On-site traffic controls will also be utilized to minimize any impact to typical traffic patterns and staging of all equipment will occur on-site. Lastly, because the fuel cell facility will be remotely operated, minimal personnel trips to the Site will be occurring during the operating life of the fuel cell facility.

11. Historical Values

The Project is not expected to have any adverse effects on the state's historic or archaeological resources. A search in the National Register of Historic Places map revealed that there are no National Register of Historic Places ("NRHP") listed property within a half mile of the Site. *See* Exhibit E. The closest NRHP properties are Farwell Barn and the University of Connecticut Historic District--Connecticut Agricultural School within one mile of the Site. These NHRP properties are owned by the University and will not be directly impacted by the Project due to intervening structures and/or vegetation, including state highways, as well as their distance to the Project Site. Additionally, the height of the fuel cell facility will not exceed the height of nearby buildings. For this reason, the Connecticut State Historic Preservation Office has not been consulted

regarding the Project's effect on historic, architectural or archaeological resources listed on or eligible for the NRHP at this time.

12. FAA Determinations

The nearest airports and/or heliports to the Site are Windham Airport, located approximately 6.5 miles to the southeast and Heckler Field Airstrip, located approximately 8.2 miles to the west/southwest of the Site. The Project will have a maximum height of approximately 13 feet above ground level, below the Federal Aviation Administration ("FAA") notification requirements of 14 Code of Federal Regulations, Part 77.9. Therefore, the Companies will not be providing notification to the FAA of the Project.

## V. Project Construction, Maintenance and Decommissioning Plan

Contingent upon obtaining the Council's approval, the Companies expect construction to commence in mid-2025 (early Spring 2026 for the IPB2 project), with commercial operation to begin in late 2025 (early Fall 2026 for the IPB2 project). Generally, construction will take place as authorized by UConn, expected to be Monday through Friday from 7:00 a.m. to 5:00 p.m. and on the weekends, only when necessary, and from 9:00 a.m. to 5:00 p.m.

The operational life of the fuel facility is twenty (20) years. FCE will conduct routine maintenance on the fuel cell facility, as stipulated in the agreements between FCE and each Company and consistent with the terms of the PPAs. The solid oxide cell stacks in the SOFC units will be replaced every five (5) to seven (7) years and other media in the fuel cell will be replaced as follows:

| Item | Service Life |
|---|---|
| Fuel Preparation | |
| Sulfur Sorbent | 6-24 months |
| Pre-converter Catalyst | 60 months |

**Table 2:** Media Service Life

Table 2 lists the media service life based on typical site conditions. However, actual service life might vary with site conditions and fuel and air quality.

When the PPAs terminate, including any applicable contract extensions, FCE will decommission the fuel cell facility in accordance with the following plan:

1. All utility connections will be cut and capped at the grade level. Specifically, all natural gas piping will be disconnected from the gas utility meter, water connections will be disconnected from UConn's water system and the electrical feeders will be disconnected from the fuel cell facility and any ancillary equipment.

2. All fuel cell equipment will be decommissioned, disassembled and removed from the Site.

3. Some of the disassembled equipment may be recycled, reclaimed or transported to a landfill as applicable.

4. To the extent feasible, the Site will be returned to its original condition. Except that equipment pads and retaining walls will remain as-is for future use by UConn.

## VI. Conclusion

For the foregoing reasons, the Companies respectfully request that the Council issue a determination, in the form of a declaratory ruling, that the proposed Project as described in this Petition will not have a substantial adverse environmental effect, and therefore, that a Certificate is not required.

Respectfully submitted,

IPB Fuel Cell 1, LLC, and IPB Fuel Cell 2, LLC

By: _____

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## Table of Exhibits