

CERTIFIED COPY

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Petition No. 1637

KCE CT 11, 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 4.99-Megawatt AC Battery Energy
Storage Facility and Associated Equipment Located at
100 Salmon Brook Street, Granby, Connecticut, and
Associated Electrical Interconnection.

Zoom Remote PUBLIC HEARING (Teleconference),
on Tuesday, November 19, 2024, beginning at 6:30 p.m.

H e l d B e f o r e :

JOHN MORISSETTE, Member and Presiding Officer

1 **A p p e a r a n c e s :**

2 **Councilmembers:**

3 **JOHN MORISSETTE, (Hearing Officer)**

4
5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designees**

7
8 **QUAT NGUYEN,**

9 **PURA Designee**

10
11 **CHANCE CARTER**

12 **KHRISTINE HALL**

13 **BILL SYME**

14
15 **Council Staff:**

16 **MELANIE BACHMAN, ESQ.,**

17 **Executive Director and Staff Attorney**

18
19 **IFEANYI NWANKWO,**

20 **Siting Analyst**

21
22 **LISA FONTAINE and DAKOTA LAFOUNTAIN**

23 **Administrative Support**

1 **A p p e a r a n c e s:(cont'd)**

2 **For KCE CT 11, LLC:**

3 **PULLMAN & COMLEY, LLC**
4 **90 State House Square**
5 **Hartford, Connecticut 06103-3702**

6 **By: LEE D. HOFFMAN, ESQ.**
7 **LHoffman@pullcom.com**
8 **860.424.4315**

9
10 **For THE TOWN OF GRANBY:**

11 **UPDIKE, KELLY & SPELLACY, P.C**
12 **225 Asylum Street, 20th Floor**
13 **Hartford, Connecticut 06103**

14 **By: ROBERT M. DeCRESCENZO, ESQ.**
15 **RDecrescenzo@uks.com**
16 **860.548.2625**

17
18 **Also Present:**

19 **PAUL WILLIAMSON, Key Capture Energy**
20
21
22
23
24
25

1 (Begin: 6:30 p.m.)

2
3 THE HEARING OFFICER: Good evening, ladies and
4 gentlemen. This hearing is called to order this
5 Tuesday, November 19, 2024, at 6:30 p.m.

6 My name is John Morissette, member and
7 Presiding Officer of the Connecticut Siting
8 Council. Other members of the Council are Brian
9 Golembiewski, designee for Commissioner Katie
10 Dykes of the Department of Energy and
11 Environmental Protection; Quat Nguyen, designee
12 for Chairman Marissa Paslick Gillett of the Public
13 Utilities Regulatory Authority; Chance Carter;
14 Khristine Hall; and Bill Syme.

15 Members of the staff are Executive Director
16 Melanie Bachman, Siting Analyst Ifeanyi Nwankwo,
17 and administrative support Lisa Fontaine and
18 Dakota LaFountain.

19 If you haven't done so already, I ask that
20 everyone please mute their computer audio and/or
21 telephones now. Thank you.

22 This is a continuation of the public hearing
23 that began at 2 p.m. this afternoon. The copy of
24 the prepared agenda is available on the Council's
25 Petition Number 1637 webpage along with a record

1 of this matter, the public hearing notice,
2 instructions for the public access to this public
3 hearing, and the Council's Citizens' Guide to
4 Siting Council's Procedures.

5 This hearing is held pursuant to the
6 provisions of Title 16 of the Connecticut General
7 Statutes and of the Uniform Administrative
8 Procedure Act upon a petition from KCE Connecticut
9 11, LLC, with a declaratory ruling pursuant to
10 Connecticut General Statutes Section 4-176 and
11 Section 16-50k, for the proposed construction,
12 maintenance, and operation of a 4.99-megawatt AC
13 battery energy storage facility, and associated
14 equipment located at 100 Salmon Brook Street in
15 Granby, Connecticut, and the associated electrical
16 interconnection.

17 This petition was received by the Council on
18 August 1, 2024. The Council's legal notice of the
19 date and time of this public hearing was published
20 in the Hartford Courant on September 17, 2024. On
21 this Council's request, the Petitioner erected a
22 sign at the proposed electrical interconnection
23 point for the facility site along Salmon Brook
24 Street so as to inform the public of the name of
25 the Petitioner, the type of facility, the public

1 hearing date, and contact information for the
2 Council, including the website and phone number.

3 As a reminder to all, off-the-record
4 communication with a member of the Council or a
5 member of the Council's staff upon the merits of
6 this petition is prohibited by law.

7 This public comment session is reserved for
8 members of the public who have signed in in
9 advance to make brief statements. These limited
10 appearance statements are not subject to questions
11 from the parties or the Council, and members of
12 the public making statements may not ask questions
13 of the parties or the Council.

14 In accordance with the public hearing notice,
15 and in fairness to everyone who signed up to
16 speak, these public statements will be limited to
17 three minutes. Please be advised that written
18 comments may be submitted by any person within 30
19 days of this public hearing.

20 I wish to note that parties and interveners,
21 including their representatives, are not allowed
22 to participate in the public comment session. I
23 also wish to note for those who are here, and for
24 the benefit of your friends and neighbors who are
25 unable to join us for the public comment session,

1 that you or they may send written statements to
2 the Council within 30 days of the date hereof, by
3 mail or by e-mail.

4 Please be advised that any person may be
5 removed from the public comment session at the
6 discretion of the Council.

7 We ask each person making a limited
8 appearance statement in this proceeding to confine
9 his or her statements to the subject matter at
10 hand before the Council, and to avoid unreasonable
11 repetition so that we may hear all of your
12 concerns that you and your neighbors may have.
13 Please be advised the Council cannot answer
14 questions from the public about the proposal.

15 A verbatim transcript will be made of this
16 hearing and deposited at the Granby Town Clerk's
17 Office for the convenience of the public.

18 At this time, I request the Petitioner to
19 make a brief presentation to the public describing
20 the proposed facility. And I understand Paul
21 Williamson will be making that present
22 presentation.

23 Mr. Williamson, please?

24 PAUL WILLIAMSON: Good afternoon -- or good evening,
25 Mr. Morissette. Thank you for the opportunity.

1 Just so that I'm aware of the process, will the
2 Siting Council be showing -- there we go, an image
3 of the proposed project. Okay. Thank you.

4 So this is an image of the proposed project.
5 The project is being proposed by Key Capture
6 Energy, which I'll refer to as KCE, as the KCE CT
7 11 project.

8 KCE is an experienced developer, owner, and
9 operator of battery energy storage projects. KCE
10 was founded in 2016 as a utility-scale energy
11 storage company and is headquartered in Albany,
12 New York, with additional offices in Houston,
13 Texas, New York, and New York City. KCE has 14
14 operating projects in the U.S. representing over
15 600 megawatts of installed capacity, with over 9
16 gigawatts of projects under development in the
17 U.S.

18 The project is a proposed 4.99-megawatt,
19 four-hour battery energy storage system, or
20 otherwise known as a BESS, located at 100 Salmon
21 Brook Street in Granby. The property is a
22 4.85-acre lot in Granby. The project will occupy
23 approximately 1.6 acres of the 4.85-acre property.

24 The project is located within an adjacent --
25 within a vacant parcel in an area identified as a

1 business zone, Z2 -- C2. The 4.9-megawatt,
2 four-hour system will include two power electronic
3 inverters with eight Canadian Solar SolBank 3.0
4 battery containers. The installed system will be
5 certified to meet all safety codes and standards.
6 The equipment will include advanced safety
7 features, including 24/7 system monitoring, fire
8 protection, leak -- fluid leak alarms, and
9 containment.

10 In the rare event of an emergency, no
11 specialized equipment is required for response.
12 Tests and studies demonstrate that in such case,
13 with proper response, there is no risk to air or
14 water quality from the project.

15 KCE has invited the local emergency
16 responders to educational and training
17 opportunities, and will continue to extend the
18 opportunity to provide information and training
19 before the project is built and through the
20 operational life of the project.

21 BESS projects provide benefits including
22 enhanced power reliability, enabling greater
23 penetration of renewable energy, servicing peak
24 demand, and deferring expensive transmission and
25 distribution infrastructure upgrades. We look

1 forward to comments from the public.

2 THE HEARING OFFICER: Thank you, Mr. Williamson.

3 We'll now call upon Michael Busker to make a
4 public statement, followed by Deborah Roe.

5 Michael, good evening.

6 MICHAEL BUSKER: Hi. Can you hear me?

7 THE HEARING OFFICER: Yes, I can. Thank you.

8 MICHAEL BUSKER: Okay. Okay. I listened in to the
9 afternoon session. I heard a few things, some of
10 which were useful, some of which I kind of
11 question.

12 You know, they talked about there would be no
13 need to evacuate, no fumes would leave the
14 perimeter, the fence perimeter around the
15 batteries. And I've done some research on similar
16 battery fires and, you know, there were two near
17 San Diego, California, just this year, where in
18 one case -- well, let's see. Escondido,
19 California, and Otay Mesa. In one of them, three
20 schools were closed, 500 businesses were
21 evacuated, and 1500 residences. Otay had similar
22 things.

23 There was a fire at a Tesla energy storage
24 facility in Australia back in 2021, I believe,
25 where they didn't mention the area that was

1 evacuated, but there was a map. And just by
2 looking at the map, it looks like something on the
3 order of 24 square kilometers was evacuated, or
4 about 10 square miles. I'm wondering why. And
5 I've heard, you know, the people from KCE mention
6 that it's out of an abundance of caution. I'm
7 just wondering why an abundance of caution
8 wouldn't be required in Granby.

9 Another question, the batteries, I believe I
10 heard it's supposed to be -- have a 20-year
11 intended life; could last for 30 years. I'm
12 wondering what the shutdown criteria is for the
13 battery. What sort of levels would they be
14 looking for? Are they monitoring for shorts, for
15 voltage?

16 You know, again, just a listing of what the
17 shutdown criteria would be that says this thing
18 has seen all the life it should see. Probably a
19 bunch of others, but why don't we go with those
20 right now?

21 **THE HEARING OFFICER:** Thank you, Mr. Busker. And thank
22 you for coming out this evening. We'll now
23 continue with Deborah Roe, followed by John
24 Morgan. Deborah?

25

1 (No response.)

2
3 THE HEARING OFFICER: Thank you.

4 I understand Deborah opted out for this
5 evening. We'll now continue with John Morgan,
6 followed by Joe Rubin. John Morgan, please?

7 John Morgan?

8
9 (No response.)

10
11 THE HEARING OFFICER: We'll come back. We'll now
12 continue with Joe Rubin, followed by John
13 Lombardi. Joe Rubin, please?

14 Joe Rubin?

15
16 (No response.)

17
18 THE HEARING OFFICER: We'll now continue with John
19 Lombardi, followed by Gail Strauss. John
20 Lombardi, please?

21 John Lombardi?

22
23 (No response.)

24
25 THE HEARING OFFICER: We'll now continue with Gail

1 Strauss, followed by Bruce Andrew. Gail Strauss,
2 please?

3 Gail Strauss?

4
5 (No response.)

6
7 **THE HEARING OFFICER:** We'll now continue with Bruce
8 Andrew, followed by Reinhard Maier.

9 Bruce Andrew, please?

10 **BRUCE ANDREW:** Good evening, John.

11 Can you hear me okay?

12 **THE HEARING OFFICER:** I can. Thank you, Bruce.

13 **BRUCE ANDREW:** Let me say I'm a citizen of Granby, and
14 I want to thank you and KCE and their partners for
15 presenting a comprehensive presentation. And the
16 exhibits that we did get to see were very, very
17 thorough. I thought they were well thought out.

18 The issues related to risk management were
19 addressed, and to the point where I feel
20 comfortable endorsing this project right now. And
21 I think the right things are very visible. You've
22 done a good job with everything so far.

23 My feeling is that energy storage solutions,
24 such as the proposal for this site in Granby, are
25 in everyone's best interest. And I just want you

1 to know you have my support, and thank you for
2 listening to me tonight.

3 And that's the end of my statement.

4 THE HEARING OFFICER: Thank you, Mr. Andrew.

5 We'll I'll continue with Reinhard Maier,
6 followed by Robert Flanagan. Mr. Maier?

7 REINHARD MAIER: Okay. I have to turn the microphone
8 on. Name is Reinhard Maier, 35-year resident of
9 Granby. I'm a semi-retired Connecticut
10 professional engineer, and my expertise is
11 electric power generation and conducting due
12 diligence and prudence reviews.

13 Just as a general comment to be followed by a
14 few quick specific ones, I believe the Siting
15 Council should decline the approval of the Key
16 Capture Energy project in Granby for the reason
17 that the potential cost and harm from the project
18 exceeds any value added to the public.

19 I want to address a couple of specific items
20 so I don't overlap. The solar, Canadian Solar
21 cells, battery cells are actually manufactured in
22 China, shipped to Canada for assemblies in Canada.
23 My experience has been that the quality of Chinese
24 products managed by the Chinese in the power
25 business is inferior to what a Westerner would do.

1 Products built in China by Western companies with
2 Western QA produce a good product. So that
3 relates to concerns about fire potentials.

4 Electrical, there's a new regulation out by
5 FERC that issued an order to ISO New England for
6 all renewables to have dynamic electric frequency
7 control. I don't think they have that
8 incorporated at this particular time, but I need
9 something to be addressed.

10 You, sir, mentioned islanding. Based on what
11 I've seen so far, there's no indication that
12 islanding controls are being installed or even
13 technically feasible.

14 There was a long discussion earlier about the
15 National Fire Protection Association standards,
16 NFPA. I used to design systems under this code
17 and they're very good codes, but these codes do
18 not prevent fires, explosions or other failures in
19 this system at any point in time, because you
20 can't see into the system when you apply a code.

21 There was discussion about the air plume
22 dispersion modeling. It wasn't stated who wrote
23 this particular model and code. There is a code
24 that's used for air modeling backed by the
25 Environmental Protection Agency, and that

1 should -- that kind of standard needs to be
2 applied.

3 And I'm also -- sorry about asking a
4 question, but I want to know who sets the toxicity
5 standards in this particular case. The expression
6 we used to use in the industry is that the
7 solution to pollution is dilution.

8 Also I think that all design drawings and
9 procedures be stamped by a licensed Connecticut
10 engineer who also has the appropriate errors and
11 emissions insurance.

12 And thank you very much for giving me some
13 time here.

14 THE HEARING OFFICER: Thank you Mr. Maier. Thank you
15 for coming out this evening.

16 We'll now continue with Robert Flanagan
17 followed by Allison Tran.

18 Robert Flanagan, please?

19 ROBERT FLANAGAN: Yes, can you hear me?

20 THE HEARING OFFICER: Yes, I can. Thank you.

21 ROBERT FLANAGAN: Okay. First of all, I'm against
22 this. The Siting Council should definitely reject
23 it. That was a poor presentation by Key battery.

24 First of all, there is no MSD information
25 which should have been front and center. This is

1 also going to be built on wetlands on top of an
2 aquifer. We're going to have problems with
3 stormwater runoff and there's apparently going to
4 be three holding ponds. That's going to be a
5 problem, too, because it could possibly go
6 directly into the wetlands.

7 If you look on the map, you'll see dark
8 areas. Those are the water areas. There's a pond
9 in back of Horses & Hounds, which unfortunately
10 leads into the east and west branch of the Salmon
11 Brook, which are federally protected water areas.
12 Okay?

13 Also the problem here is lithium, and I don't
14 care if they try to say it's a different type of
15 lithium battery. The problem is still lithium.
16 With lithium there, when there is a fire, we don't
17 have the, you know, we basically can't put it out.

18 In Hamden, Connecticut, we had a bus fire and
19 as we know, we watched it for about a week and a
20 half; it had to burn out. Missouri was most
21 recently when there was another fire. In the Town
22 of Granby, you can train the firemen all you want,
23 but I do know they don't, or they won't have the
24 proper PPE that's the proper clothing.

25 And also when they say that there's toxins

1 here, there's chemicals that come out from the
2 lithium, hydrogen fluoride, phosphoryl fluoride,
3 fluoride gas. These are toxins which, you know,
4 they have effect.

5 Let's look at East Palestine, Ohio. People
6 are now living with cancer. It might have been a
7 different fire, but the black fumes are not good
8 and it's not going to dissipate. I'd like to see,
9 you know, some more information about that,
10 because we have a lot of wind here, as people
11 know, and it's going to travel.

12 And another thing which I was not too happy
13 about is Key Capture did not have a protocol.
14 There was no definite protocol on how to deal with
15 the surrounding area of these batteries, nothing
16 at all.

17 And of course another problem, you know,
18 these batteries are surrounded -- for cooling, the
19 antifreeze. Glycol is another problem. It
20 doesn't ever break down. It's just it's not good
21 for this area. Why would you ever want to put it
22 into a wetlands? That's all I've got to say.

23 I just -- I can't support this. It's not
24 good. Thank you, sir.

25 THE HEARING OFFICER: Thank you, Mr. Flanagan.

1 We will now go to Allison Tran followed by
2 James English. Allison Tran, please?

3 Allison Tran, please?

4
5 (No response.)

6
7 **THE HEARING OFFICER:** We'll now move on to James
8 English followed by Jonathan Hacia. James
9 English, please?

10 Mr. English?

11
12 (No response.)

13
14 **THE HEARING OFFICER:** Okay. Moving on to Jonathan
15 Hacia, please?

16 **JONATHAN HACIA:** Hello. Can you hear me?

17 **THE HEARING OFFICER:** Yes, I can. Thank you.

18 **JONATHAN HACIA:** Perfect. First, I want to say thank
19 you for providing all the information from all
20 parties tonight and as well as giving me an
21 opportunity to speak.

22 I'm not super well informed about the science
23 and all the logistical things about battery
24 implementation, but a lot of my worries I feel
25 have been quite calmed during this meeting. I was

1 particularly worried about fire.

2 I know Granby, and a lot of places in
3 Connecticut have had issues with fire and have
4 been encouraging people not to light any fires at
5 risk of them spreading, but the responses I've
6 heard tonight puts me quite a bit at ease about,
7 you know, the fire department's response and
8 training.

9 One thing that wasn't brought up that I was
10 wondering about was the effects of the battery's
11 implementation on the local wildlife, and if it
12 may have any runoff in the water and could
13 possibly pose some risks to the animals nearby.

14 But otherwise, thank you.

15 THE HEARING OFFICER: Thank you. Thank you for coming
16 out.

17 JAMES ENGLISH: John?

18 THE HEARING OFFICER: Yes.

19 JAMES ENGLISH: Jim English. I had my speaker off.

20 THE HEARING OFFICER: Oh, there you go. Hi,
21 Mr. English. Yes, go ahead. Go right ahead,
22 please.

23 JAMES ENGLISH: Okay. I'm Jim English. I'm a resident
24 at the condo, Hunt Glen Condo Association in
25 Granby, which is a 55-and-above community.

1 I am generally not opposed to projects like
2 this. I think they can be valuable, but we want
3 to be sure there's no interference with what will
4 happen to people who live in close proximity to
5 it.

6 The planned location of the project is a high
7 population density with three condo associations
8 of apartment buildings and a Stop & Shop, TJ Maxx,
9 a pretty busy area. At meetings provided at the
10 Granby Town Hall for residents, Key Capture was
11 not able to provide information on how many hours
12 or days of operation they have on this type of
13 battery and of any fires or anomalies that have
14 occurred.

15 This leads us to believe they don't have
16 sufficient real-world experience with the proposal
17 system. So far on Zoom, I haven't heard this
18 level of detail, just that simulations indicate
19 that it's safe. We were told that it's just as
20 safe as gas stations and hardware stores with
21 chemicals and flammable products. This is
22 ridiculous in my mind since we have many years of
23 experience with gas stations and hardware stores
24 throughout the country that have safety measures
25 and procedures that work with minimal effect on

1 communities compared with lithium batteries with
2 explosions, fires, and toxic gases.

3 Since serious problems with lithium batteries
4 have occurred and the current lithium iron
5 phosphate being used have not been in service very
6 long, Key Capture is relying on UL testing as a
7 matter of safety. Failures in the manufacturing
8 or quality control procedures, especially in other
9 countries, can also cause failures.

10 As an engineer, I know this is not sufficient
11 experience, especially if installations will be
12 close to people's homes. The current procedure
13 for fire is to let it burn out, and Key Capture
14 knows that there will be several very toxic gases
15 given off. The current recommendation based on
16 simulations is to not evacuate, but that doesn't
17 mean that it's right.

18 When it does encompass Hunt Glen and other
19 communities, shopping areas, there's hundreds of
20 people that are involved, and we're within 300 to
21 500 feet of that site. This project should be
22 relocated, or located in a remote area where toxic
23 gases can be dissipated to a level that would not
24 be harmful to humans.

25 The association recommends that the current

1 proposed location not be approved and we are
2 asking for your support to deny the project.

3 Thank you for the opportunity to respond.

4 THE HEARING OFFICER: Thank you, Mr. English.

5 I will now go back to John Morgan. Mr.
6 Morgan, have you signed in?

7 John Morgan, please?

8
9 (No response.)

10
11 THE HEARING OFFICER: I'll now move on to Joe Rubin.
12 Joe Rubin, please?

13
14 (No response.)

15
16 THE HEARING OFFICER: John Lombardi?
17 John Lombardi?

18
19 (No response.)

20
21 THE HEARING OFFICER: I'll now move on to Gail Strauss.
22 Gail Strauss, please?

23
24
25 (No response.)

1 THE HEARING OFFICER: I'll now move on to Allison Tran.
2 Allison Tran, please.

3
4 (No response.)

5
6 THE HEARING OFFICER: Well, thank you, everyone, for
7 providing your comments this evening.

8 The Council announces that it will continue
9 the evidentiary session of this public hearing on
10 Tuesday, December 10, 2024, at 2 p.m., via Zoom
11 remote conferencing. A copy of the agenda for the
12 continued evidentiary hearing session will be
13 available on the Council's Petition Number 1637
14 webpage along with the record of this matter, the
15 public hearing notice, instructions for public
16 access to the evidentiary hearing session, and the
17 Council's Citizens' Guide to Siting Council
18 Procedures.

19 Please note that anyone who has not become a
20 party or intervener, but who desires to make his
21 or her views known to the Council, may file
22 written statements with the Council until the
23 public comment record closes. A copy of the
24 transcript of this hearing will be filed at the
25 Granby Town Clerk's Office.

1 I hereby declare this hearing adjourned, and
2 thank you, everyone, once again for coming out
3 this evening and participating.

4 Have a good evening. Thank you.

5
6 (End: 6:58 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 25 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote PUBLIC HEARING of THE CONNECTICUT SITING COUNCIL PUBLIC HEARING in Re: PETITION NO. 1637, KCE CT 11, 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 4.99-MEGAWATT AC BATTERY ENERGY STORAGE FACILITY AND ASSOCIATED EQUIPMENT LOCATED AT 100 SALMON BROOK STREET, GRANBY, CONNECTICUT, AND ASSOCIATED ELECTRICAL INTERCONNECTION, which was held before JOHN MORISSETTE, Member and Presiding Officer, on November 19, 2024.



Robert G. Dixon, CVR-M 857
Notary Public
My Commission Expires: 6/30/2025