



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

Hearing Program

Petition No. 1637

Tuesday, November 19, 2024

2:00 p.m./6:30 p.m.

Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer

B. Motions

1. Petitioner's Motion for Protective Order – Cost Information, dated November 12, 2024

C. Administrative Notice taken by Council

**FEDERAL**

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2. National Research Council, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. United States Department of the Interior, National Park Service, *National Register of Historic Places*, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
6. United States Department of Energy, Federal Energy Regulatory Commission and the North American Electric Reliability Corporation, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at [https://www.nerc.com/pa/rmm/ea/October%202011%20Northeast%20Snow%20Storm%20Event/NE\\_Outage\\_Report-05-31-12.pdf](https://www.nerc.com/pa/rmm/ea/October%202011%20Northeast%20Snow%20Storm%20Event/NE_Outage_Report-05-31-12.pdf)
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8. United States Energy Information Administration, *Annual Energy Outlook 2023*, March 16, 2023, available at <https://www.eia.gov/outlooks/aeo/>
9. United States Fish and Wildlife Service, New England Field Office, Addressing Northern Long-eared Bat, available at <https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review#Step4>
10. United States Department of Agriculture, Soil Survey Manual, Handbook No. 18, March 2017 (Amended 2018), available at <https://www.nrcs.usda.gov/sites/default/files/2022-09/The-Soil-Survey-Manual.pdf>
11. United States Federal Aviation Administration, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1M*, November 16, 2020, available at [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/Advisory\\_Circular\\_70\\_7460\\_1\\_M.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_7460_1_M.pdf)
12. United States Federal Aviation Administration, *Obstruction Evaluation Version 2023-Sep.3, Notice Criteria Tool*, available at <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>
13. *Allco Fin. Ltd. v. Klee*, 2014 U.S. Dist. LEXIS 170674 (D. Conn. 2014), affirmed by *Allco Fin. Ltd. v. Klee*, 805 F.3d 89 (2<sup>nd</sup> Cir. 2015)

## **REGIONAL**

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19. ISO-New England, Inc., *Interconnection Request Queue*, available at <https://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue>
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22. ISO-New England, Inc., *Connecticut 2034 Final Needs Assessment Scope of Work*, August 20, 2024, available at [https://www.iso-ne.com/static-assets/documents/100014/final\\_connecticut\\_2034\\_na\\_sow.pdf](https://www.iso-ne.com/static-assets/documents/100014/final_connecticut_2034_na_sow.pdf)

## **STATE**

### **Connecticut Siting Council**

23. Connecticut Siting Council, Petition No. 754 - *Electric and Magnetic Field Best Management Practices for the Construction of Electric Transmission Lines in Connecticut*, December 14, 2007, revised December 30, 2022, available at [https://portal.ct.gov/-/media/CSC/Publications/EMF-BMP-12-30--2022-update\\_final\\_s.pdf](https://portal.ct.gov/-/media/CSC/Publications/EMF-BMP-12-30--2022-update_final_s.pdf)
24. Connecticut Siting Council, *2022 Review of the Ten-Year Forecast of Connecticut Electric Loads and Resources*, January 5, 2023, available at [https://portal.ct.gov/-/media/CSC/1\\_Dockets-medialibrary/Forecast2022/F2022-finalreportwithattachments\\_s.pdf](https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Forecast2022/F2022-finalreportwithattachments_s.pdf)
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27. Connecticut Siting Council, Petition No. 1579 – KCE CT 9, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 5.0-megawatt AC battery energy storage facility located at 2 Ella T. Grasso Turnpike, Windsor Locks, Connecticut and associated electrical interconnection, available at [https://portal.ct.gov/CSC/3\\_Petitions/Petition-Nos-1501-1600/PE1579](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1501-1600/PE1579)
28. Connecticut Siting Council, Petition No. 1581 - KCE CT 8, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 4.9-megawatt AC battery energy storage facility located at 44 Skinner Street, East Hampton, Connecticut, and associated electrical interconnection, available at [https://portal.ct.gov/csc/3\\_petitions/petition-nos-1501-1600/pe1581](https://portal.ct.gov/csc/3_petitions/petition-nos-1501-1600/pe1581)
29. Connecticut Siting Council, Petition No. 1591 - KCE CT 5, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 5.0-megawatt AC battery energy storage facility located at Village Hill Road, Stafford (Parcel No. 71-6) and Willington (Parcel No. 52-001-00), Connecticut, and associated electrical interconnection, available at [https://portal.ct.gov/csc/3\\_petitions/petition-nos-1501-1600/pe1591](https://portal.ct.gov/csc/3_petitions/petition-nos-1501-1600/pe1591)
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operation of an 18.0-megawatt AC battery energy storage facility located at 50 Ucar Street (Parcel No. 70H-55-97), Suffield, Connecticut, and associated electrical interconnection, *available at* [https://portal.ct.gov/csc/3\\_petitions/petition-nos-1601-1700/pe1604](https://portal.ct.gov/csc/3_petitions/petition-nos-1601-1700/pe1604)

31. Connecticut Siting Council, Petition No. 1606 - Endurant Energy Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 4.9-megawatt AC battery energy storage facility located at 65 and 105 Vine Street, Middletown, Connecticut, and associated electrical interconnection, *available at* [https://portal.ct.gov/csc/3\\_petitions/petition-nos-1601-1700/pe1606](https://portal.ct.gov/csc/3_petitions/petition-nos-1601-1700/pe1606)
32. Connecticut Siting Council, Petition No. 1589 - USS Somers Solar, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 3.0-megawatt AC solar photovoltaic electric generating facility located at 360 Somers Road, Ellington, Connecticut, and associated electrical interconnection. July 30, 2021 State Historic Preservation Office correspondence related to Area of Potential Effect, *available at* [https://portal.ct.gov/-/media/CSC/3\\_Petitions-medialibrary/Petitions\\_MediaLibrary/MediaPetitionNos1501-1600/PE1589/PetitionerSubmissions/Appendix-B---Environmental-Assessment.pdf](https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1501-1600/PE1589/PetitionerSubmissions/Appendix-B---Environmental-Assessment.pdf)

#### **Department of Energy and Environmental Protection**

33. Department of Energy and Environmental Protection, Connecticut Council on Soil and Water Conservation, *Connecticut Guidelines for Soil Erosion and Sediment Control*, effective date March 30, 2024, *available at* <https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines/Guidelines-for-Soil-Erosion-and-Sediment-Control> [https://portal.ct.gov/-/media/DEEP/water/water\\_quality\\_management/Guidance/SESCG\\_CleanFinal.pdf](https://portal.ct.gov/-/media/DEEP/water/water_quality_management/Guidance/SESCG_CleanFinal.pdf)
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#### **Department of Transportation**

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## **TECHNICAL**

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## MAPS

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87. Connecticut Department of Energy and Environmental Protection, *Connecticut Critical Habitats Interactive Map*, available at <https://ct-deep-gis-open-data-website-ctdeep.hub.arcgis.com/datasets/critical-habitats/explore?location=41.654537%2C-72.831884%2C16.73>



88. Connecticut Forest & Park Association, Blue-Blazed Hiking Trails Interactive Map, *available at* <https://www.ctwoodlands.org/blue-blazed-hiking-trails/blue-blazed-hiking-trails-interactive-map>
89. National Audubon Society, *Connecticut Important Bird Areas Interactive Map, available at* [https://gis.audubon.org/portal/apps/sites/?\\_gl=1\\*jvotz7\\*\\_ga\\*MjEzOTE0NjgxNi4xNjc4MTM0NzA4\\*\\_ga\\_X2XNL2MWTt\\*MTY4MTI0NTQ2NC4zLjEuMTY4MTI0NTU0MS41My4wLjA.#/nas-hub-site/pages/data-review](https://gis.audubon.org/portal/apps/sites/?_gl=1*jvotz7*_ga*MjEzOTE0NjgxNi4xNjc4MTM0NzA4*_ga_X2XNL2MWTt*MTY4MTI0NTQ2NC4zLjEuMTY4MTI0NTU0MS41My4wLjA.#/nas-hub-site/pages/data-review)
90. Connecticut Department of Transportation - Connecticut Official State Maps, *available at* [https://portal.ct.gov/DOT/PP\\_Bureau/Documents/Maps](https://portal.ct.gov/DOT/PP_Bureau/Documents/Maps)
91. Mail-A-Map Street Map, Granby/Hartland, *available at* [http://mailamap.com/street\\_maps](http://mailamap.com/street_maps)
92. United States Geological Survey, National Map Viewer, *available at* <https://apps.nationalmap.gov/viewer/>
93. Connecticut Department of Energy and Environmental Protection, State Park and Forests Interactive Map, *available at* <https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=950da678b13b458ba4cbe5687e902c19&deepNav=%7C>
94. Connecticut Department of Energy and Environmental Protection, 2022 Forest Action Plan Priority Areas Map, *available at* <https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=d4d74b090d8047ca80bb4b9ff6baa819>

D. State Agency comments

1. Council on Environmental Quality Comments, dated August 29, 2024

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II. Appearance by Petitioner: KCE CT 11, LLC (**KCE**)

Representative: Lee D. Hoffman, Esq.  
Pullman & Comley, LLC

A. Administrative Notice.

B. Exhibits for Identification.

1. Petition for a Declaratory Ruling filed by KCE CT 11, LLC, received August 1, 2024, and attachments.
2. Petitioner Response to Council Interrogatories, dated November 12, 2024
3. Petitioner Response to Town of Granby Interrogatories, dated November 12, 2024
4. Petitioner Sign Posting Affidavit, dated November 12, 2024

C. Swear Witnesses

1. Paul Williamson, Senior Manager, Key Capture Energy

2. Joel Vyduna, Executive Vice President, Key Capture Energy
3. Steve Kochis, P.E., Vanasse Hangen Brustlin, Inc.
4. Andy Blum, Principal Fire Protection Engineer, Director of Battery Energy Storage Systems, Fire & Risk Alliance
5. Clint Cyr, P.E. Lead Engineer, Epsilon Associates
6. Katelin Nickerson, Wetland Scientist and Project Manager, Flycatcher, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Town of Granby
3. Grouped Business Parties

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III. Appearance by Party:

Town of Granby (**TOWN**)

Representative:

Robert M. DeCrescenzo, Esq.  
Updike, Kelly & Spellacy, P.C

A. Administrative Notice.

B. Exhibits for Identification.

1. Town of Granby Request for Party Status, dated August 12, 2024
2. Town of Granby Request for Public Hearing, dated August 12, 2024
3. Town of Granby Pre-filed Testimony, dated November 12, 2024
  - a. Pre-Filed Testimony of Mark Fiorentino
  - b. Pre-Filed Testimony of Kate Bednaz
  - c. Pre-Filed Testimony and Resume of Mark Gottlieb
  - d. Pre-Filed Testimony and Resume of John Oates

C. Swear Witnesses

1. Mark Fiorentino, First Selectperson, Town of Granby
2. Kate Bednaz, Wetlands Agent, Town of Granby/President, Freshwater Wetland Services
3. Mark Gottlieb, LEP, Senior Environmental Consultant, GeoQuest, Inc.
4. John Oates, MS, EFO, President, CEO, International Public Safety Data Institute

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
  2. Petitioner
  3. Grouped Business Parties
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IV. Appearance by Grouped Business Parties: David Bostic  
Susan Okie  
James Larwood **(BUS)**

Representative: Grouped Business Parties Representative

A. Administrative Notice.

B. Exhibits for Identification.

1. David Bostic Request for Party Status, dated August 19, 2024
2. Susan Okie Request for Party Status, dated August 20, 2024
3. James Larwood Request for Party Status, dated August 21, 2024
4. Susan Okie Pre-Filed Testimony, dated November 7, 2024

C. Swear Witnesses

1. David Bostic
2. Susan Okie
3. James Larwood

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Town of Granby

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V. Continuation by Connecticut Siting Council.