



Robert M. DeCrescenzo  
(t) 860.548.2625  
(f) 860.548.2680  
[rdecrescenzo@uks.com](mailto:rdecrescenzo@uks.com)

August 12, 2024

**Via Email & Federal Express**  
[Siting.council@ct.gov](mailto:Siting.council@ct.gov)

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

Re: Petition No. 1637 – KC CT 11, LLC  
Town of Granby Petition for Party Status

Dear Members of the Connecticut Siting Council:

Enclosed please find the Town of Granby's Application for Party Status in connection with the above matter. The original and 15 copies are being sent via Federal Express.

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

Very truly yours,



Robert M. DeCrescenzo, Esq.

RMDe/psm  
cc: Hon. Mark Fiorentino (w/enc.)  
Michael Walsh (w/enc.)

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

KCE CT II, LLC PETITION FOR A DECLARATORY )  
RULING PURSUANT TO CONNECTICUT GENERAL )  
STATUTES §4-176 AND §16-50K, FOR THE PROPOSED )  
CONSTRUCTION, MAINTENANCE AND OPERATION ) PETITION NO. 1637  
OF A 4.99-MEGAWATT AC BATTERY ENERGY )  
STORAGE FACILITY AND ASSOCIATED EQUIPMENT )  
LOCATED AT 100 SALMON BROOK STREET, )  
GRANBY, CONNECTICUT, AND ASOCIATED )  
ELECTRIAL INTERCONNECTION ) AUGUST 12, 2024

APPLICATION FOR PARTY STATUS

Pursuant to General Statutes §§ 16-50n and 4-177a, as well as §§ 16-50j-17 and 16-50j-40 of the Regulations of Connecticut State Agencies, the Town of Granby (“Town”), through counsel, respectfully requests that the Connecticut Siting Council (“Council”), grant the Town party status in Petition No. 1637 (“Petition”), filed by KCE CT II, LLC (Petitioner) In support of this Application, the Town states as follows:

1. The proposed 4.99 megawatt (“MW”) battery energy storage system (“Project”) is proposed within the legal boundaries of the Town.
2. By virtue of the Home Rule Act, General Statutes § 7-148 *et seq.*, and its organic legislation, the Town is obligated to preserve the public welfare and wellbeing of its inhabitants.
3. The Town has promulgated and continues to enforce land use regulations as well as other environmental regulations in furtherance of its duties.
4. It is the Town’s imperative to ensure that any development, including the proposed Project, comports to and is in harmony with the Town’s land use and environmental regulations as

well as other policies of the Town, including, but not limited to, the impact of the Project on environmental resources, nearby residential neighborhoods, aesthetics and historical preservation.

5. The Town's participation as a Party in this proceeding is necessary to represent the legal rights, duties and privileges of the Town and its inhabitants, which are directly impacted by the Project.

6. The Town seeks to participate fully in the proceedings, including but not limited to, the submission of interrogatories and documentary evidence concerning the Project, as well as present testimony and witnesses in the event the Council elects to conduct a hearing, as well as any post hearing filings or proceedings.

7. The Town would submit evidence concerning the conformity of the Project, or lack thereof, with the Town's land use and environmental regulations, as well as provide information concerning the Project's compliance with General Statutes § 16-50g *et seq.* and impact of the proposed Project on the Town and its inhabitants.

8. The Council is required to designate party status to recipients of notice under General Statutes § 16-50l. General Statutes § 16-50n(a). Hence, the Council is accustomed to granting party status to recipients of notice under General Statutes § 16-50l, which includes the municipality in which the proposed facility would be located. Although the Project does not appear to constitute a "Facility" as defined by General Statutes § 16-50i, the Petitioner is nevertheless obligated to provide notice to the Town in accordance with General Statutes § 16-50l, which it did. Regs., Conn. State Agencies § 16-50j-40(a). Section 16-50l constitutes a legislative mandate that such recipients have a specific and personal legal interest in the subject matter of the proceeding. Accordingly, that legislative pronouncement should be applied to the Town in this proceeding.

Additionally, the Town's involvement will aid the Council in reaching a fair and informed decision in the proceeding and will not interfere with the orderly conduct of the proceedings.

WHEREFORE, the Town respectfully requests that the Council grant it party status in connection with the Petition.

Respectfully submitted,

THE TOWN OF GRANBY

BY

  
Robert M. DeCrescenzo, Esq.  
Updike, Kelly & Spellacy, P.C.  
Goodwin Square  
225 Asylum Street, 20<sup>th</sup> Floor  
Hartford, CT 06103  
Tel. (860)548-2600 Fax (860)548-2680  
[rdecrescenzo@uks.com](mailto:rdecrescenzo@uks.com)

CERTIFICATION

This is to certify that on this day that the forgoing was delivered by electronic mail in accordance with RCSA §16-50j-12, to all parties and intervenors of record as follows:

Lee D. Hoffman, Esq.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
[lhoffman@pullcom.com](mailto:lhoffman@pullcom.com)

Paul Williamson  
Key Capture Energy  
25 Monroe Street  
Suite 300  
Albany, NY 12210  
[Paul.cilliamson@keycatureenergy.com](mailto:Paul.cilliamson@keycatureenergy.com)

  
ROBERT M. DECRESCENZO, ESQ.