



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

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Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

November 12, 2024

Carrie Larson Ortolano, Esq.
General Counsel
LSE Sextans LLC and LSE Sextans II LLC
c/o Lodestar Energy LLC
40 Tower Lane
Suite 201
Avon, CT 06001
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RE: **PETITION NO. 1638** – LSE Sextans LLC and LSE Sextans II LLC (Lodestar Energy) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 3.0-megawatt AC solar photovoltaic electric generating facility and associated equipment located at Parcel Nos. 221-3-1 and 222-4-26, Lovers Lane, Torrington, Connecticut, and associated electrical interconnection. **Council Interrogatories to Petitioner.**

Dear Attorney Ortolano:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than December 3, 2024. Please submit an original and 15 copies to the Council's office and an electronic copy to siting.council@ct.gov. In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies, the Council requests all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Please be advised that the original and 15 copies are required to be submitted to the Council's office on or before the December 3, 2024 deadline.

Copies of your responses are required to be provided to all parties and intervenors listed in the service list, which can be found on the Council's website under the "Pending Matters" link.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

Melanie Bachman
Executive Director

MAB/MP

Enclosure: Revised Schedule, dated November 12, 2024

c: Service List dated August 16, 2024



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REVISED SCHEDULE

PETITION NO. 1638 – LSE Sextans LLC and LSE Sextans II LLC (Lodestar Energy) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 3.0-megawatt AC solar photovoltaic electric generating facility and associated equipment located at Parcel Nos. 221-3-1 and 222-4-26, Lovers Lane, Torrington, Connecticut, and associated electrical interconnection.

Petition received	08/16/2024
Public Comment Period Deadline	09/15/2024
Public Comment Period Deadline w/ Extension	10/03/2024
Council 60-day Action – Set Date for Decision to 02/12/2025	10/10/2024
Deadline for Action	10/15/2024
Council Interrogatories	
• Set-One Issued	11/12/2024
• Set-One Responses Due	12/03/2024
Deadline for Decision	02/12/2025

Petition No. 1638
LSE Sextans LLC and LSE Sextans II LLC
Parcel Nos. 221-3-1 and 222-4-26, Lovers Lane, Torrington

Interrogatories
November 12, 2024

Notice

1. Has LSE Sextans LLC and LSE Sextans II LLC (Lodestar) received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.
2. Referencing Petition p. 9, what were the City's concerns regarding layout and the process as expressed during meetings?

Project Development

3. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
4. What is the estimated cost of the project?
5. Is the project, or any portion of the project, proposed to be undertaken by state departments, institutions or agencies, or to be funded in whole or in part by the state through any contract or grant?
6. If Lodestar transfers the facility to another entity, would Lodestar provide the Council with a written agreement as to the entity responsible for any outstanding conditions of the Declaratory Ruling and quarterly assessment charges under CGS §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee?
7. Referencing Petition p. 2, elaborate on the tax benefits to the City that Lodestar expects to result from the Project.

Proposed Site

8. What is the length of the lease agreement with the property owner? Describe options for lease extension(s), if any.
9. Referencing Petition Attachment 4, in the lease agreement with the property owner, what are the provisions related to decommissioning or site restoration at the end of the project's useful life? Please describe and/or provide any such provisions.
10. Is the site, or any portion of the host parcel(s), part of the Public Act 490 Program? If so, how does the municipal land use code classify the parcel(s)? How would the project affect the use classification?
11. Has the State of Connecticut Department of Agriculture (DOAg) purchased any development rights for the facility site or any portion of the facility site as part of the State Program for the Preservation of Agricultural Land?
12. Is the host parcel subject to any development restrictions?

13. If the project is sold and/or transferred to another entity, would the sale and/or transfer include management and maintenance of the agricultural co-use areas?
14. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence.

Proposed Facility and Associated Equipment

15. Referencing Petition Sheet SP-0, provide the length of the existing gravel access drive off Lovers Lane. Would any upgrades be necessary to this existing access (e.g. apply additional gravel)?
16. Would the wiring from the panels to the inverters be installed on the racking system? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?

Energy Output

17. Referencing Petition p. 1, has Lodestar executed two NRES Tariff Terms Agreement (TTAs) of 1 MW AC and 2 MW AC, respectively, with Eversource? Explain. Would Lodestar also sell the renewable energy certificates (RECs) to Eversource? Would the TTAs include the transfer of capacity to Eversource?
18. Referencing Petition p. 2, the energy would be sold to the City of Hartford via a net metering agreement if the project is selected under the NRES Program. As a distressed municipality, is the City of Torrington eligible to participate in the NRES Program? If so, could Lodestar enter into a NRES TTA for which the energy would be sold to the City of Torrington via a net metering agreement?
19. Is the project being designed to accommodate a potential future battery storage system? If so, please indicate the anticipated size of the system, where it may be located on the site, and the impact it may have on the NRES TTAs.
20. If one section of the solar array experiences electrical problems causing the section to shut down, could other sections of the system still operate and transmit power to the grid? By what mechanism are sections electrically isolated from each other?
21. Would Lodestar participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
22. Referencing Petition p. 1, what electrical loss assumptions have been factored into the output of the facility? What is the output (MW AC) at the point of interconnection?
23. If the facility operates beyond the terms of the NRES TTAs, will Lodestar decommission the facility or seek other revenue mechanisms for the power produced by the facility?
24. Would Lodestar construct the facility if the solar array area footprint was reduced and/or if the facility design features (ex. row spacing, panel height, etc.) were modified? Explain.

Electrical Interconnection

25. Does the interconnection require a review from ISO-NE?
26. Will the interconnection provide energy to a substation? If yes, which one?

27. Referencing Petition p. 9 and Sheet SP-1, six new utility poles would be installed. What are the approximate heights above grade of these poles?
28. Referencing Petition Sheet SP-1, would the southern-most pair of poles be the riser poles to convert the underground electrical interconnection lines to overhead?
29. Referencing Petition Sheet SP-1, is three-phase available on the existing overhead distribution line where the "Proposed Interconnection Point" is located, or would it need to be upgraded from single-phase to three-phase?
30. Referencing Petition p. 9, the facility would include customer-owned, pad-mounted switchgear. Referencing Petition Sheet SP-1, would the switchgear be installed on the proposed 30-foot by 20-foot equipment pad? What other equipment would be installed on this equipment pad?
31. Has Lodestar discussed with Eversource the possibility of reducing/minimizing the number of poles required for the interconnections or utilizing one interconnection in lieu of two? Explain.

Public Health and Safety

32. Would the project comply with the current National Electrical Code, National Electrical Safety Code, Connecticut State Building Code, Connecticut State Fire Prevention Code, and National Fire Protection Association codes and standards, as applicable?
33. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices?
34. Referencing Petition p. 6, would training be provided for local emergency responders regarding site operation and safety in the event of a fire or other emergency at the site?
35. In the event of a brush or electrical fire, how are potential electric hazards that could be encountered by emergency response personnel mitigated? What type of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
36. What is the distance of the nearest municipal fire hydrant to the proposed facility? What alternative water sources are available to the fire department? How would water be brought to the site in the event of a fire?
37. Would firewater or other runoff from a solar panel/electrical fire be considered hazardous and require cleanup by a hazardous materials response contractor?
38. Referencing Petition p. 16, what type of insulating oil is used within the transformers? Is it biodegradable? Do the transformers have containment systems in the event of an insulating oil leak? Would the transformers have low oil alarms?
39. Referencing Petition Attachment 7, Environmental Assessment, p. 27, where is the nearest federally-obligated airport?
40. Would notice to the Federal Aviation Administration (FAA) be necessary for the temporary use of a crane during construction?

41. Referencing Petition, Attachment F, Noise Analysis, the noise emissions from the proposed equipment at two separate equipment pads were modeled independently to calculate the projected noise levels at the nearest abutting property lines. Would combined effects from equipment on both equipment pad areas materially affect projected noise levels at the nearest abutting property line? Explain.

Environmental Effects and Mitigation Measures

42. Referencing Petition p. 6, what is the length of the posts and to what depth would the posts be driven into the ground? How would the posts be driven into the ground? Are any impacts to groundwater quality anticipated? If so, how would Lodestar manage and/or mitigate these impacts?
43. Describe the seasonal and year-round visibility of the proposed facility from the Country Woods condominium complex. Has Lodestar considered additional screening such as vegetation or fencing along the northern boundaries of the facility site?
44. Could Lodestar limit or eliminate any tree removal/trimming to reduce visual impacts? Explain.
45. Referencing Petition, p. 5, Lodestar notes that, “The seven-foot security fence will be raised six inches off the ground to allow for animal migration.” Sheet DN-1, Black Vinyl Chain-link Fence & Gate Detail does not depict a gap at the bottom of the fence. Explain.
46. Submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

1. wetlands, watercourses and vernal pools;
2. forest/forest edge areas;
3. agricultural soil areas;
4. sloping terrain;
5. proposed stormwater control features;
6. nearest residences;
7. Site access and interior access road(s);
8. utility pads/electrical interconnection(s);
9. clearing limits/property lines;
10. mitigation areas; and
11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features show (e.g., physical staking/flagging or other means of marking the subject area).

Facility Construction

47. How would construction traffic be managed during construction?

48. Would the City's easement over the host parcel for access to Major Besse Park to the east of the site remain unobstructed during construction and post-construction? What are the terms of the access easement? Submit a map clearly depicting the easement.
49. Referencing Petition p. 13, describe the jack and bore process from setup to completion/restoration including the location of wastewater discharge. Approximately how long would this process take?
50. Referencing Petition Sheet EC-5, could the proposed tracking pad at the construction entrance be increased from 50 to 100 feet due to slopes at the site? If yes, provide an updated sheet to depict this change.
51. Would all perimeter controls such as swales and basins be installed and stabilized before work commences on the panel installation? Would machinery used to install posts and panel racks be low-impact to avoid impacting the existing vegetation?
52. How many acre-feet of storage would each proposed stormwater basin have? Has Lodestar consulted with DEEP Dam Safety program regarding permitting requirements, if any, for the proposed stormwater basins?
53. Referencing Petition Sheet T-1, there would be a net cut of 6,881 cubic yards. Would this material be removed from the site property or deposited on the site property? Explain.
54. Has a comprehensive geotechnical study been completed for the site to determine if site conditions support the overall Project design? If so, summarize the results. Was any tree clearing necessary to perform the geotechnical study? If so, where?
55. Referencing Petition p. 14, blasting is not expected to be required. How would racking posts be installed if bedrock or ledge is encountered?

Facility Maintenance/Decommissioning

56. Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?
57. Has the manufacturer of the proposed solar panels conducted Toxicity Characteristic Leaching Procedure (TCLP) testing to determine if the panels would be characterized as hazardous waste at the time of disposal under current regulatory criteria? If so, submit information that indicates the proposed solar modules would not be characterized as hazardous waste. If not, would Lodestar agree to install solar panels that are not classified as hazardous waste through TCLP testing?