



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

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

December 17, 2024

Lee Hoffman, Esq.
Liana Feinn, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
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RE: **PETITION NO. 1643 - C-TEC Solar, 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 2.95-megawatt AC solar photovoltaic electric generating facility and associated equipment to be located at 77 Pompeo Road, Thompson, Connecticut, and associated electrical interconnection. **Council Interrogatories to Petitioner.**

Dear Attorneys Hoffman and Feinn:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than January 2, 2025. 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 January 2, 2025 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/IN

Enclosure: Revised Schedule, dated December 17, 2024

c: Service List dated September 30, 2024



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REVISED SCHEDULE

PETITION NO. 1643 - C-Tec Solar, 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 2.95-megawatt AC solar photovoltaic electric generating facility and associated equipment to be located at 77 Pompeo Road, Thompson, Connecticut, and associated electrical interconnection.

Petition received	09/30/2024
Council 60-day Action – Hold Public Hearing	10/24/2024
Pre-hearing conference via Zoom remote conferencing (11:00 a.m.)	12/04/2024
Council Interrogatories <ul style="list-style-type: none">• Set One Issued• Set One Responses due	12/17/2024 01/02/2025
Deadline for Exchange of Interrogatories between Parties and Intervenors	01/02/2025
Deadline for State Agency Comments	01/09/2025
Deadline for Municipal Comments	01/09/2025
Deadline for Pre-filed testimony and responses to interrogatories	01/09/2025
Deadline to request Party/Intervenor status	01/09/2025
Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom remote conferencing <i>(refer to Hearing Information section on Petition No. 1643 project webpage for Zoom remote conferencing log in/call in)</i>	01/16/2025
Continued Evidentiary Session(s) <i>(if necessary)</i>	TBD
Close of Evidentiary Record	TBD
Deadline for Party and Intervenor Post Hearing Briefs and Proposed Findings of Fact	TBD
Close of Public Comment Period	TBD
Draft Findings of Fact	TBD
Draft Findings of Fact, Opinion & Decision & Order	TBD
Deadline for Final Decision	03/29/2025

Petition No. 1643
C-TEC Solar, LLC
77 Pompeo Road, Thompson, Connecticut

Pre-Hearing Interrogatories to Petitioner
December 17, 2024

Notice

1. Has C-TEC Solar LLC (C-TEC) 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. 13 and Appendix M – Public Outreach, of the certified letters sent to abutting property owners, how many certified mail receipts were received to date? Which abutting property owners did not acknowledge receipt of the certified mailing? Describe any additional attempts to notify these property owners.
3. Referencing Petition p. 13 and Appendix M – Public Outreach, when did C-TEC initiate discussions with the Town of Thompson (Town) regarding the proposed Project? Describe any concerns expressed by the Town and how C-TEC addressed these concerns?

Public Benefit

4. Referencing Petition p. 3 when was the project selected for the Non-residential Renewable Energy Solutions (NRES) Program?
5. Which entities would purchase the electricity, capacity and renewable energy certificates (RECs) from the facility?
6. If the facility operates beyond the terms of the NRES agreement, will C-TEC decommission the facility or seek other revenue mechanisms for the power produced by the facility?

Project Development

7. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
8. What is the estimated cost of the project?
9. 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?
10. If C-TEC transfers the facility to another entity, would C-TEC 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?

Proposed Site

11. Referencing Petition p. 7, identify the location of any alternate sites that were considered for solar development, including, but not limited to, other sites bid into the NRES Program, and the reasons they were rejected.

12. Pursuant to Connecticut General Statutes (CGS) § 16-50o, submit a copy of the unredacted lease for the proposed site. A Motion for Protective Order may be submitted for any confidential/proprietary information.
13. Referencing Petition p. 6, what is the current use of the southern access from Pompeo Road? What site traffic improvements to the access road are proposed for facility construction?
14. What is the distance of the southern access from Pompeo Road to the property line at 35 Pompeo Road? Could the southern access from Pompeo Road be reconfigured so that it is located further from the abutting property line to the south? If so, what options are feasible?
15. Does C-TEC intend to implement agricultural activities at the site? If so, provide details on the type of agricultural activities and who would be responsible for responding to concerns and/or complaints related to these agricultural activities? How would site contact information be provided?
16. 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?
17. 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?
18. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence, transformer pads, stormwater basins and the proposed access drive.

Proposed Facility and Associated Equipment

19. Referencing Petition p. 8, Figure 6 and Appendix A, what is the length and width of the existing wood road/southern access off Pompeo Road?
20. Referencing Petition Appendix A Sheet C-1.0 Legend and General Notes are all the legend and abbreviations shown included in the site plans? Provide a site plan that shows the existing and proposed utility poles and the electrical interconnection route.
21. Referencing Petition p. 8, it states Project inverters would be located throughout the array; however, Petition Figure 6 and Appendix A indicate the inverters would be installed in a single location. Clarify.
22. Referencing Petition p. 8, would the inverters be located on the concrete pads, attached to the post-supported racking, or free standing on posts next to the concrete pad? Provide a site plan showing the locations of the inverters.
23. Referencing Petition Appendix A: sheet C-2.0, list the equipment that would be installed on the two proposed equipment pads.
24. Provide the voltage capacity of the proposed transformer.
25. Referencing Petition Appendix A: sheet C-5.0, what is the maximum height from grade to the top edge of the solar panels?
26. 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?

27. What is the expected useful life of the proposed solar facility?

Energy Output

28. Referencing Petition p. 3, has C-TEC executed a Tariff Terms Agreement (TTA) with Eversource? Would the TTA include the transfer of capacity to Eversource?
29. 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 TTA.
30. 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?
31. What is the projected capacity factor (expressed as a percentage) for the proposed project? Identify what electrical loss assumptions have been factored into the output of the facility, if any.
32. Would C-TEC 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

33. Referencing Petition p. 9, how much of the electrical interconnection would be underground and how much would be overhead? Have there been any discussions with Eversource to use pad-mounted equipment rather than pole mounted equipment?
34. Provide the distance of the point of interconnection from the equipment pad.
35. Referencing Petition p. 9, provide the height of the existing utility pole on Pompeo Road.
36. Would additional utility poles be required for the electrical interconnection? If so, how many would be C-TEC-owned, and how many would be Eversource-owned? What is the height above grade of the additional utility poles and the distance between them?
37. What equipment would be located on the Eversource and C-TEC poles?
38. Referencing Petition p. 9, 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? Would any off-site upgrades to the existing electric distribution system be required (e.g. distribution line upgrades)?

Public Health and Safety

39. 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?
40. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices?

41. 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? How would site access be ensured for emergency responders?
42. Provide an Emergency Response Plan for the proposed facility.
43. 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?
44. 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?
45. Referencing Petition p. 8, what type of insulating oil is used within the transformer? Is it biodegradable? Does the transformer have containment systems in the event of an insulating oil leak? Would the transformer have low oil alarms?
46. If private water wells are located on properties abutting the site, would vibrations from the installation of racking posts affect well function and/or water quality, such as well water sedimentation?
47. What is the dominant source of noise from the solar facility? Would operation of the proposed facility meet the applicable state noise standards at the nearest property boundary?
48. Provide a cumulative noise analysis for the proposed facility operation that includes all noise-producing equipment.
49. Referencing Petition p. 15, C-TEC notes that, per manufacturer's specifications, an inverter would generate a maximum sound level of less than 65 dBA at a distance of 1 meter. Referencing Petition p. 8, has C-TEC accounted for the combined effects of twenty-two 125 kW inverters, two 100 kW inverters and one transformer in its noise projections? Explain.
50. Would cumulative noise from equipment on both equipment pad areas materially affect projected noise levels at the nearest abutting property line? Explain.
51. What is the distance from the equipment pad to the property line at 35 Pompeo Road? What would be the noise level from operation of the facility at the 35 Pompeo Road property line?
52. Does C-TEC intend to move the inverters and equipment pads farther from nearby residences? Provide a site plan showing the revised location of the equipment pad and inverters.
53. Identify the distance/direction and name of the nearest federally-obligated airport from the proposed site. Is a glare analysis required to comply with Federal Aviation Administration (FAA) policy?
54. Would notice to the FAA be necessary for the temporary use of a crane during construction?
55. Provide a construction fuel spill prevention and materials storage plan.

Environmental Effects and Mitigation Measures

56. Is tree clearing required for the proposed project? If so, please provide the following:
 - a. Acreage of tree clearing only; and
 - b. Acreage of tree clearing and grubbing;

57. Would the proposed project be consistent with the 2015 U.S. Army Corps of Engineers Vernal Pool Best Management Practices?
58. What is the distance of each of the identified vernal pools to the nearest stormwater basin? Is it possible that the basin(s) would be subject to groundwater pooling in the spring and act as a decoy pool for vernal pool species? If yes, can modifications be made to reduce the potential for the basin(s) to act as a decoy pool?
59. Provide a wetland and vernal pool protection plan for the proposed project.
60. Referencing Petition p. 12, what type of landscaping and/or visual screening is proposed and in what locations?
61. Referencing Petition Appendix I, describe the seasonal and year-round visibility of the proposed facility, including the proposed utility poles, from Pompeo Road and from properties that are not owned by the lessor of the host parcel.
62. Are there any Town or State-designated scenic roads within a half-mile of the site? If yes, describe the visibility of the facility from these roads.
63. Referencing Petition p. 16, where is the nearest publicly accessible recreational area from the proposed site? Describe the visibility of the proposed project from this recreational area.
64. 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 C-TEC manage and/or mitigate these impacts?
65. Referencing Petition, P. 17, what is the status of the Phase 1B Survey?
66. Are there any water supply wells in the vicinity of the site? If yes, would vibrations from the installation of racking posts affect well function and/or water quality, such as well water sedimentation? How would C-TEC protect the wells from construction impacts?

Facility Construction

67. How would traffic be managed during construction?
68. Will blasting be required to develop the site or construct stormwater features? If not, how will racking posts be installed if bedrock or ledge is encountered?
69. Has a comprehensive geotechnical study been completed for the site to determine if conditions support the overall Project design? If so, summarize the results. If not, has C-TEC anticipated and designed the Project with assumed subsurface conditions? What are these assumed conditions?
70. Provide the range of final slopes within the solar array area.
71. Referencing Petition Appendix A Sheets C-3.0 and Existing Conditions, there is an area depicted in the northwest corner of the site where there is ground water present that is proposed to be occupied by solar panels. Explain.

72. Referencing Petition Appendix A Sheets 2.0, 3.0 and 4.0, there are two areas unoccupied by solar panels in the northwest and southeast corners of the proposed site with notes, "Petitioner reserves the right to crush and reuse material excavated from rock ledge for on-site purposes."
- Would rock processing occur on-site during construction? If so, what are the details of this activity, including, but not limited to, duration, location and required machinery?
 - Would hauling the rock/boulders from excavation/grading activities off-site reduce the potential for dust control and water quality issues?
 - What is the estimated cost of removing this material from the site compared to processing it on-site?
 - Where does C-TEC anticipate reusing the excavated material?
73. Estimate the amounts of cut and fill in cubic yards to develop the facility.
74. Given the existence of rock ledge at the site, how would C-TEC establish suitable erosion and sedimentation controls before any ground disturbance activities occur?
75. Would all perimeter controls such as swales and basins be installed and stabilized before work commences on the panel installation?
76. Has C-TEC submitted an application for a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities from the Department of Energy and Environmental Protection (DEEP)?
77. Has C-TEC consulted with DEEP Dam Safety program regarding permitting requirements, if any, for the proposed stormwater basins?

Facility Maintenance/Decommissioning

78. Would the inverters last the life of the project? If not, at what time intervals would the inverters need to be replaced?
79. Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?
80. Would the installed solar panels require regular cleaning or other, similar, maintenance? If so, describe cleaning procedures including substances used.
81. 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 C-TEC agree to install solar panels that are not classified as hazardous waste through TCLP testing?
82. What specific ground cover will be used for soil restoration once decommissioning is complete?