

Meeting Minutes
Meeting of May 12, 2011

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, May 12, 2011, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Robert Stein at 11:05 a.m.

Council Members Present:

Robert Stein
Chairman
Colin Tait
Vice Chairman
Edward S. Wilensky
Daniel P. Lynch, Jr.
James J. Murphy, Jr.

Brian Golembiewski
(designee for Commissioner Esty)
Kenneth Braffman
(designee for Commissioner DelGobbo)
Barbara Currier Bell
Philip T. Ashton

Staff Members Present:

Linda Roberts
Executive Director
Melanie Bachman
Staff Attorney

Robert Mercier
Siting Analyst

Staff Members Absent

Christina Walsh
Siting Analyst Supervisor
David Martin
Siting Analyst

Michael Perrone
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of April 28, 2011.

Mr. Ashton moved to approve the Minutes of April 28, 2011, seconded by Dr. Bell. The motion passed with Mr. Tait abstaining.

Minutes of May 2, 2011.

Mr. Braffman moved to approve the Minutes of May 2, 2011, seconded by Mr. Ashton. The motion passed with Mr. Wilensky abstaining.

DOCKET NO. 384 - Florida Tower Partners, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 50 Devine Street, North Haven, Connecticut. Request for Extension.

Mr. Murphy moved to approve an extension of time until October 1, 2011, for a carrier to locate on the facility, seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 980 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut. Objection to Chairman Stein Participation. Draft Findings of Fact, Opinion, Decision and Order, and Conclusions of Law.

Mr. Braffman moved to deny FairwindCT's Objection to Chairman Stein's Participation, seconded by Mr. Murphy. The motion passed with Chairman Stein and Mr. Tait abstaining.

PETITION NO. 983 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Objection to Chairman Stein Participation. Objection to Vice-Chairman Tait Participation.

PETITION NO. 984 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Winsted-Norfolk Road (Route 44), Colebrook, Connecticut. Objection to Chairman Stein Participation.

Mr. Murphy moved to deny FairwindCT's Objection to Chairman Stein's Participation, seconded by Mr. Ashton. The motion passed with Chairman Stein, Mr. Lynch, Mr. Braffman, and Mr. Tait abstaining.

PETITION NO. 980 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut. Objection to Chairman Stein Participation. Draft Findings of Fact, Opinion, Decision and Order, and Conclusions of Law.

Mr. Tait recused himself from this proceeding and left the meeting (11.20 a.m.).

Mr. Murphy moved to table BNE's Objection to Vice Chairman Tait's Participation, seconded by Mr. Braffman. The motion passed unanimously.

PETITION NO. 983 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Objection to Chairman Stein Participation. Objection to Vice-Chairman Tait Participation.

Mr. Ashton moved to approve BNE's Motion to Strike the Pre-Filed Testimony of Glenn Chalder, seconded by Mr. Wilensky. The motion passed with Mr. Lynch and Mr. Braffman abstaining.

PETITION NO. 980 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut. Objection to Chairman Stein Participation. Draft Findings of Fact, Opinion, Decision and Order, and Conclusions of Law.

Mr. Ashton moved to approve the Findings of Fact, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Ashton moved to approve the Opinion, as amended, seconded by Dr. Bell. The motion passed with Chairman Stein voting no.

Mr. Ashton moved to approve the Decision and Order denying the petition, seconded by Dr. Bell. The motion passed with Chairman Stein and Mr. Braffman voting no.

Mr. Ashton moved to approve the Conclusions of Law, seconded by Dr. Bell. The motion passed with Mr. Braffman dissenting on § B.

Administrative Matters.

Chairman Stein announced that the next energy/telecommunications meeting is scheduled for Thursday, May 19, 2011. Other calendar dates are as follows:

- Monday, May 16, 2011, Beginning at **1:00 p.m.** – **evidentiary hearing D 408 AT&T/Hartland continuation**, Hearing Room One, in New Britain.
- Tuesday, May 24, 2011, Beginning at **11:00 a.m.** – **Energy/telecommunications Meeting (PE 983/PE 984 FOF)**, Hearing Room One, in New Britain.
- Thursday, May 26, 2011, D 415, Woodstock - Beginning at **2:00 p.m. for the field review/3:00 p.m. for the hearing** at the Woodstock Town Hall.
- Tuesday, May 31, 2011, Beginning at **1:00 p.m.** - **evidentiary hearing (DO 413 Cellco/Branford)**, Hearing Room One, in New Britain

Adjournment.

Chairman Stein adjourned the meeting at 1:11 p.m.

Respectfully submitted,

Robert Stein
Chairman

RS/cm