



STATE OF CONNECTICUT *CONNECTICUT SITING COUNCIL*

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CITIZENS GUIDE TO SITING COUNCIL PROCEDURES FOR ELECTRIC GENERATING AND ENERGY STORAGE FACILITIES

1. The Connecticut Siting Council

The Connecticut Siting Council (Council) consists of nine members from all over the state. Five members are appointed by the Governor and four members are designees of the Senate, the House, the Commissioner of Energy and Environmental Protection and the Chairperson of the Public Utilities Regulatory Authority. At least two members are experienced in the field of ecology and no members have a professional affiliation with any utility, facility, hazardous waste facility or ash residue disposal area. The Council reviews the location and the need for cell towers, power plants, power lines and other energy and telecommunications infrastructure, and any substantial adverse environmental impacts.

2. Nature of Siting Council Application Proceedings

The Council's proceedings are very different from a local planning and zoning hearing or a town meeting. The Council's jurisdiction is limited to hearing applications presented to it; the Council has no planning function. Council proceedings are governed by state statute: specifically, the Uniform Administrative Procedure Act and the Public Utility Environmental Standards Act. This means that the public hearing is conducted in a manner like a courtroom proceeding. The Council maintains web pages that contain record materials for each proceeding that is pending before the Council.

3. Participants in Siting Council Public Hearings

The participants in a Council proceeding on an application for a certificate consist of the following:

- a. Applicant:** The applicant is the company proposing to build an electric generating or energy storage facility and is a party in the proceeding. The applicant files evidence with the Council before the hearing and presents witnesses at the hearing for questioning by the Council and other parties and intervenors in the proceeding. Questions from the Council and other parties and intervenors in the hearing are limited to the subject matter that is filed before the hearing. The applicant may ask questions of other parties and intervenors on evidence that was submitted by those parties and intervenors before the hearing.
- b. Parties and Intervenors:** Parties and intervenors are active participants in the proceeding who requested party or intervenor status from the Council and were granted such status. Both parties and intervenors file evidence with the Council before the hearing and present witnesses at the hearing for questioning by the Council and other parties and intervenors in the proceeding. Parties and intervenors may ask questions of the applicant and other parties and intervenors on evidence that was submitted by the petitioner and other parties and intervenors before the hearing. Parties and intervenors are not allowed to make their own case by giving oral testimony directly at the hearing. They must make their case in writing and, in exchange, they may question the applicant and other parties and intervenors and their witnesses on evidence that was submitted before the hearing.

- c. **Limited Appearance Statements:** Limited appearance statements are made by residents and other interested persons who would like to express their comments and concerns about the proposed electric generating or energy storage facility by providing an oral limited appearance statement during the public comment session of the hearing or by submitting a written limited appearance statement to the Council before, during or up to 30 days after the last hearing held on a matter. They may not ask questions of the applicant, parties and intervenors, or the Council and the applicant, parties and intervenors or the Council may not ask questions of persons making limited appearance statements. The 6:30 PM public comment session of the hearing is reserved for oral limited appearance statements. For the public to participate in the 6:30 p.m. public comment session by computer, smartphone or tablet, you **must** send an email to siting.council@ct.gov or leave a voicemail message at 860-827-2935 with your **name, phone number or email address and mailing address** by the day before the scheduled hearing.

No person who is a party or intervenor in the proceeding may also make an oral limited appearance statement during the public comment session of the hearing or submit a written limited appearance statement to the Council before, during or after the hearing.

The Council requests that oral limited appearance statements are brief (limited to 3 minutes) in order to ensure all persons have an opportunity to express their concerns during the public comment session of the hearing.

4. Council Review of Electric Generating and Energy Storage Facilities

Companies present the Council with an application for an electric generating or energy storage facility. The Council does not select sites for electric generating or energy storage facilities. It does not have powers of eminent domain. This means that *the Council may not take property or any portion of property from a private owner for the purpose of siting an electric generating or energy storage facility.*

The applicant has the burden of proving to the Council that there is a public benefit for the proposed facility and that its construction and operation would not result in a significant adverse environmental impact.

The role of the Council is to review the applicant's evidence of public benefit for the electric generating or energy storage facility and evidence of environmental impact. After balancing the public need against the environmental impact, the Council decides to approve or deny the proposed facility, or to approve the proposed facility with modifications. The final decision is made at a Council meeting held after the close of the evidentiary record for the matter. Council meetings are typically held every other Thursday via Zoom remote conferencing, and all meeting agendas are publicly noticed.

Regular meetings of the Council are not public hearings for which the opportunity for public comment is provided. During regular meetings, the Council deliberates and votes on matters that are on the meeting agenda. The public is welcome to join and listen to regular meetings, but there is no provision for public comment during regular meetings.