



# 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](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

### VIA ELECTRONIC MAIL

February 15, 2019

Lorinne Kovachi-Sekban  
o/b/o Killingworth Advocates for Responsible Solar  
45 Hemlock Drive  
Killingworth, CT 06419  
[killingworthforresponsiblesolar@gmail.com](mailto:killingworthforresponsiblesoolar@gmail.com)

Re: **PETITION NO. 1354** – Chatfield Solar Fund, 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 1.98-megawatt AC solar photovoltaic electric generating facility on approximately 25 acres located generally south of Route 80 (North Branford Road) and east of Chestnut Hill Road in Killingworth, Connecticut, and associated electrical interconnection to Eversource Energy's Green Hill Substation located at 775 Green Hill Road, Madison, Connecticut.

Dear Ms. Kovachi-Sekban:

The Connecticut Siting Council (Council) is in receipt of your e-mail correspondence of February 14, 2019 requesting party status on behalf of the Killingworth Advocates for Responsible Solar in Petition No. 1354.

The Council does not have a meeting scheduled at which this matter could be taken up as an order of business before the February 21, 2019 hearing date for this matter. Therefore, your request will be taken up as an order of business during the 3:00 p.m. evidentiary session of the hearing on Thursday, February 21, 2019 at the Killingworth Fire Station Meeting Room, 333 Route 81, Killingworth, Connecticut. Copies of the petition are available at the Killingworth and Madison Town Clerk's Offices. All documents filed to date are available at the Council's office or on our website.

Enclosed please find the Council's Information Guide to Party and Intervenor Status and the notice for the 2:00 p.m. field review of the proposed site on February 21, 2019.

Please contact me if you have any questions.

Sincerely,

Melanie Bachman  
Executive Director

MB/RDM/laf

Enclosures

c: Parties and Intervenors  
Council Members



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### **CONNECTICUT SITING COUNCIL INFORMATION GUIDE TO PARTY AND INTERVENOR STATUS**

The Connecticut Siting Council (Council) will name or admit as a **party** any person whose legal rights, duties or privileges will be specifically affected by the Council's decision in a docket.

The Council will name or admit as an **intervenor** any person whose participation is in the interests of justice and will not impair the orderly conduct of the proceedings.

#### **Service List and Service Requirements**

Once a person is named or admitted as a party or intervenor, they will be added to the "Service List," which lists all of the participants in a docket that is prepared and made available to the public under the link for a specific docket on the "Pending Proceedings" page on the Council website. Parties and intervenors will receive documents via e-mail. If a party or intervenor prefer to have hard copies of documents via regular mail, they must notify the Council in writing. Also, documents filed with the Council must contain one original, 15 copies and an electronic version for scanning to the website via e-mail or disk. The Council, parties and intervenors must send a copy of any document filed in a docket to every person on the service list and include a certification as follows:

"I hereby certify that a copy of the foregoing document was electronically mailed to the following service list on (date)." Signature and printed name of the sender.

#### **Conduct of the Proceedings**

- A. Pre-hearing Conference:** The Council will schedule a pre-hearing conference on procedural matters in the Council's office or by telephone. All parties and intervenors are requested to attend or participate. This is the proper venue to informally discuss the Council's procedure and ask any questions related to procedure. Failure to attend results in a lost opportunity to discuss process matters. The Council will also announce a schedule for the submission of pre-filed testimony and pre-hearing interrogatories.
- B. Pre-Filed Testimony:** The Council requires that testimony be pre-filed with the service list before the hearing to avoid direct testimony and to save the time and expense of the public at the hearing. Pre-filed testimony is the only chance for parties and intervenors to make a statement of position. Pre-filed testimony is posted on the docket webpage and is part of the record in a proceeding. Pre-filed testimony consists of allegations of fact and statements of position with exhibits attached in support of the allegations of fact and stated position. Parties and intervenors are not permitted to make statements (ex. directly testify) during the hearing.
- C. Pre-hearing Interrogatories:** The Council encourages parties and intervenors to file pre-hearing questions to the applicant and other parties and intervenors in the proceeding on any information in the record, including, but not limited to, the application, other pre-hearing questions, pre-filed testimony of the applicant or pre-filed testimony of other parties and intervenors in the proceeding. Pre-hearing questions are an opportunity for parties and intervenors to request more information.

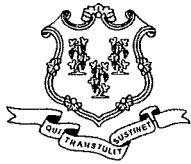
The applicant, parties and intervenors are obligated to respond to pre-hearing questions directed to them that are filed by the Council, the applicant and any party or intervenor in the proceeding in accordance with the schedule announced by the Council.

**D. Administrative Notice:** The Council routinely develops a list of exhibits known as “Administrative Notice Items” in every docket. Administrative Notice items are generally recognized technical or scientific facts within the Council’s specialized knowledge, including, but not limited to, prior decisions of the Council, publications of federal state agencies such as the Federal Communications Commission and publications of other state agencies such as the Department of Transportation. Scientific studies or publications for which the author is not available for questioning by participants in the proceeding should be submitted as administrative notice items rather than exhibits attached to pre-filed testimony.

**E. Experts and/or Witnesses:** Experts and/or witnesses are the authors of pre-filed testimony and attached exhibits. They are the sponsors of the information contained in pre-filed testimony and are sworn in during the hearing. After the experts and/or witnesses are sworn in, they are made available for questioning by the Council and other participants in the proceeding. Experts and/or witnesses may not present new evidence or provide direct testimony. For example, if a party or intervenor presents a land survey in their pre-filed testimony, the author or engineer that prepared the land survey must be present at the hearing, sworn in and available to answer questions pertaining to the land survey that are asked by the Council and the other participants in the proceeding.

**F. Cross examination at the hearing:** The Council, applicant, parties and intervenors have an opportunity to cross-examine the witnesses appearing on behalf of the applicant or other parties and intervenors during the hearing. This means that the person conducting the cross-examination asks questions of the witnesses. The applicant and parties and intervenors submit to cross-examination from the Council, the applicant and other parties and intervenors. The order of appearances and cross examination will be governed by a hearing program developed by the Council for the proceeding. Order of appearance is determined by the order in which parties and intervenors were named or admitted by the Council. Typically, the hearing proceeds as follows:

1. Opening Statement from the Council Chairman
2. Administrative Notice Items of the Council
3. **Applicant's Appearance**
  - a. Identification of Exhibits (pre-filed testimony, responses to pre-hearing interrogatories)
  - b. Swear Witnesses
  - c. Cross Examination of the Applicant by:
    - i. Council
    - ii. Party
    - iii. Intervenor
4. **Appearance by Party**
  - a. Identification of Exhibits (pre-filed testimony, responses to pre-hearing interrogatories)
  - b. Swear Witnesses
  - c. Cross Examination of Party by:



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February 14, 2019

TO: Council Members

FROM: Melanie Bachman, Executive Director

RE: **PETITION NO. 1354** – Chatfield Solar Fund, 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 1.98-megawatt AC solar photovoltaic electric generating facility on approximately 25 acres located generally south of Route 80 (North Branford Road) and east of Chestnut Hill Road in Killingworth, Connecticut, and associated electrical interconnection to Eversource Energy's Green Hill Substation located at 775 Green Hill Road, Madison, Connecticut.

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The Connecticut Siting Council has scheduled a public field review for this matter on February 21, 2019 beginning at 2:00 p.m. **There is no parking or vehicle access at the project site location.** Parking is available in a dirt parking area along Route 80 (aka North Branford Road) near its intersection with Chestnut Hill Road in Killingworth. (use Google address of 502 North Branford Road, Killingworth for approximate GPS location)

The site consists of undeveloped woodland. Boots are strongly recommended.

A public hearing is scheduled for February 21, 2019 beginning with **an evidentiary session at 3:00 p.m. and a public comment session at 6:30 p.m.** at the Killingworth Fire Station, 333 Route 81, Killingworth.

c: Secretary of the State  
Parties and Intervenors (via e-mail service)  
BCT Reporting LLC (via e-mail service)  
Pryme Tyme Entertainment (via e-mail service)

MB/rm /cw