



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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Hearing Program

Petition No. 1354

Tuesday, March 26, 2019

1:00 p.m.

Connecticut Siting Council, Hearing Room One

10 Franklin Square, New Britain, CT 06419

### I. Opening by Council

A. Statement read by Chair.

B. Comments by Public Official(s) (if any)

C. Motions

1. Chatfield Solar Fund, LLC Objection to Killingworth Advocates for Responsible Solar (KARS) Interrogatories, Set Two, dated March 15, 2019
2. Chatfield Solar Fund, LLC Objection to Killingworth Fire Marshal James McDonald supplemental pre-filed testimony, dated March 22, 2019
3. Chatfield Solar Fund, LLC objection to Lorraine Kovachi-Sekban on KARS Witness list, dated March 26, 2019

D. Administrative Notice taken by Council

### **FEDERAL**

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2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
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12. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
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### **REGIONAL**

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**STATE**

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54. **PETITION NO. 1289** - Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the existing Green Hill Substation located at 775 Green Hill Road, Madison, Connecticut. Record and Final Decision, available at <https://www.ct.gov/csc/cwp/view.asp?a=2397&q=590174>
55. **PETITION NO. 1312** - Candlewood Solar LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 20 megawatt AC (26.5 megawatt DC) solar photovoltaic electric generating facility located on a 163 acre parcel at 197 Candlewood Mountain Road and associated electrical interconnection to Eversource Energy's Rocky River Substation on Kent Road in New Milford, Connecticut. Record and Final Decision, available at <https://www.ct.gov/csc/cwp/view.asp?a=2397&Q=594294&PM=1>
56. **PETITION NO. 1313** – DWW Solar II, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 26.4 megawatt AC solar photovoltaic electric generating facility on approximately 289 acres comprised of 5 separate and abutting privately-owned parcels located generally west of Hopmeadow Street (US 202/CT 10), north and south of Hoskins Road, and north and east of County Road and associated

electrical interconnection to Eversource Energy's North Simsbury Substation west of Hopmeadow Street in Simsbury, Connecticut. Record and Final Decision, *available at* <https://www.ct.gov/csc/cwp/view.asp?a=2397&Q=594352&PM=1>

57. **PETITION NO. 1337** - The Connecticut Light and Power Company d/b/a Eversource Energy declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Stepstone to Green Hill Substation Upgrade Project that includes replacement of approximately 5.6 miles of its existing No. 1508 115-kilovolt (kV) electric transmission line structures within existing Eversource electric transmission line right of way between Stepstone Substation located at 50 Stepstone Road, Guilford, Connecticut and Green Hill Substation located at 775 Green Hill Road, Madison, Connecticut, and related electric transmission line structure improvements. Record and Final Decision, *available at* <https://www.ct.gov/csc/cwp/view.asp?a=958&Q=247756>

***Department of Energy and Environmental Protection***

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#### **Department of Public Health**

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#### **Department of Transportation**

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#### **ENVIRONMENTAL**

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### **MAPS**

94. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Town of Killingworth*, December 2018, available at <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>
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101. MAIL-A-MAP STREET MAP, Killingworth, available at [http://mailamap.com/street\\_maps](http://mailamap.com/street_maps)
102. UNITED STATES GEOLOGICAL SURVEY, Connecticut Topographic Map Collection, Clinton Quadrangle 2018, available at <https://viewer.nationalmap.gov/advanced-viewer/>
103. Town of Killingworth Plan of Conservation and Development, 2018-2028, effective September 1, 2018

### **E. State Agency comments**

1. Department of Energy and Environmental Protection Comments, dated December 17, 2018
2. Department of Transportation Comments, dated February 5, 2019

F. Municipal comments

1. First Selectman Iino's Comments, dated September 12, 2018
  2. Killingworth Fire Chief Richard Bauer's Comments, dated January 27, 2019
  3. Killingworth Planning & Zoning Commission Chairman Thomas Lentz Comments, dated March 20, 2019
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II. Appearance by Petitioner

Petitioner: Chatfield Solar Fund, LLC

Representative: Bruce L. McDermott, Esq.  
Murtha Cullina LLP

A. Administrative Notice.

1. NFPA 1 First Draft Technical Committee FINAL Ballot Results, dated March 4, 2016
2. **PETITION NO. 1339** – Wallingford Renewable Energy LLC declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 19.99 MW AC ground-mounted solar photovoltaic electric generating facility located on approximately 158 acres of 3 contiguous parcels consisting of the former Wallingford Landfill and 2 parcels owned by the Materials Innovation and Recycling Authority west of Pent Road and associated electrical interconnection to Wallingford Electric Division's Wallingford Substation in Wallingford, Connecticut. Record and Final Decision, *available at* <https://www.ct.gov/csc/cwp/view.asp?a=2397&Q=600116&PM=1>

B. Exhibits for Identification.

1. Petition for a Declaratory filed by Chatfield Solar Fund, LLC, received October 23, 2018
2. Petitioner's Responses to Council Interrogatories, Set One, dated December 19, 2018
3. Petitioner's Responses to Council Interrogatory Nos. 69 and 70, dated January 2, 2019
4. Petitioner's Letter Regarding Request to PURA for Extension of ZREC Contract, dated January 30, 2019
5. Petitioner's Revised Responses to Council Interrogatory Nos. 17, 18, 53 and 67, dated February 6, 2019
6. Petitioner's Responses to Council Interrogatories, Set Two, dated February 6, 2019
7. Petitioner's Sign Posting Affidavit, dated February 13, 2019
8. Petitioner's Video Walkthrough of the site, dated February 13, 2019
9. Petitioner's Witness Resumes, dated February 14, 2019
  - a. Alisa C. Morrison, P.E., PhD
  - b. James M. McManus, MS, CPSS
  - c. George T. Logan, MS, PWS, CSE
  - d. Sigrun Gadwa, MS, PWS
10. DFEPP NDDDB Correspondence to Petitioner, dated February 19, 2019
11. Phase 1 Archaeological Reconnaissance Survey, dated February 28, 2019
12. Petitioner's Revised Response to Interrogatory #109 and FAA Study, dated March 14, 2019
13. Petitioner's Responses to Council Interrogatories, Set Three, dated March 19, 2019
14. Petitioner's Responses to KARS Interrogatories, Set One, dated March 19, 2019

15. Petitioner's German Study Excerpt "Assessing Fire Risks in Photovoltaic Systems and Developing Safety Concepts for Risk Minimization", dated July 2015

C. Swear Witnesses

1. Charles Geppi, Senior Project Manager, Standard Solar Inc.
2. C.J. Colavito, REP, VP of Engineering, Standard Solar Inc.
3. Eric D. Partyka, Director of Business Development, Standard Solar, Inc.
4. Brandon Stephens, Project Manager, Standard Solar Inc.
5. Jobin Michael, PE, Engineering Manager, Standard Solar Inc.
6. Alisa Morrison, PE, PhD, Technical Associate, Loureiro Engineering Associates, Inc.
7. James McManus, MS, CPSS, JMM Wetland Consulting Services, LLC
8. George T. Logan, MS, PWS, CSE, REMA Ecological Services, LLC
9. Sigrun Gadwa, MS, PWS, Principal, Carya Ecological Services, I.I.C

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. KARS

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III. Appearance by Party: Killingworth Advocates for Responsible Solar (KARS)

Representatives: Lorinne Kovachi-Sekban  
Douglas Schwartz

A. Administrative Notice.

- 1.

B. Exhibits for Identification.

1. KARS Request for Party Status, dated February 14, 2019
2. KARS Pre-Filed Testimony with attached maps, dated February 14, 2019
3. Sheridan Perkins pre-filed testimony, dated October 28, 2018
4. Killingworth Fire Marshal James McDonald pre-filed testimony, dated January 2, 2019
5. Results of the state's 2016 REC bids, downloaded on March 18, 2019, *available at* [http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/4b921b68b06bbfed852582a40059783d/\\$FILE/Exhibit%20B.pdf](http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/4b921b68b06bbfed852582a40059783d/$FILE/Exhibit%20B.pdf)
6. Photograph of the exterior of a building, submitted March 20, 2019
7. Photograph of a mattress label, submitted March 20, 2019
8. Settlement agreement executed by the Connecticut Green Bank, submitted March 20, 2019
9. Written notice of completion for CSC Petition 1289, downloaded on March 18, 2019, *available at* [https://www.ct.gov/csc/lib/csc/pending\\_petitions/2\\_petitions\\_1201through1300/pe1289-20181220-constructioncompleteltr.pdf](https://www.ct.gov/csc/lib/csc/pending_petitions/2_petitions_1201through1300/pe1289-20181220-constructioncompleteltr.pdf)
10. Photograph dated August 8, 2010, of the Kalamazoo River, taken by the EPA, downloaded on March 18, 2019, *available at* [https://commons.wikimedia.org/wiki/File:Oil\\_Siphon\\_\(4885250078.jpg](https://commons.wikimedia.org/wiki/File:Oil_Siphon_(4885250078.jpg)

11. 2016 consent agreement between the USA and the following holding and actual companies:
  - a. Enbridge Energy, Limited Partnership
  - b. Enbridge Pipelines Lakehead, LLC
  - c. Enbridge Energy Partners, LP
  - d. Enbridge Energy Management, LLC
  - e. Enbridge Energy Company, Inc.
  - f. Enbridge Employee Services, Inc.
  - g. Enbridge Operational Services, Inc.
  - h. Enbridge Pipelines, Inc.
  - i. Enbridge Employee Services Canada, Inc.Downloaded on March 18, 2019, *available at* <https://www.epa.gov/enforcement/enbridge-entered-consent-decree>
12. A Corporate Structure Diagram, downloaded on March 18, 2019, *available at* [https://www.energjr.com/~media/Images/Corpo/structure\\_corpo\\_en.jpg?h=1578&la=en&w=1800](https://www.energjr.com/~media/Images/Corpo/structure_corpo_en.jpg?h=1578&la=en&w=1800)
13. Document outlining the corporate ownership structure of Chatfield Solar Fund, LLC and the environmental and ethical records of some of the principal owners of this enterprise
14. Draft Conservation and Development Policies: The Plan for Connecticut 2018-2023
15. Killingworth Natural Hazard Mitigation Plan Update, 2014
16. Project mapping document, submitted March 20, 2019
17. A photograph, downloaded on March 19, 2019, *available at*, [http://www.lowellsun.com/todaysheadlines/ci\\_30061421/solar-panel-fires-concern-local-officials](http://www.lowellsun.com/todaysheadlines/ci_30061421/solar-panel-fires-concern-local-officials)
18. A photograph, downloaded on March 19, 2019, *available at*, <https://www.fema.gov/media-library/assets/images/159846>
19. A photograph, downloaded on March 19, 2019, *available at*, <https://www.fema.gov/media-library/assets/images/147099>
20. Presidential Executive Order 13858, submitted March 20, 2019
21. Killingworth Fire Marshal James McDonald supplemental pre-filed testimony, dated March 22, 2019

C. Swear Witnesses

1. James McDonald, Killingworth Fire Marshal
2. Sheridan Perkins, Abutting Property Owner

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner

IV. Closing by Connecticut Siting Council.