



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

January 23, 2019

TO: **Parties & Intervenors**

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.

The Connecticut Siting Council (Council) will hold a pre-hearing conference on procedural matters on January 30, 2019, in the Council's office, at Ten Franklin Square, New Britain, Connecticut, beginning at 11:00 a.m. All parties and intervenors are requested to participate. The purpose of this pre-hearing conference is to expedite the hearing procedure without sacrificing an informative record necessary for the Council to render a decision. For those that wish to participate in the pre-hearing conference via telephone, please use the call-in information below.

Call number: 866-917-7557 Passcode: 9148525

At the conference, parties and intervenors will be encouraged to discuss requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of pre-hearing interrogatories. To save the time and expense of the public, the Council does not allow direct testimony at the public hearing.

Each party and intervenor is requested to provide all other parties and intervenors a list of witnesses and the subjects their pre-filed testimony will address, a list of documents to be administratively noticed, and copies of any available exhibits to be offered at the hearing. The pre-hearing conference will also address the grouping of parties and intervenors and the order of presentations at the hearing.

MB/RM/CW/lm



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Connecticut Siting Council Pre-hearing Conference February 21, 2019 Hearing Procedure

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.

Pre-hearing Procedure

1. On or before February 7, 2019 all parties and intervenors are requested to exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before February 14, 2019, all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before February 14, 2019.
4. All filings are to be 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 requires an original and 15 copies of all filings. The Council is requesting that 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.
5. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, at least ten business days prior to the public hearing, the petitioner shall erect and maintain, in a legible condition, a sign not less than six feet by four feet at the entrance to the property from a public road where the proposed facility is to be located. The sign shall set forth the name of the petitioner, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number).
6. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.

Hearing Procedure

7. A public field review of the proposed site will be held on February 21, 2019, beginning at 2:00 p.m.
8. The 3:00 p.m., February 21, 2019, evidentiary session will provide the petitioner, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The petitioner will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the petitioner and all other parties and intervenors.
9. All participants are requested to place nameplates on the table in front of each witness at the hearing.
10. The order of appearances and cross-examination will be governed by a hearing program developed by the Council for the proceeding. The Council may issue a draft version of the hearing program to parties and intervenors prior to the hearing.
11. The 6:30 p.m. public comment session on February 21, 2019 will be reserved for the public to make brief statements into the record. The Council requests that the petitioner conduct a brief presentation prior to public comment, using 24-inch by 36-inch diagrams depicting site features, including a map showing abutting properties, or other form of presentation such as a video or PowerPoint presentation. The diagrams or other form of presentation must be from materials already submitted into the record.
12. If time remains after the 6:30 p.m. public comment session, the petitioner, parties, and intervenors may continue their appearances and cross-examination that began during the 3:00 p.m. evidentiary session.
13. The Council will provide public officials who have not been granted party or intervenor status an opportunity to make a statement.
14. The Council may, at its discretion, group parties and intervenors with the same interest.
15. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
16. Pursuant to Section 16-50j-15b of the Regulations of Connecticut State Agencies, any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written statements into the record.
17. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.

Post-hearing procedure

18. A verbatim transcript of the hearing session will be made and deposited with the Killingworth and Madison Town Clerk's offices for the convenience of the public.
19. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.
20. Members of the public will be allowed to submit written statements into the record within 30 days after the close of the hearing.
21. Deadlines for briefs, proposed findings of fact, and written statements will be final and no extensions will be granted.

Administrative Notice List
Petition No. 1354

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1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf
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>
3. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC 70/7460-1L*, December 4, 2015, as amended, available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L.pdf
4. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
5. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
7. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at <http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf>
8. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review: Energy Transmission, Storage, and Distribution Infrastructure*, April 2015, available at <https://www.energy.gov/policy/downloads/quadrennial-energy-review-first-installment>
9. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review Second Installment: Transforming the Nation's Electricity System*, January 2017, available at <https://www.energy.gov/policy/downloads/quadrennial-energy-review-second-installment>
10. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Annual Energy Outlook 2018*, February 6, 2018, available at <https://www.eia.gov/outlooks/aeo/>
11. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Levelized Cost and Levelized Avoided Cost of New Generation Resources in Annual Energy Outlook 2018*, March 2018, available at https://www.eia.gov/outlooks/aeo/pdf/electricity_generation.pdf

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>
13. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf
14. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL RENEWABLE ENERGY LABORATORY, *Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills*, February 2013, available at https://www.epa.gov/sites/production/files/2015-03/documents/best_practices_siting_solar_photovoltaic_final.pdf
15. UNITED STATES DEPARTMENT OF AGRICULTURE, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at https://www.usda.gov/oce/reports/energy/Web_SolarEnergy_combined.pdf
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20. NATIONAL RENEWABLE ENERGY LABORATORY, NREL CONDUIT BLOG, *Research and Analysis Demonstrate the Lack of Impacts of Glare from Photovoltaic Modules*, July 31, 2018, available at <https://www.nrel.gov/state-local-tribal/blog/posts/research-and-analysis-demonstrate-the-lack-of-impacts-of-glare-from-photovoltaic-modules.html>
21. UNITED STATES DEPARTMENT OF ENERGY, *Solar PV and Glare Factsheet*, June 2014, available at <https://www.energy.gov/eere/solar/downloads/solar-pv-and-glare-factsheet>
22. *Alco Fin. Ltd. v. Klee*, 2014 U.S. Dist. LEXIS 170674 (D. Conn. 2014), affirmed by *Alco Fin. Ltd. v. Klee*, 805 F.3d 89 (2nd Cir. 2015)

REGIONAL

23. ISO-NEW ENGLAND, INC., *Operational Fuel-Security Analysis*, January 17, 2018, available at https://www.iso-ne.com/static-assets/documents/2018/01/20180117_operational_fuel-security_analysis.pdf
24. ISO-NEW ENGLAND, INC., *New England's Wholesale Electricity Prices in 2017 Were the Second-Lowest Since 2003*, March 6, 2018, available at https://www.iso-ne.com/static-assets/documents/2018/03/20180306_pr_2017prices.pdf

25. ISO-NEW ENGLAND, INC., *Finalized Results Confirm 12th Capacity Auction Procured Sufficient Resources for 2021-2022*, February 28, 2018, available at https://www.iso-ne.com/static-assets/documents/2018/02/20180228_pr_fca12_final_results.pdf
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30. ISO-NEW ENGLAND, INC., *2018-2027 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, May 1, 2018 (revised May 9, 2018), available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt>
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41. ISO-NEW ENGLAND, INC., *Interconnection Request Queue*, available at <https://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue>
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51. CONNECTICUT SITING COUNCIL, *Investigation into the Life-cycle Costs of Electric Transmission Lines*, October 11, 2018, available at https://www.ct.gov/csc/lib/csc/publications/2017-life-cycle_finalrpt.pdf
52. CONNECTICUT SITING COUNCIL, *Written Testimony in Reference to Raised Bill No. 943, An Act Concerning the Installation of Certain Solar Facilities on Productive Farmlands*, March 6, 2017, available at <https://www.cga.ct.gov/2017/ENVdata/Tmy/2017SB-00943-R000306-Stein,%20Robin%20,%20Chairman-Connecticut%20Siting%20Council-TMY.PDF>
53. CONNECTICUT SITING COUNCIL, *Written Testimony in Reference to Raised Bill No. 412, An Act Restricting the Use of Incentives for the Development of Solar Arrays on Agricultural Land*, February 7, 2017, available at <https://www.cga.ct.gov/2017/ETdata/Tmy/2017SB-00412-R000207-Stein,%20Robin,%20Chairman-Connecticut%20Siting%20Council-TMY.PDF>

54. **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>

55. **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>

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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