



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

April 26, 2019

Bruce McDermott, Esq.
Murtha Cullina LLP
One Century Tower
265 Church Street
New Haven, CT 06510-1220

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 Attorney McDermott:

During a public meeting of the Connecticut Siting Council (Council) held on April 25, 2019, the Council voted to grant Chatfield Solar Fund, LLC's (CSF) Motion to Strike KARS' Post Hearing Brief submitted on April 25, 2019 if, pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-12, an original and 15 copies of the KARS' Post Hearing Brief were not submitted to the Council's office by close of business (4:30 PM) on April 25, 2019.

An original and 15 copies of the KARS Post Hearing Brief was submitted to the Council's office by close of business on April 25, 2019, thereby rendering the Motion to Strike moot. However, in addition to the Post Hearing Brief, KARS submitted to the Council an original and 15 copies of a Supplemental Brief with no proof of service on CSF, as required by RCSA §16-50j-12.

Pursuant to RCSA §16-50j-26, at the conclusion of the evidentiary hearing session held on March 26, 2019, the Council closed the evidentiary record for this matter and established April 25, 2019 as the date by which briefs and proposed findings of fact may be submitted to the Council by parties and intervenors. At that time, the Council also announced that **no new information, no new evidence, no argument, -- and no reply briefs without permission -- will be considered by the Council.** KARS did not ask for permission from the Council to submit a Supplemental Brief.

Furthermore, as indicated in the Council's Information Guide to Party and Intervenor Status, which was sent to KARS when the request for party status was acknowledged on February 15, 2019, **the purpose of a Post Hearing Brief is to summarize allegations of fact and statements of position presented during the evidentiary hearing.** KARS' Supplemental Brief specifically states, "We discuss our observations on the process, as opposed to the specifics, underlying the petition of Chatfield Solar Fund, LLC." The Supplemental Brief does not present a summary of allegations of fact and statements of position presented during the evidentiary hearing.



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Therefore, with regard to the Supplemental Brief, KARS is in violation of RCSA §§16-50j-12 and 16-50j-26 and the Supplemental Brief will not be accepted.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie Bachman". The signature is fluid and cursive, with the first name "Melanie" being more prominent than the last name "Bachman".

Melanie Bachman
Executive Director

MAB/RDM/lm

c: Council Members
Parties and Intervenors