



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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May 7, 2018

Philip M. Small, Esq.  
Brown Rudnick LLP  
185 Asylum Street, 38<sup>th</sup> Floor  
Hartford, CT 06103

**RE: PETITION NO. 1150** - SolarCity Corporation declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a 3.1 Megawatt Community Shared Solar Photovoltaic Electric Generating facility located on Brush Hill Road in Bozrah, Connecticut. **Non-Compliance with Declaratory Ruling Development and Management (D&M) Plan Conditions.**

Dear Attorney Small:

Pursuant to Connecticut General Statutes §§ 4-176 and 16-50k, the Connecticut Siting Council (Council) approves Petitions for Declaratory Rulings for the construction, operation and maintenance of electric generating facilities with a capacity of not more than 65 megawatts as long as the Council finds that the facility will not have a substantial adverse environmental effect. As a condition of project approval, the Council requires the submission of a full or partial D&M Plan for Council review and approval prior to the commencement of facility construction pursuant to Sections 16-50j-60 to 16-50j-62 of the Regulations of Connecticut State Agencies (RCSA).

These regulations require certain written notifications and reports before, during and after facility construction. On April 27, 2018, the Council issued a memorandum regarding compliance with the D&M Plan regulations, which may be accessed at the following link: [http://www.ct.gov/csc/lib/csc/guides/2018\\_guides/20180427-industrymemo-dandm.pdf](http://www.ct.gov/csc/lib/csc/guides/2018_guides/20180427-industrymemo-dandm.pdf).

The D&M Plan for the above-referenced facility was approved by the Council on September 3, 2015. However, the Council is not in receipt of the following required written notifications and reports:

1. Monthly progress reports after December 2015 per RCSA §16-50j-62(b);
2. Notification of completion of construction and commencement of operation per RCSA §16-50j-62(b); and
3. Final report per RCSA §16-50j-62(c).

Please be advised that the Council has a responsibility under the Public Utility Environmental Standards Act to take all reasonable steps to insure that each facility is constructed, maintained and operated in compliance with the Declaratory Ruling issued by the Council and may exercise enforcement authority pursuant to Connecticut General Statutes §16-50u.

The Council hereby requests compliance on these matters no later than June 8, 2018. If additional time is needed to gather the requested information, please notify the Council in writing on or before June 8, 2018.



CONNECTICUT SITING COUNCIL  
Affirmative Action / Equal Opportunity Employer

If you have any questions or concerns, please call the Council office at 860-827-2935.

Thank you for your attention to this matter.

Sincerely,



Melanie A. Bachman  
Executive Director

MAB/laf

cc: Robert Miller, SolarCity Corporation  
The Honorable Glenn Pianka, First Selectman, Town of Bozrah