



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

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### CERTIFIED MAIL RETURN RECEIPT REQUESTED

April 20, 2015

Richard Procanik  
Project Manager  
Core States Group  
58 Mount Bethel Road, Suite 301  
Warren, NJ 07059

RE: **PETITION NO. 1144** – Bloom Energy Corporation, as an agent for Home Depot USA, Inc., petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200-Kilowatt Fuel Cell to be located at the Home Depot store at 104 Danbury Road, New Milford, Connecticut.

Dear Mr. Procanik:

At a public meeting held on April 16, 2015, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k would not require a Certificate of Environmental Compatibility and Public Need, with the following conditions:

- The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
- This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v.
- If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition, dated March 4, 2015, and in compliance with Public Act 11-101, An Act Adopting Certain Safety Recommendations of the Thomas Commission.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,



Robert Stein  
Chairman

RS/RM/lm

Enclosure: Staff Report dated April 16, 2015

- c: The Honorable Patricia A. Murphy, Mayor, Town of New Milford
- Laura Regan, Zoning Enforcement Officer, Town of New Milford
- Amy Shanahan, Planning & Permitting Specialist, Bloom Energy Corporation



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### Petition No. 1144

**Bloom Energy Corporation**

**New Milford, Connecticut**

**Staff Report**

**April 16, 2015**

On March 5, 2015, the Connecticut Siting Council (Council) received a petition from Bloom Energy Corporation (Bloom), as an agent for Home Depot USA, Inc., for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a 200-kilowatt (kW) fuel cell facility at the Home Depot store at 104 Danbury Road, New Milford, Connecticut.

The Home Depot store is located on a 10.3-acre parcel zoned as General Business Zone 2 (B2). Most of the surrounding area to the north, south and east consist of retail and commercial uses. A ballpark is west of the property. The nearest structure is a restaurant that is approximately 55 feet south of the fuel cell facility. Residential properties located across Danbury Road are approximately 575 feet northeast of the facility.

Bloom proposes to install the fuel cell north of the Home Depot building within a parking area. Four parking spaces would be used for the installation of the fuel cell but customer parking would not be impacted because there is an overabundance of parking spaces remaining.

The facility would be a 200-kW Bloom solid oxide fuel cell customer-side distributed resources project. The overall dimensions of the fuel cell would be approximately 32 feet 8 inches long, 8 feet 7 inches wide, and 6 feet 9 inches high. The facility would be interconnected to the existing switchgear inside the electrical room at the southeast corner of the Home Depot building. The facility would be fueled by natural gas supplied by Yankee Gas Company via a new gas meter assembly adjacent to the existing building. A gas shut-off valve would also be provided. The new gas service line would branch off of the existing Yankee Gas Company line at the southeast side of the building.

Visual impact from the proposed project would be minimal due to its distance from residential properties. The fuel cell facility would comply with all applicable Department of Energy and Environmental Protection (DEEP) air and water quality standards. The facility would meet DEEP noise regulations without the need for sound remediation.

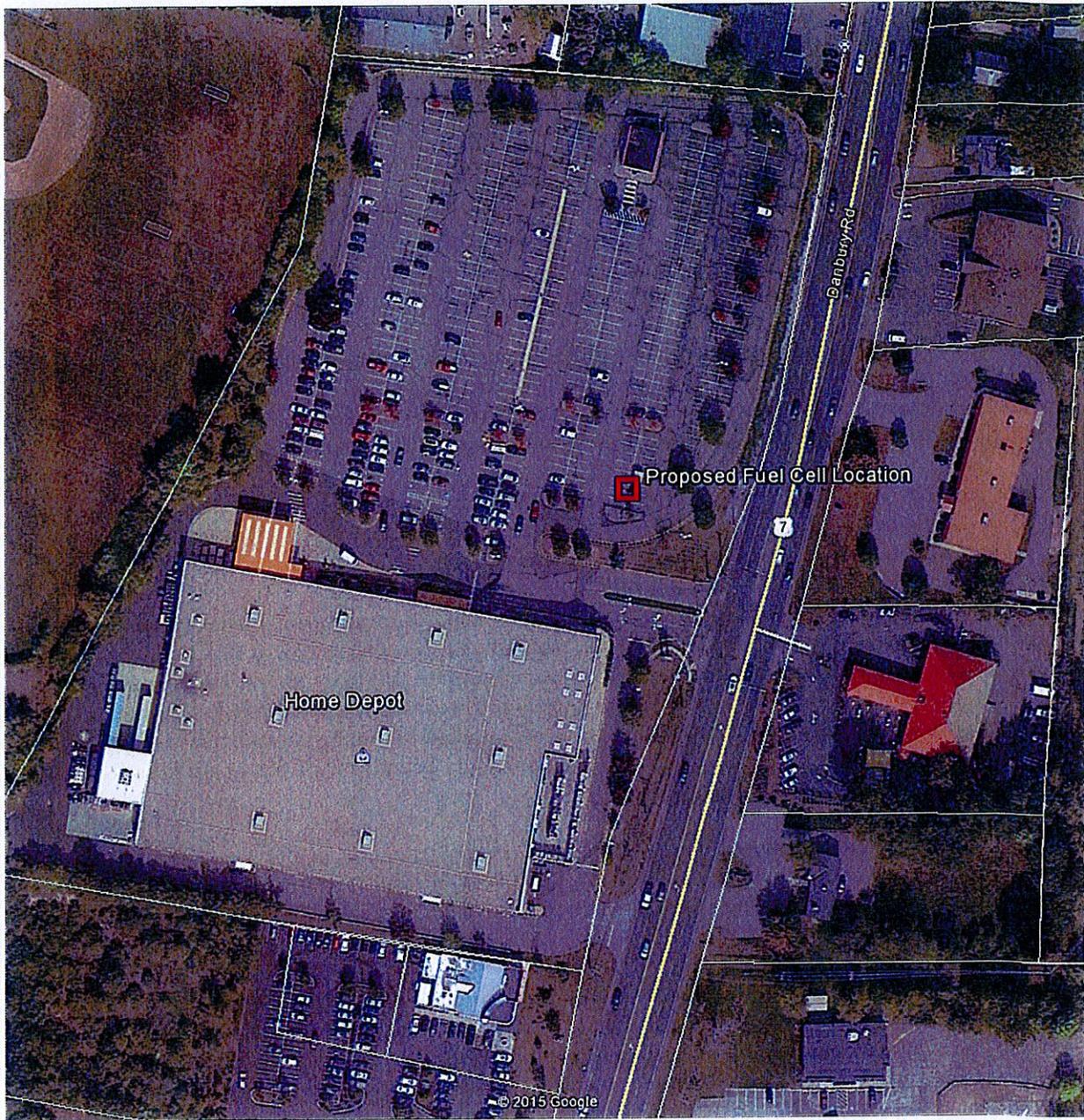
The facility would be remotely monitored by Bloom using software and hardware safety circuits that can detect abnormalities in operation. The fuel cell facility is designed in accordance with American National Standards Institute and Canadian Standards Association (ANSI/CSA) America FC 1-2004 for stationary fuel cell power systems and includes extensive safety control systems, including both automatic and manual shutdown mechanisms that comply with pertinent engineering standards.

The Connecticut Public Utilities Regulatory Authority (PURA), in its Final Decision in Docket No. 12-02-09, determined that Bloom's Energy Server qualifies as a Class I renewable energy source as defined in Conn. Gen. Stat. § 16-1(a)(26)(A).

Bloom mailed notification of the project to abutting property owners, Town of New Milford officials, and required state agencies on March 4, 2015. The Council has not received any comments.

The proposed installation of the fuel cell is not expected to have any substantial adverse environmental impacts. It would reduce the emission of air pollutants that contribute to smog, acid rain, and global climate change. It would also contribute to the state's use of renewable energy.

**Aerial view of Home Depot property.**



The Connecticut Public Utilities Regulatory Authority (PURA) in its Final Decision in Docket No. 12-0001, determined that Liberty Energy Storage's Class I renewable energy storage is eligible for the Clean Energy Act's (CEA) 10-year renewable energy storage credit.

Liberty Energy Storage's proposed project is a 100 MW Class I renewable energy storage project located in the town of New Milford, Connecticut. The project is owned and operated by Liberty Energy Storage, LLC, a subsidiary of Liberty Energy Storage, Inc. (LES), a public utility holding company.

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