



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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[www.ct.gov/csc](http://www.ct.gov/csc)

June 28, 2017

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **PETITION NO. 1178** – DESRI CT Fusion Acquisition, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a ground-mounted 20 megawatt solar photovoltaic electric generating facility located on Potash Hill Road, Sprague, Connecticut. **D&M Plan Revision.**

Dear Attorney Baldwin:

Pursuant to Regulations of Connecticut State Agencies §16-50j-62 (b) and in response to your request dated June 27, 2017, the Connecticut Siting Council (Council) staff hereby approves a change to the approved Development and Management (D&M) Plan to allow construction activities associated with the above project to occur Monday through Saturday from 7:00 a.m. to 7:00 p.m. for work on the Fusion Solar Center project in Sprague. The Saturday work hours (beyond the currently approved 7:00 a.m. to 7:00 p.m. Monday through Friday work window) are necessary to complete the construction phase of the project. DESRI anticipates having the project “substantially complete” by November 15, 2017.

This approval applies only to the work hours modification requested on June 27, 2017. Any additional changes to the D&M Plan require advance notification and approval in accordance with the Council’s approval of the D&M Plan on September 1, 2016 (and as modified on December 9, 2016, March 16, 2016 and May 25, 2017). Furthermore, the project developer is responsible for reporting requirements pursuant to Regulations of Connecticut State Agencies Section 16-50j-62.

Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Thank you for your attention and cooperation.

Very truly yours,

Melanie Bachman  
Executive Director

MB/MP

c: Council Members

The Honorable Catherine A. Osten, First Selectman, Town of Sprague  
Joseph Smith, Zoning Enforcement Officer, Town of Sprague  
Nick Detelich, DEPCOM Power, Inc.  
Scott Williams, D.E. Shaw Renewable Investments, LLC



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer

KENNETH C. BALDWIN

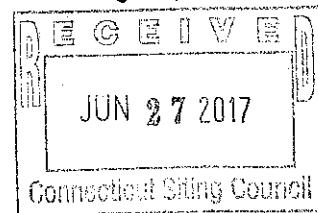
280 Trumbull Street  
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Main (860) 275-8200  
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kbaldwin@rc.com  
Direct (860) 275-8345

Also admitted in Massachusetts

June 27, 2017

*Via Electronic and U.S. Mail*

Melanie A. Bachman, Esq.  
Executive Director/Staff Attorney  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051



Re: **Petition No. 1178 – Fusion Solar Center, LLC, Potash Road, Sprague, Connecticut  
Modification Request for Typical Construction Hours and Work Days**

Dear Ms. Bachman:

This letter will confirm recent conversations regarding the need for modifications to the “typical hours of construction” and “construction completion date” discussed in the approved Development and Management Plan for the Fusion Solar Center facility in Sprague, Connecticut.

In an effort to complete all construction associated with the Fusion Solar Center facility as quickly as possible, DEPCOM Power Inc. (“DEPCOM”), the project developer and DESRI CT Fusion Acquisition, LLC (“DESRI”) the project owner, seek Siting Council approval to expand the approved construction hours to 7:00 a.m. to 7:00 p.m., six (6) days a week, Monday through Saturday, for the remainder of the construction phase of the project.

In addition, it was previously stated that construction activity associated with the Fusion Solar facility would be completed by October 31, 2017. DEPCOM now anticipates that, in accordance with its contract with DESRI, project improvements will be “substantially complete” by November 15, 2017. Following the substantial completion of the project improvements DEPCOM would then spend the next two (2) to four (4) weeks completing related site improvements to return the southerly portion of the parcel to its pre-development condition, including the removal of the construction trailers, the gravel parking area and other temporary site improvements.

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# Robinson+Cole

Melanie A. Bachman, Esq.

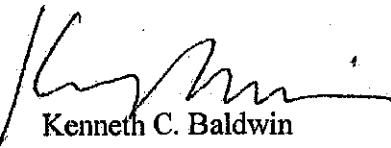
June 27, 2017

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Thank you in advance for your anticipated cooperation. If any further changes to the construction schedule become necessary we will notify the Siting Council immediately.

If you have any questions regarding this request please do not hesitate to contact me.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

Copy to:

Nick Detelich, DEPCOM Power, Inc. (*via electronic mail*)

Will Porter, DEPCOM Power, Inc. (*via electronic mail*)

Michael Constantine, DEPCOM Power, Inc. (*via electronic mail*)

Potash Hill Road Neighborhood Group (*via electronic mail*)

Tim Bates (*via U.S. Mail*)