



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

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

### VIA ELECTRONIC MAIL

April 15, 2019

Philip M. Small, Esq.  
Brown Rudnick LLP  
185 Asylum Street  
Hartford, CT 06103

RE: Status Update Request for the following Petition:

**PETITION NO. 1200** – 2015 ESA Project Company, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, operation and maintenance of an 800 Kilowatt Fuel Cell Facility to be located at Parkville Community Elementary School, 1755 Park Street, Hartford, Connecticut.

Dear Attorney Small:

Pursuant to Connecticut General Statutes §§ 4-176 and 16-50k, the Connecticut Siting Council (Council) is required to approve by Declaratory Ruling the construction and location of fuel cell facilities unless the Council finds a substantial adverse environmental effect.

To date, the Council is not in receipt of any communication that construction has been completed for the above-referenced facility and hereby requests written notification on the status of this matter no later than June 1, 2019. Please include in your status update if you will not proceed with construction.

Please note that the Council routinely imposes standard conditions when issuing Declaratory Rulings, which may include compliance with Public Act 11-101, An Act Adopting Certain Safety Recommendations of the Thomas Commission or, prior to Petition No. 962, compliance with conditions imposed under the Docket No. NT-2010 Decision and Order for fuel cell petitions, which can be found on our website under the link Decisions/Dockets [<http://www.ct.gov/csc/cwp/view.asp?a=962&q=467870>].

Please be advised that failure to comply with the conditions of any Declaratory Ruling may result in the Council refraining from considering any pending or future matters until full compliance is reached.


If the facility owner/operator has changed, please notify the Council with the contact information for the individual or representative responsible for management and operation of the facility.

Thank you for your anticipated cooperation. If additional time is needed to gather the requested information, please submit a written request for an extension of time prior to May 1, 2016.

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

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melanie Bachman', written in a cursive style.

Melanie Bachman  
Executive Director

Enc. Decision Letter

MB/laf



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### CERTIFIED MAIL RETURN RECEIPT REQUESTED

January 8, 2016

Philip M. Small, Esq.  
Brown Rudnick LLP  
185 Asylum Street  
Hartford, CT 06103

RE: **PETITION NO. 1200** – 2015 ESA Project Company, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, operation and maintenance of an 800 Kilowatt Fuel Cell Facility to be located at Parkville Community Elementary School, 1755 Park Street, Hartford, Connecticut.

Dear Attorney Small:

At a public meeting held on January 7, 2016, 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:

- Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
- Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the City of Hartford;
- Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
- 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; and

- 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 November 13, 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/RDM/lm

Enclosure: Staff Report dated January 7, 2016

- c: The Honorable Luke Bronin, Mayor, City of Hartford  
Darrell V. Hill, Chief Operating Officer, City of Hartford  
Khara Dodds, Planning Division Director, City of Hartford  
Antonio J. Matta, City Architect, City of Hartford  
The Honorable Scott Slifka, Mayor, Town of West Hartford  
Todd Dumais, Town Planner, Town of West Hartford  
Amy Shanahan, Planning & Permitting Specialist, Bloom Energy Corporation  
Starlett Collins, Bloom Energy Corporation



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### Petition No. 1200

#### ESA Project Company, LLC

1755 Park Street, Hartford, Connecticut

#### Staff Report

January 7, 2016

On November 13, 2015, the Connecticut Siting Council (Council) received a petition from ESA Project Company LLC (ESA), a subsidiary of Bloom Energy Corporation (Bloom) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 800-Kilowatt Fuel Cell to be located at the Parkville School Campus at 1755 Park Street, Hartford, Connecticut. Council Member Robert Hannon and Council staff Robert Mercier conducted a field review of the site on December 21, 2015. ESA representatives Rob Chatelain and Carl Cottuli, and the City of Hartford Architect Antonio Matta attended the field review.

ESA's fuel cell facility would be a customer-side, distributed resources project that would consist of four 200-kW solid oxide Bloom Energy Servers to be owned and operated by ESA pursuant to an agreement between ESA and the City of Hartford, owner of the Parkville School Campus. The campus is a single building that houses an elementary school, a senior center, a health center and a community library. The City received a grant from the Department of Energy and Environmental Protection (DEEP) on July 24, 2013 to establish fuel cell facility at the campus to serve as a microgrid for Hartford's Parkville neighborhood. The project would provide 100 percent of the power requirements to the campus building. In the event of an electrical outage to the surrounding neighborhood, the fuel cell facility would also be able to provide power to a nearby supermarket and a gas station through independent electrical lines originating from the facility.

The Connecticut Public Utilities Regulatory Authority, 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). Furthermore, this project represents a resource within the "Low Emissions Renewable Energy Credit Program" established under Public Act No. 11-80.

The fuel cell facility would be installed along the east side of the host building, adjacent to a school drop-off lane and New Park Avenue. Each fuel cell would measure 29 feet 3 inches long by 4 feet 3 inches wide by 6 feet 9 inches tall. The units would be installed on a new concrete pad. Gas service will be delivered to the facility via a new Connecticut Natural Gas meter assembly, connected to a gas main on New Park Avenue.

Site work would require the removal of a few pine trees and the leveling of a grassy berm adjacent to the building. Stormwater runoff from the facility would be directed to an existing catch basin located near the building. Decorative fencing would be installed around the facility perimeter and a wood guardrail would be installed outside of the fence to provide additional protection from vehicle impact.

The surrounding area is urban with a mix of commercial and residential buildings. Visual impact from the proposed project would be minimal due to its appearance as commercial equipment.

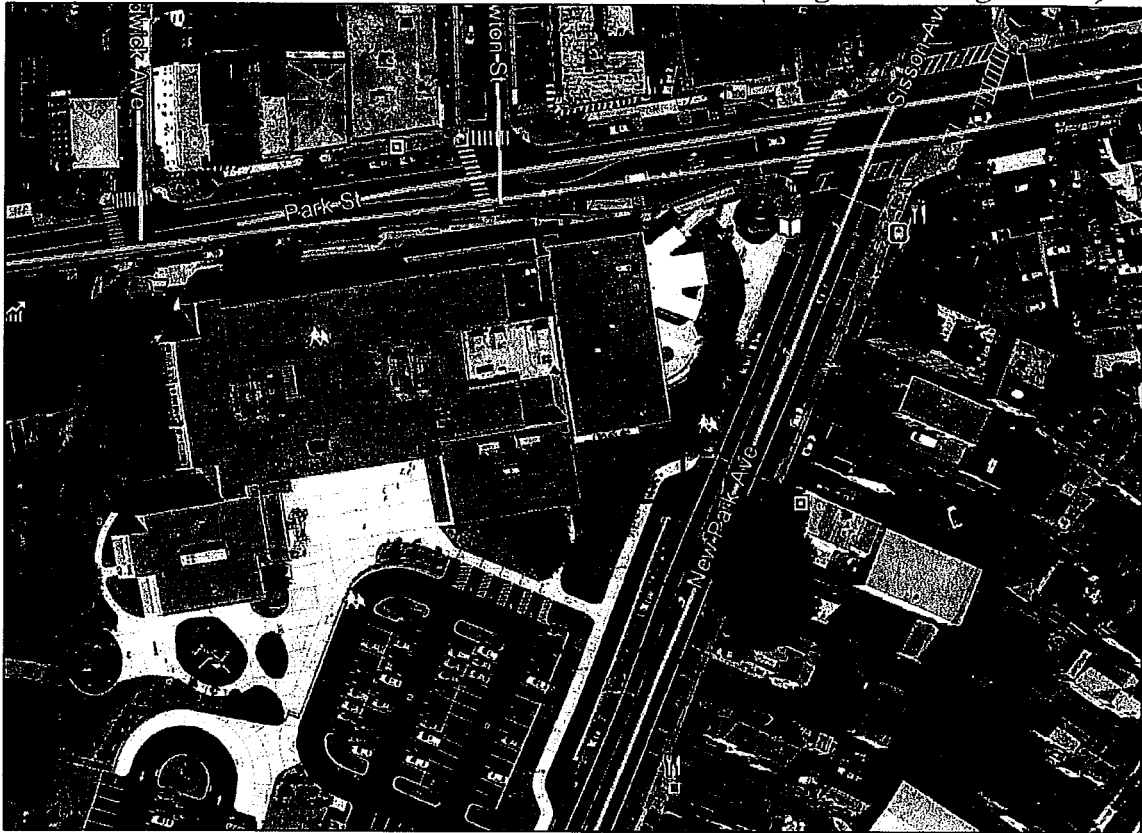
The fuel cell facility would comply with all applicable DEEP air and water quality standards. The facility would meet DEEP noise regulations without the need for sound remediation.

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 fuel cell facility would not have exposed valves or controls. Shut off equipment would be installed within a utility room inside the host building and beneath secured panels and cabinets within the fuel cell facility compound.

Prior to filing this petition, on November 12, 2015 ESA mailed notification of the project to the City of Hartford, required state agencies, and abutting property owners. The Connecticut Department of Transportation submitted correspondence on December 16, 2015 stating that it has no objections to this proposal. Mr. Matta submitted correspondence on behalf of the City on November 17 and November 25, 2015, indicating support for the project and requesting a Council decision on the matter as soon as practical so that the City would not be penalized by not having the project in operation by the DEEP grant deadline of May 22, 2016.

The proposed installation of the fuel cell is not expected to have any substantial adverse environmental impacts and would contribute to the state's use of renewable energy and create a microgrid in a densely populated urban area.

**Aerial view of site location at 1757 Park Street, Hartford (image from Google Earth)**



**Photograph of project site location**

