



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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December 28, 2015

Amy Shanahan
Bloom Energy Corporation
1299 Orleans Drive
Sunnyvale, CA 94089

RE: PETITION NO. 1208 – Bloom Energy Corporation, as an agent for Wal-mart Stores, Inc., petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, operation and maintenance of a Customer-Side 200-Kilowatt Fuel Cell Facility to be located at the Sam's Club store, 69 Pavillions Drive, Manchester, Connecticut.

Dear Ms. Shanahan:

The Connecticut Siting Council (Council) received the petition for the above-referenced facility on December 23, 2015.

According to Section 16-50j-39a of the Regulations of Connecticut State Agencies, "no declaratory ruling shall be issued to any person until a complete petition containing all information relevant by the Council has been filed."

Staff has reviewed this petition for completeness and has identified an error in the location of the facility, a deficiency in notice to the Commissioner of the Connecticut Department of Agriculture and the lack of a clearly labeled abutters' map that identifies the parcels corresponding to the abutters on the list. Pursuant to Section 16-50j-40 of the Regulations of Connecticut State Agencies, "Prior to submitting a petition for a declaratory ruling to the Council, the petitioner shall, where applicable, provide notice to each person other than the petitioner appearing as record as an owner of property which abuts the proposed primary or alternative sites of the proposed facility, each person appearing of record as an owner of the property or properties on which the primary or alternative proposed facility is to be located, and the appropriate municipal officials and government agencies. Proof of such notice shall be submitted with the petition for declaratory ruling."

The petition states that the proposed facility would be located at a Walmart store but the store appears to be a Sam's Club. Please correct the petition stating whether the proposed facility would be located at Walmart or Sam's Club.

Therefore, the petition is incomplete at this time. The Council recommends that the petitioner correct the petition with the proper location; provide proof of service of a copy of the petition for a declaratory ruling on the Commissioner of the Department of Agriculture; and provide a clearly labeled abutters' map that identifies the parcels corresponding to the abutters on the list on or before January 5, 2016.

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

Melanie A. Bachman
Acting Executive Director/Staff Attorney

c: Edwin Pho, Bloom Energy
David Ozment, Wal-Mart Stores, Inc.
Council Members