



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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November 4, 2016

Dawn Mahoney, Esq.
General Counsel
Doosan Fuel Cell America, Inc.
195 Governor's Highway
South Windsor, CT 06074

RE: **PETITION NO. 1269** - Doosan Fuel Cell America 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 920-kilowatt combined heat and power fuel cell facility to be located at the Zygo Corporation, Laurel Brook Road, Middlefield, Connecticut.

Dear Attorney Mahoney:

The Connecticut Siting Council (Council) received the petition for the above-referenced facility on October 28, 2016.

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 a deficiency in notice to the City of Middletown, which is within 2,500 feet of the proposed facility. 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."

Therefore, the petition is incomplete at this time. The Council recommends that the petitioner provide proof of service of a copy of the petition for a declaratory ruling on the City of Middletown on or before November 18, 2016. If additional time is needed to provide notice to the City of Middletown, please submit a written request for an extension of time prior to November 18, 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: Council Members



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