



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Hearing Program

Petition No. 1310A

Tuesday, January 14, 2020

3:00 p.m./6:30 p.m.

Brooklyn Community Center

31 Tiffany Street, Brooklyn, CT 06234

I. Opening by Council

A. Statement read by Chair.

B. Comments by Public Official(s) (if any)

C. Motions

1. Quinebaug Solar, LLC Motion for Protective Order regarding response to CSC Interrogatory #35, dated January 7, 2020

D. Administrative Notice taken by Council

FEDERAL

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2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC 70/7460-1L*, December 4, 2015, as amended, available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf
4. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
5. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
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13. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf
14. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL RENEWABLE ENERGY LABORATORY, *Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills*, February 2013, available at https://www.epa.gov/sites/production/files/2015-03/documents/best_practices_siting_solar_photovoltaic_final.pdf
15. UNITED STATES DEPARTMENT OF AGRICULTURE, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at https://www.usda.gov/oce/reports/energy/Web_SolarEnergy_combined.pdf
16. UNITED STATES DEPARTMENT OF AGRICULTURE, Soil Survey Manual, Handbook No. 18, March 2017, available at https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2_054262

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51. **PETITION NO. 1310** - Quinebaug Solar, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on approximately 561 acres comprised of 29 separate and abutting

privately-owned parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut. Record and Final Decision, *available at* <https://www.ct.gov/csc/cwp/view.asp?a=2397&Q=594016&PM=1>

52. **PETITION NO. 1312** – Candlewood Solar LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 20 megawatt AC (26.5 megawatt DC) solar photovoltaic electric generating facility located on a 163 acre parcel at 197 Candlewood Mountain Road and associated electrical interconnection to Eversource Energy’s Rocky River Substation on Kent Road in New Milford, Connecticut. Record and Final Decision, *available at* <https://www.ct.gov/csc/cwp/view.asp?a=2397&Q=594294&PM=1>
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Other State Agencies

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MAPS

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 101. UNITED STATES GEOLOGICAL SURVEY, Connecticut Topographic Map Collection (Plainfield Quadrangle 1983 and Danielson Quadrangle 1970), available at http://magic.lib.uconn.edu/topographic_maps.html
- E. State Agency comments
1. Department of Energy and Environmental Protection Comments, received January 10, 2020
 2. Department of Agriculture Comments, received January 13, 2020
 3. Connecticut Council on Environmental Quality Comments, received January 13, 2020
- F. Municipal comments
1. Town of Canterbury Comments, received January 9, 2020

II. Appearance by Petitioner

Petitioner: Quinebaug Solar, LLC

Representatives: David W. Bogan, Esq.
Kathryn E. Boucher, Esq.
Locke Lord LLP

A. Administrative Notice.

1.

B. Exhibits for Identification.

1. Motion to Reopen based on changed conditions pursuant to Connecticut General Statutes §4-181a(b) on Quinebaug Solar, LLC Petition for a Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on approximately 561 acres comprised of 29 separate and abutting privately-owned parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut, dated November 12, 2019
 - b. Pre-filed Testimony of Hagen Lee, Katelin Nickerson, and Dr. Kevin Ryan
 - c. Quinebaug Solar, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on approximately 561 acres comprised of 29 separate and abutting privately-owned parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut.
2. Petitioner's Phase 1B Cultural Resources Report, Volume 1 (Exhibit Q), dated December 4, 2019
3. Protective Order related to unredacted Volume II of Phase 1B/Phase II Cultural Resources Report (Exhibit Q), signed December 5, 2019
4. Petitioner's Responses to Council Interrogatories, Set One, dated January 7, 2020
5. Petitioner's Map of Project Signage Locations, received January 7, 2020
6. Correspondence from the State Historic Preservation Office, received January 10, 2020

C. Swear Witnesses

1. Hagen Lee, NextEra Energy Resources, LLC (Project Overview)
2. Brian Huntley, Tighe & Bond (Project Design and Stormwater)
3. Katelin Nickerson, PWS, CWS, Tetra Tech, Inc. (Environmental)
4. Dr. Kevin Ryan, Ph.D., FB Environmental Associates (Environmental)
5. Jonathan Gravel, NextEra Energy Resources, LLC (Environmental)
6. Edward Devarona, NextEra Energy Resources, LLC (Transmission)
7. Joseph Cartaya, NextEra Energy Resources, LLC (Engineering and Construction)

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Troy and Meghan Sposato
3. Eversource Energy

III. Appearance by Party: Troy and Meghan Sposato

A. Administrative Notice.

- 1.

B. Exhibit for Identification.

1. Sposato Pre-filed Testimony and Interrogatories to Petitioner, dated January 6, 2020

C. Swear Witnesses

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Eversource Energy

IV. Appearance by Party: Eversource Energy

Representative: Marianne Barbino Dubuque, Esq.
Carmody, Torrance, Sandak & Hennessey LLP

A. Administrative Notice.

1. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION, Guidelines for the Protection of Natural, Historic, Scenic and Recreational Values in the Design and Location of Rights-of-Way and Transmission Facilities, November 27, 1970
2. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, IEEE Standard Procedures for Measurement of Power Frequency Electric and Magnetic Fields From AC Power Lines, IEEE Std 644-1994, Reaffirmed 2008, available for purchase at <http://standards.ieee.org/findstds/standard/644-1994.html>
3. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, IEEE Guide for the Design, Construction and Operation of Safe and Reliable Substations for Community Acceptance and Environmental Compatibility, IEEE Std 1127-2013, available for purchase at <http://standards.ieee.org/findstds/standard/1127-2013.html>

B. Exhibits for Identification.

1. Eversource Energy's Request for Party Status, dated November 23, 2019
2. Eversource Energy's Direct Testimony of Stephen A. Marien, Ali R. Karimi, Anuj Mathur, Michael Libertine, and Christopher Paul Soderman, dated January 7, 2020

C. Swear Witnesses

1. Stephen A. Marien, P.E., Lead Engineer, Transmission Line and Civil Engineering, Eversource Energy Service Company
2. Ali R. Karimi, Project Engineer, Substation Design and Engineering, Eversource Energy Service Company
3. Anuj Mathur, Senior Project Manager, Transmission, Eversource Energy Service Company
4. Michael Libertine, L.E.P., Director of Siting & Permitting, All-Points Technology Corporation, P.C.
5. Christopher Paul Soderman, Interim Director, Transmission Line Engineering, Eversource Energy Service Company

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Troy and Meghan Sposato

V. Continuation by Connecticut Siting Council.