

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

CANDLEWOOD SOLAR, LLC PETITION	:	PETITION NO. 1312
FOR DECLARATORY RULING THAT NO	:	
CERTIFICATE OF ENVIRONMENTAL	:	
COMPATIBILITY AND PUBLIC NEED	:	
IS REQUIRED FOR A 20 MEGAWATT	:	
AC SOLAR PHOTOVOLTAIC ELECTRIC	:	
GENERATING FACILITY IN NEW MILFORD	:	
CONNECTICUT	:	September 19, 2017

**CANDLEWOOD SOLAR, LLC’S RESPONSE IN OPPOSITION TO DEEP’S MOTION
TO DENY DECLARATORY RULING**

Candlewood Solar, LLC (“Candlewood”), hereby submits its response in opposition to the August 29, 2017 Motion to Deny Declaratory Ruling filed by the Department of Energy and Environmental Protection (“DEEP”) with the Connecticut Siting Council (the “Siting Council”) in the above captioned matter. In Support of its response opposing DEEP’s Motion to Deny Declaratory Ruling, Candlewood states as follows:

1. Candlewood filed its Petition for a Declaratory Ruling with the Siting Council on June 28, 2017 (the “Petition”).
2. In accordance with the provisions of Conn. Gen Stat. § 16-50k(a) and Conn. Gen. Stat. § 4-176(a), the Petition seeks a declaratory ruling from the Siting Council.
3. The Petition presents substantial evidence demonstrating that the construction, operation, and maintenance of the proposed Candlewood Solar Project (“Project”) satisfies the requirements of Conn. Gen. Stat. § 16-50k(a) and will not have a substantial adverse environmental effect.

4. Public Act 17-218 (the “Act”), as enacted by the Connecticut Legislature during the 2017 legislative session, contains provisions that modify Conn. Gen Stat. § 16-50k(a) and became effective on July 1, 2017.

5. The Act does not apply to the Siting Council’s decision on this Petition because Candlewood filed it on June 28, 2017, days before the July 1, 2017 effective date of the Act.

For the above reasons, and as explained more fully in the accompanying Memorandum of Law, Candlewood respectfully requests that the Siting Council deny DEEP’s Motion to Deny Declaratory Ruling.

Respectfully submitted,

CANDLEWOOD SOLAR, LLC

By: 

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CERTIFICATION

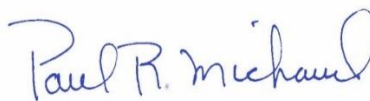
I hereby certify that on September 19, 2017, the foregoing was delivered by electronic mail and regular mail, postage prepaid, in accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies, to all parties and intervenors of record, as follows:

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