

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

|                                 |   |                    |
|---------------------------------|---|--------------------|
| DWW SOLAR II, LLC PETITION FOR  | : | PETITION NO. 1313  |
| DECLARATORY RULING THAT NO      | : |                    |
| CERTIFICATE OF ENVIRONMENTAL    | : |                    |
| COMPATIBILITY AND PUBLIC NEED   | : |                    |
| IS REQUIRED FOR A 26.4 MEGAWATT | : |                    |
| AC SOLAR PHOTOVOLTAIC ELECTRIC  | : |                    |
| GENERATING FACILITY IN SIMSBURY | : |                    |
| CONNECTICUT                     | : | SEPTEMBER 14, 2017 |

**STATEMENT OF DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION  
IN SUPPORT OF MOTION TO DENY DECLARATORY RULING**

The Department of Energy & Environmental Protection (“DEEP”) submits this written statement in support of the Department of Agriculture’s (“DOA”) Motion to Deny Declaratory Ruling. DEEP adopts the analysis laid out in DOA’s Memorandum in Support of Motion to Deny Declaratory Ruling and also in DEEP’s own Memorandum in Support of Motion to Deny Declaratory Ruling filed in Petition 1312 on August 28, 2017.

Rather than repeat the arguments made in the above referenced filings, DEEP would emphasize that Public Act 17-218 applies prospectively to the decision the Siting Council will make in the declaratory ruling proceeding. If a petition was not granted by the effective date of the Public Act, which is July 1, 2017, then the legislation applies.

Finally, DEEP notes that, according to the Siting Council’s Memorandum on Request for Comments on this motion, the motion will be placed on the agenda for Council consideration. DEEP respectfully requests that the parties be allotted time for oral argument on this motion at the Siting Council meeting at which this motion will be decided.

DEPUTY COMMISSIONERS

ROBERT KALISEWSKI,  
SUSAN WHALEN, AND  
MARY SOTOS

CONNECTICUT DEPARTMENT OF ENERGY &  
ENVIRONMENTAL PROTECTION



By:

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I, Kirsten S. P. Rigney, hereby certify that a copy of the foregoing Statement of the Department of Energy and Environmental Protection in Support of Motion to Deny Declaratory Ruling was sent on September 14, 2017, by electronic mail to the following parties on the Service List in this matter.

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