

**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	)	August 18, 2017
GENERATING FACILITY IN SIMSBURY	)	
CONNECTICUT	)	
.....	)	

**REPLY TO MOTION TO CONTINUE HEARING**

Pursuant to § 16-50j-22a(b) of the Regulations of Connecticut State Agencies, the Town of Simsbury (“Town”), through counsel, respectfully submits this Reply to Motion to Continue Hearing concerning Petition No. 1313 (“Petition”), initiated by DWW Solar II, LLC (“DWW”), pending before the Connecticut Siting Council (“Council”).

DWW asserts that the Town does not need the requested time to digest the voluminous Petition and assess the potential impact the proposed project might have on the Town and its citizens because of DWW’s outreach prior to the filing of the Petition on June 29, 2017. The contents of the Petition, however, were not made available to the Town prior to its filing.

DWW is correct in that the Town, through its various boards and commissions, is endeavoring to hold meetings and assess the Petition at an expedited pace. However, as stated in the Motion to Continue Hearing, the potential impact of the proposed project is far reaching given, among other things, the number of acres involved, the type of land implicated and its proximity to nearby residential neighborhoods. The Petition needs to be vetted with

circumspection to ensure that the proposed project is in the best interests of the Town and its citizens and is sited in a responsible and environmentally compatible manner.<sup>1</sup>

Additionally, the Town notes that neither the Commissioner of the Connecticut Department of Agriculture (“Department”) nor his executive assistant, Jason Bowsza, are available to attend the hearing presently scheduled for September 12, 2017. The Town concurs with the Department’s concern that their absence would impact the Department’s due process rights.

WHEREFORE, the Town respectfully requests that the Council continue the formal hearing to October 19, 2017, or a date thereafter convenient for the Council.

Respectfully submitted by,

THE TOWN OF SIMSBURY

By: \_\_\_\_\_

  
Jesse A. Langer  
Robert M. DeCrescenzo  
UPDIKE, KELLY & SPELLACY, P.C.  
One Century Tower  
265 Church Street  
New Haven, CT 06510  
(203) 786-8310  
Email: [jlanger@uks.com](mailto:jlanger@uks.com)  
Email: [bdecrescenzo@uks.com](mailto:bdecrescenzo@uks.com)

---

<sup>1</sup> The Town has responsibly advertised the current hearing date for the benefit of its citizens in the event that the hearing is not continued. This fact in no way operates as a waiver of the Town’s request for a continuance.

**CERTIFICATION**

I hereby certify that on this day that 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:

Counsel for DWW Solar II, LLC

Lee D. Hoffman  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
lhoffman@pullcom.com

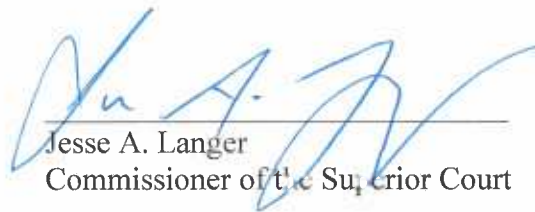
Connecticut Department of Agriculture

Jason Bowsza  
Department of Agriculture  
450 Columbus Boulevard  
Hartford, CT 06103  
Jason.Bowsza@ct.gov

Aileen Kenney  
Deepwater Wind, LLC  
VP, Permitting and Environmental Affairs  
56 Exchange Terrace, Suite 300  
Providence, RI 02903  
akenney@dwwind.com

Connecticut Department of Energy  
and Environmental Protection

Kirsten S.P. Rigney  
Bureau of Energy Policy  
Department of Energy and Environmental Protection  
10 Franklin Square  
New Britain, CT 06051  
Kirsten.Rigney@ct.gov



Jesse A. Langer  
Commissioner of the Superior Court