



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

### VIA ELECTRONIC MAIL

July 25, 2018

David Zwillinger  
DWW Solar II, LLC  
c/o D.E. Shaw Renewable Investments, L.L.C.  
1166 Avenue of the Americas, Ninth Floor  
New York, NY 10036

RE: **PETITION NO. 1313** - DWW Solar II, LLC Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 26.4 megawatt AC solar photovoltaic electric generating facility on approximately 289 acres comprised of 5 separate and abutting privately-owned parcels located generally west of Hopmeadow Street (US 202/CT 10), north and south of Hoskins Road, and north and east of County Road and associated electrical interconnection to Eversource Energy's North Simsbury Substation west of Hopmeadow Street in Simsbury, Connecticut.

Dear Mr. Zwillinger:

The Connecticut Siting Council (Council) is in receipt of your correspondence dated July 23, 2018 with regard to the transfer of ownership of DWW Solar II, LLC to DESRI Tobacco Valley Acquisition, LLC.

Please be advised that compliance with Condition Nos. 7 and 8 of the Council's December 21, 2017 final decision on the above-referenced matter are not met by this correspondence. Those conditions are as follows:

7. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
8. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

Your correspondence does not provide written confirmation that DESRI Tobacco Valley Acquisition, LLC agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Connecticut General Statutes §16-50v.

Your correspondence also lists "General Counsel" as the change in contact information for the individual or representative responsible for management and operations of the facility. This is unacceptable. Please provide the full name of the General Counsel or the full name and title of an individual or representative responsible for management and operations of the facility.



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer

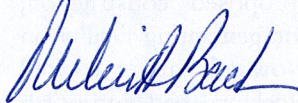


Please also be advised that the Council's experience with another solar project for which ownership was transferred to D.E. Shaw Renewable Investments, LLC in 2017, the Fusion Solar Center in the Town of Sprague, has been challenging.

Therefore, due to this challenging experience and the express conditions of the Council's final decision on this matter, the Council deems it necessary and appropriate to request the aforementioned written assurances that are specifically required by the Council's December 21, 2017 Decision and Order.

Thank you for your attention and cooperation.

Sincerely,



Melanie A. Bachman  
Executive Director

MAB/RDM/laf

- c: Service List, dated October 26, 2017  
Council Members

**DE Shaw & Co**

1166 Avenue of the Americas  
Ninth Floor  
New York, NY 10036

(212) 478-0000  
FAX (212) 478-0100

July 23, 2018

Connecticut Siting Council  
c/o Melanie Bachman and Lisa Fontaine  
Ten Franklin Square  
New Britain, CT 06051  
siting.council@ct.gov

Dear Ms. Bachman and Ms. Fontaine,

DWW Solar Holdings, LLC has transferred ownership of DWW Solar II, LLC to DESRI Tobacco Valley Acquisition, L.L.C., an entity that is under common control with DWW Solar Holdings, LLC. This letter serves as notice that DWW Solar II, LLC's address has changed to:

DWW Solar II, LLC  
c/o D. E. Shaw Renewable Investments, L.L.C.  
Attn. General Counsel  
1166 Avenue of the Americas, Ninth Floor  
New York, NY 10036  
desri-notices@world.deshaw.com  
(212) 478-0000

This notice is provided pursuant to the Order approving Petition Number Order 1313, December 21, 2017 please confirm that you have received this notification by return email at your earliest convenience.

Sincerely,

David Zwillinger  
Authorized Signatory

Sent VIA Email

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