



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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### VIA ELECTRONIC MAIL

August 24, 2017

TO: Parties & Intervenors

FROM: Melanie A. Bachman, Executive Director *MAB*

RE: **PETITION NO. 1313** – DWW Solar II, 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 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.

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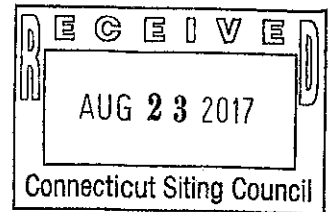
On August 23, 2017, with regard to the above-referenced matter, the Connecticut Siting Council (Council) received a Motion to Deny Declaratory Ruling from the Connecticut Department of Agriculture.

The Motion to Deny Declaratory Ruling will be placed on a future Council meeting agenda for Council consideration.

Parties and intervenors are requested to submit comments or statements of position in writing to the Council with respect to whether the Motion to Deny Declaratory Ruling should be granted or denied by the close of business on or before September 14, 2017.

c: Council Members

MAB/RDM



**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 MEGA WATT :  
AC SOLAR PHOTOVOLTAIC ELECTRIC :  
GENERATING FACILITY IN SIMSBURY :  
CONNECTICUT : AUGUST 23, 2017

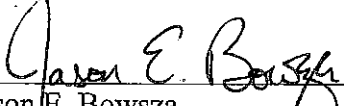
**MOTION TO DENY DECLARATORY RULING**

The State of Connecticut Department of Agriculture ("DOA") hereby moves that the above-captioned Petition for Declaratory Ruling ("Petition") be denied on the grounds that DOA has not represented, and will not be representing, in writing that the project that is the subject of the declaratory ruling will not materially affect the status of the land on which the project is to be located as prime farmland. Accordingly, pursuant to the provisions of Conn. Gen. Stat. § 16-50k(a), as amended by Public Act No. 17-218, the Siting Council may not approve the project by declaratory ruling. Rather, the project, if it is to be approved at all, must obtain a certificate of environmental compatibility and public need in accordance with the provisions of the Public Utility Standards Act, Conn. Gen. Stat. §§ 16-50g *et seq.* and the Siting Council's Rules of Practice, Regulations of Connecticut State Agencies §§ 16-50j-1 through 16-50j-91.

In support of this motion, DOA relies on the Affidavit of Steven K. Reviczky and the Memorandum of Law in Support of Motion to Deny Declaratory Ruling, filed herewith.

STEVEN K. REVICZKY, COMMISSIONER  
CONNECTICUT DEPARTMENT OF AGRICULTURE

By:

  
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Certification of Service

I, Jason E. Bowsza hereby certify that a copy of the foregoing Motion to Deny Declaratory Ruling was sent on August 23, 2017, by e-mail and by first class mail, postage prepaid to the following parties on the Service List in this matter:

**Petitioner, DWW Solar II, LLC**

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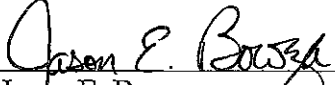
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**Town of Simsbury**

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**Connecticut Department of Energy and  
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Jason E. Bowsza