



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

www.ct.gov/csc

October 4, 2017

Christopher Little, Esq.
Windham Solar, LLC
c/o Ecos Energy
222 South 9th Street, Ste 1600
Minneapolis, MN 55402

RE: **PETITION NO. 1323** – Windham Solar 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 three 2.0 Megawatt AC and two 1.0 Megawatt AC solar photovoltaic electric generating facilities on an approximate 43 acre parcel located at 134 Bilton Road, Somers, Connecticut.

Dear Attorney Little:

The Connecticut Siting Council (Council) is in receipt of your email of October 3, 2017 requesting an extension of time to submit documentation required to make the above-referenced filing complete in response to the Council's incomplete notice dated September 6, 2017.

The Council hereby grants a 30-day extension of time to submit the required documentation by November 3, 2017.

Thank you for your attention to this matter.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/FOC/bm

Enclosures: email from Attorney Christopher Little of October 3, 2017
Incomplete filing letter dated September 6, 2017

From: Christopher Little [mailto:chris.little@ecosrenewable.com]
Sent: Tuesday, October 03, 2017 4:25 PM
To: Bachman, Melanie <Melanie.Bachman@ct.gov>
Subject: Petition 1323 - Extension Request

Ms. Bachman,

In response to your letter, dated September 6, 2017, in connection with the above referenced Petition, I'm writing to request a 30 day extension to obtain the appropriate documentation from the Department of Agriculture or the Department of Environmental Protection in order to comply with Public Act 17-218. The current deadline to respond with this documentation is October 4, 2017. I would like to kindly request an extension to November 3, 2017.

Regards,
Chris Little

Chris Little
O: (651) 268-2053
F: (612) 677-3274
chris.little@ecosrenewable.com

Ecos Energy | www.ecosrenewable.com
222 South 9th Street, Ste 1600
Minneapolis, MN 55402



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September 6, 2017

Windham Solar, LLC
c/o Ecos Energy, LLC
ATTN: Mr. Christopher Little
222 South 9th Street
Suite 1600
Minneapolis, MN 55402

RE: PETITION NO. 1323 – Windham Solar 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 three 2.0 Megawatt AC and two 1.0 Megawatt AC solar photovoltaic electric generating facilities on an approximate 43 acre parcel located at 134 Bilton Road, Somers, Connecticut.

Dear Mr. Little:

The Connecticut Siting Council (Council) received the petition for a declaratory ruling for the above-referenced facility on August 30, 2017.

According to Section 16-50j-39a of the Regulations of Connecticut State Agencies, “no declaratory ruling shall be issued to any person until a complete petition containing all information deemed relevant by the Council has been filed.”

Staff has reviewed this petition for completeness and has identified a deficiency in compliance with Connecticut General Statutes §16-50k(a). Effective July 1, 2017, under Public Act 17-218, a copy of which is attached to this correspondence for your convenience, Connecticut General Statutes §16-50k(a) requires, “...for a solar photovoltaic facility with a capacity of 2 or more megawatts, to be located on prime farmland or forestland,... the Department of Agriculture represents, in writing, to the Council, that such project will not materially affect the status of such land as prime farmland or the Department of Energy and Environmental Protection represents, in writing, to the Council that such project will not materially affect the status of such land as core forest...”

There is neither a letter from the Department of Agriculture nor the Department of Energy and Environmental Protection submitted as part of the petition for a declaratory ruling that the above-referenced proposed facility will not materially affect the status of prime farmland or core forest.

Therefore, the petition is incomplete and not in compliance with the statute at this time. The Council recommends that the petitioner either:


1. Provide written correspondence from the Department of Agriculture that the proposed facility will not materially affect the status of prime farmland and/or written correspondence from the Department of Energy and Environmental Protection that the proposed facility will not materially affect the status of core forest on or before October 4, 2017. If additional time is needed to consult with the Department of Agriculture and the Department of Energy and Environmental Protection, please submit a written request for an extension of time prior to October 4, 2017; or



2. **Submit the proposed project as an Application for a Certificate of Environmental Compatibility and Public Need pursuant to the provisions of Connecticut General Statutes §16-50l.**

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,



Melanie A. Bachman
Executive Director

- c: **Commissioner Robert Klee, Department of Energy and Environmental Protection**
Commissioner Steven Reviczky, Department of Agriculture
The Honorable C.G. 'Bud' Knorr, Jr., First Selectman, Town of Somers
Jennifer Roy, Land Use Technician/Zoning Officer, Town of Somers
Council Members

From: Christopher Little [<mailto:chris.little@ecosrenewable.com>]

Sent: Tuesday, October 03, 2017 4:25 PM

To: Bachman, Melanie <Melanie.Bachman@ct.gov>

Subject: Petition 1323 - Extension Request

Ms. Bachman,

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