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September 12, 2018

VIA E-MAIL AND U.S. MAIL

Melanie Bachman
Acting Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition 1347 - GRE GACRUX LLC Petition for a Declaratory Ruling, Pursuant to Connecticut General Statutes §4-176 and §16-50k, for the Proposed Construction, Maintenance and Operation of a 16.78 MW AC Ground-mounted Solar Photovoltaic Electric Generating Facility Located on Oil Mill Road in Waterford, Connecticut

Dear Ms. Bachman:

On behalf of GRE GACRUX LLC (“GRE”), I am writing to object to the September 11, 2018 request by Save the River-Save the Hills for a one week extension in which to file its interrogatories upon the Petitioner. GRE presaged the delay that this intervention might cause when GRE noted that RCSA § 16-50j-15 requires that the party seeking intervention must demonstrate that its intervention is “in the interests of justice and will not impair the orderly conduct of the proceedings pursuant to Section 4-117a of the Connecticut General Statutes.” on GRE’s Objection to Save the River-Save the Hills, Inc.’s Request for Intervention, page 2. Now, nearly two weeks after the Council granted Save the Rivers-Save the Hills’s request for intervention, Save the Rivers-Save the Hills seeks to delay the proceedings.

This matter has been pending before the Council for nearly three months. Save the Rivers-Save the Hills chose not to enter the proceeding until two months after the Petition was filed. When it made its filing for intervenor status, Save the Rivers-Save the Hills knew, or at least should have known, that one of its rights as an intervenor would be the ability to issue interrogatories upon GRE. Save the Rivers-Save the Hills knew about this Petition with enough lead time to hire Trinkaus Engineering, LLC and have that company submit a report to the Council dated August 18, 2018. Surely, it had sufficient time to develop the line of questioning it wished to ask of GRE.

Despite the passage of at least a month’s time between the decision to go forward with intervention in this matter, Save the Rivers-Save the Hills now argues that it needs additional

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time to file its interrogatories. The justification for this request for delay is that Save the Rivers-Save the Hills has only just now decided to hire counsel to assist it in this matter. In doing so, Save the Rivers-Save the Hills has retained one of the leading renewable energy lawyers in the state to assist it. GRE is hard-pressed to understand why such outstanding counsel would need additional time to develop interrogatories, particularly in light of the numerous interrogatories that have already been filed in this matter.

Moreover, counsel for Save the Rivers-Save the Hills failed to contact GRE's counsel concerning this request for an extension prior to making this filing. Had counsel made such contact, it would have been informed that, at a minimum, GRE would request that all interrogatories be submitted simultaneously between the various parties, as is currently contemplated under the existing schedule. GRE may well be placed at a disadvantage by submitting its interrogatories upon Save the Rivers-Save the Hills on September 14th, while Save the Rivers-Save the Hills would not need to make such a filing until September 21st under its current request.

At a minimum, GRE requests that if the Council is inclined to grant Save the Rivers-Save the Hills's request for an extension of discovery deadlines, it do so for all parties, and move all deadlines by one week. GRE would prefer, however, that the Council deny the request for an extension and continue with the schedule for this Petition that was released by the Council on August 31, 2018.

Should you have any questions concerning this submittal, please contact the undersigned at your convenience. I certify that copies of this Objection have been served upon all parties of record in this Petition.

Sincerely,



Lee D. Hoffman