

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**Petition of BNE Energy Inc. for a
Declaratory Ruling for the Location,
Construction and Operation of a 3.2 MW
Wind Renewable Generating Project on
New Haven Road in Prospect, Connecticut**

Docket/Petition No. 980

March 30, 2011

**SAVE PROSPECT CORP.'S JOINDER IN
FAIRWINDCT INC.'S FILINGS DATED MARCH 28 & 29, 2011**

Save Prospect Corp ("SPC") hereby joins in support of FairwindCT's recent filings in this proceeding. Specifically, SPC joins in support of the following:

- *Objection to Notice of Hearing Procedure and to Hearing Program* (March 28, 2011)
- *Motion for Reconsideration of Protective Order as it Relates to GE Setback Recommendations* (March 28, 2011)

In further support of this Motion, SPC once again reminds the Council that GE's 2006 "Ice Shedding and Ice Throw - Risk and Mitigation" can be downloaded directly from its own website: http://www.gepower.com/prod_serv/products/tech_docs/en/wind_turbines.htm. The hyperlink to the "pdf" file of this document is:

www.gepower.com/prod_serv/products/tech_docs/en/downloads/ger4262.pdf. At a minimum, counsel for SPC and FairwindCT should be allowed the opportunity to inquire about this document during its cross examination of BNE's witnesses. To date, the Siting Council has declined to reconsider its decision striking this document from SPC's exhibit list.

- *Motion for Reconsideration of Protective Order as it Relates to Mechanical Loads Assessment and Noise Emission Characteristics* (March 28, 2011)
- *Motion for Reconsideration of Protective Order as it Relates to BNE Wind Data* (March 28, 2011)

- *Motion for Mistrial or in the Alternative for Continuance, Reconsideration and to Alter Schedule* (March 29, 2011)

In further support of this Motion, SPC states that the revised site plans, supplemental testimony, amended answer to Council interrogatory number 65 (which relates to SPC's interrogatory number 58) and response to DEP letter, all filed by BNE just days before the **last scheduled hearing in this matter (March 31st)**, is unfair and highly prejudicial to the parties' due process rights and their right to cross-examine evidence in contested cases. See C.G.S. § 4-178. BNE's untimely submission of this evidence prevents any meaningful opportunity to prepare a cross-examination of this specific material. Moreover, the remaining time allotted to SPC, FairwindCT and Bibler for cross examination is inadequate to address this material, let alone the previous evidence and testimony filed by BNE from the commencement of this proceeding through March 8, 2011. In addition, BNE has failed to produce the OLR analysis referenced as an attachment in Mr. Rinebold's supplemental testimony and the reports and maps referenced in Mr. Desrosiers testimony.

WHEREFORE, SPC joins in the above-referenced filings by FairwindCT, and any and all motions and/or objections filed by FairwindCT to date, as these parties have been involuntarily grouped together by the Council.

Respectfully submitted,
SAVE PROSPECT CORP

By: _____



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CERTIFICATION

This is to certify that a copy of the foregoing has been delivered via electronic mail and/or first class mail, postage pre-paid, on this 30th day of March, 2011 to the following:

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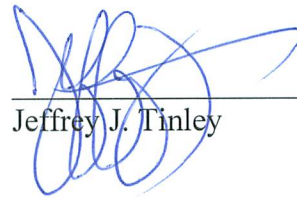
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