



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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September 9, 2015

Lee D. Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103

RE: PETITION NO. 1184 - Beacon Falls Energy Park, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation, and maintenance of a 63.3 Megawatt AC fuel cell facility located on Lopus Road, Beacon Falls, Connecticut.

Dear Attorney Hoffman:

The Connecticut Siting Council (Council) received the petition for the above-referenced facility on August 31, 2015.

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 relevant by the Council has been filed."

Staff has reviewed this petition for completeness and has identified a deficiency in notice to relevant Connecticut state agencies, the Connecticut Attorney General, regional planning agencies, and legislators representing the area of the proposed site, as identified in C.G.S. Sec. 16-50/(b). Additionally, while the petition states that the Town of Beacon Falls was notified, it is not stated who from the town was notified consistent with C.G.S. 16-50/(b).

Pursuant to Section 16-50j-40 of the Regulations of Connecticut State Agencies, "Prior to submitting a petition for a declaratory ruling to the Council, the petitioner shall, where applicable, provide notice to each person other than the petitioner appearing as record as an owner of property which abuts the proposed primary or alternative sites of the proposed facility, each person appearing of record as an owner of the property or properties on which the primary or alternative proposed facility is to be located, and the appropriate municipal officials and government agencies. Proof of such notice shall be submitted with the petition for declaratory ruling. **These notice requirements are applicable to proposed facilities that, by statute, are required to be approved by a declaratory ruling in lieu of a certificate under Section 16-50k of the Connecticut General Statutes, and to petitions for a declaratory ruling that the subject of the petition does not constitute a facility.**"

Therefore, the petition is incomplete at this time. The Council recommends that the petitioner provide proof of service of a copy of the petition for a declaratory ruling on the aforementioned entities on or before September 16, 2015.

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
Acting Executive Director/Staff Attorney

c: Council Members
William J. Corvo, Manager, Beacon Falls Energy Park