

**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 MEGAWATT | : | |
| AC SOLAR PHOTOVOLTAIC ELECTRIC | : | |
| GENERATING FACILITY IN SIMSBURY | : | |
| CONNECTICUT | : | AUGUST 10, 2017 |

**DEPARTMENT OF AGRICULTURE'S REPLY TO DWW SOLAR II, LLC'S
OBJECTION TO MOTION TO CONTINUE HEARING**

The State of Connecticut Department of Agriculture ("DOA"), a party to this proceeding, hereby replies to DWW Solar II, LLC's ("DWW") objection to DOA's August 8, 2017 motion to continue the hearing in this matter, currently scheduled for September 12, 2017. The essence of DWW's objection is that DOA does not have to be present on September 12 because DOA can review the transcript of the September 12 hearing before the next hearing date, and that is sufficient.

DOA submits that the opportunity to review a transcript of the September 12 proceedings will not be sufficient. Although Siting Council staff opined at the pre-hearing conference on August 3 that all that will happen on September 12 is questioning of DWW by the Siting Council, there is no guarantee that that is all that will occur. Moreover, even if it were, DOA has an absolute right to be present and to observe such questioning and the proceedings surrounding it. Much happens at a hearing that is not revealed in a cold transcript. There is tone of voice, body language, nonverbal communication, and numerous other nuances that are evident only through direct observation.

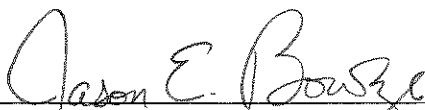
In addition, the hearing is not the only thing happening on September 12. There is also a site walk and the public session. No transcript can substitute for attendance at these parts of the proceedings.

The fact is neither the Commissioner nor his executive assistant, Jason Bowsza, who is representing him in this matter, is available at all on September 12. They are out of state at a national conference. DOA believes it is critical to preservation of its due process rights that the proceedings currently scheduled in this matter for September 12 be rescheduled.

WHEREFORE, DOA requests the Siting Council to continue the formal hearing in this matter to October 19, 2017, or a date thereafter convenient to the Siting Council.

STEVEN K. REVICZKY, COMMISSIONER
CONNECTICUT DEPARTMENT OF AGRICULTURE

By:



Jason E. Bowsza
Connecticut Department of Agriculture
450 Columbus Boulevard
Hartford, CT 06103
Tel.: (860) 713-2526
Fax: (860) 713-2514
Jason.Bowsza@ct.gov

Certification of Service

I, Jason E. Bowsza hereby certify that a copy of the foregoing Department of Agriculture's Reply to DWW Solar II, LLC's Objection to Motion to Continue Hearing was sent on August 10, 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

Lee D. Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Tel.: (860) 424-4315
Fax: (860) 424-4370
lhoffman@pullcom.com

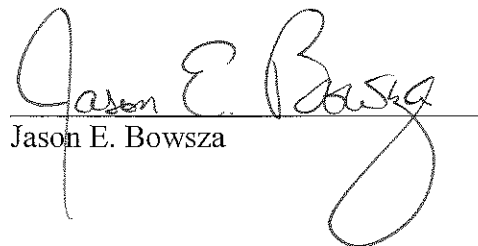
Aileen Kenney
Deepwater Wind, LLC
VP, Permitting & Environmental Affairs
56 Exchange Terrace, Suite 300
Providence, RI 02903
Tel.: (401) 648-0607
akenney@dwwind.com

Town of Simsbury

Jesse A. Langer, Esq.
Robert M. DeCrescenzo, Esq.
Updike, Kelly & Spellacy, P.C.
One Century Tower
265 Church Street
New Haven, CT 06510
Tel.: (203) 786-8310
jlanger@uks.com
bdecrescenzo@uks.com

Connecticut Department of Energy and Environmental Protection

Kirsten S.P. Rigney, Esq.
Bureau of Energy Policy
DEEP
10 Franklin Square
New Britain, CT 06051
Tel.: (860) 827-2984
Fax: (860) 827-2806
Kirsten.Rigney@ct.gov



Jason E. Bowsza