

**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 23, 2017


MOTION TO DENY DECLARATORY RULING

The State of Connecticut Department of Agriculture ("DOA") hereby moves that the above-captioned Petition for Declaratory Ruling ("Petition") be denied on the grounds that DOA has not represented, and will not be representing, in writing that the project that is the subject of the declaratory ruling will not materially affect the status of the land on which the project is to be located as prime farmland. Accordingly, pursuant to the provisions of Conn. Gen. Stat. § 16-50k(a), as amended by Public Act No. 17-218, the Siting Council may not approve the project by declaratory ruling. Rather, the project, if it is to be approved at all, must obtain a certificate of environmental compatibility and public need in accordance with the provisions of the Public Utility Standards Act, Conn. Gen. Stat. §§ 16-50g *et seq.* and the Siting Council's Rules of Practice, Regulations of Connecticut State Agencies §§ 16-50j-1 through 16-50j-91.

In support of this motion, DOA relies on the Affidavit of Steven K. Reviczky and the Memorandum of Law in Support of Motion to Deny Declaratory Ruling, filed herewith.

STEVEN K. REVICZKY, COMMISSIONER
CONNECTICUT DEPARTMENT OF AGRICULTURE

By:



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Certification of Service

I, Jason E. Bowsza hereby certify that a copy of the foregoing Motion to Deny Declaratory Ruling was sent on August 23, 2017, by e-mail and by first class mail, postage prepaid to the following parties on the Service List in this matter:

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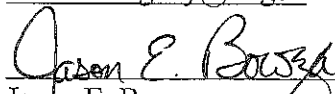
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