



Jesse A. Langer
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LEED Green Associate

September 8, 2017

***VIA FEDERAL EXPRESS AND
ELECTRONIC MAIL***

Melanie.bachman@ct.gov
Siting.council@ct.gov

Ms. Melanie A. Bachman, Esq., Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06501

Re: Petition 1313 – DWW Solar II, LLC Petition for 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

Dear Attorney Bachman:

This office represents the Town of Simsbury (“Town”). On behalf of the Town, I have enclosed the Town’s Motion to Deny Declaratory Ruling in connection with the above-captioned matter. In accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies and the Connecticut Siting Council’s July 21, 2017 correspondence, I have enclosed an original and fifteen (15) copies of each.

If you have any questions concerning the objection, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Jesse A. Langer', is written over a light blue horizontal line.

Jesse A. Langer

Enclosures

cc: *Service List (via regular mail and electronic mail)*

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**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)	September 8, 2017
GENERATING FACILITY IN SIMSBURY)	
CONNECTICUT)	
.....)	

MOTION TO DENY DECLARATORY RULING

Pursuant to § 16-50j-22a(b) of the Regulations of Connecticut State Agencies, the Town of Simsbury (“Town”), through counsel, respectfully moves the Connecticut Siting Council (“Council”) to deny Petition No. 1313 (“Petition”), initiated by DWW Solar II, LLC (“DWW”). On or about August 23, 2017, the Connecticut Department of Agriculture (“DOA”) filed a Motion to Deny Declaratory Ruling on the ground that the Petition does not meet the procedural requirements of General Statutes § 16-50(a), as amended by Public Act 17-218. Accordingly, DWW must file and obtain a Certificate of Environmental Compatibility and Public Need (“Certificate”) pursuant to General Statutes § 16-50g *et seq.* The Town hereby agrees with and adopts the DOA’s motion and supporting memorandum.

The Town strongly believes that the proposed project must be vetted thoroughly and in accordance with the Certificate requirements. Public Act 17-218 was passed with the unified and overwhelming support of State legislative, executive and administrative agencies, as well as the State’s municipalities. The Act represents the Legislature’s clear acknowledgment that supporting sustainable energy and preserving open space, forests and farms are worthy goals that can and should be pursued in a complimentary manner, but not at the expense of one policy over

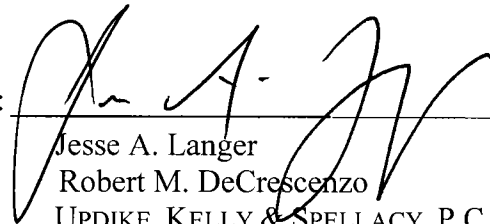
the other. As set forth in the Town's Prehearing Submission, as well as the submissions of the other participants to this proceeding, many questions remain unanswered in connection with the Petition and, at the very least, the higher level of review accompanying a Certificate proceeding is warranted.

WHEREFORE, the Town respectfully moves the Council to deny the Petition.

Respectfully submitted by,

THE TOWN OF SIMSBURY

By:



Jesse A. Langer

Robert M. DeCrescenzo

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CERTIFICATION

I hereby certify that on this day that the foregoing was delivered by electronic mail and regular mail, postage prepaid, in accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies, to all parties and intervenors of record, as follows:

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Connecticut Department of Energy
and Environmental Protection

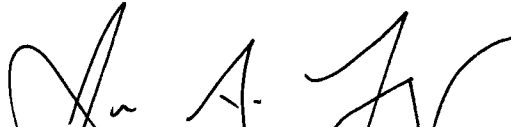
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Jesse A. Langer
Commissioner of the Superior Court