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VIA FIRST CLASS AND ELECTRONIC MAIL

Robert Stein, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: PETITION NO. 1068 – BE 2012 A LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 400 kW Fuel Cell to be located at AT&T, 26 Washington Street, New London, Connecticut -- Request to Approve Petition with Agreed-Upon Changes

Dear Chairman Stein:

In its letter dated today, the City of New London (the "City") informed the Connecticut Siting Council (the "Council") that it has reached agreement with BE 2012 A LLC ("BE") regarding additional noise and visual mitigation measures for BE's proposed fuel cell installation described in Petition No. 1068 (the "Petition") and that it was withdrawing its opposition to the Petition. The agreed-upon changes are shown in the attachments to the City's filing.

The City also proposed four conditions for inclusion in the Council's approval of the Petition. BE accepts the City's proposed conditions 1- 4. The attached revised planting plan reflects the parties' agreement as to implementation of the City's proposed condition 3.

Since the City has withdrawn its opposition to the Petition, BE respectfully requests that the Council cancel the October 29, 2013 hearing and approve the Petition at its October 31, 2013 meeting, with the additional noise and visual mitigation measures and the conditions described in the City's letter and this letter.

Please contact me with any questions.

Very truly yours,

BROWN RUDNICK LLP



Philip M. Small
Attorney for BE 2012 A LLC

Enclosures
cc: Service List