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MURTHA
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ORIGINAL

February 16, 2011

VIA HAND DELIVERY

RECEIVED
FEB 16 2011

Ms. Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

CONNECTICUT
SITING COUNCIL

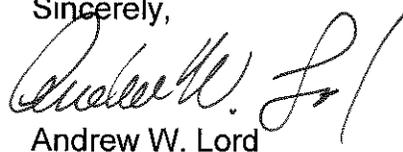
Re: Petition No. 980; List of Witnesses and Exhibits

Dear Ms. Roberts:

I write on behalf of Connecticut Water Company to provide you with an original and 25 copies of a list of witnesses and exhibits for the above-referenced matter.

If you have any questions or require additional information, please call me.

Sincerely,



Andrew W. Lord

Enclosures

cc: Service List

2090619v1

Murtha Cullina LLP | Attorneys at Law

BOSTON

HARTFORD

MADISON

NEW HAVEN

STAMFORD

WOBURN

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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

BNE Energy, Inc. ("BNE") : Petition No. 980
Petition for a Declaratory Ruling That No :
Certificate of Environmental Compatibility :
and Public Need for the Construction, :
Maintenance, and Operation of a 3.2 MW :
Wind Renewable Generating Facility :
located at 178 New Haven Road, Prospect, :
Connecticut : February 16, 2011

CONNECTICUT WATER COMPANY
LIST OF WITNESSES AND EXHIBITS

I. LIST OF WITNESSES

Connecticut Water Company intends to have the following witnesses available to testify at the Connecticut Siting Council's (the "Council") public hearing on March 24, 2011.

- A. Ms. Cindy Gaudino, Manager, Source Protection and Real Estate, Connecticut Water Company.
- B. Mr. David Radka, Director of Water Resources, Connecticut Water Company.

II. LIST OF EXHIBITS

Connecticut Water Company intends to offer the following exhibit:

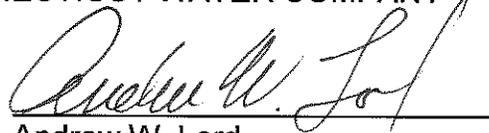
- A. Connecticut Water Company letter to Linda Roberts, Executive Director, Connecticut Siting Council, dated February 11, 2011.

Connecticut Water Company reserves the right to offer additional exhibits, testimony and witnesses as may become necessary during the course of this proceeding.

Respectfully submitted,

CONNECTICUT WATER COMPANY

By:

A handwritten signature in cursive script, appearing to read "Andrew W. Lord", is written over a horizontal line.

Andrew W. Lord
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Its Attorney



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ORIGINAL

February 11, 2011

Ms. Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RECEIVED
FEB 15 2011
CONNECTICUT
SITING COUNCIL

Re: Petition No. 980- BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut.

Dear Ms. Roberts:

Connecticut Water Company (CWC) serves approximately 300,000 people in 55 towns. The major source of supply for our Central System, which serves the Towns of Prospect, Naugatuck, Middlebury and Bethany, is our Long Hill Reservoir. The proposed 3.2 MW Wind Turbine Renewable Generating project is located within the watershed area of this reservoir and approximately 1200 feet from this source. We are, therefore, concerned with any activities proposed within the watershed area that could impact the water quality of this important public water supply source.

In general, we would not oppose the proposed project, as it would be an acceptable long-term activity within the watershed area. However, as with any proposed development activity, it is essential that construction activities be properly planned and managed to avoid the potential negative impacts to the public water supply.

We have met with BNE Energy to discuss the project plans and specific concerns we had with the the construction activities originally proposed for the site. BNE Energy has revised the site plans to adjust the location of some activities and improve the erosion controls to minimize our concerns related to the project's proximity to wetlands tributary to the reservoir. Our comments are based on revised site plans for sheets C-202, C-203, C-303, C-315, and C-500 dated 11/4/10 with revisions to 1/31/11 which show revisions to the erosion control measures and limits of site disturbance. We would ask that that if the project is approved, the Siting Council stipulate as a condition that these provisions must be be strictly followed to to minimize the impacts of the project

In addition, we would ask that the following comments be considered and appropriate revisions made to the plans prior to approval:

1. For the northern tower, that temporary erosion control matting be installed on the fill slopes adjacent to the blade lay down area after the slopes have been constructed.
2. Revise sheet C-500, note #4 under Third Party Inspection, to state that CWC will be *immediately* notified of any significant failure of erosion and sediment control measures. Also add a note to this sheet stating CWC shall have access to the site at all times for inspection purposes. Under current law, water companies maintain the right of inspection on such watershed lands, but believe it important to include this condition to avoid any uncertainty.
3. It may appropriate be to require an erosion and sediment control bond which would be held by the municipal Inland Wetlands Commission.
4. The site plan shows a proposed education building may be built on the site. CWC is requesting assurance from BNE Energy that it will be provided with the opportunity to review and comment on this or any future construction or development on the site to ensure that such activities do not adversely impact the public water supply.

Finally, it is CWC's understanding BNE Energy has indicated to the community that other than the turbine construction and possible future education building, the land will remain as open space. We support and encourage the permanent protection and preservation of watershed lands to ensure critical water supply sources are protected from impacts of future development. To that end, it may be appropriate for the Siting Council to require that BNE Energy place an open space/conservation easement on the entire property or at a minimum the most environmentally sensitive areas of the parcel.

Source protection is a vital concern of Connecticut Water Company and we appreciate the changes already made by the applicant and the opportunity to provide comments to the Siting Council on this proposed project.

Sincerely,

Cindy Gaudino (DR)

Cindy F. Gaudino
Manager Source Protection and
Real Estate

Cc: M. Westbrook, CWC
D. Radka, CWC
P. Corey, BNE Energy

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	BNE Energy, Inc.	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax clarson@pullcom.com Paul Corey, Chairman BNE Energy Inc. Town Center, Suite 200 29 South Main Street West Hartford, CT 06107 (860) 561-5101 (888) 891-6450 fax pcorey@bneenergy.com
Party <i>(granted on 01/06/11)</i>	<input checked="" type="checkbox"/> U.S. Mail	Town of Prospect	The Honorable Robert J. Chatfield Mayor Prospect Town Office Building 36 Center Street Prospect, CT 06712-1699 (203) 758-4461 Town.of.prspct.@sbcglobal.net
Party <i>(granted on 01/06/11)</i> Party <i>(granted 02/08/2011)</i>	<input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail	Save Prospect Corp (SPC) FairwindCT, Inc. P.O. Box 225 Colebrook, CT 06021 (860) 379-6425 info@fairwindct.com	Jeffrey J. Tinley, Esq. Tinley, Nastri, Renehan & Dost, LLP 60 North Main Street Waterbury, CT 06702 (203) 596-9030 (203) 596-9036 fax jtinley@tnrdlaw.com noisyprospect@comcast.net Nicholas J. Harding Emily A. Gianquinto Reid and Riege, P.C. One Financial Plaza, 21 st Floor Hartford, CT 06103 (860) 240-1011 (860) 240-1025 nharding@rrlawpc.com egianquinto@rrlawpc.com

