



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

February 10, 2011

The Honorable Kevin Witkos
Legislative Office Building, Room 3400
Hartford, CT 06106-1591

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.

PETITION NO. 983 - 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 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut.

PETITION NO. 984 - 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 4.8 MW Wind Renewable Generating facility located on Winsted-Norfolk Road (Route 44), Colebrook, Connecticut.

Dear Senator Witkos:

Thank you for your letter of January 11, 2011 with regard to the above-referenced wind generating matters. I certainly appreciate your concerns and those of your constituents.

As you are aware, once a petitioner brings their request to us we are bound by certain time constraints. Moreover, we may not comment on matters before us.

I am, however, please to report that the Council, believing it imperative to listen to your community's concerns, has set the following hearing dates:

Wednesday, February 23, 2011

2-5:00 p.m. (field review)/6:30 p.m. to conclusion (public comment)

Thursday, February 24, 2011

2-5:00 p.m. (evidentiary hearing)/6:30 p.m. to conclusion (public comment)

Long River Middle School Gymnasium

38 Columbia Avenue

Prospect, CT 06712

Tuesday, March 22, 2011

2-5:00 p.m. (field review)/6:30 p.m. to conclusion (public comment)

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Northwestern Regional 7 High School

Battistoni Drive, Winsted, CT 06098



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Affirmative Action / Equal Opportunity Employer

You may also view all of the filings in these matters at:

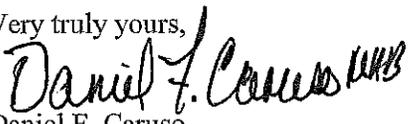
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I look forward to seeing you at the hearings and to such other communications as you may wish us to know.

Very truly yours,

Handwritten signature of Daniel F. Caruso in black ink, with initials MB to the right.

Daniel F. Caruso
Chairman

DFC/MB/laf



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February 10, 2011

The Honorable John Rigby
Legislative Office Building, Room 4200
Hartford, CT 06106-1591

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.

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Dear Representative Rigby:

Thank you for your letter of January 11, 2011 with regard to the above-referenced wind generating matters. I certainly appreciate your concerns and those of your constituents.

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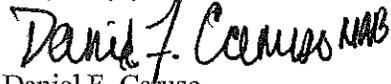
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February 10, 2011

The Honorable Vickie O. Nardello
Legislative Office Building
Room 3902
Hartford, CT 06106-1591

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.

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Dear Representative Nardello:

Thank you for your letter of January 11, 2011 with regard to the above-referenced wind generating matters. I certainly appreciate your concerns and those of your constituents.

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February 10, 2011

The Honorable Joan Hartley
Legislative Office Building, Room 1800
Hartford, CT 06106-1591

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.

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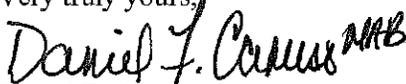
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HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE VICKIE O. NARDELLO
89TH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING
ROOM 3902
HARTFORD, CT 06106-1591
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TOLL FREE: 1-800-842-1902
FAX: (860) 240-0206
E-MAIL: Vickie.Nardello@cga.ct.gov

CHAIRMAN
ENERGY AND TECHNOLOGY COMMITTEE

MEMBER
INSURANCE AND REAL ESTATE COMMITTEE
PUBLIC HEALTH COMMITTEE

January 11, 2011

Mr. Daniel Caruso
Connecticut Siting Council Chairman
10 Franklin Square
New Britain, CT 06051

Dear Chairman Caruso and Members of the Siting Council,

On January 6, the Siting Council met to consider the petition for a declaratory ruling on the siting of a wind project in Prospect proposed by BNE Energy. The Siting Council voted to hold public hearings in Prospect regarding this project. The Council will also be considering wind projects in Colebrook from the same developers.

It has come to our attention since that meeting that rather than request a public hearing, the interested parties should have requested that the Siting Council not issue a declaratory ruling and instead initiate regulation making proceedings under Section 4-168 on the subject of the petition. It was not made clear to the interested parties in the initial discussions on how to proceed that requests for regulations must come at the beginning of the process rather than later in the process.

In reviewing the actions of other states, we found that in most of the states local county or municipal jurisdictions retained authority on the siting of wind projects. There are a number of states that have wind specific provisions in their siting laws. At least five states have regulations regarding the siting of wind projects, including California, Delaware, Ohio, South Dakota, and Wyoming.

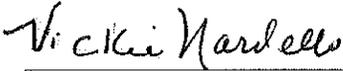
Promoting renewable energy is a laudable goal. It is in the best interest of all of the citizens of the state to insure that regulations are in place prior to the siting of wind projects. With appropriate regulations in place all of Connecticut's towns will be treated equally in the consideration of wind projects. Developers will also have more clarity in planning.

When the General Assembly passed legislation to promote the development of wind projects, the prevailing thought and intent was that wind projects would be sited on ridgelines or offshore. It was believed that there would be minimal impact on residential neighborhoods. The fact that the first wind project proposed in Connecticut is in close proximity to residential neighborhoods has raised a number of public safety issues that need to be addressed.

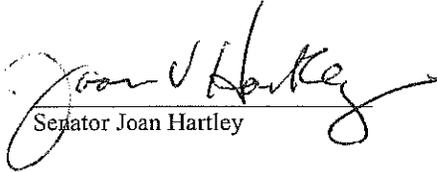
We are asking that you reconsider the decision to hold public hearings and immediately initiate regulation making proceedings. These proceedings would allow for the collection of data to insure that all public safety and environmental issues that must be considered are clear to both the developer and the host towns. This request for regulations prior to siting does not preclude the current applicant from submitting a proposal that conforms to the regulations.

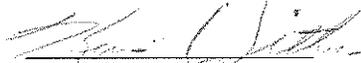
This letter has been signed by the elected state officials from both Prospect and Colebrook because it is our belief that developing regulations is necessary for all the residents and all towns in Connecticut. We thank you for your consideration of our request. Should you need additional information, please contact our offices directly.

Sincerely,


Representative Vickie Nardello


Representative John Rigby


Senator Joan Hartley


Senator Kevin Witkos



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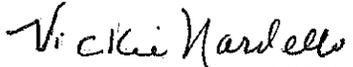
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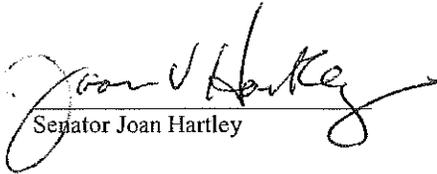
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