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March 15, 2012

VIA ELECTRONIC MAIL AND U.S. MAIL

Linda L. Roberts
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition 984 - BNE Energy Inc., Winsted-Norfolk Road, Colebrook, CT

Dear Ms. Roberts:

As you are aware, the Siting Council's Decision and Order with respect to the above-referenced Petition of BNE Energy Inc., ("BNE") requires BNE to formalize and submit to the Council a conservation easement that conforms to the requirements found in Connecticut General Statutes Chapter 822, Easements and Restrictions, within 90 days of the Council's decision letter. As you are also aware, the nature of this conservation easement will be temporary, in that it will only be in place so long as the project is operational. Once the project is decommissioned, the conservation easement will expire.

The development of this easement is made more complicated by the fact that BNE does not own the property in question; it is only a lessee at the site. As such, BNE has been tasked with drafting a land use restriction that is fairly unique in that it must restrict the use of the site while BNE's project is in operation, must provide notice on land records of that restriction, but not otherwise restrict the property owner's rights with respect to that property. In addition, there is no guarantee that the current property owner will agree to any such restrictions.

As such, BNE needs at least another thirty days to complete this task with the property owner. BNE therefore requests that the Siting Council allow BNE until April 16, 2012 to submit a finalized document for the Council's approval.

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If you have any questions concerning this submittal, then please contact the undersigned at your convenience. Please return a date-stamped copy of this filing in the enclosed envelope. Thank you in advance for your assistance.

Respectfully submitted
BNE ENERGY INC.

By: 
Lee D. Hoffman
Its Attorney

cc: Service List for Petition 984
Melanie A. Bachman (via electronic mail)
David Martin (via electronic mail)