



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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November 7, 2011

Lee Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702

RE: **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 Attorney Hoffman:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than November 14, 2011. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies to this office and a pdf copy. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Linda Roberts
Executive Director

c: Paul Corey, Chairman, BNE Energy Inc.
Council Members
Parties and Intervenors

**Petition 984: BNE Energy
Colebrook North, Connecticut
D&M Interrogatories, Set One**

1. Does the owner of the property on which Wind Colebrook North will be located agree to the proposed 40-acre conservation area? What legal document(s) will be prepared recognizing this conservation area?
2. In the Council's Decision and Order dated June 9, 2011, Order No. 3(a) requires that, "Wind Turbine 3 shall have a location and/or rotor diameter that ensures rotating turbine blades would be confined to the host property." In order to demonstrate compliance, provide a drawing that shows the maximum horizontal radius that would be swept out by the blade tips of this turbine and include the nearest property line(s).
3. What is the status of any host community agreement between BNE Energy and the Town of Colebrook?
4. Is the existing width of Rock Hall Road enough to accommodate the vehicles that will be bringing the turbine components to the project site?
5. Will erosion and sedimentation controls be installed for the Rock Hall Road reconstruction?
6. Could less of the areas indicated in light orange in Figure 1 be cleared for this project?
7. Explain why erosion and sedimentation controls are not shown as being installed in the areas indicated in red in Figure 2.
8. How will trees be prevented from taking hold in those cleared areas that are meant to remain as meadow?
9. Can the mulch created from chipping trees cleared for this project be used as temporary erosion control in places?
10. Who will be the qualified third party inspector for the erosion and sedimentation control and environmental inspections?
11. Will the qualified third party inspector also be responsible for overseeing the wood turtle protection program? What about monitoring of revegetated areas and the direction of any remediation measures that may be necessary?
12. Who will be the qualified wetland scientist who will inspect the installation of the box culverts where the access road crosses the two small streams? Will the same person also be responsible for monitoring the Streambank Restoration activities?
13. The "Study Plan for Post-construction Fatality Monitoring" refers to the Colebrook North Wind Resource Area with the acronym CSRWA, which is the same acronym used to designate the Colebrook South Wind Resource Area located on Flagg Hill Road. Is this a typographical error? Or is the use of the same acronym for the two areas supposed to indicate that the same protocols and monitoring areas will be used for both locations?

14. Who will be responsible for mowing those areas on which the carcass searches will be conducted as described in the "Study Plan for Post-construction Fatality Monitoring?"
15. How will the post-construction fatality monitoring be coordinated with the DEEP Wildlife Division as required in Order No. 5 of the Decision and Order?
16. Based on the findings of the Geotechnical Engineering Report prepared by GZA, how much blasting might be required for this project?
17. How would GE monitor operations of Wind Colebrook North?
18. Have owners of the properties where noise is to be monitored agreed to have monitoring equipment and/or personnel on their properties?
19. Will any attempt be made to measure infrasound levels generated by the project and assess the effects of infrasound on the project's nearest residents?
20. Re the financing of the project's decommissioning:
 - a. How much money is typically needed to secure a \$15,000 performance bond, surety bond, or letter of credit?
 - b. How will a performance bond (or other suitable form of surety) obtained in the first year of the project be maintained in place for the expected 20-year life of the project?
 - c. In what form will the cost of decommissioning as estimated in year 15 be reserved?
21. Will updated estimates of the cost of decommissioning take into account fluctuations in salvage value of the project's component?
22. Provide a profile view of the Colebrook North property with the turbines erected in place.
23. Provide a photosimulation of the Colebrook North property with the turbines erected in place from the vantage point indicated in the attached topography map (see Figure 3).

Figure 1

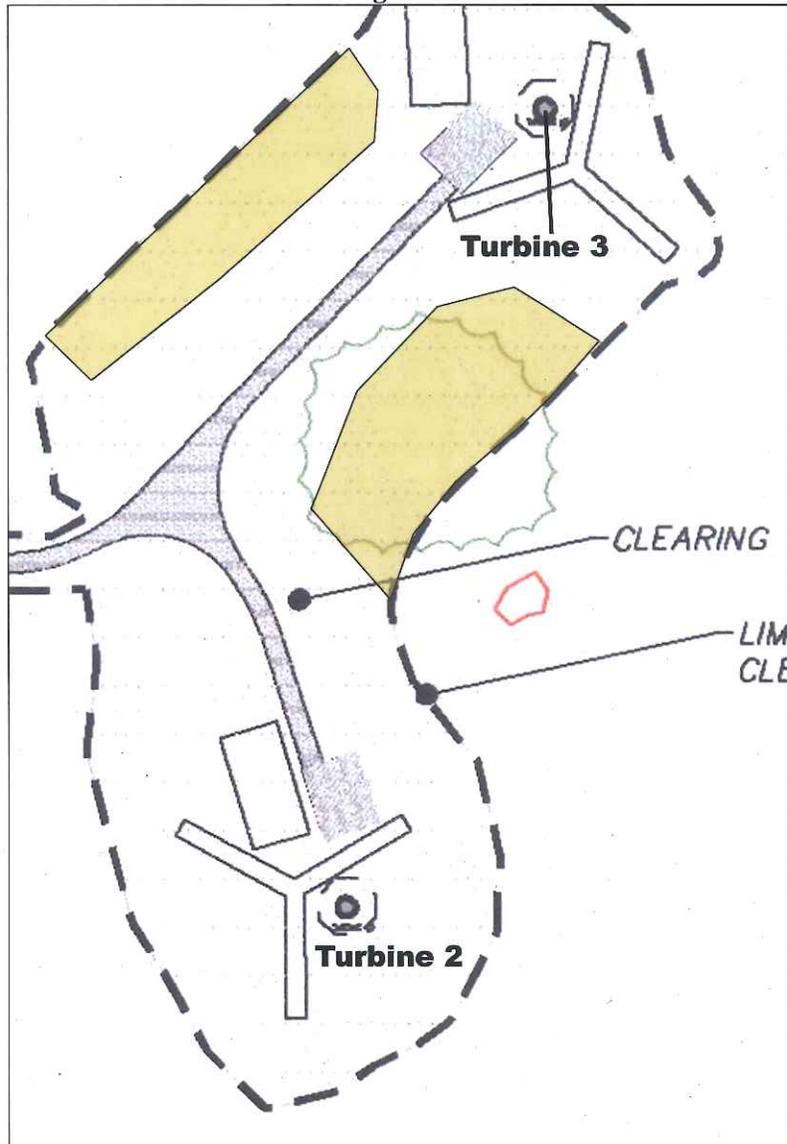


Figure 2

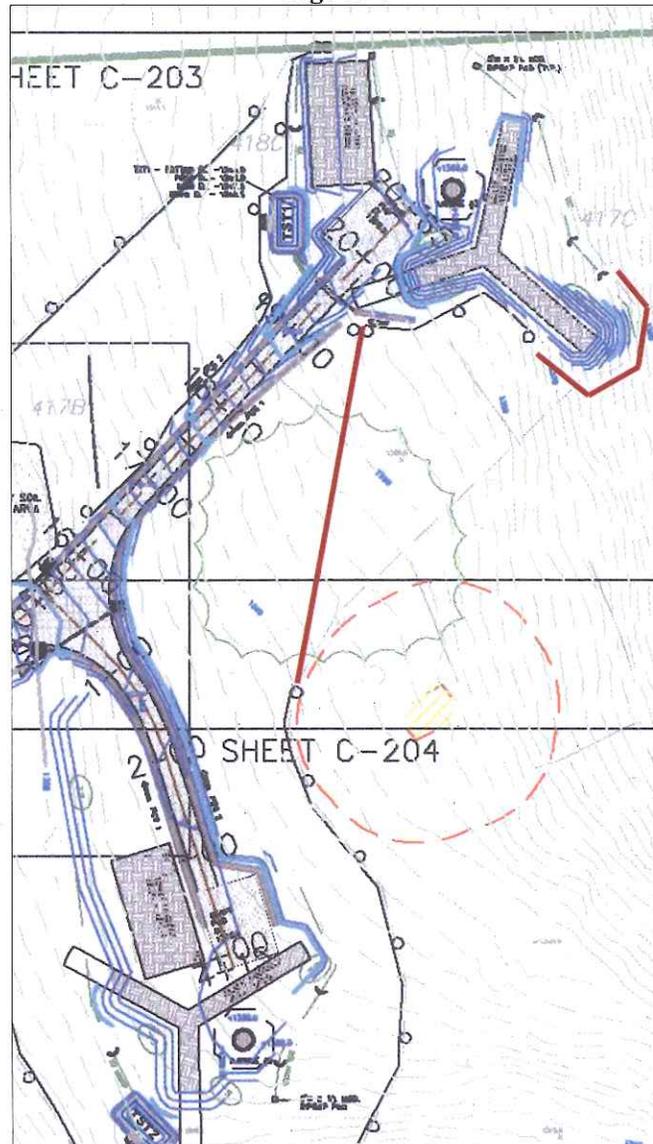


Figure 3

