

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**Petition of BNE Energy Inc. for a  
Declaratory Ruling for the Location,  
Construction and Operation of a 4.8 MW  
Wind Renewable Generating Project on  
Winsted-Norfolk Road in Colebrook,  
Connecticut (“Wind Colebrook North”)**

**Petition No. 984**

**February 24, 2011**

**NOTICE OF INTERVENTION AS A PARTY**

FairwindCT, Inc. (“FairwindCT”) hereby intervenes in this matter pursuant to General Statutes § 22a-19 and states:

1. FairwindCT is a Connecticut non-profit corporation which is located in Colebrook, Connecticut.
2. FairwindCT is authorized by General Statutes § 22a-19(a) to intervene as a party in this proceeding on the filing of a verified pleading, which statute states, in relevant part:

In any administrative, licensing or other proceeding, and in any judicial review thereof made available by law the Attorney General, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.

3. BNE Energy, Inc. (“BNE”) has filed a Petition for a Declaratory Ruling for the Location, Construction and Operation of a 4.8 MW Wind Renewable Generating Project on Winsted-Norfolk Road in Colebrook, Connecticut (“Wind Colebrook North”).

4. This proceeding involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing, or destroying the public trust in the air, water or other natural resources (including acoustic and light) of the state.
5. Wind Colebrook North will unreasonably impair and/or destroy the public trust in the air surrounding the project and the wetlands and watercourses on the proposed site.
6. Wind Colebrook North will also unreasonably impair and/or destroy the public trust in natural resources by causing the clear cutting of acres of land, disturbing or destroying wetlands and watercourses and the wildlife habitat, and killing birds and bats.
7. The plans submitted to the Siting Council indicate that Wind Colebrook North will involve Regulated Activities, and BNE has not received or applied for the required permits approving such activities.
8. The Siting Council has authority over BNE's petition for a declaratory ruling under Section 16-50k of the General Statutes and is holding proceedings regarding that petition.

By:   
Denise L. Myron  
Nicholas J. Harding  
Emily A. Gianquinto  
Reid and Riege, P.C.  
One Financial Plaza, 21st Floor  
Hartford, CT 06103  
Tel. (860) 278-1150  
Fax. (860) 240-1002

**CERTIFICATION**

I hereby certify that a copy of the foregoing document was delivered by first-class mail to the following service list on the 24th day of February, 2011:

Carrie L. Larson  
Paul Corey  
John R. Morissette  
Christopher R. Bernard  
Joaquina Borges King  
Thomas D. McKeon  
Richard T. Roznoy  
Kristin M. and Benjamin C. Mow  
Jeffrey and Mary Stauffer  
David R. Lawrence and Jeannie Lemelin  
Walter M. Zima  
David M. Cusick

  
Denise L. Myron

**VERIFICATION**

I, Joyce Hemingson, being duly sworn, depose and say that I have read the foregoing Notice of Intervention, which amends FairwindCT's Request for Party Status, and that the allegations contained in the Notice of Intervention and the Request for Party Status are true to the best of my knowledge.

By: Joyce Hemingson  
Joyce Hemingson, President, FairwindCT, Inc.

Subscribed and sworn to before me this 18<sup>th</sup> day of February, 2011.

Carol Anderson  
Notary Public / Commissioner of the Superior Court

My Commission Expires: April 30, 2011