

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

CANDLEWOOD SOLAR, LLC PETITION FOR	:	PETITION NO. 1312
DECLARATORY RULING THAT NO	:	
CERTIFICATE OF ENVIRONMENTAL	:	
COMPATIBILITY AND PUBLIC NEED	:	
IS REQUIRED FOR A 20.0 MEGAWATT	:	
AC SOLAR PHOTOVOLTAIC ELECTRIC	:	
GENERATING FACILITY IN NEW MILFORD	:	
CONNECTICUT	:	AUGUST 29, 2017

**MOTION TO DENY DECLARATORY RULING**

The State of Connecticut Department of Energy & Environmental Protection ("DEEP") hereby moves that the above-captioned Petition for Declaratory Ruling ("Petition") be denied on the grounds that DEEP has not represented, and will not be representing, in writing that the project that is the subject of the declaratory ruling will not materially affect the status of the land on which the project is to be located as core forest. Accordingly, pursuant to the provisions of Conn. Gen. Stat. § 16-50k(a), as amended by Public Act No. 17-218, the Siting Council may not approve the project by declaratory ruling. Rather, the project, if it is to be approved at all, must obtain a certificate of environmental compatibility and public need in accordance with the provisions of the Public Utility Standards Act, Conn. Gen. Stat. §§ 16-50g *et seq.* and the Siting Council's Rules of Practice, Regulations of Connecticut State Agencies §§ 16-50j-1 through 16-50j-91.

In support of this motion, DEEP relies on the Memorandum of Law in Support of Motion to Deny Declaratory Ruling, filed herewith.

DEPUTY COMMISSIONERS

ROBERT KALISEWSKI,  
SUSAN WHALEN, AND  
MARY SOTOS

CONNECTICUT DEPARTMENT OF ENERGY &  
ENVIRONMENTAL PROTECTION



By:

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I, Kirsten S. P. Rigney, hereby certify that a copy of the foregoing Motion to Deny Declaratory Ruling was sent on August 29, 2017, by electronic mail to the following parties on the Service List in this matter:

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