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***Overview of Jurisdiction, Process, and
Environmental Review of Wind and Other
Alternative Energy Sources***

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Conference and Expo***

How Green Is Thy Pasture?

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Safe Harbor Statement

Please note that the information provided herewith is not an official statement of the Connecticut Siting Council (Council) in that it has not been issued by a vote of the Council.

I am not a licensed attorney within the State of Connecticut. I strongly encourage you to avail yourself to your own legal counsel in order to confirm the veracity of the information presented. Please do not rely solely on any comments or information provided by me when deciding how best to protect your interests in any contested case before the Council.

All persons are permitted to bring a petition for declaratory ruling before the Council, pursuant to Sections 16-50j-13 through 16-50j-17 and 16-50j-39 of the Regulations of Connecticut State Agencies and Conn. Gen. Stat. § 4-176 in order to gain an official ruling of the Council.



Today's Presentation

- **Jurisdiction**
- **Expedited Review Process**
- **Questions**

● *Jurisdiction*

Siting Council Jurisdiction (**Energy**)

- Substations and switchyards 69-kV and higher
- Electric transmission lines 69-kV and higher
- Electric generating facilities of any energy source including renewable energy facilities 1 MW or higher
- Fuel cells (>250 KW in State; >10 KW Out of State)

Review of Wind and Other Renewable Electric Generation Projects

- Most wind and other renewable projects are limited in output and would typically be less than 65 MW.
- Under CGS § 16-50k, electric generating projects under 65 MW and all fuel cells are eligible for expedited siting as a petition
- However, in order to provide full notice to the municipality and the public and provide an opportunity for all to be heard at a public hearing, the Council typically handles (non-fuel cell) petition filings much like dockets.
- Thus, our docket application guides provides an outline of the materials that should be submitted.
- In the event a generating project exceeds 65 MW, a docket is required by statute.

● *Expedited Review Process*

● *Pursuant to Public Act 05-01*

Expedited Review Process Pursuant to Public Act 05-01 Part I – Customer-Side and Grid-Side Distributed Resources

- Under PA 05-01, customer-side distributed resources means “[T]he generation of electricity from a unit with a rating of not more than 65 megawatts on the premises of a retail end user within the transmission and distribution system, including, but not limited to, fuel cells, photovoltaic systems or small wind turbines...”
- Under PA 05-01, grid-side distributed resources means “[T]he generation of electricity from a unit with a rating of not more than 65 megawatts that is connected to the transmission or distribution system, which units may include, but are not limited to, units used primarily to generate electricity to meet peak demand.”

Expedited Review Process Pursuant to Public Act 05-01 Part II – Expedited Siting

- Since any unit connected to the grid must connect to the transmission or distribution system, virtually any type of generation unit under 65 MW could be considered either a grid-side or customer-side distributed resource.
- To encourage distributed generation, the legislature included a provision in PA 05-01 that allows such projects expedited siting review via a petition for a declaratory ruling rather than a docket proceeding.

Expedited Review Process Pursuant to Public Act 05-01 Part III – Petition for Declaratory Ruling

- Specifically, under PA 05-01, as amended by PA 07-242, the Council shall approve by declaratory ruling:
 1. The construction of a facility solely for the purposed of generating electricity, other than...nuclear or coal as fuel, at a site where an electric generating facility operated prior to July 1, 2004 or
 2. Any customer-side distributed resources project or facility or grid-side distributed resources project or facility with a capacity of not more than 65 megawatts, so long as the project meets air and water quality standards of the DEP.
 3. Any fuel cell manufactured in-state >250 kW and any fuel cell manufactured out of state > 10 kW

Generation Approved via Expedited Siting Process for Plants at Existing Sites

- Since the passage of PA 05-01 on July 21, 2005, the Council has approved two projects totaling 434 MW via the expedited (petition) process at sites that contained power plants prior to July 1, 2004. These projects were the following:
 1. Wallingford Pierce Plant (84 MW) approved on September 28, 2006; and
 2. Bridgeport Energy II (350 MW) approved on June 5, 2008

Generation Approved via Expedited Siting Process for Customer-side or Grid-side Distributed Resources and Fuel Cells

- Since the passage of PA 05-01 on July 21, 2005, the Council also approved approx. 830 MW of customer-side and/or grid-side distributed generation and fuel cells via the expedited (petition) process. These projects are listed below:
 1. 17 oil-fired units totaling 325.5 MW;
 2. One landfill gas-fueled unit totaling 3.2 MW;
 3. Two wood biomass-fueled units totaling 67.5 MW;
 4. 11 fuel cell units totaling 24.8 MW;
 5. Six natural gas-fueled cogeneration units totaling 112.5 MW; and
 6. Five natural gas / oil-fueled combustion turbine units totaling 296 MW



Questions ?

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