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HB6249

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**JOINT
STANDING
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HEARINGS**

**ENERGY AND
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for that. But he will be here in ten minutes. So we're going to take a ten minute recess and then we'll start. Thank you.

(Whereupon, a recess was taken.)

REP. NARDELLO: We will now reconvene this meeting of the -- this public hearing of the Energy and Technology Committee. And we have first on the order of speakers is Mayor Robert Chatfield.

And my understanding is Mayor Chatfield will be coming up with Tom Galvin and Patricia Geary from the Town of Councils. So if the three of them would come up together that would wonderful.

MAYOR ROBERT CHATFIELD: (Inaudible.) And I've never seen an issue have so much energy from both sides for or against but I'm here to support. We're here to support some type of a moratorium so that there can be some rules and regulations on where to place wind turbines. We have rules to cover the installation of swimming pools and other things that towns have regulations on. And we just want to make sure that it's safely installed.

HB 6249

I know there's a lot of people here from the industry. And I know the federal government and the State government are putting their arms around green energy and got to have a certain percentage by certain years. But nobody thought of regulations and where to put these and how far from neighborhoods and where they should be set and other problems.

I know there's going to be other people after me testifying on this. So we're looking for something to give some time so that regulations can be adopted. So that they can be put into -

- not in a neighborhood. Yes, we're a target because we're a thousand feet. But there are wind turbines lower in land than -- than what ours is.

So, no two sites are the same. And that should have been taken -- should be taken into consideration when rules and regulations are made. And there's an awful lot of controversy which we're not discussing today because we're just talking on the -- to slow this down a little bit. And adopt some regulations and if you get the time to just breeze through the thing from the Town Council and the two boards and commissions that are here.

And I've talked now longer than I usually speak at public hearings. However, I'll let Mrs. Geary sit down for a minute and Mr. Galvin. And thank you for your time.

REP. NARDELLO: Thank you, Mayor Chatfield.

PATRICIA GEARY: First of all, I'd like to thank you very much for providing this opportunity for discussion and for being -- bringing forth this possible legislation on the moratorium. I support everything that the Mayor has said. As elected officials, you know, our job is to support and advocate for our constituents. In a town like ours as in a big city there's barely anything that you can do without following guidelines and regulations.

Simplistically, I can't put a shed up in my backyard. I can't put a driveway in unless I follow the regulations of the town. And I would like to see a moratorium put on wind turbine projects until there are some guidelines, some stipulations and some regulations so that the people who live in the

towns where they are located will be safeguarded. Their safety in particular, but there are a number of issues, most of them mentioned in the resolution of the Town Council specifically that I would like to see looked at. Thank you again.

REP. NARDELLO: Thank you, Patricia.

Tom Galvin.

THOMAS J. GALVIN: Good afternoon. I won't repeat much of what you heard. The Town Council did unanimously support the wishes of our citizens who had some very dire concerns about what this could do to their lives.

So again, I won't repeat anything but ideally one would have hoped that the State would have developed rules and regulations before adopting a position that mandates development such as this for energy conservation. This was missed the first time around. However we hope that this time, however you decide that you do your homework and make an educated decision. Thank you very much.

REP. NARDELLO: Thank you.

Are there questions from members of the Committee?

You may want -- just if there are questions, you may --

Representative Williams, do you have a question?

REP. WILLIAMS: Thank you, Madam Chair.

And thank you all for coming up here. I do have a few questions. And actually, Tom, you just hit on something that I thought maybe -- you may be able to respond to and that is that, you know, hopefully that whatever mistakes or changes we made in the past that we are not happy with that we make an educated decision, you know, here going forward. And Mayor Chatfield, I think talked earlier about how we have renewable energy portfolio standards that we seek to implement here in Connecticut and frankly many places throughout the country.

We want clean energy for, you know, future economic reasons, for, you know, environmental reasons. We are certainly supporters in this State of clean energy. And so it strikes me that we send some mixed messages to the world, when -- you know, for example last year we passed a bill that was subsequently vetoed by the Governor that would have increased the amount of wind capacity that we have in Connecticut by -- by 25 megawatts.

And my question to you is, you know, do we send a mixed message here by saying, okay, we're going to support wind energy by increasing it by 25 megawatts but saying no we don't want it in our neighborhood, or our town, or our city, or our region, or our county or whatever.

MAYOR ROBERT CHATFIELD: I myself, I do find that as a mixed message. I think it's a very, very difficult thing to quantify. A hundred days ago I had never done anything except seen wind turbines at a distance. Since then I've gone to a couple of locations. I've stood at some, been 100 feet away from them. It sounded like a jet plane circling overhead.

I've been at others that were in a school yard that 100 feet away I could hear traffic 800 feet away. So I don't know what the actual factors are. I do know that at their worst they're things that certainly don't belong in residential neighborhoods and I don't know if there is a best side.

But I'm certainly hopeful that you have the same attitude looking to find more about these emerging technologies and make use of them where they apply.

REP. WILLIAMS: You know, we've spent a lot of time over the years promoting renewable energy in Connecticut and it's kind of interesting because we're had significant investments. And I would ask you to react to -- my understanding is that the company that's proposing this project in your community was the beneficiary of some clean energy fund money, I think to the tune of a half a million dollars. I could be wrong on the number.

But, you know, it's a government program that we created. This legislature created the Clean Energy Fund. Ratepayers dollars are used to finance it. Do you find that we are sending mixed messages there that we're using your -- everyone here in this room pays an electricity bill or in some way contributes to paying electricity bill.

And yet we -- so we, you know, gave this company a grant or a loan for a significant amount of money and now we're saying, well, you know, we may have to have you fold up your tent and go home. You know, how do you react to that?

MAYOR ROBERT CHATFIELD: On that specific I don't know how much funding if any that they had actually received. On the topic of mixed message I think the -- not just this government, this State but also the United States, there's a lot of mixed messages out there. People are for things before they're against them and vice versa. I just hope that this time however you -- however it was looked on the first time around I hope that this time that this Committee certainly gets it right.

REP. WILLIAMS: Okay. And lastly, do you find that the 25 megawatt increase in wind power that was proposed last year and passed through the House and in the Senate, should you find that I assume, to be ill-conceived based on the fact that we don't have regulations. I mean, we passed this back in May.

And it seems to me that only one thing changed from May to today and that is the proposal of this particular facility and prospecting in Colebrook. So would you say that you find that to be an ill-conceived proposal that was passed by the two chambers to increase the amount of capacity we get from wind?

MAYOR ROBERT CHATFIELD: I don't know enough about it to say one way or the other on that.

REP. WILLIAMS: I guess I'm just saying in the absence of these regulations we said, okay, we're going to go out and procure 25 megawatts of wind.

MAYOR ROBERT CHATFIELD: Well I don't know that anyone would acknowledge there's no regulations. I don't think there's any specific regulations that I'm aware of even in our own planning and zoning about wind

turbines. We have things about cell towers that somehow got confused as being synonymous with these things for whatever reason. So I think there are some regulations. I just don't know that the regulations are applicable to wind turbines.

REP. WILLIAMS: Great. Thank you very much, Tom.

MAYOR ROBERT CHATFIELD: Thank you.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you, Madam Chair.

Tom, I have a question for you if I may.

MAYOR ROBERT CHATFIELD: I've only been doing this a hundred days.

SENATOR WITKOS: When you mentioned that the worst case scenario would be if a wind turbine was built in a residential, are you talking about properties that are zoned residential or are you basing that on say a density population in neighborhoods?

MAYOR ROBERT CHATFIELD: I would say -- I would consider it more density population because zoning regulations can be changed and they reflect individual communities. I think things like this should be at the State level. I know I for one have mentioned that should BNE or some other company decide to move their operation out of Prospect by just moving it a quarter of a mile or maybe a half mile, they could be in another town. It could be in Bethany, Connecticut. And if Bethany didn't have these same regulations as Prospect had that could be a confusing scenario.

So I think something of this magnitude there should be certainly guidelines, regulations, rules, something to follow so everyone would be playing by the same rules. And those rules should protect people whether they live in a residential zone, zone one, zone two. It's really to protect people.

SENATOR WITKOS: Thank you. Thank you, Madam Chair.

REP. NARDELLO: Are there any other questions from members of the Committee?

Representative Miller.

REP. MILLER: Good afternoon. I was interested in the site they chose, how much land there is available for this windmill. What's the size of the windmill? How high is it going to be? Do you have that information?

MAYOR ROBERT CHATFIELD: I may not be the best one to ask but I do know that it's between 67 and 68 acres.

REP. MILLER: Sixty eight acres?

MAYOR ROBERT CHATFIELD: Yes.

REP. MILLER: And is it fairly close to residential or farms or anything like that?

MAYOR ROBERT CHATFIELD: I do not have the specific numbers but the numbers I've been told are that it is as close as somewhere between eight and 900 feet from a primary residence. It is within, I understand, 1,000 feet of Route 69 which is a State road that runs through prospect. And that would be on the east side. On the north, south and west it is largely

undeveloped land or water company land owned by the New Haven Water Company, I believe.

REP. MILLER: And the height of the windmill?

MAYOR ROBERT CHATFIELD: I've seen 480 feet. I've seen 492 feet. I'm not sure what the actual -- again, BNE Energy would probably speak better to those specific numbers.

REP. MILLER: You know, the State of Connecticut is rated 34th in the wind efficiency in the country. And we're not a State that is going to benefit greatly from wind turbines. Developers generally do quite well. I know in Vermont they denied a number of them because the developers were getting federal credits, State credits and getting the utilities to pay part of the costs.

And the towns in Vermont this is a -- you know, they're as bad as -- probably worse than we are. Even more liberal than we are. And they've denied two or three of them on the basis that it's going to cost them a fortune for a little amount of power. The size of the windmill is going to be in megawatts. Do you have an idea what that is?

MAYOR ROBERT CHATFIELD: I believe it's 1.6 megawatts.

REP. MILLER: So you're probably going to get about less than 50 percent of that.

MAYOR ROBERT CHATFIELD: I don't know the --

REP. MILLER: That's what you're going to get.

MAYOR ROBERT CHATFIELD: -- the engineering specifics.

REP. MILLER: It'll be 50 or less. And it's going to be working at probably ten miles an hour wind. Generally that's what you're going to have in that area. They'll tell you something different but generally that's the average that the windmill's going to spin at ten miles an hour. And that produces about one twentieth of the power that the nameplate suggests. They're not efficient. They're very costly. A 400 tall machine -- 400 foot tall when it does require maintenance it's going to be a fortune to get people to go up there.

I'm not sure if they have the mechanical ability here in the State to handle that kind of stuff. I know GE's the builder, supposedly. So, I'm not sure again if financially the State is going to give them a million dollars of tax free rates. The State of Connecticut is bankrupt.

We're so bad that it's not funny. And we're going to be taking and using taxpayer money to fund a windmill that's not going to give us much power. And yet we're going to subsidizing it probably the UI and Connecticut Light and Power will probably have to kick in. I'm not sure who else. Or if it's federal credits. So again, you know, I think the builders are the ones that make a ton of money with this stuff. And we as ratepayers are going to pay. But thank you for your answers.

Thank you, Madam Chair.

MAYOR ROBERT CHATFIELD: I got my electric bill today and I got a \$3.65 charge. I know I'm subsidizing somebody.

REP. MILLER: No. You've got to pay for the tax.

REP. NARDELLO: Representative Bacchiochi.

REP. BACCHIOCHI: Thank you, Madam Chair.
Yes. I have a couple of questions for --
you're one of the Councilmen of Prospect? Is
that correct?

THOMAS J. GALVIN: Yes. I am the Chairman of the
Town Council.

REP. BACCHIOCHI: Okay. I'm curious to know how you
determine what the process is in Prospect to
determine that the folks there would like this
moratorium. Did you have a town meeting or was
this something that you passed as a resolution?
How -- could you explain how that happened?

THOMAS J. GALVIN: Yes. I will. At a town council
meeting one of the citizens in Prospect who
reads those little legal notices in the paper
that you have to have very strong glasses to
read, noticed that an application or a petition
had been submitted and came to the Town Council
and asked what if anything we had to do or say
about that. This was about one hundred days ago
and this is when the Council and many people in
Prospect first became aware of this. We were
asked by a citizens' group who was formed to
see what actions we could take.

As the Chairman of the Council I appointed a
subcommittee that quickly met, reviewed
documentation provided by both a citizens'
group in Prospect and by BNE Energy and they
came up with a recommendation that was actually
embodied in that letter that you have that was
signed by all nine members of the Council.

So this took place probably between
Thanksgiving and Christmas that that document

was put together and it was an unanimous vote of the Town Council and meetings that were well attended. They weren't -- they were -- all of our Town Council meetings are all open to the public. And during public participation and we did have an agenda item to have anyone who had to speak pro or con on this. And we did hear testimony from both sides. And the recommendation of the subcommittee to the Town Council as a whole was to come up with this. And we did adopt that in its current form.

REP. BACCHIOCHI: And -- I'm sorry but my computer is not working so I wasn't able to see if your testimony was scanned in. Did the document that you provided to us also have recommendations or was it strictly for the moratorium itself?

THOMAS J. GALVIN: I'm sure you will get this eventually. I'll paraphrase it. That the Town of Prospect was in favor in green energy. That we were aware that this may set some precedents because we understood that we were the first.

The Town Council recognizes our responsibility to help safeguard the health, welfare, safety, quality of life and economic stability of the town and its residents. That we supported the activity by both our planning and zoning, land use and health Boards in establishing any regulations concerning wind energy. That we supported the Mayor in his efforts to appear before the Siting Council. And therefore -- the last one I'll read is now therefore the Prospect Town Council urges our State legislators to immediately submit legislation calling for a moratorium on wind turbine projects until such time as the State of Connecticut establishes statewide minimum standards relating to wind energy projects

including by not limited to setbacks, fall zones, safety zones, ice control, use sheds, sound limits, shadow flicker effects, bonding, decommissioning and site restoration. That again has been unanimously passed by the Town Council on December 14 and I believe you will all have a copy of this here.

REP. BACCHIOCHI: And I do have a copy of it now. Thank you. As I'm reading it very quickly because it was just handed to me. Will your subcommittee be in a position to make recommendations to this committee on the procedures that you want to see in place?

THOMAS J. GALVIN: The actual subcommittee that I had asked to be appointed had volunteers. We put that committee together. Their sole responsibility at that time and their sole objective was to come up to the entire Council with a recommendation that culminated in this document being prepared. So right now that subcommittee does not exist, however the Town Council would be glad to do whatever we can do to help you on behalf of our citizens.

REP. NARDELLO: Fifteen minutes per person.

Did you -- do you have other questions that you would like Mr. Galvin to stay until the end of the testimony or are you completed with your questions, Representative Bacchiochi?

REP. BACCHIOCHI: (Inaudible) -- question.

REP. NARDELLO: Mr. Galvin, we're going to ask you to stay until the end and I know that's, you know, a time issue but --

A VOICE: Madam Chair. Just a point of order. I'm not sure Mr. Galvin has been here for 15

REP. NARDELLO: Thank you, Representative Bacchiochi.

THOMAS J. GALVIN: Thank you.

REP. NARDELLO: Thank you.

In that case, the next person on the list is Derry Gorski for Select Women of Bethany.

DERRYLYN GORSKI: Mr. Chairman, Madam Chairman and members of the Committee. Good afternoon. My name is Derrylyn Gorski and I'm the First Selectman of the Town of Bethany. And I'm here on behalf of the Board of Selectman and the Planning and Zoning Commission of Bethany to support House Bill 6249. As you know there are currently applications for wind turbine projects in Prospect and in Colebrook.

Prospect is a neighboring town and several Bethany residents are within the visibility and arguable the noise zone of the Prospect project. As I inquired about this project I was surprised at the height of the turbines and dismayed to find that the State of Connecticut has no regulations concerning the development and operation of industrial wind turbines. Please do not misunderstand our concern.

The Town of Bethany is a Connecticut clean energy community and we have earned 16 kilowatts of free solar panels for our municipal buildings. We support clean energy. However, we firmly believe that regulations are necessary to protect public health and safety.

The Public Service Commission in Wisconsin, a State with almost 20 megawatts of wind power, will be increasing setbacks from 1,000 feet to

1,250 feet effective in March. And Wisconsin's Governor Walker is proposing an increase to 1,800 feet. Canada has over 1,800 megawatts of wind power.

In a case currently before the Ontario Superior Court a resident contends that when Canada's Ministry of Environment established setbacks to 550 meters which is around 1,800 feet between the 40 story wind turbines and nearby homes the setback systems was arbitrary, that it was established without a scientific or medical foundation.

Oregon has about 1,200 wind turbines. In October 2010 the Oregon Division of Public Health embarked on a public health assessment of wind farms and is expected to issue a report on wind health in March. The fact that governments that have years of experience with wind turbines are reexamining their regulations strongly indicates the need for regulations in Connecticut that will protect public health and public safety.

The elected officials of the Town of Bethany commend the Energy and Technology Committee for raising this bill and we strongly support it. Thank you.

REP. NARDELLO: Thank you. Could you just -- we might have questions.

DERRYLYN GORSKI: Sure.

REP. NARDELLO: And, First Selectman Gorski I actually had a question for you. Currently -- you made a statement in the beginning that the Town of Bethany was very supportive of energy -- green energy, clean energy. Could you give me a couple of examples of that?

DERRYLYN GORSKI: Well we -- again we were one of the first communities to sign up to be a Connecticut clean energy community. Our municipal power is 20 percent green. The -- we had a clean energy taskforce put together in 2005 and except for the City of New Haven, the Town of Bethany, a town of 5,000 people has more solar panels through the clean energy fund than any other town in the State of Connecticut.

So we're -- we're very -- we're part of the neighbor to be neighbor campaign that was a federal grant. We're one of the 14 towns that participated in that grant program which encourages people to conserve energy in their home. So, the -- and this again, it's the citizens of Bethany that allowed us to win all of these -- earn all of these solar panels.

REP. NARDELLO: And do you believe that the enactment of regulations will prohibit the study of wind in Connecticut?

DERRYLYN GORSKI: I don't know enough about where they really should be. I'm certainly sure that it will limit it because I certainly don't believe that the -- I'm -- they're 500 feet tall, you know, these wind turbines. I think that when people think of wind energy they're thinking of something much smaller than the 500 feet or 494 feet that these wind turbines are. There may be applications, you know, in more remote areas but I certainly don't think that Connecticut is an excellent candidate for, you know, wind farms like out west.

REP. NARDELLO: Are there other questions from members of the Committee? Representative Miller.

REP. MILLER: Thank you, Madam Chair.
Have you had any assurances from the developer
that it will not interfere with TV reception?

DERRYLYN GORSKI: Haven't even asked that question.
And again, the Town of Bethany isn't really --
we're not close enough to these particular
turbines, the prospect turbines to -- to be
able to come before the Siting Council.

They invited us to but they weren't obligated
to. So we don't -- we didn't have any standing
frankly in this particular project until this
bill was raised.

So, thank you very much.

REP. MILLER: The fact that this is a 400 tall
structure it would have flashing lights on it.
FAA would probably mandate that it have
flashing lights on it at night.

DERRYLYN GORSKI: I would hope so.

REP. MILLER: Are there any airports in the
vicinity? I'm not familiar with that area.

DERRYLYN GORSKI: Not -- not particularly active.
We have the old Bethany Airport but now we use
it for car shows and horse shows. The closest
one, it would be the Oxford Airport which is --
it's called the Waterbury Airport but it's
actually located in Oxford.

REP. MILLER: And -- but you have -- you don't have
a lot of assurances about noise factors or
killing of birds if there's an area where birds
go through.

DERRYLYN GORSKI: Well I know -- I mean I know that these are issues that other people raise but the -- I, you know I can't speak to that. I'm not an expert in any of that.

REP. MILLER: Okay. Well I thank you so much for testifying. Thank you.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you, Madam Chair.

The title of the bill where it says to establish a moratorium, in my mind the word moratorium almost sounds like a memorial and it would kill any project and I don't believe that that's the goal here to prohibit wind turbines in the State of Connecticut. I think we want to have regulations adopted for all concerns.

And my question to you Ms. Gorski, is once those regulations are adopted and the Siting Council has determined that that location is an appropriate place for a wind turbine, would you still be opposed to something if it were being built in the Town of Bethany?

DERRYLYN GORSKI: It would depend on the -- if there's a process for the development of these regulations and my understanding from the bill before us that the deciding council's not going to be working in a vacuum. They're going to be working with DPUC and with the -- with DEP.

There's certainly information out there. I have confidence that people are going to be looking at that so when they come up with regulations they will be regulations that will protect public safety and protect quality of life issues. And if -- I'd be real surprised if those regulations limited the -- the wind

turbines to just 1,000 feet because it -- states that have that standard are strengthening it.

So, I think that we'll be able to see what comes out of the regulations.

SENATOR WITKOS: Thank you. And some of the town council that spoke prior to you stated that we're here to represent our constituents and as are we here on this panel. If the deciding council through an open process has developed the regulations, whatever they may be, and they are adopted and applicants come before them and it meets all the requirements of the Siting Council and a project is granted permission to be built.

As an elected official of that town if you're - - there are people in your town that would oppose it would you follow the recommendations of the Siting Council or would you be back saying -- asking for a project not to be built in your specific town?

DERRYLYN GORSKI: I think the question is so hypothetical I can't really answer it.

REP. NARDELLO: Thank you.

Representative Williams.

REP. WILLIAMS: Thank you, Madam Chair.

Thank you for being here and waiting patiently. Question for you. I asked earlier, it's my understanding that this company that has proposed the Prospect and Colebrook projects has received money from the Clean Energy Fund.

Again, a fund that we created in the legislature to promote renewable energy here in our State. Is it -- does it bother you that this company has received this money in the absence of the creation or any regulations or any moratorium that has been put into place here. Again, all of our ratepayer money, that's what this fund is.

Does it bother you that this company has received that money and that potentially if they fold up their tent and go home that this is another bad investment that somewhere the State of Connecticut could have prevented by simply either having these regulations into place earlier or by being more strident with those funds?

I mean, you're the manager of a community. You're the CEO of a community. Does that bother you or do you have any reaction to that?

DERRYLYN GORSKI: I'm sure people meant well but does it bother me? I'm glad that we're here now trying to address the issue.

REP. WILLIAMS: Okay. Thank you.

REP. NARDELLO: Thank you.

Further questions from members of the Committee?

Thank you.

DERRYLYN GORSKI: Okay.

REP. NARDELLO: Our next speaker is John Olsen.

JOHN OLSEN: Good afternoon, Senator Fonfara and Representative Nardello. I want to thank you

for giving me the opportunity to speak to you and members of the Committee today. My name is John Olsen and I'm the Vice Chairman of the Connecticut Clean Energy Fund. I'm also the President of the Connecticut AFLCIO.

I submitted this testimony in opposition to proposed House Bill 6249, AN ACT ESTABLISHING A MORATORIUM ON SITING OF WIND PROJECTS UNTIL ADOPTION OF REGULATIONS. BNE Energy is developing commercial wind projects in the towns of Prospect and Colebrook. These are the first commercial wind projects in the State and are currently under consideration before the Connecticut Siting Council.

I have known about these wind projects and I've supported them for more than two years. The wind projects are being funded in part with public funds provided by the Connecticut Clean Energy Fund in order to encourage the development of renewable energy in the State.

Under the CCEF's predevelopment program BNE received two unsecured loans of a half a million dollars each for a total of a million dollars in funding to develop these projects. Prior to receiving fundings, BNE submitted letters of support for the projects from Mayor Chatfield of Prospect, First Selectman McKeon of Colebrook and various State representatives from those districts.

The purpose of the predevelopment program is to create a pipeline of eligible projects to compete for Project 150. The CCEF strongly supported the development of renewable energy sources in the State including wind, fuel cell, solar, biomass and other Class I renewable energy sources. BNE wind projects have been under development for several years and the

communities have known about them for over two years.

In fact BNE was required to obtain local approval from both towns prior to installing a meteorology met tower on the sites to measure wind resources and prove that the projects are viable. The met towers have been installed for more than two years.

Also with the financial assistance of the Clean Energy Fund BNE has conducted numerous studies on both sites over a period of over a year including bird, bat, wildlife studies, sound, visual stimulations, wetland impacts, storm water management plans, shadow flicker analysis, ice throw analysis, mechanical loads analysis, site design and turbine layout including proper setbacks and interconnection studies.

They are also planning to install GE turbines on the sites. GE is a Connecticut based company with more than 14,000 turbines in operation worldwide operating safely and reliably. As you know the projects over one megawatt and regulated by the Siting Council.

After a significant study, time, money the first two commercial wind projects are finally squarely before the Council where they will undergo extensive scrutiny. Local officials and opponents are participating in these proceedings and will have full opportunity to present their positions to the Council.

Clearly there is an extensive process in place today for developing wind and other renewable projects in the State. The federal government has recently extended incentives for renewable energy projects.

REP. NARDELLO: Mr. Olsen, will you summarize please.

JOHN OLSEN: In summary is is that if we turn around and -- I really do believe that this is more about politics and someone used slow down. If we slow down these projects we turn around and kill the incentives coming from the federal government that they need to make these things happen and therefore we have half a million out the door already and we're committed to a million.

So I think that slowing things, delaying things is equal to killing things. And it's also job killers and it goes against everything that we've worked on as far as Project 150, jobs, reducing the cost of energy and other things. And wind is the most efficient renewable that we can invest in over solar and some of the others.

Thank you.

REP. NARDELLO: Mr. Olsen, can you tell me why believe that waiting until the development of regulations will kill these projects?

JOHN OLSEN: Well, again, I find it interesting that after two years we decide. I mean this is not a project that wasn't known about. And that there's extensive -- we've decided here to come up with a Siting Council to do these projects. Otherwise we have 169 towns. And I'll guarantee you that there's no regulation that anybody will accept except that says it can't be in their backyard.

So if you want to go down that route let's just go back give it up, forget about creating jobs

and energy in the State and go get it somewhere else.

REP. NARDELLO: As you bring up the jobs issue I have one second question and that is we have regulations for cell towers. We have regulations for power plants. In what manner have we precluded jobs from being developed based on the fact that we have those regulations? Could you explain to me how that's putting a chilling effect on jobs?

JOHN OLSEN: Well what we have right now is we have federal tax credits that are going to expire. If those tax credits expire not only this project is in danger. We have a playing field biomass project. Same problem. If those -- if those credits run out you actually make these projects not affordable to do. As you know, you have to subsidize, you know and try to make these jobs happy as you all know with solar.

Solar is the most -- one of the most if not the most expensive which we subsidize. It would never -- nobody would be putting solar panels in unless we're subsidizing them. So when you lose that federal money, which you'll lose, then all of a sudden the projects become not -- you know, not viable and then you've invested in losing your taxpayer -- or ratepayer money.

REP. NARDELLO: If we could solve this regulatory problem prior to the loss of the federal tax dollars would you feel differently?

JOHN OLSEN: Yeah. Look, if you could put regulations in place -- all I can tell you is is that I've never believed -- and I'm a labor guy, but I supported some of the reforms last year with the business community because I couldn't believe how long it takes to get

through some of these processing of regulations. If you could say to me that this could be in place within a week and then we could go move forward, you know, I'm all for it.

REP. NARDELLO: Well I can't promise a week but we could certainly look to how long the federal tax credits are necessary.

JOHN OLSEN: Well the federal tax credits run out in a year. And you have to have what is called -- defined a substantially started construction.

So I, you know, I can't really answer you. And then we have obviously weather and timing and you know, I don't know if it has anything about loads when you do some of these connections and other things.

REP. NARDELLO: So theoretically if we could solve this problem within six to eight months that would give developers time to go forward with their projects.

JOHN OLSEN: I don't know. I don't think that works. I think that you run out of your -- that's -- that's a year. And you would no longer have your tax credits.

REP. NARDELLO: Well it has to be steel in the ground. I believe. That's the way it works. So if the steel was begun in six months. Let's just say. Let's use the six months. And it began, I believe they'd become eligible for the tax credits.

JOHN OLSEN: Well first, Madam Chair, first you said eight months. If you're talking six months. But here's my other fear --

REP. NARDELLO: I said six to eight just to be safe.

JOHN OLSEN: Okay. Well I heard eight. So, my concern is also that there are people that their intention is not to have this at all any way. And with the word slow, don't ever forget what slow down means. Slow down means slow down to kill.

REP. NARDELLO: Thank you, Mr. Olsen.

Are there other -- okay. Representative Hoydick.

REP. HOYDICK: Thank you, Mr. Olsen for testifying. For members of the Committee that are new, for myself, would you please go through the timeline of finding a site, going through local zoning, applying for CCEF money and all the processes that you have been doing over, you said two years.

JOHN OLSEN: I can't give you the exact timeline but let me try to walk you through a little bit of the process.

REP. HOYDICK: That would be very helpful.

JOHN OLSEN: The legislature first passed what was called Project 100. In time they amended it and made it Project 150. For everyone here just to understand, I think we've got about 15 megawatts of the Project 150. So we had the Clean Energy Fund a competitive -- as laid out by the legislature, a competitive process for renewable which we included fuel cells, wind, you know, biomass, others. And they all competed. We had a special committee that was made up of experts and government officials. We went through and made recommendations.

The committee came back, made selections. This was part of it. And at that point then they were given money to go out. And I was a member, a Vice Chair of the committee. First thing I asked the group to do was go out and talk to the elected officials. Make sure they know you're there. And they did that.

REP. HOYDICK: So the \$500,000, that was granted?

JOHN OLSEN: Right now there's 250,000 in predevelopment money that's out to both -- both of these turbines.

REP. HOYDICK: So what happens if there's a halt and we lose the energy -- the tax credits from the federal government?

JOHN OLSEN: These -- this 250,000 is unsecure so we lose it.

REP. HOYDICK: Okay. Thank you.

REP. NARDELLO: Representative Williams.

REP. WILLIAMS: Thank you, Madam Chair.

John, thank you very much for being here. You bring a unique perspective I think to this discussion being a labor guy as you described yourself and being a Vice Chairman of the Clean Energy Fund. And I know the thing that you and I share in common is jobs. We want to create more jobs here in Connecticut. And that's such a critical issue. Probably, you know, never before has it been this critical.

My question to you is with regard to the money that was invested that Representative Hoydick was talking about. Do you see the -- this type of legislation as a potential deterrent to

future investment in Connecticut when, you know, I've said it ad nauseum here in this legislature in the four terms that I've been here but Connecticut creates a set of rules and then we change the rules.

Do you see that as a potential deterrent to the future of the investment community looking at Connecticut being a good place to do business?

JOHN OLSEN: Yes I do. And I think the reason that you created a Siting Council was to be able to do some of these things. Part of the problem is a business looks to come into the State of Connecticut to do something. They have 169 towns. They have 169 zoning boards inland, wetlands, all kinds of red tape, all kinds of problems. You know, they may want to do a project here and a project in another town.

So I think what we were doing around power was that -- rightfully so, put that in the Siting Council. And cell towers also. So that we could turn around and cite these things and get them done because we've had a history of not my backyard. You know, I've been told move into the 21 century. The only thing I ask the State of Connecticut and its governance system, maybe we ought to move into the 18 century.

REP. WILLIAMS: You said earlier that you think that the only regulation that will be acceptable to many people is don't put it in my backyard. In other words, if I'm understanding you correctly that the regulations that would be proposed and passed would be so stringent that it would effectively kill any potential future wind project. Did I understand that correctly?

JOHN OLSEN: Yeah. I've heard some proposals when they start to talk about setbacks and things

from communities that actually would render no place in the State of Connecticut where you'd be able to cite a wind turbine.

REP. WILLIAMS: And with regard to that issue then, you know, last year -- I think it was two years ago the legislature passed a bill that said that you can't put a food waste energy power plant in the City of Waterbury, Connecticut. And I think that company also had some investment from the Clean Energy Fund. Is that correct?

JOHN OLSEN: Correct.

REP. WILLIAMS: Do you remember the amount?

JOHN OLSEN: I think it was about a half a million.

REP. WILLIAMS: So a half a million dollars. And that money went away when that company decided not to do business in the Connecticut. Is that correct? That was not a loan that was repaid.

JOHN OLSEN: Because they couldn't find another site that they felt was -- that met their criteria.

REP. WILLIAMS: Right. So the Clean Energy Fund was not reimbursed that money.

JOHN OLSEN: I really -- you know, I don't know the answer to all that.

REP. WILLIAMS: Well and we can talk about that offline. I guess my point is that -- I'll just ask you if there is the possibility that this money is gone and forgotten if this bill is to pass and become law and if this company decides not to pursue this project.

JOHN OLSEN: It's unsecured.

REP. WILLIAMS: Right.

JOHN OLSEN: So in other words if this -- if they decide to, you know if this site isn't working they can walk away and we're -- we're out half a million.

REP. WILLIAMS: You recall the legislature passed a massive energy bill in May of last year. Is that correct? If was vetoed subsequently by the Governor.

JOHN OLSEN: Correct.

REP. WILLIAMS: And the Clean Energy Fund's position on that -- on some of those renewable provisions I believe was favorable. Is that -- is that correct? They were some of the renewable investments.

JOHN OLSEN: Yeah.

REP. WILLIAMS: And part of that was wind. Right, we're going to invest a lot more in wind technology. And in fact that was a long protracted debate that Representative Nardello and I had on the floor of the House of Representatives at 4:30 in the morning, the last morning before session ended.

And I asked the question at the time, you know what is this -- is this, you know, what's the reason that we're doing this and how do we come to the conclusion that we're going to invest in 25 megawatts of new wind technology. And the answer was it's based on wind availability.

Do you see that we would not be able to even meet the 25 megawatts in the future if we were

to put in these very stringent regulations that are being bandied about out in the community?

JOHN OLSEN: I doubt you could put a megawatt.

REP. WILLIAMS: Right. Okay. Thank you, Mr. Olsen.

REP. NARDELLO: Are there other questions from members of the Committee? Yes, Representative Greene.

REP. GREENE: Thank you, Madam Chair.

Thank you, Mr. Olsen. I actually have a -- just a relatively easy question. I was wondering or I noticed in your testimony that prior to the predevelopment process being approved, the two towns in -- with the projects in question submitted support letters to the Connecticut Clean Energy Fund. I was wondering if you could -- if you could go over the process that you require applicants with regard to local municipalities and getting their support.

JOHN OLSEN: Well our experience has been on many projects you'll find local opposition. So my -- as a member of the Clean Energy Fund I suggested that the developers go out and to seek the support so that when we're putting predevelopment dollars in we don't meet like we are here today. And you know, my experience with the Plainfield biomass project or with the Waterbury -- I forget what they called it down there but it was some -- it was anaerobic digester or something. Whatever it was. But it wasn't what it was being portrayed as.

I mean, you know when you want to opposed something you portray it as evil. That I felt that we should go out and seek support of local

officials. And I know the company may not have liked to have to go jumping around looking for it but I'm glad they did.

REP. GREENE: Thank you, Madam Chair.

REP. NARDELLO: Thank you.

Are there further questions from members of the Committee?

Okay. Yes, Representative Becker.

REP. BECKER: Good afternoon, Mr. Olsen.

JOHN OLSEN: Good afternoon.

REP. BECKER: Thanks for coming in. Question for you, how many wind projects are there in the works right now that would be completed let's say in the next 12 months? If we can like throw that out as a timeframe perhaps in which regulations might be developed.

JOHN OLSEN: Well if you look at the size of these two that are being proposed, they're about a 1.3 megawatt. We talked about 25 megawatts so you're talking about maybe, you know, 18. If you can find -- you'd have to go through a similar process of testing the wind, making sure that before you invest in this that you could site these. But we're hoping -- and the legislature in their wisdom felt about 25 megawatts.

REP. BECKER: No. That's not my question. My question is, right now projects moving forward. We've got Prospect and we've got Colebrook as potential sites for these wind turbines.

JOHN OLSEN: These are the only two right now.
There's two projects.

REP. BECKER: Two.

JOHN OLSEN: We're hoping though that we can meet
the demands of renewable energy here and find
other sites.

REP. BECKER: Right. But within -- so if these
projects were to proceed, these two, how long
would you anticipate assuming there was no
regulation, assuming you were told go today,
how long would you anticipate it taking for
those turbines to be in place and generating
the power that we're talking about?

JOHN OLSEN: Well I don't know how long it would
take to generate but I think we'd be up against
the wall of right now even going through the
process we're in of meeting that timeline to
qualify for the tax credits. Because, you
know, it takes time to -- to still -- you have
to get through the Siting Council Process which
is going to be, I don't -- probably another
couple of months.

REP. BECKER: So if the projects were to move
forward tomorrow you're saying it would be just
barely coming within the time period we need in
order to qualify for the federal dollars?

JOHN OLSEN: Well you have to be substantially under
construction to qualify. When they would
generate power I can't really tell you,
probably a couple of years.

REP. BECKER: I guess time's up.

REP. NARDELLO: Thank you, Representative Becker.
We are.

Oh, Representative Bacchiochi, right at the 15 minute time for Mr. Olsen.

Mr. Olsen, I believe Representative Bacchiochi has a question. Okay. And I ask you this. Is it a long question or a short question because if it's just a short question we can just do it now.

REP. BACCHIOCHI: Actually it's not short. So I guess in this situation we would ask Mr. Olsen to stay.

REP. NARDELLO: Okay. Mr. Olsen, if you would stay or come back for the end of the hearing so that we can ask you the questions. We would appreciate that.

REP. BACCHIOCHI: Or I could give it a shot and try to see how quickly I can move through it.

JOHN OLSEN: You didn't ask how long my answer would be though.

REP. BACCHIOCHI: Well that's true. That might be an issue.

REP. WILLIAMS: Madam Chair, just a question on the process of -- brief question. If Mr. Olsen can't stay, how do we treat that in future testifiers? How are we going to handle that? I don't know -- I don't even know if you can stay so that's why I asked.

JOHN OLSEN: I've got to check my calendar.

REP. NARDELLO: Senator Fonfara.

SENATOR FONFARA: This may not satisfy -- be satisfactory to everybody but Mr. Olsen's in

this building on a regular basis. He's a public official and he's available to you and anyone else that would like to engage him. And I'm sure he'd welcome the opportunity if he can't stay today to come back to talk to each and every one of us as he often does at -- upon our request.

REP. WILLIAMS: Well I think that's fair, you know in Mr. Olsen's case. I'm just asking for a resident of Prospect or Bethany or some other, you know, I'm just saying somebody who's not here regularly.

SENATOR FONFARA: Again, without belaboring this because we're drawing out the time that people have but the fact is is that if we're -- if we're respectful of each other's -- each member and how much time we ask questions then I think we'll get through it and then we're not having to worry about the timeframe. But in the meantime, you know -- I mean, you just look -- here's the list of people that want to speak. It's several pages long.

I don't think we have to ask ourselves if you're at the bottom of that list how many of us are still going to be here. I'll be here. And Representative Nardello will be here. And the Ranking Members will be here. But other people have other issues, have other committees and responsibilities.

So, Madam Chair, I'm not going to drag it out any longer. I apologize.

REP. NARDELLO: Representative Bacchiochi, if it's a quick question please ask the question otherwise we'll ask Mr. Olsen to come back.

REP. BACCHIOCHI: Madam Chairman, I honestly don't -
- I'll give it a shot. And if it's not quick
you can shut it down.

As Mr. Olsen knows I oddly enough represent a fairly heavy labor district and one of the important messages that I was out there this past fall talking about was the creation of jobs. Now the energy bill that I voted against had what I thought was a big incentive to create green jobs.

I'm trying to understand the difference between the energy bill that we've promoted. What I thought we were doing was promoting wind energy but now we're saying we don't want wind energy. I guess my question is how are jobs going to be affected by the moratorium?

JOHN OLSEN: Well there's -- obviously we won't move forward. I believe we won't move forward with these projects. The other thing is I think we need to start to carve our niche otherwise we're going to lose our future opportunity whether it be with wind turbines, fuel cells, solar and I'd like to see incentives built in so that we do some of this, you know building of these projects here also.

So, I think immediately the construction industry is devastated right now. They could use work immediately.

REP. BACCHIOCHI: Thank you.

REP. NARDELLO: Thank you.

Are there further -- at this point actually will not take further questions from members of the Committee.

Thank you, Mr. Olsen, for your testimony.

JOHN OLSEN: Thank you. I want to thank Senator Fonfara and Nardello and the Committee for having this process of hearing.

REP. NARDELLO: Okay.

Our next testifier is John Shaban. Is Representative Shaban here? He is not so we're going to move onto the next and that would be John LaMontagne.

JOHN LAMONTAGNE: Good afternoon. My name is John LaMontagne. Good afternoon Chairman Fonfara, Chairman Nardello and members of the Committee. Thank you for raising this bill first of all and allowing to appear to the Committee to discuss this important matter. My family and I live at 225 New Haven Road Prospect which is within 800 feet of the property proposed to be used as a wind turbine site.

Please first understand that my family and I are very supportive of renewable energy. We're greatly in favor of wind power as it is appropriately and responsibly sited with regard to neighbors and communities. However we need your help with this project because this facility is simply too close. It's two nearly 500 foot turbines. And as I said my property is 800 feet away.

Standing at exactly 492 feet the two turbines would only be 38 feet shorter than City Place in Hartford, the tallest building in Connecticut. So there's quite a scale that's hard to imagine. And at 800 feet from my property and even closer to some of my neighbors these gigantic machines would have a negative impact on our lives and our community.

These turbines are not like cell towers. They're not a static object. They're huge pieces of equipment with 164 foot blades that spin at tip speeds of over 180 miles an hour. The presence would certainly adversely affect the safety and well being of myself and my neighbors. In fact, it would adversely affect the character of the entire town. An object this great so grossly out of proportion with our small bedroom community.

Furthermore it concerns me that the applicants are seeking a fast track approval at the Siting Council. They advocated against a public hearing. They advocated that I and my other neighbors not be allowed to be a party to the proceedings and they also filed objections to request for important information to be presented at the hearings.

In short they claimed that the statute which this legislator -- legislation has passed allows the siting of a facility like this regardless of local zoning. And which our local zoning has no structures above 35 feet in height in town just to give you some perspective to that. And with no consideration to the rights of the neighborhood and the community. I know this cannot be what the legislator -- legislation intended and I know that this cannot be true.

And I respectfully request that you immediately pass this bill so that appropriate siting standards and regulations can be in place for these very large facilities and their adverse impacts and dangers that can be placed so close to neighborhoods around the State of Connecticut. One other thing that concerned me as I'm listening to the proceedings and there's

a lot of concern over the money, the money that's already been allocated to this.

And to me it seems like it would be -- if I bought a toy for my child on E-Bay and after I already paid for it I found out that there's a lot of talk this toy could be hazardous to my child. Should I just give it to my child anyway because I've already spent the money on it or should we stop and investigate and see if it actually is hazardous before we just go ahead and push forward because -- simply because of the money. That's all I have to say. I thank you for your consideration.

REP. NARDELLO: Thank you. Just wait for just a minute.

Are there any questions from members of the Committee?

Seeing none, thank you very much for your testimony, Mr. LaMontagne.

JOHN LAMONTAGNE: Thank you.

REP. NARDELLO: Our next testifier is Tom -- excuse me. Before Mr. Satkunas, Representative Shaban did come back into the room. So if you would allow us and he would give his testimony and then it will be Mr. Satkunas.

REP. SHABAN: Thank you, Madam Chair. For those of you who don't know me, I'm Representative Shaban. I'm one of the freshman representatives. I represent the 135 District which is Easton, Reading and Weston. I'm here to testify and express support in favor of raised Bill 6250. I'm here for basically two reasons.

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REP. CARTER: Actually, it's -- Madam Chair, it's Representative Carter. That's okay.

REP. NARDELLO: Carter. I'm so sorry.

REP. CARTER: No problem.

Thank you for being here, Representative Shaban. You mention here in S.B. 833 that it was specifically about telecommunications. Was any discussion given then about wind turbines or anything else that, you know is a tower?

REP. SHABAN: Well it -- the discussion -- it wasn't an in depth discussion. It was acknowledged that, you know if we do this to respect to telecommunication towers that at some point we're probably going to have to connect the dots on potential wind turbine towers. But no, there was not a direct discussion of it.

REP. CARTER: Okay. Thank you.

Thank you, Madam Chair.

REP. SHABAN: Thank you.

REP. NARDELLO: Thank you.

Any further questions?

Thank you, Representative Shaban.

We're going to move to Tom Satkunas.

TOM SATKUNAS: (Inaudible.) -- before this Committee to discuss this important matter. My family and I live at 232 New Haven Road in Prospect, Connecticut. My mother lives at 220 New Haven and she's about 400 feet from the property line of the proposed site of this wind

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project proposed by BNE Energy. My family and I also own three adjacent properties and obviously these properties are the fruit of our work and a key element of our family financial resources.

I do support the renewable energy and I'm in favor of wind power but like all other industrial activities like this should be allowed -- should not be allowed in the residential neighborhoods like mine or anyone else's. BNE has proposed two 500 foot structures, 492 feet to be exact. And as John LaMontagne had mentioned they are the size as the building down the street which is the largest in Connecticut. These turbines are too big, too large, too loud and too close to be sited on New Haven Road here in Prospect.

These applicants claim that the statute allows the Siting Council to approve these facilities without any consideration of balancing the rights of the neighbors. I know this is not what legislation had intended and I respectfully request that you immediately pass this bill that provides that there must be some standards before the siting of these huge facilities particularly in residential neighborhoods.

Thank you very much.

REP. NARDELLO: Thank you, Mr. Satkunas.

Are there questions from members of the Committee?

Seeing none, thank you so much for giving your testimony.

Our next testifier is Joyce. I believe it looks like Hemingson. I apologize if I didn't get it right.

JOYCE HEMINGSON: Yes. My name is Joyce Hemingson and thank you for hearing my testimony today. I'm the President of Fairwind CT, a grassroots organization that started quickly last November when what had been a controversial net tower permit in 2008 ripened into two wind farms with six 490 foot tall turbines. Hardly anyone in town saw this coming.

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The process has not been transparent with neither town meetings nor selectmen's meetings having any mention of wind farms. Even the project committee of the Connecticut Clean Energy Fund questioned the public support for these projects in both October and November of 2009. Reassurances were given then that quote, outreach and public relations will begin in the near future and before filing with the Siting Council, unquote.

Almost a year later, November 2010, some residents received notice of an informational meeting with the developer. Fairwind CT organized soon afterwards and mailed fliers to the entire town. For most residents our mailing was the first notice of the projects. We called for public hearings, a moratorium and regulations about siting wind farms and met with then Attorney General Richard Blumenthal who supported our call for regulations.

There is much to do to make sense of the situation we are in and a moratorium would allow time to create regulations and understand what Connecticut's policy is on wind energy. An ISO New England report from November 2010 shows several scenarios for wind energy in our

State from zero to 20 onshore wind sites with a nameplate total of 2.64 gigawatts.

Does this mean that Connecticut's goal should be to install more than 1,500 utility scale wind turbines in our towns in the next nine years? If so, we need State regulations to protect the health and safety of citizens.

I grew up in a time when the Marlboro man rode across TV screens and the pages of magazine ads. The tobacco industry denied smoking had any effect on health and even suppressed studies that showed that it did. But we've come a long way in 60 years. Product recalls due to safety concerns are routine. The wind industry is a new industry and quite frankly needs to get out in front of concerns about health and safety. As the use of wind energy expands across the globe health and safety issues continue to be reported in the U.S. and other countries.

These issues should not be dismissed out of hand because if not properly sited any wind farms here will suffer from the same controversy. As our elected officials you have the responsibility to see that business is carried out fairly and with standards in the State of Connecticut.

REP. NARDELLO: Joyce, I'm going to ask you to summarize because we have to -- thank you.

JOYCE HEMINGSON: We do not oppose renewable energy. We just want reasonable regulations, a transparent process with public hearings. In closing, I'd like to point out that Colebrook is a small town of about 900 homes and a population of 1,400.

We actually export renewable energy. We have two dams that produce enough electricity for 3,000 homes. Let's be sure our State looks at all its options for renewable energy and supports the best long term, cost effective projects for its ratepayers. Thank you for calling this bill so quickly. We appreciate your support and urge you to vote in favor of House Bill 6249. Thank you.

REP. NARDELLO: Are there questions from members of the Committee?

Seeing none, thank you so much for your testimony.

Oh. I'm sorry. Representative Hoydick. That's fine.

REP. HOYDICK: Thank you for testifying today. Could you tell us a little bit about Fairwind?

JOYCE HEMINGSON: Yes. We got organized very quickly in November after people found out that there were going to be two projects, one on Flag Hill Road and one on Rock Hall Road. Apparently even our First Selectman didn't know about the one on Rock Hall Road until shortly before we do -- we did. He thought it was going to be some time in the future as an expansion.

REP. HOYDICK: And how many members do you have?

JOYCE HEMINGSON: We have over 120 families that we're in contact with. We -- unlike Prospect we have not canvassed the entire town but we have done two townwide mailings and we have a website, FairwindCT.com.

REP. HOYDICK: Thank you very much.

REP. NARDELLO: Any other questions from members of the Committee? If -- hearing none, the next person on the list actually this person inadvertently signed up on the wrong list so we are going to call Barbara Bell next.

BARBARA BELL: Good afternoon, Representative Nardello, Senator Fonfara, ranking members and other members of the Energy and Technology Committee. My name is Barbara Currier Bell. I'm a member of the Connecticut Siting Council. I have with me Linda Roberts who's our Executive Director and to my immediate right Melanie Bachmann who's our Staff Attorney.

Thank you for the opportunity to provide testimony in Raised Bill 6249. This bill seeks to require the Connecticut Siting Council to adopt regulations for wind turbine projects and put a moratorium on any applications until the regulations are adopted. It's your legislative prerogative to impose a moratorium. I would be remiss though if I were to leave you with the impression that the Council acts without the benefit of regulations.

Our regulations are extensive and detailed starting with the Federal Public Utility Environmental Standards Act and continuing through State regulatory and administrative procedural codes. These acts and regulations govern our every action in every matter that is brought before us. They have allowed to -- the Council to fulfill its mission over the past 40 years to balance the infrastructure needs of our modern society with the responsibility of protecting our citizens and the environment.

The combination that these guidelines, related statutes, required input from other State

agencies has provided the Council with the ability to site large generation and transmission project throughout the State.

For generation I'll refer to the 544 megawatt gas fired combined cycle plant the Council approved in Milford, Milford Power. I mention this plant because I live in Milford and I know firsthand about the benefits it brings to the community.

For transmission I'll refer to the most recent large scale project that came before the Council which was one piece of the so-called New England East West Solutions project which upgrades transmission sources so the Connecticut grid can operate more reliably within in the State and also connect more reliability -- reliably with our three neighboring states.

The Council consists of nine members with diverse backgrounds and varying experience. We come with -- from all parts of the State. The Council does not set energy policy or plan energy facilities in advance. It simply deals with projects as they come to us.

In the case of petitions for declaratory ruling regarding the noble generating facilities which is the case of the wind projects that are being discussed today, the Council has proceeded using the same statutory authority, procedures and regulations applicable in the cases that I mentioned earlier.

REP. NARDELLO: Ms. Bell, if you could just summarize because we've gotten to our three minutes.

BARBARA BELL: I'll go immediately to the summary.

The Connecticut Siting Council has both the experience and the expertise necessary to process applications and petitions relative to wind renewable energy. Whatever you decide about a moratorium which is up to you, please note that adequate regulations and guidelines are in place and the Council has established a credible record for the successful siting of controversial projects. Thank you all. I'd be glad to answer questions.

REP. NARDELLO: Yes, Barbara, I have a couple of questions. First, does the Council have regulations that are specific to the siting of wind projects?

BARBARA BELL: We don't have specific application requirements relative to wind projects per say but we have specific requirements for information to be submitted on -- for instance noise, for instance light implications. In other words all the environmental impacts that can come from wind. Bird kills. There's a list that you've seen. Most of those are exactly the environmental impacts that we consider with respect to gas fired power plants, transmission lines and so forth.

So from our point of view we're looking at environmental impacts which are familiar to us. Some of them have certain -- certain specific points related to wind. For instance the character of the noise that we can seek background information on that are not absolutely in common. But the general category of noise for instance or light implications and whatever are similar to what we consider for other projects.

REP. NARDELLO: But again they're not wind specific.
Am I correct in that?

BARBARA BELL: Yes.

REP. NARDELLO: The other question I would have is
are you familiar with other states and the fact
that many of them either have regulation or
specific statute sites regarding the siting of
wind?

BARBARA BELL: I am not familiar and I was -- with
other - the practices in other states
specifically. And I was very interested in the
testimony that was given earlier regarding
practices in I think it was Wisconsin and
Oregon and so forth.

REP. NARDELLO: And -- and this may be a question I
might direct it to either of the ladies, either
Michelle or Linda behind you. If the Council
were to develop regulations, okay, how long of
a process do you expect that to be so that we
can set that for the record and also can you
compare if the --if the Council were to develop
-- if we were to have standards as opposed to
regulations specific to wind. Could you
comment on that please?

BARBARA BELL: I'm going to let Melanie Bachman our
Staff Attorney comment on that. I'll just lead
into her comment by saying some of our
regulations regard the schedule for projects
and we for instance have a 180 day window of
time for deciding on a project after an
application comes into us. Now that 180 day
clock is already ticking on the wind projects
that we have. And so somewhere in May we're
supposed to be making a decision by our own
regulations.

So in listening to all this -- your discussion about the calendar and thinking about the moratorium which you may decide to impose, I'm just leading into this whole subject by asking you to consider that our calendar is -- our clock is already ticking. Thank you and I'll let Melanie Bachman answer you.

REP. NARDELLO: Melanie, if you could take that question please.

MELANIE BACHMAN: Thank you. Regulation making proceedings are governed by the Administrative Procedures Act. And there's a very specific process that needs to be followed. Once there is a draft of the regulations that's created by the agency, we have to run it by the Governor's office. It also needs to be submitted in a public notice that there's a regulation making proceeding in the Connecticut law journal. And it has to be submitted to the regulation making committee on the first Tuesday of the month.

If 15 people decide that they would like a public hearing on the regulations which given the nature of these potential regulations it's almost certain that we would have hearings. We would have to do a 30 day public notice, set down dates for the hearings and it could go on for several months before the regulations actually go to the regulations committee to review -- the committee reviews them.

If they have taken issue with any regulation they send it back to be rewritten. Once the regulation review committee is familiar with the regulation they need to go to the Attorney General and they need to be reviewed for constitutionality.

Once they've been reviewed for constitutionality then they would go to the Secretary of State for publication. So it could take several months to over a year.

REP. NARDELLO: But there is a window there. It depends on, you know, whether or not there are public hearings and how long the public hearing goes and all that. So is it safe to say that it would be a six to 12 month period?

MELANIE BACHMAN: Probably safe to say.

REP. NARDELLO: And if we took the -- if we looked at standards for wind, how would that compare?

MELANIE BACHMAN: The Siting Council doesn't have any -- any real authority to generate their own standards. That would be legally binding. You know we could issue policy statements or guideline documents that we have now for application guidelines.

REP. NARDELLO: I thought there was some place in statute where you were directed in other instances to follow the best practices. Am I correct about that?

MELANIE BACHMAN: We had a statutory directive that we needed to have best management practices for electric and magnetic fields. And we hired an expert and we went through a process until we generated a best management practices document. That was around 2007.

REP. NARDELLO: And can you tell me how long that process took?

BARBARA BELL: That process took several years. It was probably from the time that it originated. We had guidelines in place that were 1996 I

believe. But the second iteration of this process took at least three years from start -- after we hired the expert through to the time it had been debated through the various hearings and so forth. So that was extremely long.

REP. NARDELLO: And Melanie, can you just state for the record or Linda the five options that the Council has in the -- in their decision making process?

MELANIE BACHMAN: It's under section 4176 of the Administrative Procedures Act. The Council can either issue a declaratory ruling, decide not to issue a declaratory ruling. They can decide not to issue a declaratory ruling and initiate regulation making proceedings.

They can decide to set it down for specified proceedings which would be set a hearing date. And they could also just set a date for the decision meaning we're not going to issue a declaratory ruling today. We're going to set a date in the future by which we will make a decision.

REP. NARDELLO: Can we just go to the third one you mentioned about the ability to initiate regulation making. So is that still a possibility that the Council might come to this decision after all of its procedures?

MELANIE BACHMAN: Under the same section of the Administrative Procedures Act once a petition is received or the date that it's received by the Council, the Council has to give 30 days notice to anyone who's asked for a notice of a petition so that they can have -- make comments. Within 60 days of the receipt of the

petition one of those five options must be determined by a vote of count.

REP. NARDELLO: Senator Fonfara.

SENATOR FONFARA: Thank you, Madam Chair.

Ms. Bell, can you -- I heard your testimony. I'm quickly looking through your written testimony and I'm not sure but I think you stated that there -- that while you don't have specific regulations to wind that you go through a thorough process of reviewing various conditions. And with respect to what the bill calls for in terms of setting standards for setback, ice sheer, noise, flicker, there may be others. Do your regulations deal with those specific issues?

BARBARA BELL: We don't have setback regulations for instance. If that's your question. We do have --

SENATOR FONFARA: Well you testified that you -- I'm looking for it in your comments here. You have extension -- our regulations are extensive and detailed and may be found and you cite the place where we can find them.

And you are bound by the requirements of the UAPA and they govern every action and every matter that is brought before us. So, if you have those extensive and detailed regulations, do those extensive and detailed regulations address issues such as setback, ice sheer, noise, flicker and others that may be enumerated in the proposed bill before us?

BARBARA BELL: Yes. That's -- that's a more correct way of putting it or something I can answer yes to because --

SENATOR FONFARA: I'm glad I put it correctly.

BARBARA BELL: Because we -- we consider noise for instance. We consider issues related to light which I'm classifying flicker as. And other environmental, avian bird kills, those kinds of things that are ones that we ask the applicant, we require the applicant to address in the -- in their application. We apply permit conditions that are given by the DEP and so forth and so on to -- in all of those environmental categories and in public health and safety categories.

SENATOR FONFARA: And I don't want to single out any one but as -- just as an example setback you don't consider that one in terms of health and safety?

BARBARA BELL: We certainly consider distance from neighborhoods, distance from schools, churches, any other sensitive properties, whatever. We definitely consider all of the land use types of issues that are considered by a zoning board. It's just that we do not have specific setback rules in our -- our own regulations. That's all I'm saying.

SENATOR FONFARA: On any types of projects, not just wind projects. Right?

BARBARA BELL: Correct. I'll name another one. For instance in the case of holding a public hearing which we're not required to do by a declaratory -- under a petition for declaratory ruling. But -- which we can do on our own motion and we have done in this case immediately upon receiving the application because we understand the importance of having a public hearing. And in fact we've scheduled

two public hearings in each community where the wind farms are proposed.

SENATOR FONFARA: Do you -- do you have an opinion as to whether -- putting aside the issue of moratorium, that there ought to be more specific regulations whether it be wind or otherwise or do you believe that -- and this is not a leading question I would like to illicit an answer from you, whether or not the additional regulations whether it be for wind or otherwise would hamper the Siting Council's ability to do its job in as objective a manner as possible.

BARBARA BELL: I think it's a reasonable and plausible idea to have regulations. And so I'm not against that.

SENATOR FONFARA: Let me put it another way. Do you believe the regulations that are in place that you are bound by today suffice? And would these regulations that you'd be asked to create help or hinder or make a difference in the job that you have -- you're charged to do?

BARBARA BELL: Senator, I believe that the regulations that we have right now are sufficient and could deal adequately with a large and controversial energy project such as this one. I believe that sometimes becoming extremely quantitative and precise with regulations such as setback regulations and so forth sometimes have unintended consequences. In fact, often have unintended consequences.

And I believe the Siting Council over 40 years has a record of discretion and good judgment in siting projects in the State of Connecticut. And I mentioned a couple. I think everybody in

this room has -- knows of siting projects, energy projects sited in their communities that are performing well for the State.

SENATOR FONFARA: Our time is up but if you could -- to the extent that you have not addressed that issue in your testimony I would ask that you submit additional testimony to the Committee please.

BARBARA BELL: Yes, sir.

REP. NARDELLO: Since this is probably a very important person testifying in terms of what -- the information that we need. Not to suggest that anybody's less important by the way. If there is no objection from members in the -- anybody in the room, and since the members have not gotten an opportunity to ask questions, if there is no objection I would like to allow the members the ability to ask questions. Is there any objection from anybody in the room? Hearing none, then if there are members with questions -- I'm going to start with Representative Bacchiochi.

REP. BACCHIOCHI: Madam Chairman. I tried to raise my hand before you passed over to the -- I don't have further questions. I just want to -- want to point out that while I do think the Siting Council is exceedingly important in this public hearing. I think all the members of the public who are here to testify are equally important. And this is exactly why I had such a strong emotional objection earlier today. So, I just want to point that out to you.

Thank you.

REP. NARDELLO: Okay.

Representative Williams.

REP. WILLIAMS: Thank you, Madam Chair.

And thank you all for taking the time to testify here today. And I'm not sure whether being as important as you are is a good thing or a bad thing. It may keep you here for a while but thank you very much for spending some time with us. And helping us to enlighten ourselves about this whole process because frankly I think there's a lot people who, you know, we don't realize exactly from start to finish how this process works.

So one question, I just want to be clear. There are no additional or separate regulations that are set up for wind technology or -- versus cell phone technology versus if we wanted to put a nuclear plant here in Connecticut. Is that -- is that correct that we don't have regulations for -- separate regulations that are specific to nuclear or to -- or to cell phone towers?

BARBARA BELL: There are certain regulations that have to do with different technologies, having to do with what -- what our jurisdiction is. In other words you could have very small ones that we don't consider. We don't consider -- nuclear couldn't come into this State because we don't have jurisdiction over nuclear. That's a federal jurisdiction.

REP. WILLIAMS: Fair enough.

BARBARA BELL: And so forth. So yes we do have some regulations that have to do with what we consider and under -- whether that would come in under a docket or a petition and so forth. So yes there are (inaudible).

REP. WILLIAMS: So these are more process oriented than anything else. Right?

BARBARA BELL: Process. Yes.

REP. WILLIAMS: Thank you very much.

REP. NARDELLO: Representative Reed.

REP. REED: Thank you, Madam Chair.

Ms. Bachman, I'm wondering, the question was asked a little earlier if there was any knowledge of other model regulations in other states. And I was wondering if you might know of some, particularly Maine or any of the -- the states that border us or you know, would reflect the kinds of things that we're going for.

MELANIE BACHMAN: We have looked at other states regulations. I know Vermont, Minnesota, Maine, Rhode Island. And what we've found is that most of them are more process regulations than specific requirements.

REP. REED: I was noticing that. I was looking at the U.S. Department of Energy site and it's sort of suggesting that there are different drivers in each state but -- we have the Siting Council, other places have counties in cooperation with the zoning of local communities and that kind of thing. Just trying to figure out a way through.

Can any of you see potentially some kind of codified set of guidelines or suggested guidelines or the kinds of things that you look at that people -- would give people a better

comfort level with bringing much more wind into the Connecticut?

MELANIE BACHMAN: As it stands right now under our statutes in the Public Utility Environmental Standards Act we have certain criteria by which we need to make decisions which are heavily laden with environmental impacts, the whole gamut of environmental impacts. And it's set out by facility types. So it would be an electric generating facility would have a certain set and transmission lines and cell towers have a different set. (Inaudible.)

BARBARA BELL: Thank you for your questions, Representative Reed. It was part of my written testimony which I was skipping through to get it --

REP. REED: I read it while you were --

BARBARA BELL: -- in the three minutes. We -- in the case of the wind projects we did -- anticipating that there would be some background -- specific background knowledge that we would be fitting into the general categories that we consider.

We went out and hired a consultant to advise us on a whole class of renewable. Others that we could be considering, solar, some new types of storage for instance and so forth. And we particularly wanted to have a group that would be able to advise us on particular information regarding wind.

So to that extent we have hired a consultant who will be assisting us in looking at particulars, specific characteristics of wind. And all the information that our consultant gives to us is also shared with anybody on the

docket because we have very open processes. There's completely open document exchange. And that expert would be giving testimony prefiled and everybody -- every party would be seeing it.

So we viewed that as a contribution to assist everybody in an open consideration of any particulars that were specific to wind. I don't know if that's helpful to answer your questions. It's not as if we -- we don't pretend to be experts. We're definitely not experts. And we seek the advice of experts in order to improve our decision.

REP. REED: Now I guess what I'm talking about -- and thank you very much for that. Obviously in a vacuum people have concerns. And the more they know that you're interacting and that you're sensitive to these concerns and if there's a go to place with guidelines or you know, some of the codified stuff that you just said it might prove to be helpful for, you know, the constituents and the residents of Connecticut going forward.

BARBARA BELL: We have a very good website. I'll put in a plug. We put all the documents related to any docket, petition, whatever that comes before us right out there on the website. People can just go, they can click on location Colebrook, Prospect, whatever and go to all the documents that we have. The application and all the documents that come in. we also have links to related -- to wind energy sites and so forth and so on to help out.

So I realize that may not be set -- that isn't related to the discussion we might be having but it certainly is related to the

accessibility and background information that we put out there.

REP. REED: Thank you for your testimony. Thank you.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you, Madam Chair.

And I'm not sure if you could answer this question today but if you can't I'd appreciate some information be forwarded to the Committee. I'm just curious as to how many applicants come before the Siting Council wherein the project is approved initially on the first blush or after you have one of your five options where the applicant returns because there's been a massaging of the project itself whether it be a height or it be a change of location.

BARBARA BELL: We don't have figures on that but we've been discussing that type of issue. I think most projects -- I would say probably 90 percent of projects have some negotiations, some major change in their character in the process of coming before the Siting Council. Alternate sites are chosen. Alternate heights are chosen for cell towers.

In the case of large transmission alternate routes have been adopted. Alternate phasings for the electric wires that would mitigate EMF. Stealth in the case of cell towers. Instead of having a tower you'd have a flagpole arrangement or water tower or whatever. Almost every project that comes before Siting Council is extensively discussed, each feature and reviewed and in many cases changed. And again, I offer the 90 percent as a -- without exact quantitative knowledge.

SENATOR WITKOS: And does the Siting Council act as the mediator for those negotiations or are those taking place between those concerned maybe they're any applicant -- a party to the applicant.

BARBARA BELL: We're simply the mediator. We don't ourselves choose. We simply -- we ask a lot of questions. We observe what the answers are. We try to find places where we -- there's uncertainties or we think there's room for overlap and then we just encourage the parties to deal with those issues. And sometimes we, you know, many, many times. And if -- I'll just give you an example.

The power plant in Montville wanted to change one of their units over to a biomass project. There were extensive negotiations with the town on noise issues and traffic over their roads until we finally came -- they finally got to and we finally came through the process to a solution where the power plant changed the location significantly from where they'd originally proposed it next to a neighborhood. They threw it back onto their property -- their large property and were able to resolve that issue.

SENATOR WITKOS: I think you've answered my question. Thank you very much.

Thank you, Madam Chair.

REP. NARDELLO: Are there other questions from members of the Committee? Representative Becker.

REP. BECKER: Yes. Good afternoon. Thank you for coming in. As a newcomer to the Committee I'm

still trying to get my mind wrapped around this whole process. And I've heard different time -
- timeframes and everything so, you know,
excuse me if I didn't get it the first time
around.

I'm just trying to understand how it fits together. You stated that it's a 180 day period to decide once an application is issued. But the decision is one of the five options. Is that correct? Where essentially you could set another date for a decision or you can issue a declaratory decision or opt not to or -
- I'm just trying to understand the process better. I'm sorry.

MELANIE BACHMAN: We have two separate matters that we're dealing with. One is an application and one is a petition. And these wind proposals were petitions. So that 180 day deadline from when we received the petition is governed by the Administrative Procedures Act.

Once the decision is made by the Council to take one of those five actions within the 60 days, we still have the 180 days to make the decision but we've set dates for hearings for these petitions. So we're still working within that 180 day deadline so we'll have our hearings within that deadline.

REP. BECKER: And a final decision will be reached within the 180 days.

MELANIE BACHMAN: The final decision would be reached within the 180 days. If we haven't been able to complete the hearing under the APA we need to consent or call the party and intervene or send a petitioner to extend that deadline.

REP. BECKER: And did I understand that the 180 days expires in this instance in May of this year?

MELANIE BACHMAN: May 16.

REP. BECKER: May 16. And so if the Siting Council were to undertake to develop regulations regarding wind turbines in this instance and we -- I heard you say that that process could take several months to over a year. Right? How does that fit into your 180 day requirement? How do those two things fit together?

MELANIE BACHMAN: Well we've already made a decision to hold a public hearing. So that was our option of the five. Had we taken the option to not issue a declaratory ruling which means we wouldn't hear the petitions or take up a petition.

We would take up regulation making proceedings. So it would almost be denying the petitions until those regulation making proceedings had been completed.

REP. BECKER: And so by setting a public hearing, people will come in, will have a chance to testify or comment and then the -- as it stands right now the Siting Council would then have -- take a vote up or down on the projects?

MELANIE BACHMAN: Yes.

REP. BECKER: And you mentioned that you've hired a consultant to come in and give you various advice on -- among other things, wind. When do you expect that report to be available.

MELANIE BACHMAN: It's been -- there is a consultant ongoing as petitions and applications come in for renewable energy projects. The contract I

believe is for two years so it would be 2012, October of 2012. So we would have them on an as needed basis.

REP. BECKER: So in this instance where you have this hearing coming up soon I expect. Right?

MELANIE BACHMAN: Yes.

REP. BECKER: On this matter. Is the consultant going to be part of that hearing and will the consultant be giving you advice on these projects at that hearing? Or submit a report in conjunction with that hearing or prior to the time that your 180 day period is up?

MELANIE BACHMAN: They won't be submitting a report. They'll be advising us and reviewing all the documentation and assisting with questions and interrogatory and also reviewing the prefiled testimony of the petitioner and all the parties that intervene.

REP. BECKER: Should you anticipate that that consulting advice will include information on setbacks and what practices are in various states and the like?

MELANIE BACHMAN: Yes.

REP. BECKER: Okay. Thank you.

REP. NARDELLO: Thank you.

Representative Greene.

REP. GREENE: Thank you, Madam Chair.

I just had one question actually. In your opinion, if we were to enact specific regulations for wind power alone, would that be

going above and beyond what is currently employed for other siting issues such as -- particularly transmission lines or cell towers or whatever.

BARBARA BELL: I don't -- I don't think I quite understand the question. Could you ask me again?

REP. GREENE: Sure. I'm one of the new guys too so bear with me a little bit here. Basically if we were to enact regulations specifically for wind power generation such as what we're talking about putting a moratorium on today to do so. Would this be -- basically would that be above and beyond what you normally use for the siting of transmission lines or something else that is a large, intrusive body into a neighborhood?

For example, if we were to specifically say for wind towers alone there's a certain setback regulation or a certain safety regulation for wind towers alone. Is that different than what you would be doing for transmission lines for example or what now?

BARBARA BELL: Yes, Representative Greene. It would be different. Yes.

REP. NARDELLO: Thank you. If there are not other questions from members of the Committee. We're out? Senator Fonfara.

SENATOR FONFARA: Just a follow up. (Inaudible.)

BARBARA BELL: Would it make it wrong?

SENATOR FONFARA: In a particular area would you -- would it make it wrong? Would it be inappropriate?

BARBARA BELL: I think I go back to my answer to your question earlier. I don't think it's really necessary and it could lead to unintended consequences that'd flow from just trying to tack everything down and then you discover along the line that -- that in trying to get everything precisely quantified and so forth you really rule out good judgment instead of trying to improve the judgment. You rule it out.

Good judgment -- you need some flexibility. And in my opinion trying to tack everything down just doesn't allow for that flexibility and really taking account a variety of different factors at once. I understand the motivation to do this. I'm not against it on principle. I'm just kind of talking as a person who's familiar with making difficult decisions.

SENATOR FONFARA: Thank you very much.

Thank you, Madam Chair.

REP. NARDELLO: Thank you. And just for informational purposes if you would for the Chair's preference here to say look at other states because clearly other states both have regs and wind specific statutes. So -- and they seem to be working in those states and not causing a problem.

So if you would just take a look at them and let's see how they are in relation to what Connecticut has. Thank you.

At this point we're going to move to our next speaker which is Manuel Cords.

MANUEL CORDS: My name is Manuel Cords and as you can see from my flannel shirt I'm from Colebrook. I'm the President of the Colebrook Land Conservancy Inc. We appreciate the opportunity to testify before you with respect to wind turbines in Connecticut. The Conservancy's a local land trust. And we are a nonpartisan organization.

The Conservancy has approximately 300 members, a remarkable number given there are only about 1,400 souls in Colebrook. Conservancy protects over 1,050 acres in Colebrook. It owns 648 acres and holds voluntary conservation easements on 413 acres. The Conservancy favors the moratorium for one year which would allow a rule making process either in the legislature or by the Siting Council with legislative oversight.

My submission has some points. I'm going to gloss over them quickly. As a resident of Colebrook I can tell you that the anecdotal evidence supports the notion that as a result of the proposed wind farm development people feel disenfranchised. Their properties are likely -- their property values are likely to be adversely affected. After all as one person mentioned to me, why would anybody want to move to Colebrook if a wind turbine developer could gut the value of their home without even going to the town's planning and zoning commission.

There's a sense of outrage out there. Most people in Colebrook would view the approval or establishment of a wind farm as a back door taking. Proper regulations would establish a level playing field. In our view the regulations need to be science based. They should also provide a format for examining wind power versus other renewable energy sources,

for example there is hydropower in Colebrook and it may be possible to expand it significantly which would have the salutary effect of not stuffing the electrical grid with intermittent power and might also have a much more limited footprint in the interference with people's residences or conservation values.

The current regulatory regime does not seem to provide for such consideration adequately. You'll want me to summarize I assume.

REP. NARDELLO: We would appreciate that. And how considerate of you to hear that bell.

MANUEL CORDS: I think there are a lot of -- a lot of things the regulations should look at. The environment in our part of the State in the northwest corner should be looked at at a landscape level not -- not a real estate plot like real estate parcel kind of analysis.

And I guess all I can say is that the Conservancy is pleased to join the chorus of local town commissions and other groups and individuals to urge the establishment of a moratorium and science based regulation for the industry. We think that the regulation should be in place before wind turbines are built in Connecticut. And we encourage your Committee to exercise its oversight responsibilities. Thank you very much.

REP. NARDELLO: Thank you. Are there questions from members of the Committee? There are none. Thank you for your testimony.

Our next speaker will be Kristin Mow.

KRISTIN MOW: Hello. Okay. My name is Kristin Mow. I live at 12A Green Woods Turnpike in

Colebrook. And I have three children who also live there with me and my husband. Our house is located about 800 feet from one of the turbines. And I originally found out about this in the beginning of December when I received a notice in the mail from Fairwinds Connecticut informing me of this project.

So I started doing a little bit of research to find out exactly what the effects have been in other states, other countries, et cetera. And what I found was very alarming. And it was alarming to me personally because I have an eight year old son who has seizures.

He has had seizures in the past. And Daniel has vertigo which is a problem with your inner ear. And these are some of the problems that have been noted with wind mills being located close to your property. So that's pretty much where I stand on asking you to please take that into consideration when you decide -- when you're looking at the health of all the people that live around there, all of our families.

You know, that's what I'm really looking for that you guys take that into consideration because I don't think there's too much information out there that's saying that these problems do exist of families that live by there for us to just toss it aside and not take that into consideration.

REP. NARDELLO: Thank you, Kristin. Are there questions from members of the Committee? I thank you for coming. I know how difficult it is to come here for the first time and speak to us but thank you.

Our next speaker is Chris Kearns. I guess there's no Chris Kearns that's come up? In that case we're going to move on to Tim Reilly.

TIMOTHY REILLY: Good afternoon. I am Tim Reilly, President of Save Prospect Corporation, a group of concerned Prospect residents now numbering more than four -- 500 hundred people and growing every day. Madam Chair Nardello, Senator Fonfara and Committee members thanks for the opportunity to speak with you today on the need for a moratorium allowing for the development of wind power regulations.

I will talk not about compressed time schedules and money that's been issued. I will talk today about people, homes and lives. Save Prospect strongly believes that the alternative energy sources must be developed that also protect the quality of Connecticut's residents. This sudden rush for wind energy in Prospect has taken us all by surprise and threatened the security we believed we had. Until mid October of last year not a soul in Prospect knew this was coming.

To a person we feel like our liberties have been stripped away. Speakers from both Prospect and Colebrook are providing very detailed concerns today based upon extensive research that we've been forced to accomplish in just two months. While developers had two years, we've had two months. Speakers will illustrate the risks associated with the improper siting of industrial wind turbines in residential areas with important lessons learned.

But first let me tell you about 11 year old Tyler Nish. He lives at 11 Lee Road in Prospect. His home sits only 1,700 feet from a

proposed 492 foot tall 1.6 megawatt turbine. Tyler's mom, Marissa is unable to attend this meeting today as her husband Mark has been recently deployed to Kuwait. You see Tyler suffers from epilepsy, bipolar mood disorder, autism, anxiety disorder, depression and obsessive compulsive disorder.

He is afflicted with frequent seizures that require a seizure alert service dog. The family moved from busy Yonkers, New York to the new Prospect home just two years ago. They found a quiet place where Tyler could thrive. But the real irony lies in the fact that this family who has done more for the environment than any family I know now has to face the taunting of wind developers who label them along with all of us as a small group of NIMBYs.

In fact in 2009 while the developers were running these 18 months of wind tests unbeknownst to the community, the Nish family installed a \$38,000 geothermal green energy system with installation of pipes 300 feet in the earth where water is warmed in the winter and cooled in the summer not in their backyard but under it.

In the warmer months Tyler loves playing in the yard and swimming in his family pool where he is most at ease. His mom tells me that Tyler has anxiety fears and certain noises and constant droning sounds affect him negatively. The constant whooshing of these turbines is her biggest concern.

If they were installed as proposed their lives would have to adapt from each evening's beautiful sunsets to disturbing shadow flicker that results from the setting sun cutting

through the spinning blades as you will see later in our video copies of which have been provided today to the full legislature.

REP. NARDELLO: Mr. Reilly. I do have to --

TIMOTHY REILLY: To close,

REP. NARDELLO: I do have to ask you to summarize. Thank you.

TIMOTHY REILLY: To close, our position is that industrial wind turbines should never be sited in neighborhoods. Our system of government provides for the proper zoning of property to protect the health and safety of citizens, the quality of life and the value of their property.

Let's make our alternative energy wind initiative work from the start and not begin with a mistake based upon poor siting. We can do no less for our citizens. Thank you. I'd love to answer any questions you might have for me.

REP. NARDELLO: Are there questions from members of the Committee? Representative Williams.

REP. WILLIAMS: Thank you, Madam Chair.

And thank you for being here.

TIMOTHY REILLY: Thank you.

REP. WILLIAMS: Just maybe one quick question. Would you support -- it sounds to me like the size of these windmills as much as anything else is the concern. You referenced the height earlier in your testimony. Would you support potentially smaller windmills or do you think

that any wind technology at this particular location is inappropriate?

TIMOTHY REILLY: Yeah. This -- to give you an example, even a locally approved one megawatt which wouldn't fall under the jurisdiction of the Siting Council, those would be over 300 feet tall. They're huge. And they would offer the same problems with the noise, the shadow flicker, the infra sound that a 492 foot unit would look -- would have. These -- this site location is in a neighborhood area.

There are homes within 850 feet. There is a State road at 1,000 feet. There are 240 homes within a half mile. And there are 924 homes within just over a mile. This is a neighborhood. So to answer your question it is not the right site.

In addition, the site that's been chosen abuts a U.S. Super Funds site with active contamination into the bedrock which is contaminating local wells and creates great problems, which is just another host of issues that need to be addressed. So I would not support wind power on this site because this site is not a proper site.

REP. NARDELLO: Are there other questions from members of the Committee? Hearing none, thank you, Mr. Reilly.

Our next Speaker is Katie Lanouette.

KATIE LANOUILLE: Hello. My name is Katie Lanouette and I live at 19 Lee Road in Prospect. I live there with my seven year old son, my husband and three dogs. In 2006 I was diagnosed with a rare brain tumor. The side effects are debilitating headaches and migraines. It got

so bad that I was in bed 24 hours a day. During the past couple of years I have fought hard to get better and have some quality of life. I have missed so much of my son's life.

I've gone through over 40 medications, Botox, acupuncture, physical therapy, biofeedback and changes in diet. And I have done all this so that my son would have a mother and I did not have to spend my entire life in bed. I still have headaches 24 hours a day it's just a matter of how bad they are each day. Rescue medicines no longer work for me so the days I have sever migraines I just have to suffer through them and am usually in bed all day.

Today you may see me at my son's Halloween party at school or his soccer game but you have no idea what I have to do to be there. I need nine to ten hours of uninterrupted sleep, a nap in the afternoon and I need to take my eight medications on time and I need to eat my restricted diet on time. I also need to take it easy. I can't clean the house, go grocery shopping and run errands like normal people. And the weather needs to cooperate well.

Weather pressure changes make my migraines and headaches worse. Do you know how hard it is to juggle all of that? And some of the things are out of my control. If one of the balls falls to the ground, so do I. There are many things I can't do because I'm light and sound sensitive. I can't go to movies or concerts or anything similar because they are too loud and cause pain.

I am light sensitive. For example I do not like to drive after dark because of the oncoming headlights really bother me. If they were to put up wind turbines 1,700 feet from my

house I will have no quality of life anymore. I will end up in bed 24 hours a day. If my sleep is disturbed by the sound of the wind turbines I will get severe migraines and I will be in excruciating pain with no relief.

Light and sound flickering shadows will only make my migraines worse. I'm almost done. There is no way I'll be able to sell my house. Will you buy my house with a wind turbine 1,700 feet from it? I will miss more of my son's childhood and my son won't have a mother. I can't pay for daycare so does anybody have a solution for who's going to care for my son, help him with his homework and put him to bed?

I will be in bed and my husband will be working 12 hour days just to pay the mortgage and taxes so we can live in Prospect. Please consider my situation when you pay -- when you discuss this bill. Thank you very much.

REP. NARDELLO: Thank you, Katie. Are there any questions from members of the Committee?

None, we're going to move to Calvin Goodwin.

CALVIN GOODWIN: Good afternoon Senator Fonfara, Representative Nardello and the rest of the council. My name is Calvin Goodwin. I reside at 19 Woodcrest Drive Prospect, Connecticut. I've been there over 20 years. Due to the recent proposal I started doing some research on what turbines would be about. My brother has -- brother-in-law who nicely has a place on the Cape near Falmouth.

And they say they were irritating after they went up. And they've been going there for all of my life because my brother married the girl next door. They make noise. End of that

story. So I started looking at really what was wind energy about. If you look on the internet you'll see turbines blowing up because of UFOs. Not a very good source of information.

So I went to General Electric. I went to their website because they're the leader in this country of wind turbine technology. I looked through some brochures that are available online and on page five of wind energy basics, paragraph two, bullet two, they have the following statement; depending on setback requirements tens of acres might be necessary to house a single 1.5 megawatt turbine. Hence, megawatt scale wind turbines cannot be located in densely populated areas.

To me residential neighborhoods are densely populated areas. GE doesn't recommend them. I think GE has it right. The publication isn't specific what is meant by tens of acres. And with deference to the Siting Council I think it would be to their benefit to have some help and regulations so that we don't always have to pay a consultant to come up with these answers.

If they have a consultant maybe they need regulations as well. They've sited many cell phone towers without problems so they do have some expertise and we're aware of that and we thank them for it. In also the same publication with energy basics, page six, paragraph two GE talks about the regulatory framework.

Permits, licenses and regulatory approvals are typically required at the federal, state and local levels. Zoning and permitting expertise is essential. The developer would be well served to obtain the services of a professional consultant familiar with the regulatory

environment surrounding wind development. We ask for those regulations that General Electric says we need.

REP. NARDELLO: Calvin, can I just ask you did you look at what regs are in other states? Did you do any research or -- and I probably should have asked Tim this so I apologize for not doing that.

CALVIN GOODWIN: Well that's okay. I know Tim. Yes. We did -- I did a lot of research on regulations. Maine, for example, the most recent regulations they are adopting mile and a quarter setbacks to eliminate any possibilities of complaints from the neighborhoods.

One of the reasons the towns in Maine are doing that is you look at Vinalhaven, Maine where they sited three 1.5 megawatt turbines and is driving a core of neighbors that are very close, crazy. One lady had to abandon her home because of the noise. People that live a mile and a quarter away love it because in Vinalhaven they get the benefit of the energy in their own town.

Prospect doesn't get the benefit of energy. The Cape is also expanding their definition of what's proper setbacks. Wisconsin, Canada and worldwide are now adjusting their setbacks as one example to be longer and longer to make sure the citizens are protected.

REP. NARDELLO: Well I think the question we'll all have to research is what happens when they -- when the setbacks are made greater. Does that mean that these things don't get sited? So it's a question to be answered as we go forward. Thank you, Calvin.

CALVIN GOODWIN: Well, if you make the setbacks at a reasonable level, you may prohibit certain activities but that's life. You can't put an airport in downtown Hartford.

REP. NARDELLO: Good point. Thank you.

Are there other questions from members of the Committee?

SENATOR FONFARA: I just said there is an airport in downtown Hartford.

CALVIN GOODWIN: No, it's in Windsor Locks.

SENATOR FONFARA: No, it's in downtown Hartford.

CALVIN GOODWIN: Is there really? What do we have?

SENATOR FONFARA: Brainard Field.

CALVIN GOODWIN: I stand corrected. You are right. I was thinking more on Capital Avenue.

REP. NARDELLO: Thank you, Calvin.

Any other questions from members of the Committee? Seeing none, we're going to go on to the next speaker which is Karen Dunn.

KAREN DUNN: Good afternoon, Senator Fonfara, Chairman Nardello and all Committee members. Thank you for listening for our plea. Lack of reasonable regulations has torn my life and my town apart. We do need alternative renewable energy but sited in a proper place. Industrial sized wind turbines do not belong in residential areas.

I moved from New Haven to Prospect in 1968 to get away from the hustle and bustle of the big

city. I moved here for the tranquility, the quiet and this beautiful area called Prospect. This would be my special place to start and raise a family. We are the epitome of rural living. We do not live in mansions but we are hard working Americans living our dream.

We have modest homes on half acre lots and there are many of these homes that would be adversely affected by the proposed installation of industrial wind turbines. There are many residential areas and many, many lives in our beautiful State that could be severely affected now or later by your decisions.

I did not move next to an airport and get made because of the airport traffic. Nor did I move next to a mall because it was too noisy. I moved to a quiet street in a quiet town where my neighbors did and do take care of each other. And we all work to make life for us and our families. We are now fighting our way against big corporations and big government and there are no regulations in place to protect us.

I have no charts or statistics to give you. I just have my heart, my health and a way of life that I do not want to see compromised. I urge you, our representatives to serve, protect and defend all the residents of this great State that could be hurtfully affected by this wind turbine proposal.

Please vote for a moratorium for us and the creation of regulations that allow for the safe and responsible siting of industrial wind turbines. Thank you for your time and for giving me the chance to tell my story. Please don't allow them to write a sad ending. My home is all I have and all I want.

REP. NARDELLO: Thank you, Karen.

Are there questions of Karen?

Thank you for your testimony.

KAREN DUNN: Thank you.

REP. NARDELLO: The speaker is Eric Bibler.

ERIC BIBLER: Madam Chairwoman, members of the Committee, thank you for this opportunity to address you. My name is Eric Bibler. I reside -- I'm a full-time resident of Weston, Connecticut. I'm also President of a group in -- out of -- that's based in Wellfleet, Massachusetts called Save our Seashore. Save our -- I submitted a written statement. I'm not going to read it. The timer's going to go off on page two I'm sure.

But I wanted to tell you a little bit about our experience because I think it might be instructive to what you're trying to accomplish here. Our group started 15 months ago in someone's living room, much like these. There was a complete lack of awareness in the Town of Wellfleet of the implications of bringing a wind turbine to the town.

The one that was proposed for Wellfleet would have been owned and operated by the Town of Wellfleet so there was an additional temptation of revenue for the town. And it would have been located in the heart of the Cape Cod national seashore. So a number of us felt that that was very wrong. It had the unanimous support of the Town of Wellfleet.

We began to get busy and learn about the technology and the consequences and the adverse implications. And along the way -- I'll try to make the -- try to telescope the story but as we worked we -- we appealed to the National Parks Conservation Association, provided them with all of our research. They studied the issue very closely over a five month period and they ended up writing a letter of support for our group in opposition to the park superintendent who was in favor of the project because of its consequences for wildlife. And this was a truly extraordinary event. They had to actually revise some of their policies.

We convinced the Town of Wellfleet -- we started in November. By March 2010 the Board of Selectmen unanimously rejected the project because of all the adverse consequences to the community because of the divisiveness, because of the adverse impacts on the park, and a number of other things. I'll just close by saying that we're currently working with the Cape Cod Commission.

We're pretty far along now in terms of trying to put together some regulations that will govern the -- you know all of Cape Cod on a regional basis out of the realization that these individual projects and these individual towns invariably run into trouble, with all due respect to the Siting Council.

The issues are so difficult and so technical that it's beyond the expertise or the learning curve or the timetable of these groups to really respond to and that's why I'm speaking strongly in favor of a moratorium today.

REP. NARDELLO: Thank you. Are there questions from members of the Committee? Representative Miller.

REP. MILLER: Thank you, Madam Chair.

Good afternoon. I was just interested, where were they going to place this? In the Marconi area?

ERIC BIBLER: They looked at Marconi. There were a number of problems with that. They were going to put it in -- there are -- Cape Cod is odd. The towns retain their land meaning private individuals and they're yielding it to the federal government.

So the town owned a 200 acre legacy parcel they had seized for nonpayment of taxes but it was literally founded on all sides by the national seashore. So it would have been in a pristine woods in the middle but there were numerous residences within -- within a half a mile.

REP. MILLER: This is on the right hand side if you're heading out to Provincetown.

ERIC BIBLER: That's correct. They've rapidly ruled out anything on the -- I guess that would be the west side because it's more densely populated so they started looking at sites on the other side. And I might add quickly that rural areas -- these quiet rural areas are particularly troublesome. And I think that Prospect and Colebrook would fall into that category.

I have no doubt that either one of these projects if they were built would have absolutely devastating consequences and I say that having spent hundreds if not thousands of

man hours on working with towns all over Cape Cod, many of which -- probably a half dozen reversed projects that had unanimous support after they learned what they were in for. And the Cape Cod Commission now has a proposed minimum performance standard of 3,000 foot setback and a 65 foot maximum height requirement.

Now this hasn't been voted yet but that was actually remanded back to the committee as potentially not being strict enough. I asked the commission to provide me with whatever information they might have that 3,000 feet could possibly be adequate. What medical information or studies did they have and their response because there is ample, ample research that would suggest that the minimum setback should be a mile and a quarter.

And the response of the Commission to me was -- this is privately because, you know, I asked that question but they couldn't give me a response because there isn't any. And the 3,000 foot setback was arbitrary, you know, its realized that pushing for a mile and a quarter on the Cape is tantamount to just saying forget the whole thing.

And politically impossible so they're choosing to adopt a 3,000 foot setback and a 65 foot height requirement which will require an in depth review. It's part of a package and we'll have many more other robust requirements that need to be filled.

REP. MILLER: And lastly, with the bike -- would this impact the bike path in any way or come close to it?

ERIC BIBLER: It definitely would have impacted the bike path. And the other thing was that that area was a -- it was an unfragmented habitat and there were many, many other issues. But the residents would have been punished. We know a lot of these people in Vinalhaven and Falmouth and other places. And when we described the distance from some of these houses the response was that they'll have -- they won't be able to take it. They'll have to go.

REP. MILLER: Thank you so much.

REP. NARDELLO: Senator Witkos.

REP. MILLER: Thank you, Madam Chair.

REP. NARDELLO: Thank you, Representative Miller

SENATOR WITKOS: Thank you, Madam Chair.

Good afternoon. You testified that seashores wouldn't be good, rural areas would be devastating. For testimony that shouldn't be in densely populated neighborhoods. Are you basically testifying against any type of a wind turbine project in New England.

ERIC BIBLER: You know, I guess what I'm trying to tell you is that the experience that we had has always followed the same pattern. There was energy plan and there was -- there was a desire to develop renewable energy. So we started off with the presumption that we must have renewable energy. Then when we got down to the problem of where to put them in a manner that was safe, the developers invariably said, well we have to relax these restrictions or we won't be able to put them anywhere.

Well the consequence of relaxing safety restrictions is to put people at harm. And I was very, very impressed that the then Attorney General, now Senator Blumenthal after hearing some of the issues rapidly sized up the problem and what he said was first of all -- when he said that's law -- the current regime is lawless what he said to us was we don't have any of the normal protections that obtain for the existing property holders.

So I think my recommendation to this Committee in my statement was, I think the first thing that you have to do by virtue of hundreds of years of legal tradition, zoning law, special permit process is to recognize the legitimacy of the existing property holders.

Then the second thing you have to do is you have to recognize that these are giant, industrial machines that emit sound at a hundred decibels at the hub which is equivalent to a jet or a helicopter. And that the quality of the noise is very disturbing and potentially harmful.

Then I think the third thing that you have to do which is almost never done is -- in every special permit process in the language it inevitably -- and these are regulated by special permit in these towns on the Cape. It basically says that the developer who comes to town has the burden of proof to demonstrate the absence of harm and that he won't impair the rights and uses of the -- legitimate rights and uses of all these other uses of property, for residence, recreation, historic preservation or conservation.

That is the way the law reads. That is the way we've had hundreds of years of tradition. What

we keep finding is that this -- this form of energy wants to come in and be the bully on the block to -- to demand that it's part of a regional or a national policy and that we should be willing to put a minority of people at harm.

And then they marginalize and ostracize some group of people who happen to live too close to the machines. And the perversity of that is that most special permit processes are set up to protect the abutters, recognizing they're the ones -- they're the ones who are most at risk.

Instead we turn around and we say, oh, it's only those people who are closest who are going to suffer and then they actually refer to them as collateral damage or a minority of people. Let's do it. I think it's immoral for any community to sacrifice any -- any subset of its citizens.

SENATOR WITKOS: I don't necessarily think that's always a sacrifice. I'm becoming acutely aware of many different wind projects in the New England area and I actually have folks sent me pictures and videos of -- of different wind projects in other states where they're next to a high school track and there's a residential community next to it.

And the town has reaped benefits by that and folks have said that -- you know, it's both ends of the spectrum I guess where there sometimes is noise, sometimes there's flicker. Other times they're right below the turbines, they don't hear anything. So I think it goes both ways.

And I'm just trying to get at from your testimony where you think the Siting Council should be focusing on if they're going to allow the permitting of a wind turbine to be built, where in Connecticut would it fit in if based on what you've told me already it wouldn't fit in anywhere in Connecticut?

ERIC BIBLER: Senator, I think that my response to that is the very first thing you have to do is as with any other industry, it's the reason we have OSHA and all these other agencies. The very first thing is to establish safety.

If you establish that a safe perimeter is a mile and a quarter and then you survey the entire State of Connecticut and you can't have any wind turbines, so be it. I don't think that you have a right to put those people at risk. It may be that Connecticut which has a relatively poor wind resource to begin with, is not the place. But I think you can't run the process backwards.

You can't say we must have wind turbines now who are we going to sacrifice. And I think if you're going to do that you should come up with a regulation that determines how many people per megawatt you're willing to sacrifice.

SENATOR WITKOS: And if the manufacturer recommended a certain setback and that is what the guideline was utilized by the Siting Council, it may not be to the degree that you feel it would be, would you be happy with that?

ERIC BIBLER: I don't think the manufacturers do recommend a setback. They have setbacks that have to do with mechanical failure fault zones, evacuation. They don't have any setbacks that

relate to noise. They don't have any setbacks that relate to flicker.

REP. NARDELLO: Are there further questions from members of the Committee?

Seeing none, we're going to move on to our next speaker which is Stella Somers.

ERIC BIBLER: Thank you.

STELLA SOMERS: Chairwoman, members of the Committee. My name is Stella Somers and my husband Michael and I live in Colebrook, Connecticut and own an award winning, ten thousand square foot luxury b and b in a landmark residence known as Rock Hall which is listed on the National Register of Historic Places. And was a process that was completely transparent and took up to two years.

Rock Hall is located less than one half mile from the proposed Rock Hall site and one and a half miles of the Flag Hill site. We purchased Rock Hall and 22 adjacent acres for over one million dollars without any additional taxpayer funding in 2005. Rock Hall was designed by Addison Meisner who is known as the architect of Palm Beach. And Rock Hall is the only -- only surviving Meisner residence north of the Mason-Dixon Line.

In order to operate as a bed and breakfast we had to go through an extensive process which included notification of all of our neighbors and a public hearing in the town hall. Despite what Mr. Olsen and the Clean Energy Fund were led to believe, until receiving notice of the informational meeting that was to be held in November, we and all of our neighbors had no idea of BNE's plans for the Rock Hall site.

BNE has asserted that it need not demonstrate that there would be no adverse effect on Rock Hall. That is squarely at odds with federal guidelines.

Rock Hall is in fact protected under section 106 of the National Historic Preservation Act. There is no question that the proposed industrial scale turbine will have a devastating effect on Rock Hall's continued growth and success. That guests will go elsewhere and that there will be a substantial and negative impact on the local carpenters, plumbers, electricians, painters, plasterers, masons, gardeners, housekeepers, massage therapists, arborists, laundry people, landscapers, bakers and farmers who continue to work to help us keep Rock Hall a national and Connecticut treasure and a guest destination.

I ask that you vote in favor of House Bill 6249 and add the phrase historic resources in the subsection that addresses natural resources. No wind turbine project should be sited without consideration of both human, natural and historic resources. Thank you.

REP. NARDELLO: Senator Fonfara.

SENATOR FONFARA: Thank you, Madam Chair.

How far from the proposed wind projects is your facility?

STELLA SOMERS: Our facility is within half a mile of the Rock Hall site and within one and a half miles of the Flag Hill site.

SENATOR FONFARA: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Are there further -- Senator Witkos.

SENATOR WITKOS: Thank you for taking the time to come out today. I was aware that the Flag Hill Road project was moving forward as it was first developed and I didn't hear any opposition from anybody in Colebrook when it was just that stand alone facility. Were you organized or beginning any organization in opposition to that specific site prior to learning about the other site?

STELLA SOMERS: Me personally or the people in the town.

SENATOR WITKOS: You or the Fairwind group that's organized out of Colebrook.

STELLA SOMERS: No, not before -- not before we received the information about the Rock Hall site because we were -- we were under the impression that the Flag Hill site was behind -- there's a gun club and a ridge. It was our understanding from the material that we were -- had privy to that the -- that project was sited behind the gun club on a ridge and frankly we didn't know that there -- it was sited in the midst of homes.

And we thought that perhaps that would be an appropriate siting for renewable energy. My husband and I in Rock Hall -- and in fact Fairwind, support renewable energy. You know, there are YouTube videos about Rock Hall and its green efforts. So when we thought that it was on a ridge away from the highway, away from homes and behind the gun club, it didn't seem that it would have a negative impact on any resident. It didn't seem that it was in a

residential area to us. That was our understanding.

SENATOR WITKOS: Thank you very much.

REP. NARDELLO: Are there further questions from -- okay.

Thank you very much for your testimony.

STELLA SOMERS: Thank you.

REP. NARDELLO: And our next is Shirley Wagner. I'm sorry. Susan Wagner.

SUSAN WAGNER: Hi. I'm Susan Wagner known as Suki. You don't have to remember that. My husband and I bought a piece of property and built a house in the mid 90s because we were drawn to northwestern Connecticut for the reason that everybody else is drawn to northwestern Connecticut. It's beautiful. It's pristine. It is based I believe on tourism. People come in the fall. They come in the summer. They come to summer camp.

It's a real -- it's a draw because of the beauty in that part of the country. I would like to agree with Stella and want to make it very clear, I'm an abutter to the Rock Hall proposed site. We didn't know anything about it until we went to the so called informational meeting. Mr. Olsen and BNE indicates that we've known for two years.

Now I will admit to a certain head in the sand about the met tower. I asked somebody who I thought was very knowledgeable in the met tower. He had been involved in the PNC arrangement for that. He said oh, don't even give it a second thought. There's not enough

wind in Connecticut to support a huge wind tower.

So we kind of said, well let them play their games nothing's going to happen. So when I heard there was going to be something at Flag Hill, I went to the informational meeting and only there did I discover that there were three towers on my property line. And nobody had said a word to me. So, I mean, you do feel like someone's jamming something down your throat.

I'm concerned because I am as you can tell elderly. And I am, as are my grandchildren, most vulnerable to the ill effects of the wind tower. Developers will tell you and developers evidently around the country will tell you that oh, there are no ill effects. And no, it won't do anything to your property value. Both of those statements are just an outright lie.

There are serious ill effects and everybody has experienced difficulty selling a house if they're close to a wind tower. I'm not saying that I am in -- going to be in terrible shape if I lose my house. But there are people in my neighborhood whose main asset in life is their house. And they -- if they are close enough it will be reduced to half. Thank you. Any questions?

REP. NARDELLO: Just one question. I want to be clear. So you're saying that you were not -- you were aware of the fact that there was a meteorological tower that was going to measure wind.

SUSAN WAGNER: Right.

REP. NARDELLO: You were under the belief that the likelihood would be that there wouldn't be enough wind so there was nothing to be considered.

SUSAN WAGNER: Correct.

REP. NARDELLO: But once the project for the commercial wind turbine was proposed, you were not contacted in any way.

SUSAN WAGNER: Not in any way.

REP. NARDELLO: Okay. Was anyone else contacted?

SUSAN WAGNER: Nobody about the Rock Hall as Stella said. She's on the other road almost abutting Rock Hall. Nobody knew. Nobody knew until that night.

REP. NARDELLO: So then how did you -- how did you find out?

SUSAN WAGNER: Well when we went to the informational meeting for what we thought was the Flag Hill site there was an oh, by the way we're going to do another on -- three on Rock Hall. That's how we heard about it.

REP. NARDELLO: Thank you.

If there are no further questions we're going to move on to Helen Plante.

HELEN PLANTE: Good afternoon. Thank you for listening today. I am from Prospect and I actually live three miles away from a proposed wind farm site. I'm here to express my concern for the siting of this project and how it will impact my town and neighbors. This is personal to me. I grew up in the neighborhood that will

be directly affected by this proposed wind farm. I still have family that lives in the house I grew up in.

But I will be speaking specifically on the behalf of my 77 year old father who could not be here today. His home will be within 1,500 feet of the proposed site. His has owned this property in Prospect since 1955. He has put his life's work into this property. When he bought this property he understood he was near Route 69 and there would be some noise associated with the location.

But he never imagined as he worked so hard on his home actually digging his foundation by hand, that this retirement -- that his retirement years and life investment would be ruined by a proposed wind farm located so close to his home. The impact this proposal will have on his quality of life, personal safety and devaluation of his property is behind his comprehension and quite frankly mine as well.

This densely populated area is not the proper location for this type of facility. The negative impacts upon the residents will be too great. The 900 home owners located within a mile and a quarter of this site, to ask them to sacrifice a life of work and investment for a facility that would be better suited elsewhere is too much. Regulations need to be in place to protect their interests.

Please think of the residents that have put a lifetime of work into their property and the young families that I have met that just purchased their first home with the hopes that they would live there for the rest of their work life.

Don't sacrifice their hard work for this particular project. Don't put them in a position to be unable to have a life of peace and security in their own home because the value of their property has been greatly reduced to find themselves trapped in their own home because their neighborhood has been made completely undesirable.

As I've sat here this afternoon I've heard mention of different states that are -- to be met to have renewable energy. All the money that has been given to this particular energy company to put this project together. All the time they've spent. Two years.

Well my family's put over 50 years into their home. They have all paid their mortgages with interest not unforgiven -- or not forgiven loans. Don't lose sight of the people there. And forget these are people who have spent a lot of money and a lot of time in their property. I thank you.

REP. NARDELLO: Thank you, Helen. Senator Fonfara has a question for you.

SENATOR FONFARA: Helen, did I hear you say that the neighborhood you're speaking of is a mile and a quarter from where the proposed site is?

HELEN PLANTE: I live personally three miles from the site.

SENATOR FONFARA: Right.

HELEN PLANTE: And I really believe it adversely affects the character of the town. But my family lives within a hundred -- 1,500 feet.

SENATOR FONFARA: One thousand five hundred feet.

HELEN PLANTE: And the most affected homes from the research I have done to sound and sight and flicker and such is a mile and a quarter. That's about 900 homes.

SENATOR FONFARA: Do you know how far a mile and a quarter is?

HELEN PLANTE: I do. Yes. These are -- you forget how large these are. It's very large. So it's going to be seen from a very great distance.

SENATOR FONFARA: And that is going to -- and that is going to lead to --

HELEN PLANTE: It's mapped out.

SENATOR FONFARA: And I appreciate very much how much this seems to mean to you. I'm not in your head so I can't tell but listening to your testimony but to use the words trapped in their homes.

SUSAN PLANTE: There are people who have left -- abandoned their homes because they cannot be sold. So if you can't sell your home, you can't take a job in another state or you have to sell it so cheaply in order to get out from underneath it, yeah you're trapped. You're not going to make a profit on that home. You're going to have to reduce the cost to what you purchased it at.

In my case, if I lived there 16 years ago. But I'm luckily not in that position because I live far enough away. It doesn't mean I think it's right.

SENATOR FONFARA: But -- but again, you believe that people will be trapped in their homes --

SUSAN PLANTE: Yeah. They're not going to be able to sell it.

SENATOR FONFARA: -- because of a windmill a mile and a half, mile and a quarter away.

SUSAN PLANTE: Most definitely. Would you want to live next to a spinning 492 foot tower? If you could choose my home three miles away or my father's home 1500 feet away --

SENATOR FONFARA: I represent the City of Hartford.

SUSAN PLANTE: -- you're going to choose the three mile away home.

SENATOR FONFARA: Helen, I represent the City of Hartford. If you want to take a tour with me of what I live next to and what my constituents live next to I will be glad to arrange the bus ride.

SUSAN PLANTE: Well the City of Hartford is a city. Prospect is not a city and that's not the character of our town. Let's compare apples to apples not apples to oranges.

SENATOR FONFARA: Well, are you talking about people's health? So in other words if you live in a city then that's acceptable?

HELEN PLANTE: You know there are some associated risks with living in a city.

SENATOR FONFARA: I see. Okay. Thank you, Helen.

HELEN PLANTE: Thank you.

REP. NARDELLO: Our next speaker is David Troutman. Oh, I'm sorry there's a question. I'm sorry. Laura. I'm so sorry.

REP. HOYDICK: Thank you Madam Chairwoman.

Helen, thank you for testifying and I want to thank all of your neighbors for coming and testifying as well. I just want to clarify something because you and others have mentioned our questioning about schedules and money as well as us questioning you about your site locations and your length of living in Prospect and Colebrook and the investment you've personally made.

And in order for us to make decisions or make recommendations we need to have the entire picture. That's why we're asking those questions. It's not because we feel that \$500,000 or whatever the money is is a paramount importance to your homes and your livelihood. That's not the case. I just wanted everyone to understand that we need to ask these questions or we wouldn't be doing our job as legislators and we wouldn't be representing you and our constituents well either. So I just wanted to let you know that.

HELEN PLANTE: Well I appreciate that. And I didn't want the little guy to get lost in the picture as well. Thank you.

REP. NARDELLO: Our next speaker is David Troutman.

DAVID TROUTMAN: Hi. I'm David Troutman and I'd actually like to share a video.

REP. NARDELLO: David, we can't hear that. I'm trying to get you to get the sound up.

DAVID TROUTMAN: Am I allowed to turn it again?

(Whereupon, a video was played.)

DAVID TROUTMAN: I could answer any questions if you like.

REP. NARDELLO: Are there questions from members of the Committee?

Yes. Representative Bacchiochi -- Representative Miller. I'm sorry.

REP. MILLER: Thank you, Madam Chair.

I missed the beginning. Where was this?

DAVID TROUTMAN: The beginning was actually in Australia.

REP. MILLER: Victoria, Australia.

DAVID TROUTMAN: That was Gabor.

REP. MILLER: And how many windmills were there there?

DAVID TROUTMAN: That particular farm is approximately at 100. It's a larger wind farm obviously than what we're talking about in Connecticut.

REP. MILLER: Yeah. Now when they started to break apart it reminded me of the windmill on Mount Snow. They put like a three mile, four mile road up to get to it because the bolts and nuts were snapping off it all the town with the wind and the vibration just -- go flying off. Thank you.

REP. NARDELLO: Any other questions from members of the Committee? Representative Becker.

REP. BECKER: Do you have any information on how far the sound actually travels? So if we're set back a mile or -- how far back does it have to be before you wouldn't hear the sound? Or before it would be nothing more than the sound of wind?

DAVID TROUTMAN: Yeah. Well, obviously sound is subjective. You know that. Different people will hear the sound. Different people will be affected by the low frequency, inaudible sound. Most and our neighbors agree with the National Research Council which talks about sound being mitigated after about half a mile. You will still hear them at half a mile though.

There's -- any research that you want to do you will see complaints, people that hear them after the half mile. Some experts (inaudible) in particular talk about 1.2 -- two kilometer setbacks because of noise primarily.

REP. BECKER: And how about -- you know, when we talk about height 492 feet or different heights that we're talking about. I haven't done the math. I'm sure there's like maybe some kind of geometric theorem and you come out with a distance in terms of the flicker effect as well. Can you address that? Obviously it would depend on whether it's on a hill and you know where the sun is in relation to the shape to it and all that but can you give a -- a range?

DAVID TROUTMAN: Obviously I'm just a computer guy that -- not a physicist. Yes. Obviously 492 feet, the sun sets every day. It's going to have, you know, some impact on X number of

homes but I wouldn't be quantified to answer that.

REP. BECKER: Thank you.

REP. NARDELLO: Further questions?

Thank you very much for presenting the video.

Okay. In deference to the time issue. Okay. What we've got is we've got some other bills that are on the agenda that only have very, very few speakers. Like one or two. And rather -- and we have quite a few speakers still left on this bill. So what we would like to do is just call those bills with those speakers since we don't expect -- like I said there's very few signed up. And then we'll return to this agenda.

So, we're going to go to Bill 6250 and John Emra if he's in the room. Is John here? Okay. And John, I noticed you're signed up for more than one bill. It's up to you but you get three minutes if you stay for each bill but you also can use this time to do all of the bills. It's up to you.

JOHN EMRA: Yes Ma'am. Thank you. And thank you for the Committee's indulgence in allowing us to -- to give our comments. I've been joined by some colleagues from the wireless industry. We were all signed up as a group, Representative Nardello, so that may speed this process along a little bit as well. I'm here testifying today on behalf of AT&T, Sprint, Verizon and T-Mobile. My colleague from T-Mobile, Christopher Ternet is going to start with some comments and then I will give some comments as well. Thank you.

Seeing none we are going to return to the agenda. We're going back to 6249. And our next speaker is Richard Sergeant.

RICHARD SERGEANT: Somewhere around 12 weeks ago I learned about the proposed wind projects coming to Connecticut and started to research the issue myself because my family lives about 1,500 feet from the proposed site. I took a great interest and I took the bus trip that the Town of Prospect put on and we all got on the bus and drove up to Falmouth, Massachusetts to see the turbines installed there.

We left Prospect at six o'clock in the morning and we got out at Falmouth at about nine o'clock. And the thing that struck me the most was we pulled up to the Falmouth waste water treatment facility where the first turbine was on that cold November morning how many people were there and they spent as much time with us as we needed and answering questions and telling their stories on that cold day.

We all walked over to the turbine. And the turbine there was 400 feet tall. And to be honest with you I couldn't believe what I was seeing or hearing. I've never seen one in person for myself. And then we realized that the turbines they're proposing for our town are 100 feet taller. So we tried to put that into perspective. And to be quite honest for me it's still quite surreal that we're going through all this.

Got back on the bus and we proceeded over to the residential neighborhood to view the second turbine which is located around the corner. The distance of that turbine was very comparable to mine and we all got off the bus and they shut the engine off from the bus. And

it wasn't even a very windy day and all you could hear was the whooshing of the blades passing the tower.

And he's not here anymore but even the Mayor of our town said he couldn't believe how -- how loud the whooshing sound was. And it was more than he expected to hear. I've been doing some research on the issue because like I said I live close and I'm going -- I'm going to be directly impacted. And it really all comes down to setbacks.

And I've been looking at different setback regulations around the country and I just thought I'd share a couple. Montville, Maine has a one mile setback from homes. Alleghany, New York has a 2,500 foot setback. Ridgeville, Wisconsin has a half a mile setback from residencies. West Providence, Pennsylvania has a 2,500 setback from homes. Woodville, Wisconsin has 1,000 foot or three times the total height, whichever is greater from roads, power lines and half a mile setbacks from the nearest residencies.

These are just a few well written ordinances that I have seen that build in a margin of safety for the people it's supposed to help. Currently we all know Massachusetts is hearing traffic regulations for a 3,000 foot setback from industrial wind turbines. The story is sadly the same across the country of drives broken and dreams shattered when industrial wind turbines are sited too close to neighborhoods. Please help me protect my family today. Thank you.

REP. NARDELLO: Senator Witkos.

SENATOR WITKOS: Thank you, Rich. You went and did your homework and you presented to us several different setbacks throughout different areas and they're all over the map. And in that homework did it give any rhyme or reason as to why that specific setback was established for that specific state or community?

RICHARD SERGEANT: A lot of them were established because if you go and you actually read the ordinances they have rationale and they have a lot of sources that they site due to the sound and due to the flicker effect and just for the ice throws and blade breaks. And they take all that into consideration and most of these ordinances which I don't have copies with me today, they do, yes, have rationale.

And I tried to pick ones that had a rationale if we went and actually looked at the ordinances you could see the -- the sources they site. And I believe -- I can't say which sources they used by they were definitely credible sources.

SENATOR WITKOS: Yeah. I -- listening it makes it difficult when you hear things such as one miles or two miles to all the way down to 2,500 feet. And that's why I'm just curious as to what did they use to determine that. Was it the system?

RICHARD SERGEANT: I see the same things and I -- I can't tell you the answer to that question but I guess it's probably due to experience. And most of these areas have had wind power for many years. And like Connecticut, we're very new at it so I think -- I don't know, a lot of it might have been where they've changed the regulations or that's just where they started. I can't answer that particular question where

all those numbers -- I'm just -- I was just citing some examples.

SENATOR WITKOS: Okay. Thank you very much.

Thank you, Madam Chair.

REP. NARDELLO: Quite an interesting evening. We're being serenaded as well. We don't usually have this I have to say. Thank you. Are there further questions from members of the Committee?

Seeing none, we're going on to our next speaker, Nicholas Harding.

NICHOLAS HARDING: Excuse me. I've got to find my - my name is Nicholas Harding. I'm an Attorney admitted to practice here in Connecticut. I was admitted to practice in Connecticut in 1979. I practice law with the firm of Reid and Riege and I represent Fairwind CT.

I had the good fortune when I started my legal career to start out as a tax lawyer and I was doing tax shelters and I did those until the Tax Reform Act of 1986 when Ronald Reagan basically killed the tax shelter industry and we no longer did real estate and equipment leasing tax shelters the way we used to and I got recycled into doing environmental law and doing environmental law projects.

But it's interesting to note that many of the tax shelter techniques have been brought back to be used and to encourage renewable energy which we all agree should be encouraged in some fashion. But after I got recycled into doing environmental law I worked on the siting of certain projects.

I worked on the siting of the Lisbon Waste Energy project. When we first came -- went to Lisbon my partner and I went first -- went to Lisbon, the Lisbon planning and zoning regulations prevented the siting of a waste energy plant and an ash landfill under the local planning and zoning regulations.

After running a campaign and having a town meeting, the town meeting decided to change the regulations. We went through the local planning and zoning project and we received local planning and zoning approval for the construction of that facility.

We still have to go through the Connecticut Siting Council process. We went through that. We went through the Connecticut DEP permitting process. We defended the appeals taken by the Connecticut Resource Recovery Authority who were challenging the -- the private development of a waste energy facility. But we got through all of that.

And I would say that much for the better that by going through the local planning and zoning process the project improved greatly and it changed because we had to listen to what the local people had to tell us. And with, you know, all out engineers and all our consultants we ended up changing the way the project looked and was designed based on having to go through that process.

What's wrong about the process with respect to siting wind turbines is the process leaves out the local planning and zoning commission. It leaves out the local -- supposedly the local wetlands commission though I think reasonable lawyers will dispute -- differ on that. The problem with the process we have right now is

those people are left out and we don't have a regulatory framework that makes sure that we have a good project when we get done, when we put the windmill online we have a good windmill. And we don't have that.

I'm going to leave you. If you have questions, I know the bell's -- the bell's gone off and I hope you've been able to hear what I've said. You've got my testimony. I hope I'll be able to hear your questions over the din.

REP. NARDELLO: We'll make sure that you do. Questions from members of the Committee? Are there questions from any members of the Committee? There are no questions, so thank you very much for your testimony. Okay. In between the two lists and we're going to our first -- our next speaker is Joe Flaherty.

Mr. Flaherty I believe is not here so we're going to cross him off. Glenn Weston-Murray, is he here? If there's no Glenn Weston-Murray is there a Martin Aikens? Okay. Is there an Anthony -- it looks like Soter or Soter? Is there a Dan McInerney? Okay. Is there a Paul Vallillo? Paul Vallillo is not here either? Okay.

PAUL VALLILLO: I was preparing to say good afternoon but I guess it would be good evening at this point. Mr. Chairman, Madam Chairman, members of the Committee, my name is Paul Vallillo. I live in Prospect. I've lived in Prospect since 1994. I've watched Prospect grow as more and more folks moved into town. Along with this growth have come growing pains as you may imagine.

Some schools have become obsolete and overcrowded. We now have four traffic lights

as opposed to two when I first moved in there as a result of increased traffic. When I learned about the wind project back in 2006 I was very excited about it. here was an opportunity for Prospect to accomplish several beneficial goals. A, to increase tax revenue to the town, B, to develop a large site in a way that minimally impacts the environment and C to start us on the road to renewable energy with Prospect leading the way.

From the time that BNE Energy received approval from planning and zoning for -- for the met tower in October of 2008 up until BNE's informational session at the fire house in October of 2010 it was nothing but positive feedback from town officials and from fellow residents. BNE has followed the rules prescribed by this legislature, submitting its petition to the Siting Council.

This is the process that has been developed after due consideration of many legislatures such as yourselves for several years and over many sessions. This Committee more than any has been responsible for encouraging the development of green energy in Connecticut knowing all along the potential development proposals may raise.

I implore this Committee to reject proposed House Bill 6249. This bill is a kneejerk reaction to a few people who seek to derail wind development based upon NIMBYism. The stated urgent energy needs of the entire State should not be held hostage by a few folks. I urge you to do the right thing. Changing the rules in midstream is not good for Connecticut energy policy and it will have a chilling effect upon current and future renewable energy investment in Connecticut. Thank you.

REP. NARDELLO: Mr. Vallillo.

PAUL VALLILLO: Yes.

REP. NARDELLO: Can I just ask you a question please and I hope you can hear me over the noise.

PAUL VALLILLO: I can.

REP. NARDELLO: Okay. My question to you is why do you believe that the adoption of regulations will preclude us from doing wind projects in Connecticut?

PAUL VALLILLO: I say this not to be insulting to anybody but government moves at a glacial pace. And if you have a set of rules and people follow it and then all of a sudden you decide you're going to change the rules we all know that it takes so long. In the real world of business there are investors or people that are trying to make their livelihoods. Those types of delays just are not -- it's not beneficial for business.

And I think when you look at this Committee more than any, as I said has been responsible for trying to promote green energy development. And people looking at trying to get into it or to invest in green energy development are going to look at all of a sudden the rules being changed. Excuse me. And they're going to say I'm not going to do that.

I'm not going to take the risk because how do I know I'm going to propose what I think is a good project and then at the eleventh hour all of a sudden different rules are going to be instituted. It just does not seem fair. And this does not seem to be good for business or

for the stated purposes that this Committee has worked so diligently over the past several years.

I've done a lot of research looking at all of the Committee notes and testimony and all you folks have worked very hard to try to get green energy development. And to all of a sudden change after you knew someone was going to come along to try to do it, it just doesn't seem right.

REP. NARDELLO: And just one other question.

PAUL VALLILLO: Yeah.

REP. NARDELLO: Do you believe you'd feel the same way if you lived very close to this project, say within 500 feet of it? Would you feel the same as you do?

PAUL VALLILLO: Well I don't know if anybody lives 500 feet. I certainly -- I can't sit here and say I wouldn't feel a bit differently. But I think that you really need to look at all of the facts. I've gone to wind turbines. I've stood underneath them. Yeah, they're large. But I didn't really hear all the noise that everybody's saying that they heard.

To me, given the topography of Connecticut, I don't really think you're going to be able to see it. It's not going to be like this looming structure as it would be let's say maybe in the Midwest because it's so flat.

So I think that the impacts are going to be different based upon your -- where you are relative to the topography and the tree cover and all of that type of thing. And again, that's all for the Siting Council to.

REP. NARDELLO: Well let me ask you a question.

PAUL VALLILLO: Yes.

REP. NARDELLO: If there were noise impacts. If there were safety impacts that the Siting Council determined then -- then do you feel that we should then have regulations or certainly guidelines to follow based on that?

PAUL VALLILLO: So if I understand your question--

REP. NARDELLO: In other words we're going to -- we would assume -- we're all speaking here but someone has to do the research on this.

PAUL VALLILLO: Okay.

REP. NARDELLO: So if the research is conducted and its determined that there were noise levels that were particularly difficult for those in the area. If there were issues with setbacks for public safety and that was decided by the Siting Council. Would you then still feel the same way?

PAUL VALLILLO: The process right now is that BNE has to get approval by the Siting Council. There -- they submitted their petition with all of the studies. They have to go through that process. If it's found at the Siting Council that it's deficient in a certain way obviously it's not going to be approved. But I don't think it's the -- I don't -- it should go through that process because when they decided that they were going to impose this project those were the rules that were in place.

REP. NARDELLO: Thank you, Mr. Vallillo.

Are there questions of other members of the Committee? Seeing none we're going to go on to Michael O'Connor.

PAUL VALLILLO: Thank you.

REP. NARDELLO: Is Michael in the room? He is not. Okay. Dan Barnhardt?

DAN BARNHARDT: Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee. My name is Dan Barnhardt and I'm submitting this testimony in opposition to proposed House Bill 6249, AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS. I'm a small business owner and a licensed general contractor in the State of Connecticut.

In my lifetime I have witnessed our State go from one of the most vibrant and prosperous economies to one of the worst -- to one if not the worst. Connecticut used to be full of creative people that did things and made things. We sent things to every corner of the globe. Now the government seems to be inhibiting progress and growth at every turn. With so many industries leaving our State we should welcome an industry that wants to bring a \$25 to \$30 million project to our area. Especially one that will provide a viable, renewable energy source.

Our current dependence on foreign oil is a threat to our national security and it actually forces us to commit the lives of our youth to dangerous areas of the world to secure that oil supply. Also the environmental impact of the continued burning of fossil fuels at the current rate is unimaginable. Wind power is

one of the solutions and Connecticut could be at the forefront of this technology in New England.

As you know by 2020 the State's renewable portfolio standards requirements will increase to 27 percent. How are we going to achieve that goal? The proposed projects in Colebrook and Prospect are a great step in the right direction. They will produce 100 percent clean, green, renewable electricity with zero emissions and no water consumption. The Colebrook project alone will produce more than twice the annual residential needs of the town and generate approximately \$430,000 in greatly needed tax revenue for the town.

In addition, let's not forget about the great opportunity this could provide for the schools throughout our State to help inspire our children in the areas of math and science. In partnership with these industries they would be able to explore green energy technology firsthand, right in their own backyard and get excited about a sustainable future. Washington claims to be -- to agree that we need renewable energy sources.

We can't do with more government regulation. I urge you to drop this bill and get out of the way to the technology we need. Thank you.

REP. NARDELLO: Mr. Barnhardt.

DAN BARNHARDT: Yes.

REP. NARDELLO: Do you know how this bill has come before us -- why -- how this bill came before us? Can you tell me why you think this bill came here?

DAN BARNHARDT: Well I think you're trying to slow the process here. You've got these people right here on the Siting Council ready to do their job. Why don't you let them do it?

REP. NARDELLO: Okay. I think to just explain to you and make sure that you know it came before us because a group of citizens not government thought there was a problem in their town and made a request of their representative.

Now, it is incumbent upon the people that represent various towns to air those grievances, those concerns in a public hearing such as this process. This is what our whole system is based on. You may disagree with the premise and you have the right to do that but this is the process.

That it is not government that brought about these regulations, it's rather a group of citizens that have requested them. So I just want to state that for the record. Okay. Are there any other questions from members of the Committee? Thank you.

DAN BARNHARDT: You're welcome.

REP. NARDELLO: Our next speaker is James Zupkus.

JAMES ZUPKUS: Madam Chairman, members of the Committee, good evening. Thank you for taking the time to hear me. My name is James Zupkus. I would like to express my disappointment at the opposition to the proposed wind turbine project in Prospect. I would like to relate a similar experience. Excuse me. I had while installing a doplar weather radar for the UNISYS Corporation. I served as engineer in charge in over 13 of these radars and installed over 22 radars across the country.

This new product -- new technology brought the average tornado warning from the time of four minutes after a tornado touched down to 20 minutes before the tornado touched down. This RADAR was greeted in most states by boy scout troops and school day trips. However, when one was proposed on a mountain across from actor Larry Hagman's mansion in the Los Angeles area a similar opposition as that started in Prospect was sprouted by the local residents.

The oppositions data stated in California was extracted from suspect sources taken out of context and exaggerated in a way that would Michael Moore proud. I see the same here in Prospect and am disappointed. I see children, seniors, veterans and even a foster child scared into the belief that all they hold sacred will be lost.

I saw an opponent say on TV that they had a report that said you can hear turbines up to a mile away. I know you can find anything on the internet and as a lark I Googled, "wind turbine UFO". And as mentioned earlier there is an article about the local residents saying the wind turbine was struck by a UFO.

The opposition in California caused an unnecessary delay to this -- just as this moratorium would cause. I strongly believe that in Prospect as in California the real issue is of decreased property values. Numerous reports show this is not the case anywhere in the country.

I urge the Committee not to further delay the wind project in Prospect or anywhere else in the State of Connecticut by this moratorium. These projects create jobs, put money into our

local economy and contribute to the tax bases in the towns where they are installed.

In these difficult economic times and an unstable Middle East, I think we need to go forward with green energy projects such as these wind projects. We currently fight wars over oil. I read a few days ago we give \$1.5 billion dollars to Egypt to keep the Suez Canal open.

I believe it would be irresponsible to both the local communities, the State of Connecticut and the country not to exhibit leadership and let the Siting Council do its job. As a side note, I would like to say that the installation in California ended up resulting in the threat of violence. And I would like to thank both sides for following this process and respecting it.

REP. NARDELLO: Thank you.

Are there questions from members of the Committee?

Seeing none, thank you very much for your testimony.

JAMES ZUPKUS: Thank you.

REP. NARDELLO: Our next speaker is Jason Fragosa.

JASON FRAGOSA: Good evening, Madam Chairman, Senator, members of the respected Committee. I have three points to bring in my opposition of this bill. The first point is I believe this bill represents a disconnect between current public policy and the execution of that policy has been stated before.

This bill also has a potential to limit or scare away future investments and current investments in renewable resources in this State. And third point is any project which can help limit our dependency on foreign oil I think is worth pursuing. Very quickly, just a personal matter I would like to state that I am not speaking on the item which has been a subtext and pretext for these proceedings. And so I have no -- no stance on that issue. But merely strictly to the bill at hand.

My own personal experience fighting in Iraq. I was with first time Twenty-fifth Marines which is a Marine Corp Infantry Unit out of New England. I was placed in charge of power consumption and power distribution for all of our fort operating bases in Falusia. Now this wasn't renewable by any stretch of the imagination but we had to quickly learn how to assess voltage requirements, amperage and so on and so forth in a combat environment.

I learned very quickly that we take for granted where this precious resource comes from. In order for us to sustain combat operations we had to have energy. We had to produce power. Independently of a grid in a nation which only gets one hour of electricity per day if that.

I just feel that we take for granted oftentimes where this energy comes from. We flick a light. It works. Everybody's happy. It has to be produced somewhere. It should be produced cheaply. It should be produced. Excuse me. Cheaply and cleanly and this is a step in the right direction. And I yield the balance of my time to questions.

REP. NARDELLO: Thank you. Yeah. I do have a question. I would ask you if regulations were

developed. Okay. With proper input -- proper scientific data and let's say -- I mean it is going to take time. I wouldn't say to you that it won't take time to do that.

But once that is done we'll have regulations in place. Do you believe that there won't be an production of -- there won't be any wind projects after the regulations are in place?

JAMES FRAGOSA: Yes, Madam. It appears to me that there -- there are sufficient regulations in place. And this is coming from one constituent's perspective. And I do realize that the constituency which represents the pro side of this bill is a much louder constituency than those who may be for it or neutral. Or rather against it or neutral.

I believe that there is a danger of over regulating certain items. I mean, just even a quick example if you had told the Wright brothers to stop what they were doing they might not have taken off from Kitty Hawk right away. And I realize that that's a far flung example. But it seems that there are regulations in place.

There is a system that was put in place and we've been working with that quite successfully. But it -- it of course depends on who you ask and where they sit.

And I realize that I'm not a landowner in Prospect. I grew up there. As a matter of fact I ran into my fifth grade teacher here. She was one of the elegant speakers that came up before the Committee today. And I would love to be able to afford to live in Prospect. I'm starting my life out and maybe someday I can come back and -- and live there. I

wouldn't have a problem with moving back there if there was a tower. I realize that's more than what you -- you had asked but thank you for allowing me to expand my point.

REP. NARDELLO: Not at all. The other question is are you aware that there are other states with regulations pertaining to wind and wind specific statutes and they site probably more wind than we do?

JAMES FRAGOSA: If I wasn't aware of that before this meeting I'm definitely aware of that now. Some of them are county by county. Some of them are regulated on the State level and I'm sure we will be getting some national regulations down the pike here to come. From what I understand there is also projects on federal government territory and lands and those meet resistance as well.

However federal government can say to -- to an agency well we will just move this project elsewhere because they have that opportunity. I don't think it's necessarily about Connecticut -- bless you -- about Connecticut being the most efficient area to produce this power.

But we do have this policy and if we want to reverse course on the policy that's all well and good but we are both speaking out of both sides of our mouth if we adopt this proposed legislation.

REP. NARDELLO: Well that begs one more question and that is we have regulations on the siting of cell towers and we have regulations on the siting of power plants. We support many things but we have regulations. It doesn't mean that we don't support them because that's been the

suggestion today. That because we're asking for regulations we don't support them. So I would ask you if there are regulations for other things that we site why would this be any different?

JAMES FRAGOŞA: Madam, there are regulations for many things that we do and there are regulations for things that we don't do. There are still -- in place there's still a court system. There is still a way to -- to grieve - - to air grievances. We still have a common law system. We still have a lot of -- a lot of other regulations in place.

You can call them regulations, you can call them the Siting Council by any other name there is regulation in place I think this bill is proposing to put more regulation. It's also proposing to -- I mean, everyone -- everyone here has given testimony to the fact that they would not like these particular projects built in their areas.

So we have to look at this bill as also a procedural method of squashing these projects. And -- and again I'm trying to limit my discussion only to the bill at hand. I do not think that there requires more further regulation. I feel that there is regulation. We do have it in this State. And again this is a very -- this is a question of whoever you ask.

And I realize that Madam Representative Chairman you were asking me if I feel that this regulation would be too cumbersome. I think in the here and now for the project that's being proposed, I think yes it would.

REP. NARDELLO: Thank you very much.

Are there questions from other members of the Committee?

Yes, Representative Miller.

REP. MILLER: Thank you, Madam Chair. Do you really -- and I'm not trying to be sarcastic. Do you really think that wind power is going to reduce the use of fossil fuels?

JAMES FRAGOSA: Do I think that it will have some effect, sir?

REP. MILLER: Yes.

JAMES FRAGOSA: Sir, any -- any small effect if it could reduce our chances in any significant way because greater folks than I will debate on different ends of whether we engage in certain wars because of certain motivational factors. But if it had any way of saving any of my fellow service members.

I'm a former service member but any service members from having to go into harm's way I would be for it as long as the impact wasn't -- excuse me -- to great on the greater good. Now, we leave it to you fine folks to decide what that impact would be and weighing that in. But the short answer, sir, is yes I do think that any little thing helps.

REP. MILLER: The reason I ask is because I guess EPA, the federal government says the most we'll ever have with renewable is about five percent in the next 25 or 30 years. We continue to use fossil fuels whether we like it or not because our quality of life is such that no other country in the world has the quality of life that we have.

The television sets that we have. People are brushing their teeth with electronic toothbrushes and blow drying their hair. And we just have a quality of life that depends on large consumption of fuel energy.

JAMES FRAGOSA: I agree with the honorable Rep.

REP. MILLER: And, you know, when you put in a wind system you can't shut the grid off. You have to have a backup system because the wind doesn't always blow.

JAMES FRAGOSA: Sir, I don't think what's being advocated for is complete dependence on -- on wind.

REP. MILLER: No, but I'm just telling you a man's home is his castle and if you don't give that man a right to protect it because sometimes these things will have a negative effect on the property values of that house. And I for one have no problem seeing regulations put in place that will give the State of Connecticut protection for all these homeowners who pay taxes and try to keep their housing up to snuff and put a lot of time and effort in there.

And why would they want to do that when a windmill goes up and maybe they'll lose some value of that home because of the windmill construction. But again that's just my thoughts. But thank you for coming up and testifying. And again I wasn't trying to be smart.

JAMES FRAGOSA: May I make a comment to your -- to the Representative's comments?

REP. NARDELLO: The gentleman my respond to questions but if it's brief.

JAMES FRAGOSA: It will be brief. I do agree with the Representative's take on this country being the -- the -- one of the -- because I have been to a few countries. And I've seen -- I've seen both ends of the spectrum. So I do agree wholeheartedly and I do respect folks protecting their property and their interests. And I would just like to put that into the record. I'm merely speaking from -- from my own general perspective. Thank you.

REP. NARDELLO: Thank you. And Senator Fonfara has a question.

SENATOR FONFARA: I know this won't make a lot of people happy in this room but that's not new for me. But I want to thank you for putting a perspective on this for me. And I thought I thought of every angle when it comes to energy issues but you know, when you think about -- this is the part that's not going to make people happy.

That we've heard person after person testifying about what impact on their world, their home, their castle, their corner of the earth versus you personally and your fellow service people putting your life on the line and some not surviving that. And whether or not we're doing that for a resource that keeps the lights on here and makes our lives so we can drive home tonight and heat our homes.

And whether or not that balance of when we say we want to get away from that need, that drug. And where the -- where that should go, where that -- that emphasis. And where do you manifest that policy. And should Connecticut

play a role in the manifestation of that policy? And that's not to suggest in any way and no one should that I've made a decision regarding this legislation.

But I do believe it calls on all of us to consider what is -- where should that line be drawn and who should draw the line. So I thank you very much for -- for coming here and giving us your perspective today.

Thank you, Madam Chair.

JAMES FRAGOSA: Thank you, Senator.

REP. NARDELLO: Thank you.

If there are no further questions we're going to move to the next speaker which is Jeff Furlough.

Is Jeff here? No? There's no Jeff.

Len Yannielli.

LEONARD YANNIELLI: Madam Chairwoman, members of the Energy and Technology Committee. I want to thank you for giving us the opportunity to speak. I'm a professor emeritus, Naugatuck Valley Community College. I live in Naugatuck which our neighbor is Prospect to the east. I -- I taught in the biological sciences at the community college.

I want to mention two other items because I think it's relevant to the decision making here. I've done successful wildlife habitat studies in Connecticut. And I've also worked at Yale University's Department of Epidemiology and Public Health.

So I come at this topic both at the wildlife habitat standpoint and also from a people's health perspective. Concerning birds because we've heard that mentioned today. The mortality rate with birds is three to four birds per turbine per year in the United States. And I could tell you that that's very small compared to other impacts on birds particularly when compared to for example motor vehicles.

I also come at a particular unique perspective to this topic because I live with three GE wind turbines for six months of the year. I'm a resident of Vinalhaven, Maine. So I live directly with these wind turbines. And I know about the effects.

My direct experience with the wind turbines on the island out there is that they have actually saved wildlife habitat. In fact 17 acres now has been set aside in the vicinity of the wind turbines for wildlife. And I do know -- or I heard I guess I could say in Prospect that the land that's been projected for this wind turbine project has been targeted for over 40 houses to be built there. So the point I'm trying to make is that these wind turbines actually save wildlife habitat. Oh my goodness. Okay. Wow.

All right, just in summary in terms of -- just in terms of clean power, we know that pole fired power plants which generate a lot of the electricity in the United States emit 50 tons of mercury pollution per year. And just on that standpoint and you know that we now cannot eat fish, cannot eat shellfish with certain regularity because of that type of pollution. And lastly since I've got no time left I guess, we've heard about a house having to have been

abandoned in Vinalhaven because of the wind turbines.

I was at the town meeting this past summer when that person testified at a town meeting. And that person left their home for a specific time period. They did not abandon their house. Okay. Just to be clear on that. Lastly, we had a cigarette analogy mentioned here which was raised actually in support of the moratorium which I found just astounding because it's fossil fuels that pollute just like cigarettes pollute not wind energy. Thank you.

REP. NARDELLO: Thank you, Mr. Yanielli.

Are there questions from member of the Committee?

Yes, Representative Miller.

REP. MILLER: Thank you, Madam Chair.

You know, we've talked about three birds a year. You're not talking about West Virginia are you?

LEONARD YANNIELLI: No. I'm talking about the statistics applied to the entire United States.

REP. MILLER: Because I have documentation that these wind turbines in the more larger setting do have a drastic effect on raptors and bats and songbirds and things like that. So I don't want to give the people the wrong impression that there is no negative side to the turbines when it comes to flying birds and things of that sort.

LEONARD YANNIELLI: Sure.

REP. MILLER: Because there is. And the Alto Palo pass in California they've got to clean up every few days with all the dead birds there because if they don't the rats go there and eat the dead birds. And that's a major problem. Every two days they have to clean it up.

But you may be right with the ones you're talking about. But by and large the great wind farms do cause problems. I just thought I would get that on the record. And I have documentation if you want to look at it.

LEONARD YANNIELLI: Yeah. And I wanted to give you a reference just to clear that up.

REP. NARDELLO: Okay. You well know what, unless you're asked a question generally this is how it works.

REP. MILLER: Thank you.

REP. NARDELLO: So I'm not meaning to be difficult but --

LEONARD YANNIELLI: Sure.

REP. NARDELLO: Unless Representative Miller has a question. We are going to go on. We're going to see if there's anybody else. Are there any other questions? Okay. Representative Becker.

REP. BECKER: Thank you, Madam Chair.

You mentioned that you live with wind turbines. Six months of the year you're around three of them. How close is your home to those turbines?

LEONARD YANNIELLI: Yeah. I've never managed to measure it. I don't have a visual of them from where I live. I would say as the -- as the crow flies I'm more than two miles away.

REP. BECKER: Thank you.

LEONARD YANNIELLI: Sure.

REP. NARDELLO: Any other questions from members of the Committee?

In that case we're going to move on to our next speaker. Mike Simaitis.

MICHAEL SIMAITIS: Hello Senators, Representatives and members of the Energy and Technology Committee. Thank you for giving me this opportunity to speak. My name is Mike Simaitis and I'm submitting this testimony in opposition to House Bill 6249, AN ACT TO ESTABLISH A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS.

I live in the northwest corner of Connecticut where there are abundant wind resources and open spaces to support clean, green wind energy today. I see that there is a renewable wind energy deployed in all of New England states except for Connecticut. Now is the time to support renewable investment in our State, in our towns creating jobs and economic development and more importantly strengthening our local tax base.

I opposed the bill in concepts of a moratorium because it changes the rules and effectively killed the development of wind energy in Connecticut. It also sends some messages to others considering doing business in Connecticut that the rules can change. So I

ask, let the Siting Council do its job and vote against H.B. 6249. Thank you.

REP. NARDELLO: Just one question. Were you aware that until we actually began to put this bill forward people were not fully aware that there were no rules in Connecticut specific to wind?

MICHAEL SIMAITIS: No specific to wind rules but a process to evaluate the, you know, the approval of the projects.

REP. NARDELLO: Yes but again, we asked the question. We specifically asked the question. Are there rules specific to wind as there are in other states? And the answer was no.

MICHAEL SIMAITIS: No. I wasn't aware of that until today but I was aware of the process.

REP. NARDELLO: Thank you. Thank you so much.

Next speaker -- or are there questions from members of the Committee? Nope. We'll go on to the next speaker which is Kenny Dupont.

KENNY DUPONT: Thank you Madam Chairman, members of the Committee. I'm here to speak against House Bill Number 6249. The State of Connecticut has established the Connecticut Siting Council for the purpose of regulating the location of various types of energy producing facilities including -- including nuclear, coal, natural gas, power plant substations, transmission lines and renewable energy projects over one megawatt. The pending proposal submitted by BNE Energy are currently in review by the Council. I wish to share with you the following statutory responsibilities of the Council.

One, balancing a need for adequate and reliable public utility services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the State and to minimize damage to scenic, historic and recreational values.

Two, provide environmental standards for the location, design, construction and operation of public utility facilities that are at least as stringent as federal environmental standards and that are sufficient to ensure the welfare and protection of the people of Connecticut.

And three, encouraging research to develop new and improved methods of generating, storing and transmitting electricity and fuel and of transmitting and receiving cable television, CATV television and telecommunications signals with minimal damage to the environment.

Further the -- excuse me -- the mission statement of the Council contains the following passage: the Connecticut Siting Council objectively balances the statewide public need for adequate and reliable services at the lowest reasonable cost to consumers with the need to protect the environment and the ecology of the State for the construction and operation of the following facilities including but not limited to electric transmissions and electric substations or switch yards, fuel transmission lines and electric generating or storage facilities.

The people serving on the Council were appointed by the Governor, the Speaker of the House, the President Pro Tempore of the Senate, the Chairperson of the DPUC and the Commissioner of the DEP. I ask you to allow the people appointed to this Council the

opportunity to perform the duties they were assigned to do.

There is no need to impose additional regulations or a moratorium for further studies. Regulations currently exist and the Council has the authority, expertise and the resources to them to make an informed and intelligent decision regarding the future of energy generation in Connecticut.

Renewable -- excuse me -- renewable energy needs to be a part of that future. Connecticut is only one -- is the only one of six New England states that do not have an operating commercial wind powered electric generating facility. Excuse me.

To summarize, I have never had the pleasure of meeting the people on the Siting Committee. Dr. Bell was very impressive today. I believe they do have the expertise to do their job. They do have five choices. They could delay the process on their own. They could establish a moratorium if I understood the earlier testimony correctly. I say they were appointed to do the job. I wish to let them do their job.

REP. NARDELLO: Are there questions from members of the Committee?

Seeing none, we're going to go on to the next speaker.

KENNY DUPONT: Thank you.

REP. NARDELLO: And that's Curt Jones. Is Curt Jones here?

Francis Pullaro.

FRANCIS PULLARO: Good evening Chairman Fonfara, Chairwoman Nardello and members of the Energy and Technology Committee. My name is Francis Pullaro and I'm here on behalf of Renew to testify in opposition to House Bill 6249.

Renew is a partnership between the renewable energy industry and environmental public interest groups in New England whose mission involves promoting clean, renewable and environmentally responsible technologies for the region that will increase energy diversity, spur economic development and improve environmental quality.

Renew's membership is comprised of Vestas Americas, Union of Concerned Scientists, Epatrol Renewables, Horizon Wind Energy, Firstwind, the Conservation Law Foundation and the American Wind Energy Association. Renew's membership is concerned that a moratorium on wind projects could delay development of clean, renewable energy in Connecticut by at least several years.

We need to consider not just the impacts of the location, construction and operation of renewable energy facilities but also the public health disadvantages should we fail to deploy new, clean energy infrastructure and leave ourselves dependent on dangerous and polluting electric generation sources including the region's old coal plants.

The Siting Council is required to evaluate the proposed projects before it using best practices. That is the regulation and I urge you to let that process unfold at the Siting Council. Thank you.

REP. NARDELLO: Thank you.

I have a question. Since you talked about New England, what happens in states that already have regulations in place. In other words they have the regulations that we seek to look at. So what happens in those states in terms of wind projects?

FRANCIS PULLARO: I guess to get to the point of your question, Madam Chairwoman my -- the industry and my members including the environmental committee we're not opposed to on its face having standards in Connecticut should you choose to do that. We're most concerned about the moratorium.

If you look at -- similar legislation or at least where, for example, our neighbor in Massachusetts is going, they had an energy bill -- a siting bill which almost passed last year. It just ran out of time. It's been reintroduced this year and they're actually moving towards the direction of a Siting Council, however with standards. And we, you know, my membership supported that. And those standards, giving them some direction to promulgate rules. So we're not opposed to that.

But what Massachusetts is not doing is putting a stop on the process. So they're -- they're letting to continue -- the continuance of the current system while this other system is going to be coming into place. And it's actually somewhat of an improvement for Massachusetts as well in that it is a -- what would be considered a fast track for that state.

But I think in many ways the -- the system that Connecticut has right now with a Siting Council

is -- is kind of a model. Because I think as the representatives from the Siting Council has testified you can't always contemplate through regulation what the future may hold or what specific sites may hold. And certainly sometimes a 500 foot setback may be enough but maybe what the regulations says could turn out not to be enough in particular circumstances.

So, you know, we regulate at our peril sometimes. So just sort of a word of caution there. But in, you know, in general my industry and my environmental groups are, you know, very supportive of standards should you choose to do that route. We would be happy to work with you and share information with you and so on but I think that we feel that the bottom line is a moratorium, is very dangerous.

And you could go with siting standards but, you know, in a year or two there may not be anyone here to build anything at that point. I think it would send a -- have that much of a chilling effect on the developer community.

REP. NARDELLO: It seems interesting to me that the objection here is to the word moratorium. Have you read what it says in the bill?

FRANCIS PULLARO: Well I've -- I've read what it says, Madam Chair.

REP. NARDELLO: Okay. Can you just tell me what you think it says in the bill?

FRANCIS PULLARO: From my -- my conclusion is what I think what the Siting Council has told you today that regulations are potentially at least a year off. Maybe not so much but a long time away. And I've got some members who are

actively looking at developing projects in this State.

And when you send mixed signals about wanting renewable energy on the one hand and putting the brakes on the other it does send a chilling effect to folks who have millions of dollars they're willing to put on the line. And if they -- first they think they see that -- that division between competing policies in the State if you will and the fact that projects can't be developed for over a year. They're just going to move on to -- to other states in the region where they can -- they can build.

REP. NARDELLO: Why do you feel it's a mixed signal to say that once regulations are in place then projects shall go forward? There's nothing here that says that wind projects will not go forward. They'll just go forward once the regulations are in place which is a limited period of time. It's not a moratorium. It's (inaudible.) So can we -- I guess you should answer that, why you feel that way.

FRANCIS PULLARO: Sure. Well I guess like I said it's two points. And I think one, you know, there is a process in place which there are standards in place. There are regulations in place. The Siting Council is legally, statutorily charged to go out and see what those best practices that are out there in the world. They have to do that. Their standards may even be stricter in some ways than anything you could come up with.

But in terms of the feedback I'm getting from my developer members is that it's a mixed signal. And they get very nervous that they could have a project underway and in matter of months and that the rug could be pulled out

from under them. It's the lack of regulatory certainty that -- that the State could put the brakes on a project midway through. Not taxpayer dollars necessarily but private investment and that's -- that's where they get the concern about the chilling effect.

It's not necessarily this one bill but there could be another one next year and it sends a difficult message to them. And that's -- that's why I say, you know it could be a year before regulations get put into law. But they just might look at the State and say it's too risky to do business here. We're going to develop our wind farms in the Berkshires, Rhode Island, New York and create the jobs there and invest there because they want us there and it's that much more predictable.

REP. NARDELLO: Thank you.

Are there questions from members of the Committee?

Seeing none, then we're going to go onto our next speaker which is Vic Visockis.

FRANCIS PULLARO: Thank you.

REP. NARDELLO: Is Vic here?

VICTOR J. VISOCKIS, JR.: Thank you, Madam Chairman, members of the Committee. I'm here to speak against H.B. 6249. I'm a part owner of the family farm at 175-178 New Haven Road which is the site of the two wind generators being proposed by BNE Energy. I support the wind project. I'm very familiar to the proposed location.

Up until I left my home to enter the Army I worked with my father operating a farm there. I'm proud that this property has been in the family since the 1920s and that five generations of the family have lived and worked on this land. I've walked the fields and forests of the property, herded cows, fixed fences, logged wood, cleared fields on and off most of my life.

When the opportunity arose to turn the dairy farm into a wind farm we were very pleased. We did not want the land turned into a housing development. We wanted as much open space to remain as possible. Some years ago the Town of Prospect proposed putting a school on the property, a land use that we also favored.

Unfortunately the project was voted down by the townspeople. The wind farm will preserve a great deal of open space which is becoming a scarce commodity in the Connecticut. The land in question is abutted by water company property on over 50 percent of its perimeter. The property slopes away from the main road, route 69 and is mostly exposed to water company watershed property.

Incidentally, not in the text here but no one's talked about terrain when they've talked about setbacks. The -- the proposed site is halfway down a hill and most of the people that have testified so far are on the other side of that hill. So you can specify feet but if you haven't taken into consideration terrain you only got half the -- half the criteria.

There are already two cell towers and another communication tower on the property. The site seems an ideal place for a wind farm. The alternative use for the land is for housing. A

subdivision for 50 or more homes is likely for this property. As the housing development, the cost of public services will easily outstrip any tax revenue.

The wind farm will generate tax revenues without using school services and of course once the land becomes a housing development the opportunity for a wind farm is forever lost. I have seen the tremendous effort that is required to meet local and State regulations regarding approval of any kind of land use project.

I've been involved in the onerous paperwork, engineering work and bureaucratic procedures required for a cell tower and for a housing development. I am convinced that more regulation is not needed and that the regulation is now at the point of working against the economic and social needs of the citizens of this State.

We need to be less reliant on foreign oil and dirty coal. All decisions involve looking at the alternative. The alternative to wind energy is continued reliance on foreign oil, much of it from countries come hostile to U.S. interests. Foreign oil reliance inevitably leads to compromising --

REP. NARDELLO: Mr. Visockis, could you just summarize please.

VICTOR J. VISOCKIS, JR.: Almost done.

REP. NARDELLO: Thank you.

VICTOR J. VISOCKIS, JR.: Leads to compromising U.S. interests and sometimes war. Another consequence of not moving to clean energy is

dirty air coming to us from coal fire energy plants.

Wind energy is one way to reduce the dirty air and the environmental destruction of coal. The consequences of overregulation and other forms of bureaucratic obstruction of clean energy is increased project costs and ultimately lost opportunities. As we -- as our State is depleted of open space for clean energy projects we need to decide what we are for not just what we're against.

REP. NARDELLO: Mr. Visockis, I do need to have you summarize. Okay. I've asked it of everyone.

VICTOR J. VISOCKIS, JR.: I am for the minimum regulation required. I am for preserving energy open space. I am for energy independence. I am for clean energy. Thank you.

REP. NARDELLO: Thank you.

Are there questions from members of the Committee? Yes. Representative Becker.

REP. BECKER: Thank you, Madam Chairman.

Mr. Visockis, you make a very good point about terrain as well as feet and as someone who's familiar with the property I'd like to know a little bit more about it. So, where these folks live -- I mean we -- we as the legislature have to balance competing interests all the time. Right.

And so we have to balance the rights of these homeowners and health concerns and that against the need for the State to develop renewable energy. And so as we think about it I'm

interested to know more about your property. And in addition to the fact that there's this hill, how big is the hill for instance? Let's start with that.

VICTOR J. VISOCKIS, JR.: I don't know the exact feet but I'm told that it's the second highest point in New Haven County at the top. I was surprised to find out that the -- that these towers are not going at the top. They're going halfway down the hill which is quite near the water company line. So that if you're in a crest on our property and then it falls off to Route 69 some of the houses are on the west side of 69. A lot of them that have spoken are on the east side of 69.

They have to look up over the crest of the hill to see the top of the tower. They -- and I don't know whether they're going to see the tips, whether they're going to see some of it or much of it at all. I really can't tell. You have to be there. But -- but it's not -- you're not just eyeball to eyeball. You're going to be looking at best at the very top of the -- of the turbines in my opinion.

REP. BECKER: And we've heard -- and we've heard testimony today that you can hear the sound of the turbine up to a mile away so maybe the hill creates some barrier on the sound too but nonetheless is there -- are there places on your property that would be at least a half a mile away from the nearest residence where these could be placed.

I understand they're designed to be placed or they're set to be placed halfway down the hill. But if that were within a half a mile is there -- are there other locations on your property

that would be at least a half a mile away from their homes?

VICTOR J. VISOCKIS, JR.: There may be. I don't know it in terms of miles or half miles. I will say that there's a -- I've walked every foot of this property. When you're down in that -- off the top of the hill, you can't hear Route 69 which is the main Waterbury, New Haven road. So I don't know. Does the reverse work? I don't know.

REP. BECKER: Thank you.

Thank you, Madam Chairman.

REP. NARDELLO: Thank you.

If there are no further questions we're going to move on to the next speaker which is Bob Door.

Is Bob Door here?

The next speaker after Bob Door is Debbie Hankey. Is Debbie Hankey here?

No Debbie Hankey.

And the next speaker is Paul Corey.

PAUL J. COREY: Good evening, Representative Nardello, Senator Fonfara, members of the Committee. My name is Paul Corey. I'm with BNE Energy and I'm glad to finally have the chance to testify tonight. We are firmly opposed to a moratorium and we don't feel that it's necessary. And we also feel that it would have a devastating effect on the emerging wind industry in Connecticut.

Currently we have the only two commercial wind projects in the State. One in the Town of Prospect and a second in Colebrook for a total of 12.8 megawatts. To put that in perspective, the two wind turbines in Prospect will power 25 percent of the town's usage over the course of the year. That is substantial.

In Colebrook it will power 400 percent of the amount of power used by the town from clean, renewable energy with zero emissions and it doesn't use water to produce electricity. Furthermore the benefits from the project will be immediate. We will become the largest taxpayer in both towns. We will produce green jobs, green energy and economic development in those towns.

Wind energy is the fastest growing sector of the energy industry in the United States. And it is growing quickly all around Connecticut. There are wind turbines being built right next to schools, right at churches, and yes, right in communities.

In fact there was a recent turbine centered around a community in the Boston area. It's a mixed use area, high end condos and in the center of this community right by the water is a wind turbine. And I would encourage you, I've attached many photos of wind turbines throughout New England and clearly they are safe.

They are reliable or it wouldn't be the fastest growing industry in the -- in the country. I would -- I would also say that the Siting Council it is regulated -- wind is regulated by the Siting Council.

We have done every study that is being proposed in section one of this bill and then some. The Siting Council has jurisdiction. It's a long process. We still -- it's a six month administrative proceeding. Every one of the opponents behind me has an opportunity to participate in that proceeding.

Many of them are and they will have every opportunity to present evidence, to look at the issues that we've presented and ultimately the Siting Council is going to make a decision. And we don't know what that decision is here today but it is a lengthy process. It is regulated. And we believe that this bill is bad public policy and bad for the State of Connecticut. Thank you.

REP. NARDELLO: Thank you, Mr. Corey. I have a few questions for you from specifics. First of all how many jobs will be created through these projects?

PAUL J. COREY: There will be numerous jobs. There's been various estimates in terms of when you look at, you know a ten megawatt project how many jobs will be created. The rule of thumb is a hundred -- about a hundred jobs for every ten megawatts and that accounts for a number of different industries in terms of the steel that's used.

We're proposing to use GE turbines. They're a Connecticut based company. There will be numerous construction jobs created during construction. And there will be several full time and part time jobs created from the projects. So the jobs, they're green jobs. They're skilled jobs. They're professional jobs.

And in fact over the last two years since we've been developing these projects we have -- we have contributed to numerous positions and numerous jobs just in doing the studies that we've done and some of the preliminary work.

REP. NARDELLO: You may not be able to answer this today but since I would like it for the record, you're using the word numerous. Would you submit to the Committee the specific job numbers that you're talking about both in continuing jobs and in construction jobs? You don't have to do that today. I'd rather that we had a correct number. So if you would do that I'd appreciate that.

PAUL J. COREY: We will certainly do that.

REP. NARDELLO: Okay. I have a couple of other questions. You make the statement that 25 percent of the electricity in Prospect, you're going to generate enough to -- to cover that. Okay. The electricity that you're producing through the wind, where does that electricity go?

PAUL J. COREY: The electricity will go into the grid just like any other power plant anywhere in New England. Power doesn't -- you know, you don't store it. It just goes into the grid and it's -- it's used when people turn their lights on.

We are going to be interconnected to the distribution system that runs right adjacent to the property. We're about 100 yards from the distribution line so there's minimal impacts with respect to those issues. And the bulk of the power will ultimately be consumed by the

Town of Prospect and people close to those areas.

REP. NARDELLO: Will there be direct economic benefit to the Town of Prospect by virtue of the fact that the wind power -- and I'm talking specifically to the Town of Prospect.

PAUL J. COREY: Absolutely. There will be significant benefits to the Town of Prospect. As I mentioned already we will be the highest taxpayer in the town. There will be local jobs created in the town. There will be economic development in the town and we're going to be contributing to community issues. We're also proposing to have an onsite renewable energy educational center.

And the reason for that is because they're at high demand. Wind turbines -- once wind turbines are built the positives go way up. You know, before they're built people, you know talk about all these things and many of the concerns are exaggerated. We're not taking them lightly. We've -- we've looked at all the studies.

We've studied the issues. We believe we have the right site for Prospect. But once they're built people really like them. The Jiminy Peak -- the Jiminy Peak business when they built their -- their wind turbine at the ski area, their business has gone up 20 percent per year since it's been built. They -- the wind turbine is highly profiled on every piece of marketing material they have. And they have an educational center there. They provide tours. We expect to do the same thing.

And let's not forget that this is -- we're talking about green energy here. And I think

that when you talk about health benefits and so on or health concerns. If you look at what the alternatives are whether it be a coal plant, a natural gas facility, you know, you look at any of the alternatives or high powered tension lines if we don't build power -- clean energy in Connecticut. I think that that also provides significant benefits to the community.

REP. NARDELLO: And I'm going to try -- I'd like you to try to keep your answers short because I want to be respectful to other members of the Committee so that we can, you know, we can get through this. Will the residents of Town of Prospect pay lower electric rates based on this project?

PAUL J. COREY: I think that overtime our project will be setting an example for Connecticut. And I do believe that there will be more wind in this State unless of course policies are adopted to oppose wind. I think there is a capability to add a significant amount of wind in Connecticut which has the -- the -- it's -- first of all it's the lowest cost form of renewable energy -- class I renewable energy in the State. And it also mitigates variability.

Much of our electricity prices today are determined by natural gas prices which fluctuate very wildly. So wind ultimately will have a dampening effect on variability and I do believe over time it will also lower rates.

REP. NARDELLO: And again I have two -- again I'm trying to get the answers to be short. Impacts -- if we were to pass regulation what are the direct impacts? I don't want to hear that, you know it's going to chill development. To your project. Be specific to your project of what

the impact would be of the -- of having regulations.

PAUL J. COREY: Well I think that, you know, the first thing is they are regulated. They're regulated by the Siting Council. It's not a simple thing. We have been studying for these sites for a long time. We have had Prospect under development for four years. It's not in a residential neighborhood.

It's in the middle of a field in a mixed use area along a main road in that part of town. There are industrial facilities there. There's commercial buildings and as we've heard, there's three cell towers in the area. So we have studied and we've looked and we believe it's a great site. There's over 1,000 acres adjacent to our site of water company land that will never be developed. And -- and we have done every study.

It's taken us more than a year to do all of the studies that we need to do to even start the process with the Siting Council. After that we made -- we made local filings with both Prospect and Colebrook. And we've had informational meetings in both towns. That was before we even made a filing with the Siting Council. Now we have a six month process. We just -- in addition to those filings you have hundreds of interrogatories, you know, prefiled testimony, hearings.

There's two hearings in both towns. And -- and beyond that, you know there's going to be much scrutiny on these proceedings. So we are looking if this bill does not pass at a six month process and we'll have a decision in the May and June timeframe for these projects. If

it turns out that a moratorium is proposed we would have to stop doing what we were doing.

It will likely take more than a year to adopt regulations. And then we'll have to see what type of regulations they are before we know what true effect it has on the industry going forward. I believe that we have set the standard for Connecticut. We've done every -- every study you can do.

We've made the filings and I think the Siting Council is going to make a decision. And their decisions will have an effect -- the effective regulations. Their decisions have precedent and they're going to rule on these things and that'll provide guidance for future -- for future wind developer and future projects in the State.

REP. NARDELLO: And if in theory if the Siting Council were to develop -- were to put a stipulation that these projects must have a one and a quarter mile setback or a one mile setback would that -- what would happen at the end of this process? How impacted would you be by that?

PAUL J. COREY: I think that any -- any talk of a mile setback will kill any wind project in the State. There are no parts -- there are no properties in the State that would be conducive to wind that would be a mile away from any -- any residence in this State. And if it -- if there are any most of its State owned property. It would be uneconomic to -- to build a wind turbine over a mile away from a home or more importantly the grid.

REP. NARDELLO: So in essence you're saying that that would have the effect of saying your project will not go forward.

PAUL J. COREY: I'm saying that no project will go forward. There will not be any wind turbines in Connecticut.

REP. NARDELLO: Thank you.

Are there other questions? Senator Witkos.

SENATOR WITKOS: Thank you, Madam Chair.

Well I think BNE did a good job of reaching out to the folks. I can only speak to the Colebrook project on Flag Hill Road. But we heard a lot of comments today from the previous testifiers that the Rock Hall project was basically found out by circumstance from an information hearing.

I was just wondering if you could comment on that. And tell me what -- what did BNE do to notify either the abutters or the residents of the town that a second project was being developed.

PAUL J. COREY: Well we -- you know we've been in the town in Colebrook for more than two years, almost three years now. And, you know, we've had local meetings for our met tower on the Colebrook site which we're referring to, you know, the Flag Hill site which we're referring to as Colebrook South.

It's pretty much across the street. We abut a gun club and then across from the gun club is -- is our other location. Right now it's a mixed use area. There's a business on the site which is a golf driving range and then there's

about 125 acres of uninhabited land. And that's where -- that is the property where we're proposing three wind turbines. It was one of those opportunities where the land owner approached us.

They were very excited about the possibility of putting wind turbines on their property. The owner of the property I think is more concerned about the environmental benefits of wind than the economics. And -- and we negotiated a contract with them in the spring timeframe.

So we haven't had that property for very long. We had to study it. We had to see if it was viable. And then once we did that we notified the town. We made an informational filing with the town. We have notified every abutting property owner on both sites of the project, and you know, there's -- there's still plenty of time to intervene.

They certainly know about it now. It's a business. And you know that's their right. If they oppose green energy and they don't want it near their business that's their right as business owner.

SENATOR WITKOS: When you say that you studied it and you analyzed it, were you -- did you install a tower, a data terminal on the Rock Hall property or did you just utilize the data from the Flag Hill tower to ascertain whether or not that would also be a viable site.

PAUL J. COREY: We have on our Flag Hill property, there's a met tower installed. It's been -- it's been up for more than two years. It measures wind at 40, 50 and 60 meters. As I mentioned adjacent to this site there's a gun club and conservation property. Right across

the street, across Route 44 is the property. It's very similar topography as the site on Flag Hill.

We did not need to put up another met tower on that site but what we did do, we have a sonar unit which is a -- it basically fits in the back of a pickup truck. And it measures sound using sonar waves -- sound waves. It measures wind using sound waves. We have installed that on the property and it's there still today measuring wind on that site. We will look at both data points.

We've moved the sonar unit around. It was on our Colebrook South property for awhile and all of that information goes into the determination of -- of the wind resources on both sites.

SENATOR WITKOS: Much of the resistance I'm hearing is from the second project. I can only speak to the Colebrook site. And when notification was made was that done through certified letters and only to the abutters and then the rest is by word of mouth?

PAUL J. COREY: We did provide notice under -- to all abutting property owners. We have -- BNE has spoken to virtually every adjacent property owner over the past couple -- I find it hard to believe that they weren't aware of the project in town. But we did provide notice.

I believe we also took out, you know, ads in the newspaper and so forth. And quite honestly it's been in the newspaper an awful lot. So I think, you know, people are aware of it and certainly Rock Hall is participating in the Siting Council.

SENATOR WITKOS: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Are there further questions from members of the Committee? Yes. Representative Miller and then Representative Greene.

REP. MILLER: Thank you, Madam Chair.

Good afternoon or good evening rather. What's a kilowatt cost for the power?

PAUL J. COREY: The kilowatt kind of a rule of thumb is about \$2,500 per kilowatt of installed capacity. The Colebrook project is roughly 10 megawatts. And an estimated cost is about \$25 million.

REP. MILLER: And how do your rates compare to the Connecticut Light and Power territory?

PAUL J. COREY: That's a good question. You know rates are pretty complicated. There is a lot of costs that are built into rates today. Many of them are there and intended to encourage the development of renewable energy. And we fully support them. We support renewable portfolio standards. We think it's a good thing.

But we also think, you know, today millions and millions of dollars of ratepayer money is being sent out of State to comply with those standards. And we think that some of those projects should be built in Connecticut. And some of those renewable projects ought to be wind.

There are sites in Connecticut where wind will work. We've proven it. And -- and this is -- this is an emerging industry. I was quite

honestly a little bit surprised at the interest of Renew and their members in Connecticut.

They're looking at our projects to determine whether Connecticut will open up to commercial wind. And I think once that happens you're going to see an influx of money and investments and into green energy and green technologies in this State. And I for one think that's a good thing.

REP. MILLER: If Connecticut Light and Power's kilowatt hour cost is ten cents a kilowatt hour, how would that compare to your rates?

PAUL J. COREY: Well there -- you got to look at other costs beyond that. You have your kilowatt hour cost of ten cents and then you have your rec values and other charges. As I mentioned --

REP. MILLER: So would it be doubled that rate?

PAUL J. COREY: And also -- and also some of those costs are based on power plants that have been built a long time ago. If you were to build a new nuclear plant in Connecticut which I don't believe will happen. But if you were it would be more expensive than wind. If you were to build a coal plant in this State, same thing. Wind is the least cost renewable energy source in Connecticut and across the country.

REP. MILLER: Can you give me a guesstimate, at ten cents a kilowatt is what Connecticut Light and Power's selling electricity for today regardless of when they built the plant.

PAUL J. COREY: Right but the ten cents --

REP. MILLER: What is your -- what is your kilowatt hour price going to be?

PAUL J. COREY: The ten cents is just the commodity cost. There are other charges on your electric bill that bring it up to twenty cents.

REP. MILLER: I realize that. What does a kilowatt hour cost for generation?

PAUL J. COREY: I think I tried to answer you.

REP. MILLER: You're confusing me.

PAUL J. COREY: It is confusing.

REP. MILLER: Just give me the generation cost.

PAUL J. COREY: It's very -- it's very confusing.

REP. MILLER: Is there a generation cost you can point to?

PAUL J. COREY: There's an -- there's an all encompassing cost and as I mentioned wind is the least expensive cost of renewable energy in the State.

REP. MILLER: Because I know some of these wind farms they have a kilowatt hour cost of maybe in the 40 cent range.

PAUL J. COREY: No.

REP. MILLER: Is that off the wall or --?

PAUL J. COREY: No that -- that's yes. That's very excessive. Wind could actually in certain locations can be -- the break even cost is about five and a half cents. And in other locations you're in eight and a half to ten

cent range. So 40 cents is not a number that, you know, we're even thinking about.

REP. MILLER: And what assurances do you give the people that the equipment will not interfere with any of their electric appliances, for instance television, maybe the telephone, the flickering of lights in the house or, you know?

PAUL J. COREY: I could give a 100 percent assurance that the wind -- the wind farm will not affect appliances or safety or any type of electrical output. Primarily because we have to meet CL&P's standards.

It's their job. It's their system. And it's overseen. There's a bunch of reliability standards. And the ISO is also involved. And we have to comply with CL&P standards. And we will.

REP. MILLER: Thank you, Madam Chairman.

Thank you, sir.

REP. NARDELLO: Representative Greene.

REP. GREENE: Thank you, Madam Chair.

Given your status in the industry and the fact that you're obviously investing in this -- in this energy project. I'd like to just find out what your thoughts are given our steep goal with regard to renewable energy by the year 2020. In Connecticut about how much wind power can generate that renewable energy with regard to the goal? If you know.

PAUL J. COREY: Well I think that -- that part of it is the policies that, you know, that the legislature adopts to continue to encourage

wind and other forms of renewable energy. We support all forms of renewable energy. And I think that there are a lot more locations in the State of Connecticut than people realize for commercial wind. You look at certain wind maps and, you know, people say it's not the windiest state in the country.

There are locations in Connecticut where it is windy. It's basically down by the shore and on high elevation properties. And if you look at the northwest corner there's plenty of land out there that are -- is conducive to wind energy. And you have to take -- you got to look at that relative to other forms of renewable energy. Wind is very cost competitive when you compare it to solar and other higher cost forms of renewable energy.

So, you know, can I give you a number here today? No. But the -- you know, the Governor in Massachusetts about a year ago said that there should be 2,000 megawatts of wind Massachusetts by 2020. Our Colebrook site's about five miles from Massachusetts. And I think that's the debate we should be having here today. What goals should Connecticut set for wind in this State. Not talking about a moratorium on wind but what can we realistically build in this State.

And I think it's more than 100. Can we get to 1,000 megawatts of wind? I think we can over the next five to ten years. So those are the numbers I would put out there.

REP. GREENE: Well I asked that question specifically because I'm trying to drive it. What the impact, the moratorium would actually have on the industry investment in the State of Connecticut. I know that it's been alluded to

by a number of people but you as an investor, I'd like to know what your thoughts are on the whole issue.

PAUL J. COREY: Yeah. I think it would be very devastating to the Connecticut wind industry. A moratorium. People are looking at our projects. They want to see it work. They're ready to come in and do other things that BNE Energy isn't doing quite frankly. So I think that, you know, delays are never a good thing. And I think more importantly, you know, quite honestly there's no need for it. The Siting Council has the authority. They -- we've looked at all of their proceedings, you know, over the last ten years. It's what they do.

There are more controversial projects. Certainly many more complicated projects in terms of safety and so forth. These are wind mills that turns when the wind blows. I'm not trying to minimize the safety impacts. They're important but the industry has come a long way.

So, you know, when you look at -- when you say that, you know, we've done every study that can be done anywhere in New England in the wind industry. And then you say well we got to stop. We can't move forward until, you know, regulations are adopted that would possibly require all the things that we've already done.

I think that sends a real bad message. And the other -- the other point is that, you know, in times when the federal government has just extended tax incentives for renewable projects through the end of 2011, other states in New England are embracing wind. You know we talk about setbacks and I think there's this assumption that we should regulate and we

should add more requirements to -- to stop wind.

And I think that once people see some projects in the State they may want to do the opposite and streamline the regulations. That's exactly what Massachusetts is doing. It's exactly what Vermont is doing. And I think that when you take that, you know, as -- as a company -- not our company but other -- our company as well but other companies that are looking at -- at Connecticut, they're going to go elsewhere. And they're all -- there's wind turbines all around Connecticut. They're in New York. They're in Pennsylvania. Every state in New England. I think we should have some here too.

REP. GREENE: Thank you.

REP. NARDELLO: Thank you.

Mr. Corey, just one last, I hope simple question. It is your intent once this project is built to seek a long term contract for your wind power?

PAUL J. COREY: Absolutely. We do need a long term contract as any other energy provider in Connecticut or elsewhere and we do intend to pursue those long term contracts. Yes.

REP. NARDELLO: And who would you pursue them with?

PAUL J. COREY: We're going to pursue them with various entities. We would like to sell it here in Connecticut to the local utility. That would be our preference. If that doesn't pan out for whatever reason we will look at other contracts throughout New England.

REP. NARDELLO: And if you were not to get a long term project then your project would not be viable. Is that correct?

PAUL J. COREY: No project would be viable without a long term contract.

REP. NARDELLO: Thank you very much.

Representative Becker.

REP. BECKER: Thank you, Madam Chair.

Mr. Corey, just a quick question. Again, trying to balance the concerns of the folks who live in the area against the need for renewable energy in the State. In your written testimony you say BNE is provided for appropriate setbacks from residential properties to ensure safe and reliable operations. And we heard Mr. Visocki earlier talking about his property it being halfway down the hill.

And I was asking him about how far is that from the homes and how does that address the sound issue that we've heard about today. And I wanted to get your thoughts on that.

PAUL J. COREY: Right. It is, you know -- it is the same property that we're talking about. The -- we have worked extensively with our consultants analyzing everything. You have to look at everything when you -- when you decide any kind of energy project particularly wind as well.

You have to balance it. You have to be, you know, in a windy area. You have to be reasonable close to the grid. You have to look at the terrain that you're on, mitigate wetland impacts and so forth. And then determine the optimal location on that site so that it is

viable for wind generation. So we spent a lot of time looking at setbacks.

And we've worked closely with GE. They are the leader in the United States in wind energy. And they have strict setback requirements. They will not sell you a turbine unless you meet those requirements.

So, and in fact many of the -- the projects that are being built at schools and in communities and downtown Cleveland and, you know other locations, GE can't even compete for those -- those projects because of their own self imposed setback requirements. So I think that, you know, we've done everything. I believe we've done it right.

I think it's a great site for wind. There are not a lot of homes next to the property as I mentioned. There is about 1,100 acres of uninhabited land and we sit near that. And we -- we have done sound studies. There are -- there are State and local sound standards today in effect. Doesn't matter if you put a wind turbine there or an industrial site or anything on that site you have to comply with those sound regulations. And we do comply both at daytime and night time requirements.

So we've looked at all those issues. And, you know, it may turn out that the Siting Council has a different view on things and they may require us to be further away from the homes. We don't know. But we've done the studies and we believe that it -- balancing everything. The benefits of wind are substantial and we believe that the impacts are minimal.

REP. BECKER: And I guess I have two follow ups. One is just on the sound specifically. I mean,

you've studied it in terms of decibel levels and what it would take to dissipate those over -- or how many decibels would be left by the time you reached a home and that type of thing. And if so, do you have any figures for us or is that something you can share with us after the fact?

PAUL J. COREY: Yes and yes. We have done those studies. Our consultant, BHB using manufacturers specs for the turbines -- the GE turbines. And we have filed that with the Siting Council. And it takes into effect the specs and also the wind direction and so forth. So yes, I have a copy here I could certainly provide it. I would also like to mention just, you know real quick on sound.

You know you hear -- you hear discussions about the Falmouth turbine being loud. That's a six year old technology built at the time by Vestas. And they had a problem with sound. When they came into the United States that was one of the problems with their wind turbines. They're the largest manufacture in the world and they're -- they're not even, you know, they're half of what GE sells in the United States. And they no longer make that wind turbine. They don't even make it.

And the industry has adapted as wind turbines have gotten closer to communities. And they understand that. They're spending billions of dollars on wind turbine technologies and they've made them quieter. The cell is insulated. The blade spins slower and GE makes one of the quietest turbines in the industry and that's another reason why we're proposing to use GE turbines.

REP. BECKER: Thank you. And just one quick follow up question. Chairman Nardello had asked you about, you know, building in a mile buffer and you said you couldn't do that anywhere in the State. Is there -- and what we have heard -- and maybe this goes to sound again when we heard, you know half a mile is what it takes to mitigate the sound.

I don't know if these new turbines lessen the distance A. And B if they don't, if we said, you know, 3,000 feet instead of a mile is that -- would that ease your burden in terms of finding locations in the State?

PAUL J. COREY: I think it would be -- first of all I think it's unwarranted if you look at the wind turbines that I included as attachments to my testimony. Some are being built 500 feet from homes and schools and so forth. So to look at an arbitrary 3,000 feet, 3,000 feet's a long way. It's over a half a mile. I don't consider somebody who lives a half a mile away from me necessarily my neighbor.

So, you know, I think that you have to look at the terrain. You have to look at the State more broadly. And I think you need judgment. You know, I heard some testimony from some of the opponents today. They were looking at 3,000 feet setbacks and 65 foot wind turbines. Trees are 90 feet tall. Technology -- I mean, it's not practical.

And I think when you look at those kind of numbers, half a mile or now it's a mile then it's a mile and a quarter from any home. I just don't think that's realistic and anywhere, you know certainly not in Connecticut. And you know, we're not Texas. We're not, you know in

the Midwest where you have thousands of acres of vacant land.

REP. BECKER: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Thank you.

Thank you, Mr. Corey, for your testimony.

PAUL J. COREY: Thank you very much.

REP. NARDELLO: We're going to move to our next speaker which is Helen Higgins.

Is Helen here? No Helen?

Jessie Stratton. Is Jessie Stratton here? No.

Okay. No Jessie. Chris Phelps.

CHRISTOPHER PHELPS: Well thank you and good evening Representative Nardello, Senator Fonfara, Senator Witkos and Representative Hoydick. It's been a long afternoon. I'm Christopher Phelps. I'm the Program Developer for Environment Connecticut. We are a statewide member supported environmental advocacy organization. And although we -- I've provided written testimony.

I'm going to try and summarize that to some extent and then speak to maybe some of the issues that have been raised here this afternoon and evening. Although Environment Connecticut certainly does agree with the need for ensuring that wind energy projects here in Connecticut are siting pursuant to clear, predictable and standards based on best practices for the siting of wind power, we have

serious concerns and do oppose this bill in its current form.

In particular due to the proposed moratorium that could have the unintended and unfortunate consequence of killing currently proposed projects and certainly for today some -- some testimony that, you know, is really directed towards that end. Which is you know, perfectly fair and, you know within the rights of folks testifying in that regard.

But it also would send I think a really damaging send as has been mentioned a number of times today to wind energy developers who are looking at Connecticut to develop projects here in our State, creating new, renewable, clean energy from wind power.

And the jobs associated with it, that have been talked about today. Development of renewable resources in Connecticut is a key priority and a part of our State's efforts to reduce pollution including global warming, pollution and traditional air pollutants from -- from traditional fossil fueled power plants.

And also is a key part of economic development opportunities and development recovery opportunity. As I think one of the wind industry representatives earlier this afternoon noted wind energy is one of the fastest growing industries in the country. And is creating jobs and creating economic development and growth around America. At the moment it hasn't been doing all that much in Connecticut. But we see projects such as those that are currently proposed in our pipeline.

There's a real opportunity to get that process active here in Connecticut benefiting our

State. So in short, we do strongly urge the Committee not to enact a moratorium on wind projects. And I know I'm going to -- I need to summarize my comments.

It's our view that the wind -- the existing Siting Council process and regulatory process can and should lead to the establishment of practices based on best practices standards based on best practices governing the siting of wind turbines. And to that -- to that point, my last point I'd like to make is, you know, it's been stated today that -- that what the goal of this legislation is is to establish regulations for wind turbine siting within that process such as exists for regulations governing the siting standards for natural gas or coal or other energy generation projects.

I'm not an energy -- a legal expert on energy siting issues in the State of Connecticut although I did stay in a Holiday Inn Express last night. But it is my -- my understanding that there are no specific regulations in place in Connecticut for the Siting Council or elsewhere that govern, that are technology specific relating to the siting process for energy generation technologies of any sort including fossil fuels.

And that in effect what this bill would do through a mandate that we established separate regulations governing the criteria to use for siting wind projects would be to establish a higher bar -- a higher regulatory bar for wind generation to go through in the siting process compared to say a coal fired power plant.

And I hope we could all agree that the -- we should not be making it easier to site a polluting and frankly dangerous fossil fueled

power plant in Connecticut than we make it to site clean, renewable energy projects. With that I'll stop there because I know I'm way over my time.

REP. NARDELLO: Okay. I don't see any questions from members of the Committee. I just have one.

CHRISTOPHER PHELPS: Sure.

REP. NARDELLO: And that is you didn't have a question until the very end Chris.

The higher bar for wind energy, okay, we have other states that have regulations in place for wind specific statutes who seem to be siting wind. So why would it be a higher bar in Connecticut if it's not a higher bar in other states?

CHRISTOPHER PHELPS: Well I think, you know, that's a very good point. And you're absolutely correct. There are statewide standards in other states. Some states such as Massachusetts do not currently have statewide standards as I think was referenced earlier. They just -- they literally leave it up to the local jurisdiction and ironically enough Massachusetts is attempting as we know to move away from that model towards Connecticut's current model based on the centralized Siting Council process.

But my point is that I think I -- and I think the key crust of our testimony is that there should be appropriate standards applied to the siting decisions on these types of projects based on those sorts of best practices that are applied through regulations in some states at

the statewide level or at the local level, et cetera.

But that initiating right now a new regulatory process in Connecticut to fix in stone if you will, those best practices is as has been discussed at length today likely to really upset the apple cart of development of wind projects in the near term in Connecticut but also you can accomplish the same goal of ensuring that any project, the one included -- the projects in Prospect and Colebrook that have been talked about today.

If they are approved are approved pursuant to those best practices. I think I was reading online the testimony on the Committee's website of I think Jessie Stratton from Environment Northeast who apparently isn't here and they referred to a previous precedent here in the General Assembly where I believe it was in 2004. The General Assembly in relationship to transmission projects direct -- statutorily directed the Siting Council to -- in their process applied that best practice standard to approval of siting decisions for those types of projects. It did not require a separate rule making process and regulatory process to accomplish that goal.

And I think I saw that they had suggested language that accomplishes that goal because -- we agree wholeheartedly that we don't want any energy project including a wind energy project being sited in Connecticut in the absence of any clear, predictable best practice based standard that protects the local communities and serves both the environmental, public health and energy needs of the State.

I just -- our point is fundamentally that the tool to get to that outcome -- and I think we all agree is the appropriate outcome as outlined in this bill may be too heavy handed and could have a number of unintended consequences including blocking effectively wind energy generation projects in the near term. So, I mean, and we would be very happy -- I think that this has been a really informative hearing process for me to listen to a lot of the testimony and I'm personally very cognizant of the concerns of local residents on these issues because as I know some members of the Committee know I live in very close proximity to the natural gas power plant that exploded last -- a year ago now in Middletown.

And so I'm personally very sensitive to the concerns of residents near any energy project who are -- very legitimate concerns about potential impacts on their families. So I would hope that, you know I would hope -- I would be very happy to work with members of the Committee going forward to come to a resolution on this that balances the needs, you know, in a positive of local community members with our very urgent need to not monkey wrench the process for developing renewables here in Connecticut going forward.

REP. NARDELLO: Senator Fonfara.

SENATOR FONFARA: We don't have time to decipher what you just said at the end there. But I'll be glad to hear it offline in English. But -- but if I could well I would rather ask you than try to paraphrase. Is your contention that the Siting Council process that you -- I think you have cited as a -- a positive is -- is insufficient to arrive at the best practices concept that you've articulated?

CHRISTOPHER PHELPS: No. It is our belief that the current -- that the Siting Council process, they currently have the ability and frankly should. You know, the process that's ongoing right now regarding for instance the Prospect case, the siting case, that process -- and they have the existing authority to -- and they should frankly apply, you know, prudent best practice standards based on the experiences of other jurisdictions that have been talked about at length today here to the approval process for those type of review process for those types of projects.

We believe that -- that that authority exists currently. And -- but to the extent the Legislature feels the need to provide a legislative back stop to ensure that the Siting Council applies such best practices, that could not -- that would not be a bad thing as long as we could find a way to do that, in our opinion that doesn't basically call a halt to the process and potentially disrupt the development projects going forward unreasonably.

SENATOR FONFARA: It would mean prospective application.

CHRISTOPHER PHELPS: Yes.

SENATOR FONFARA: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Any further questions?

Representative Miller.

REP. MILLER: Excuse me. Thank you, Madam Chair.

Good evening, Chris.

CHRISTOPHER PHELPS: Good evening.

REP. MILLER: Wind is a fast growing form of energy. And dozens and dozens of states are in the process of trying to establish -- formulate regulations. And they're doing so because they want to protect the people in those communities and make sure that they don't -- aren't overburdened with windmills. I can't tell you how many there are but when I go on the internet there's just dozens and dozens of states. And again, it's just like we have planning and zoning regulations.

We need to govern where these things are put up. You know, and the Siting Council there may be eight people on that Siting Council but we have 169 towns. Those eight people, they go to communities they know nothing about and they make decisions. So I think formulating some kind of policy towards the construction of these windmills is imperative for the State of Connecticut just like it is in North Carolina or Wisconsin or wherever they're putting up these regulations. I don't see any harm and as long as there's a bundle of cash in those states the wind developers will be here. Trust me. Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Thank you.

If there are no further questions we're going to go on the next speaker which is Charles Rothenberger.

CHARLES ROTHENBERGER: Good evening Representative Nardello, Senator Fonfara, distinguished

members of the Energy and Technology Committee. My name is Charles Rothenberger with the Connecticut Fund for the Environment for the record. CFE certainly recognizes the benefits of having criteria to guide the siting of large wind turbine projects in the State.

However we do caution against allowing the process of developing such guidelines to delay the development and deployment of wind power within Connecticut. We respectfully suggest that perhaps for -- simply providing explicit statutory direction to the Siting Council to formally evaluate the potential impacts from specific projects with respect to the issues and concerns that were outlined in this legislation would accomplish the goals of the bill without delaying development of wind resources in the State or without providing uncertainty to the renewable energy businesses.

It's CFEs understanding that as a matter of course many of these issues are actually already being evaluated during the Siting Council's review of project proposals. But certainly if it gives some assurance to the public to have a statutory direction to consider specific issues, that makes a lot of sense.

If the Committee feels that the statutory directive is inadequate and regulations are necessary we'd suggest that rather than permit an open-ended process during which the development of significant class I renewable wind resources may be stalled, establishing a deadline by which the Siting Council must adopt those regulations would be in order. And we recommend that this timeline be expedited to the most practical extent while still providing opportunity for public input.

And we suggest in our testimony that perhaps, you know, 60 days would be an appropriate number. It's not a magic number but it seemed to meet some notice requirements. We certainly endorse the proposal that developers of wind projects commit to decommissioning the facility and provide decommissioning plans for the facilities. That makes a lot of sense.

And with respect to the public hearing requirements we agree that this procedure could be strengthened. The current regulations only provide for a public hearing for wind projects if the Council deems a hearing necessary or helpful in making their determination. You've heard that -- I think they typically defer to having public hearings. That's a prudent course.

But augmenting the language by requiring a public hearing if requested in writing by 25 interested persons would not be burdensome to the process. And I think that providing opportunities for public input in any sort of proceeding like this is a good idea. And with that I will conclude.

REP. NARDELLO: Thank you. Thank you, Charles.

Are there questions from members of the Committee?

Seeing none, thank you.

Our next speaker is Philippe Flores. Is Philippe here? No.

William Riska. Is William here? Okay.

WILLIAM RISKA: Excuse me. Thank you, Madam Chairman, Senator Fonfara and the rest of the Committee for the opportunity to speak in support of this bill. I am the Chair of the Norfolk Planning and Zoning Commission but I am not here on behalf of the Commission.

I'm here to express my personal opinions. Also I have participated with Fairwind and I have friends who are directly affected by this -- by this project. When I first heard about the lack of planning and lack of regulations that relate to these massive industrial facilities, I was stunned.

The legislature requires planning and zoning commissions to plan, hence the name planning. The statutes require that the zoning regulations conform to a comprehensive plan. The statutes require the planning commission to adopt a plan of conservation and development, to review it periodically, to amend it when necessary and to readopt it at least every ten years.

No -- as we have heard there are no specific regulations that -- that relate to wind turbines. There are general -- there may be general environmental standards in the site plan regulations but that doesn't do the job. There need to be some specific regulations that deal with these -- with these facilities.

They had -- at a minimum they need to include a significant setback from property lines. There has been some discussion today of what -- what residents of Colebrook knew and when they knew it about these projects.

I would like to read into the record a letter from BNE Energy to the Colebrook planning and

zoning commission dated October 20, 2008. My name is Gregory Zupkus, CEO of BNE Energy Inc. On behalf of the company I'm requesting a special permit to install one meteorology tower, met tower on my property at 29 Flag Hill Road Colebrook, Connecticut.

The met tower will stand at 60 meters, 180 feet which will be used for collecting data -- wind data. The tower will be temporarily installed for 12 to 18 months and will be removed once the appropriate data is collected. The tower will pose no health risk. It will emit no noise nor will lights be required. It will stand in the middle of a field and have a safe fall zone. A road to access the tower already exists to facilitate weekly inspections. This installation will not require any road modifications. Thank you for your consideration.

So in other words, please approve our met tower because it is entirely innocuous. It's not too tall. There's plenty of land. It won't emit any noise. It won't emit any light. Now we contrast that with 500 foot tall industrial facilities in a residential zone. In zones where as other people have pointed out whatever you're going to do from building a doghouse to building your mansion you have to comply with zoning regulations.

As I said, it is stunning that a project of this scope can escape -- apparently escape specific regulation so that those who will be directly affected by it are on notice of what they are facing and have minimal protections that the law requires.

REP. NARDELLO: Are there questions from members of the Committee? Thank you, Mr. Riska for staying so late by the way. I appreciate that.

WILLIAM RISK: Thank you very much.

REP. NARDELLO: Our next speaker is Jeffrey and I think it's Tinks, T-i-n-k-s. Jeffrey Tinks?

JEFFREY TINLEY: Thank you, Madam Chairman. My name is Jeffrey Tinley and I'm a lawyer. I practice for the law firm of Tinley, Nastri, Renahan and Dost in Waterbury, Connecticut and I thank you for the opportunity to speak before you and the rest of the Committee tonight.

I'd first -- I've submitted some written remarks but I'd first like to respond to the statement that the bar would be higher for wind energy if there were regulations put in place. In fact wind energy fits under -- within the Siting Council what's called a declaratory ruling procedure which you've heard is a six month timeline. We're about half way through that.

So absent something happening, three months from now for better or for worse we will have a ruling. We will have, if it's approved a tower standing nearly 500 feet tall. There are some issues that burn hot and get a lot of attention and then go away. This one will be there standing 500 feet tall -- 493 feet tall making noise day and night and telling you whether or not you've made the right decision.

That's not the way to do it. The way to do it is to figure out the right decision before you build it. And not make the residents of Prospect or anyone else a guinea pig in this process.

There is a certification proceeding through the Council that is a much more involved process that is required for other kinds of energy such as coal plants. So in fact the bar is lower for wind than for other types of energy facilities. We've had a number of remarks this evening about people saying how much they've learned through process.

I would respectfully submit what we've learned tonight is how much we don't know. We know -- we know that we need to study this further. We know that three months from now is not enough time to have gone through the process, to learn all that we need to know and to be responsible and to act responsibly to protect the health and safety of the citizens affected by these projects.

The example in my -- in my written remarks has to do with blade throw and setbacks. GE, the turbine manufacturer recommends locating turbines a safe distance from any occupied roads -- structure, road or public use area. But they and other recognize there's no clear formula for determining what is a safe area and they say in their literature, quote, actual distance is depended upon turbine dimensions, rotational speed and many other factors.

Physicists who have looked at this process -- this question notably Professor Mitiska from Rutgers has said that the rule of thumb that's often cited by developers is one and a half times tower height appears to have been just pulled out of a hat. And what he and others have said is that each incident or accident caused by ice throw or blade throw is an unnecessary event and will decrease the public acceptance of wind energy.

So if you care about clean and renewable energy, if you want to see this in the State of Connecticut, then please let us do it right the first time. Because if you do not it will be bad for the people affected by it but it will be bad for wind energy as well.

REP. NARDELLO: Thank you.

Are there questions from members of the Committee?

Senator Fonfara.

SENATOR FONFARA: Tinley?

JEFFREY TINLEY: Tinley, sir.

SENATOR FONFARA: Tinley?

JEFFREY TINLEY: Yes, sir.

SENATOR FONFARA: Do you believe that the local community, be it Prospect, let's use Prospect and it's -- and it's officials would know better than the legislature as to what should happen here at this property?

JEFFREY TINLEY: That's a difficult question. That's frankly a political decision and a policy decision. I think the local officials certainly should have some input. They can -- they can add a great deal to the process from their knowledge of local conditions. But one of the things that for example the physicists who've looked at this have said is that if you're looking at something like blade throw where a blade like we saw on the film, it disintegrates and projectiles, go flying out.

The professor from Rutgers has said that they can go as far as 1,700 feet. You've heard testimony tonight that there are many houses within that range, that Route 69 is within that range. Clearly that requires further consideration and further study. So we can --

SENATOR FONFARA: Are you -- are you testifying in favor of the legislation?

JEFFREY TINLEY: I'm testifying in favor of the legislation, sir. Yes, sir.

SENATOR FONFARA: You are. And you're aware that the very body that you're suggesting intimating is not capable of doing the proper review and making the decision three months from now, would be empowered to do the study and the review that you're talking about in establishing regulations.

JEFFREY TINLEY: I'm -- I am not implying that they're incapable. I have the greatest respect for the Siting Council. I'm suggesting that the process is flawed, that the study needs to be done upfront by the legislature. You all made a decision to public service to be here not to abdicate that but to make a difference, to make sure that the people are protected.

SENATOR FONFARA: In all due respect, if you think this part time institution has the ability to make a decision like that I would suggest to you, even those that are prepared to support this legislation would not agree to that under any circumstances and you should not want that.

JEFFREY TINLEY: I'm not suggesting that I want that. I'm -- all I'm saying is that the process that's set up under their regulations is flawed. The timeframe is too compressed.

It's done in the context of a contested proceeding.

This should be done with all deliberate speed but by a body such as the legislature who can consider all points of view in an objective fashion and come to a decision that will be in the best interests of all concerned. And the Siting Council, I'm sure will try it's best to do its job. But it's not really been given the right context in which to do it.

SENATOR FONFARA: I don't know what context you're referring to but -- you know, sort of the elephant in the room here today that hasn't been spoken about much and you sort of encouraged it is the fact that the reason why the folks who -- and even I wasn't here when this was established -- the Siting Council was established was the reason and the foresight and I believe very strongly in this that they had the foresight to realize that there will be issues in which you pit -- you pit the overall best interests of the State against the interests of the individual or the individual community where no other state in the country has a similar model.

Now there may be those and probably a lot in this room would say, well maybe we ought to follow the rest of the country. But I think the Siting Council on average has served this State well. Because we need to. I mean, I would ask anyone in this room would we be able to site interstate highways -- interstate highway systems in this State today if we had to start over?

I mean we heard testimony earlier, I don't know if it's true what was testified to, that there are proposals to go at the Prospect site that

were voted down. I don't know if that's true but that was testimony. There isn't -- there isn't much that you can site today in this State or in this country where there isn't opposition. I get it.

But we're fortunate, in my opinion to have -- to have an institution, to have a body that is charged with making the decisions. It's our responsibility to ensure that they do make those decisions with all the appropriate information possible and sensitivities to the impacted community. That's open to debate. And that's what we're doing here today. But I can tell you that this is not the body to be making decisions like that. It never will be.

Thank you, Madam Chairman.

REP. NARDELLO: Let me just ask one follow up question since it was interesting listening to the dialogue between the two of you. And let me see if I understand this. Okay. Are you suggesting that the legislature pass legislation directing the Siting Council or are you suggesting that the legislature take on the investigatory process?

JEFFREY TINLEY: I am suggesting that the legislature needs to be involved directly overseeing this process to make sure that the end product is something that does the job, that protects residents, that establishes a baseline, that looks at things like the fact that you can have setback distance that are conservative to eliminate the risk that an ice throw or a blade throw is going to go through someone's house or hit a car on the road. And that you can do that. And then you don't have that issue to worry about.

The Siting Council doesn't have an issue to worry about. That there's information available to develop sensible standards that can be applied to all situations. And there are other areas where discretion is required. And you have to balance the two. But I think the legislature needs to play a central role in the process.

REP. NARDELLO: Thank you, Mr. Tinley.

JEFFREY TINLEY: Thank you.

REP. NARDELLO: Any other questions from members of the Committee?

Hearing none we're going to go on to our next speaker which is Richard Rosnoy.

Is Richard here? Okay. And is Jeff Slavin here? Okay.

And the last person who actually was called -- Jeff Slavin?

No. Is the last person who was actually called earlier today and was not in the room is Christopher Kearns.

Is he here? Thank you.

Oh, I'm sorry and Annette Smith. Okay. I apologize. You're on the last sheet. Annette Smith and then Christopher Kearns.

ANNETTE SMITH: My name is Annette Smith. I'm Executive Director of Vermonters for a Clean Environment. I thank the Committee for hearing my testimony today. VCE is a statewide nonprofit that works with citizens to provide facts and information so people can make

informed decisions and participate in regulatory processes.

I've spent two years researching the complex issues surrounding wind energy development. If I had any bias when I began this investigation it was in favor of wind energy. I made 14 visits to wind turbine projects in the region and all the major proposed sites in Vermont. I talked to people who lived around existing, proposed or approved wind projects.

I'm here to share with you what we have learned and what Vermont's experience has been as big wind projects have made their way through the regulatory process. Vermont's Public Service Board has issued certificates of public good for three big wind projects so far. A fourth begins technical hearings today.

Of the three projects approved still have outstanding unresolved issues while one project has begun construction. About a dozen other proposals have been floated by developers. Vermont has one existing wind project in Searsburg which has 11 half megawatt turbines that are less than two feet -- 200 feet tall with no lights. Vermont's legislature has not enacted any special legislation or rules regarding wind turbine siting.

Siting and setback legislation was introduced last year but not taken up by the committee's of jurisdiction which unfortunately are choosing to let the Public Service Board rule on the issues on a case by case basis.

I commend you for holding this hearing today to evaluate how to provide guidance to the Siting Council and establish rules for this new technology because in my opinion and experience

the way Vermont is doing it is not working. My written testimony lists the issues associated with building wind turbines with references to testimony, raw data, newspaper and magazine articles and other sources that document what is happening worldwide with this technology.

The top two problems we find are one, the way wind development divides communities and creates conflict and two, wind turbines unique noise profile that sickens people and causes some to flee their homes. Wind developers deny the problem and governments have not set adequate standards. These noisy, huge machines dominate the landscape and create sacrifice zones that reduce property values. They collapse, throw ice and blades, catch fire, create hazards for air traffic, kill birds and bats, fragment critical wildlife habitats and have technical problems that require frequent maintenance.

Utility scale wind turbines are in people communities and the natural environment. Regulatory processes are grossly imbalanced creating enormous financial burdens for communities and project neighbors with inadequate time to develop expert witness testimony to represent their interests. Regulators are relying on expert witnesses working almost exclusively for wind developers. Whatever standards you put in place must address these impacts and process related issues.

I'd be glad to answer any questions however I would like to address a couple of things that have been said. On the -- on the role of wind energy in the New England grid, New England is dependent upon a number of different generation sources. Oil is a very, very small amount.

Maybe one percent nationwide. Very small in New England.

There is no connection between wind energy and either coal plants or nuclear plants in New England. The only resource that the wind interacts with in terms of reducing fossil fuel consumption is natural gas. And I would like to highlight some of the information that I'm offering you. I've given you several pages of links.

I would point to the Canadian survey with raw data on the health issues so you can actually look at a survey of 120 some people and how far away it is. There's raw data on the distances. Some organization's been cataloguing how far is the ice throw, how far are the blades throw.

So, there's also testimony by a man named Scott McLane who reviewed all of the -- all of the setback standards nationwide as far as every ordinance he could find. And there's a link to his testimony. So, I'd be happy to answer any questions.

REP. NARDELLO: Thank you. It sounds like you've done a lot of work over the last two years. I think the one that might be extremely helpful is, you know, there's been an awful lot of discussion about setbacks. Can you -- is that something that you can just briefly comment on what that data says?

ANNETTE SMITH: Yes. There are two separate issues for setbacks. One is safety. The safety setback issue needs to be about -- and this sounds large but about a foot -- they would say in Europe a kilometer. So less than a mile but there are blades throws that are happening further than that.

The standard that we have found in this literature review is 1.1 to 1.5 times the total height of the tower and that's what a lot of the communities are doing like in the Midwest. As -- the other standard that needs to be seriously looked at is the noise and health one.

We have been told numerous times by many experts in Vermont that we need two miles in mountainous terrain. And in Australia I have talked to doctors who are dealing with the New Zealand situation where they have mountainous terrain and they are experiencing noise and health problems five to ten kilometers away. And that's three to six miles. It's not decibels. That -- there is a decibel component to it but wind noise has a unique component.

It is caused by some low frequency infrasound and so it travels a long distance. In -- in nonmountainous terrain a minimum of a mile is an adequate setback.

REP. NARDELLO: And I guess the last thing would be, how would you answer the testimony that was given that if we were to put a mile setback in place that in effect there would be no wind projects in Connecticut.

ANNETTE SMITH: I think I'll be blunt and say what nobody's said here today. This is a technology that does not belong where people live. It is inappropriate to put these big machines anywhere near where people live. There are appropriate places for it.

I would direct you to the final link that I put in here, need for independent studies on energy and emissions. It's number 48. It's a link to

a report that was done by a Vermont public radio reporter yesterday interviewing a physicist and varying points of view on whether or not wind turbines will reduce greenhouse gas emissions.

But there's a Vermont physicist who is a wind energy advocate when he was in New Mexico but he says it's not an appropriate technology for a mountainous terrain in Vermont and that our wind resource on the east coast, not including offshore but onshore is very, very small.

We could build out the entire wind resource in the east and reduce greenhouse gas emissions by about one percent or less. It is a small resource. We should build these wind turbines where the resource is and not damage our communities in so many ways and our natural environment.

REP. NARDELLO: Thank you.

Senator Witkos has a question.

SENATOR WITKOS: Thank you. You testified that the Vermont legislature opted not to move a bill through their committee of cognizance, if you will, regarding this matter. And I'm just wondering are you aware if anybody came to the legislature and testified as to the health effects or any setback issues or ice throws if you will? Before the committee.

ANNETTE SMITH: No because the committee refused a doctor's request to take it up. The same doctor went to the Vermont Health Department with three other doctors including Head of the Rutland Regional Hospitals sleep clinic. Four doctors met with the Commissioner of Health, brought their concerns to the Commissioner.

The doctor called the chair of the committee who had the bill on the wall. He refused to take it up. So no, the -- and this is really relevant to what you're talking about. The dynamic is that the wind energy advocates come in and they say the Public Service Board is doing a fine job. And what we've seen happen with the Public Service Board is that the companies are using the same noise expert. Every company in Vermont is using the same noise expert.

The citizens are really strapped to raise the money, hire the lawyers, hire the experts. In this case that started today they had three weeks from when they got party status to when they had to put in prefiled testimony. Not enough time. Nowhere near enough resources to cover all of the complex issues and so what you get before the Public Service which I think you will get before the Siting Council too is that a fair amount of biased information.

And the decision makers don't have the ability to sort it out and figure out what's going on. This is all very new to everyone. And so it is a very difficult regulatory proceeding when you're trying to do a contested case and when you have this unfair playing field. So I also put in links to information about intervenor funding or to some sort of a collaborative process because I don't think that this contestive case scenario is an appropriate use of people's resources. It's very expensive.

SENATOR WITKOS: Thank you.

Thank you, Madam Chair.

REP. NARDELLO: Are there further questions from members of the Committee? Thank you very much and did you come down from Vermont today?

ANNETTE SMITH: Yes I did.

REP. NARDELLO: Well then I have to thank you and I apologize for having missed you as last on the list.

ANNETTE SMITH: Well I thank you all for staying this late to hear my testimony.

REP. NARDELLO: And Chris Kearns would be next.

CHRISTOPHER KEARNS: Madam Chair, members of the Committee, thank you for your time. My name is Chris Kearns and I work with Alteris Renewables. I'm submitting this testimony on behalf of Bob Chew, the President of the wind division. As a renewable energy and a member of the community with offices in all of New England as well as New Jersey, New York and Pennsylvania we support the installation of properly sited wind turbines.

We fully recognize that not every location is suitable or necessarily appropriate for a wind turbine installation but there must be a clear understanding as the difference between the installation of an onsite distributed generation system which are community scale wind turbines and wind farms which are defined as a utility scale wind turbines for the sale - - wholesale of electricity to the utility that does not apply to any net metered wind project.

An example of an onsite distribution generation system is the Northwind 100 that we installed at Phoenix press in New Haven, Connecticut about a year ago at this time. It was a

properly installed installation that had support from the local community and the city. We have installed turbines for schools, businesses and affordable housing complexes. We just installed the Northwind 100 in Warwick, Rhode Island off of 95 south for a senior center.

We've been successful in every town that we've completed an installation for. In these difficult economic times a moratorium on wind turbine installations not only impacts integrators like ourselves but also businesses and municipalities who are trying to control and offset their energy costs.

A moratorium would essentially close the window on a sector of an emerging market and force companies like ours to move our resources and focus our efforts in other states that have a favorable wind environment for business to operate.

We understand the need for proper siting considerations that address fall zones, acoustic characteristics, flicker, environmental considerations and view shed. All of these factors can be properly addressed and supported with data. There is a strong tendency for misunderstanding and misrepresentation of the characteristics and impacts of wind turbines.

We believe strongly that a moratorium placed on onsite distributive generation projects is not the answer and that these projects can be handled responsibly at the local level with proper consideration given based on the facts and merits of the project.

There's been a lot of discussion in this -- in this Committee tonight about the large scale systems, the 1.5 megawatt and above. But I think the unintended consequences of a moratorium on wind is you're directly impacting the community scale turbines because there's no language in this bill that defines what turbines you guys are looking to have regulations put in place for.

So the unintended consequences is the project that we're working, the 100kW or the 275 KW that are used for onsite electrical use whether it's a business or a school or a town is that we have projects in the pipeline for this year that we've been working the last several months on. And if you put this moratorium in place that shuts down our operation in Connecticut right now.

REP. NARDELLO: I just want to state for the record that I don't think it was ever the intent to have these apply to onsite distributive generation so I'm sure that we can make changes in the legislation. It was really looking at the large commercial projects and that's why you saw all the discussion come around.

CHRISTOPHER KEARNS: Yeah.

REP. NARDELLO: But I think the fact that you pointed out possibly a change that is necessary in the language is the reason why we have the public hearing process so I thank you for coming today.

And I -- I must say I mean I was looking at all the bills that you guys have been introducing over the last couple of day on Saturday. I was literally going bill by bill whether it was solar, wind, siting and then this last one, you

know, a moratorium on all wind turbines. And that could impact us because we, you know, Phoenix Press Turbine is a model that has -- I haven't heard any opposition toward that project.

It was a very well sited installation. And those are the types of projects that we work on. And based upon the way the current bill is written you would wipe us out of the State right now.

REP. NARDELLO: As I said, duly noted.

CHRISTOPHER KEARNS: Yep.

REP. NARDELLO: Senator Fonfara.

SENATOR FONFARA: Well, your testimony is interesting because it would suggest that we should make a determination as to what is safe wind and unsafe wind. And again, we're being asked to make a decision by fiat in -- well I guess three months was too short for the Siting Council which is three months of their six months. And we're asked to do that in an even shorter period of time.

CHRISTOPHER KEARNS: And if I could just add something. We've been talking about other states.

SENATOR FONFARA: Add all you want.

CHRISTOPHER KEARNS: Massachusetts is working on statewide siting criteria but not imposing a moratorium because the legislators and State officials know that it's difficult for business -- you know we have -- we have operations. We have overhead that we have to pay.

To put a moratorium on us, you know, what are we going to do for all of the installers out there? We're going to have to lay them off because there's no work in Connecticut anymore for projects that we have pipelined for this year. I come from -- I live in Westerly, Rhode Island so I'm right on the border of Connecticut. And Rhode Island is working on statewide siting criteria right now within the State and then they're going to put together those guidelines for the towns to adopt if they choose to.

But again they're not putting in a moratorium on projects because they've realized businesses like ourselves have to operate. And by placing a moratorium on us, you know, we don't have any work to do.

SENATOR FONFARA: Should I infer from your testimony that you believe your projects are safe and maybe other projects because they're larger are not?

CHRISTOPHER KEARNS: No. We, I mean we focus on, you know, we do projects from the 100KW scale up to the 1.5 megawatt and above projects. It's all dependent on the site. We won't -- we won't install a system in an improper location. We've been requested. We pass on those. Most of the time we -- we don't do wind farms. You know, we focus strictly on onsite distributed electricity to meet the needs of that location.

SENATOR FONFARA: Making the distinction as to whether its distributed energy or not. I'm making -- I'm trying to understand your testimony of exempting out projects that are -- because you do distributed energy projects that are 1.5 megawatts, right?

CHRISTOPHER KEARNS: Up to if the site is appropriate.

SENATOR FONFARA: So it's really not whether it's on the customer's side of the meter or not, it's the size. Right?

CHRISTOPHER KEARNS: Yeah. And we don't --

SENATOR FONFARA: Are you suggesting that -- that smaller projects are inherently safer than bigger projects?

CHRISTOPHER KEARNS: Well based upon noise, flicker there are reduced impacts from the community scale turbines than the commercial ones. We're supportive of the concept of establishing criteria or guidelines for these systems whether --

SENATOR FONFARA: So it's really not -- you're not asking that we segregate out distributed energy projects.

CHRISTOPHER KEARNS: No.

SENATOR FONFARA: Because those could be 1.5.

CHRISTOPHER KEARNS: Those could be 1.5 as well if they have the appropriate property.

SENATOR FONFARA: So you're asking us to decide what size should be exempted.

CHRISTOPHER KEARNS: No. we're basically asking that you work on the -- work on the siting guidelines. However we would like to do that similar to Rhode Island and Massachusetts are doing without placing a moratorium on businesses that are already operating in that state.

SENATOR FONFARA: Correct.

CHRISTOPHER KEARNS: That would be your Committee's call to make. We just feel like, you know, like I said we have projects pipelined in Rhode Island. We have projects looking at Massachusetts and Connecticut. You know, for us to invest several months and all of a sudden a moratorium placed on those projects, it's unfair for businesses like us to operate.

SENATOR FONFARA: (Inaudible.)

CHRISTOPHER KEARNS: Yeah. Without a moratorium. And that you allow the business to operate as they've been functioning and as those new rules are put in place then those are the criteria that have to be met in the future. But for us, you know like I said, we've got projects that we've lined up already.

And just to put a moratorium on us, you know, we have to operate in this -- operate in this State. We have overhead. We have costs. We have employees that we have to take care of. And if you put a moratorium for whether its six to 12 months, you know, what are we going to do?

SENATOR FONFARA: Thank you very much.

Thank you, Madam Chair.

REP. NARDELLO: Okay. Reach the end of those signed up to testify for this bill. Is there anyone here in the room who -- there's one more. Okay. Have you -- have you signed up or you -- do we have your name? Okay. Will you come and state your name because I don't have anyone

else on my list so I want to just make sure I haven't missed you in some way.

MICHAEL DREHER: My name is Mike Dreher.

REP. NARDELLO: Pardon me.

MICHAEL DREHER: Mike Dreher from the Town of Prospect.

REP. NARDELLO: Mike Dreher. Oh, yes, you were called earlier I believe. Okay.

MICHAEL DREHER: Okay.

REP. NARDELLO: That's what it is. Okay.

MIKE DREHER: All right.

REP. NARDELLO: Okay. I know that name. Okay. Thank you.

MIKE DREHER: All right. Madam Chairwoman, members of the Energy and Technology Committee, my name is Mike Dreher and I am submitting this testimony in opposition to the proposed House Bill 6249. I live on 2 Stone Field Drive in Prospect. It's the next hilltop over from the proposed Wind Prospect site. And it's approximately 1.2 miles away from the site.

According to siting maps the wind turbines will be visible from my home. As a taxpayer, ratepayer and a lifelong resident of the Town of Prospect I am in favor of Wind Prospect.

Wind Prospect proposed by BNE Energy I think will bring a number of significant benefits to our local community and the State of Connecticut. Benefits include much needed local tax revenue, cleaner air and water, the

preservation of 68 acres of land from being developed, improved energy security and independence and clean energy funds going to instate wind project development, i.e. jobs in Connecticut. And clean energy generation to support a starving electrical grid.

I am encouraged that our State legislature has mandated that by 2020 20 percent -- 27 percent of the electrical generation in our State be required to come from renewable sources. I am also encouraged that Connecticut uses a consolidated permitting process before evaluating electrical -- electric generating facilities. Responsibility for the review proposed major electric generating projects including wind projects lies with the nine members of the Connecticut Siting Council.

Connecticut has established a more consistent and predictable review process for wind projects that other economic competitor states, for example Massachusetts would like to emulate. Massachusetts currently has a permitting process that makes it more difficult to site renewable energy facilities than fossil fuel energy facilities. Unlike Massachusetts Connecticut has a permitting process that promotes energy projects.

In order to meet our aggressive state renewable portfolio mandates we should not be reversing our course by putting up roadblocks and imposing moratoriums on the three commercial wind projects being proposed in -- in Connecticut.

We need renewable energy sources in Connecticut and do not need policies that make it difficult to site wind energy facilities. We do not need a bill nothing next to residents policy. We

need a review of safety, visual impacts, proper setbacks, ice throw, sound, shadow, flicker, wetland impacts, storm water runoff, interconnection plants, site design and impact on birds, bats and wildlife.

This is what the Siting Council will be reviewing with the current permitting process in place. We do not need to come up with arbitrary setbacks that would restrict viable wind sites such as Prospect from ever being built -- from ever being developed. Finally, we should not ignore the concerns of the residents of Prospect. However we should not develop policies with arbitrary setbacks without scientific justification.

Those opposed to Wind Prospect want to develop regulations that will ensure no wind turbines will be developed in Connecticut.

REP. NARDELLO: Mr. Dreher, can you summarize.

MICHAEL DREHER: I strongly urge you to oppose the proposed House Bill.

REP. NARDELLO: That's a great summary. I think that says it all enough.

MICHAEL DREHER: Perfect timing.

REP. NARDELLO: Are there questions from members of the Committee. Hearing none, thank you for staying this late hour.

Okay. We have a hand raised. No. If you wish to testify you can come and testify and state for the record your name. Okay. So state for the record your name because we need to have it for the record.

JOHN MULROONEY: My name is John Mulrooney. I live in Prospect. Thank you for listening to me late. I appreciate it. I'd just like to bring one thing to your attention. Noise has always been a concern for me because I'm probably at a visual site of these. I'd just like read a quote that comes from James Van Dyke. He's the Vice President of Environmental Sustainability.

Jiminy Peak which was brought up, although 20 percent increase annually for business is a great thing. I agree for them. But is it always the best thing for the residents. A mile away from the turbine at Hancock Town Hall when the wind blows a certain way visitors hear it. Whoosh, whoosh, whoosh. As the blades spin. That Van Dyke was supposed -- wasn't supposed to happen.

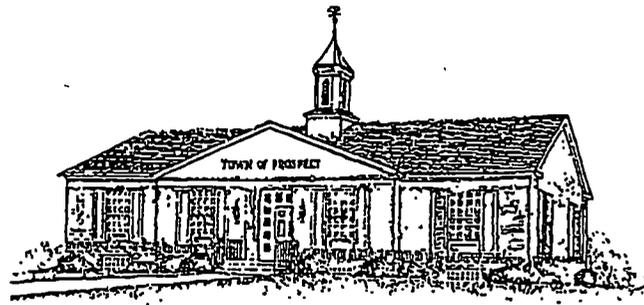
It was his greatest regret the way Jiminy Peak pitch was -- pitched to the residents. So that's one thing I'd like to say is just the concern of noise. Because that's the one thing that's got me because that's probably going to be the biggest impact if -- if they do go in. Thank you.

REP. NARDELLO: Thank you.

Are there any questions from members of the Committee? No. Is there anyone else in the room that would like to testify on this bill before we close this hearing. There is a Miss Barbara Bell would like to testify to 6250 I believe. And you certainly can do that at this point if you wish to do so.

BARBARA BELL: Thank you, Representative Nardello. I have submitted written testimony and in view of the hour I will waive my right to testify,

line 3, page 1



TOWN COUNCIL • TOWN OF PROSPECT, CT 06712-1699
36 CENTER STREET (203) 758-4461

RESOLUTION OF THE PROSPECT TOWN COUNCIL
REGARDING WIND TURBINE PROJECTS

WHEREAS, the Town Council of Prospect, Connecticut supports and encourages renewable energy projects and acknowledges their importance to mankind's future; and

WHEREAS, a wind turbine project proposal has been submitted to the Connecticut Siting Council for a declaratory ruling to allow its construction and operation in the Town of Prospect; and

WHEREAS, such a project will have a significant impact on the Town and its residents and may set precedent for other similar projects in the State of Connecticut; and

WHEREAS, the Town Council recognizes its responsibility to safeguard the health, welfare, safety, quality of life, and economic stability of the Town and its residents; and

WHEREAS, the Prospect Town Council supports the active involvement of Prospect's land use boards and local health boards in establishing regulations relating to wind energy projects; and

WHEREAS, the Prospect Town Council supports the Mayor of Prospect's appearance before the Connecticut Siting Council as the representative party for the Town of Prospect, and further, supports his appeal for said Council to consider all applicable information and confer maximum possible weight to the concerns of the residents of Prospect;

NOW, THEREFORE: The Prospect Town Council urges our state legislators to immediately submit legislation calling for a moratorium on wind turbine projects until such time as the State of Connecticut establishes statewide minimum standards relating to wind energy projects, including, but not limited to, setbacks, fall zones, safety zones, ice control, view sheds, sound limits, shadow flicker effects, bonding, decommissioning and site restoration.

RESOLVED, THIS 14TH DAY OF DECEMBER, 2010 BY THE UNDERSIGNED MEMBERS OF THE PROSPECT TOWN COUNCIL.

Thomas J. Galvin, Chairman

Stanley J. Pjalt, Vice-Chairman

Robert E. Doyon

Douglas B. Merriman

Patricia Sullivan Geary

Jeffrey B. Slapikas

Carl L. Graveline

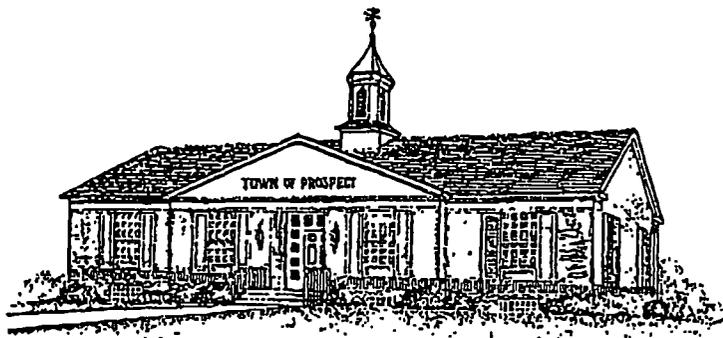
Michael R. Scaviola

Theresa Cocchiola Graveline

FEB/03/2011/THU 12:20 PM

FAX No.

P. 003

**PROSPECT PLANNING & ZONING COMMISSION**

36 CENTER STREET
PROSPECT, CONNECTICUT 06712-1699

February 2, 2011

Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: Petition No. 980—BNE Energy, Inc. A petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road

Dear Ms. Roberts:

The Prospect Planning & Zoning Commission has reviewed the Petition filing associated with the above noted Petition, and has heard comments from both BNE Energy and the public concerning this commercial wind turbine project. Prospect's Plan of Conservation & Development, Zoning and Subdivision Regulations provide our commission with guidance for the growth and beneficial development of our Town. This includes the desire to protect and conserve the existing character of Prospect and aid in maintaining neighborhood stability and property value. Our regulations also allow for new forms and types of development which may emerge in the future. Such new development would need to be of a standard that is safe, suitable, and of a character that is appropriate for the community. With this introduction, the Prospect Planning & Zoning Commission respectfully offers our comments on this Petition for your consideration:

Section 16a-35k of the CT General Statutes clearly defines the State's policy on the development and utilization of renewable energy resources, such as solar and wind energy as essential to the preservation and enhancement of the health, safety and welfare of the people of the State. We agree with and support our State's energy policy. But Section 16a-35k also states in attaining the objectives of this policy that it be done in a manner that will not harm the environment, cause

risk of health or safety or result in other undesirable or unintended consequences. Undesirable or unintended risk to the health, safety and welfare of Prospect's residents resulting from the operation of commercial wind turbines is of great concern to the commission. We request the Siting Council in its discussions with BNE Energy require:

- 1) BNE Energy to provide expert testimony on the noise level of commercial turbines and what impact the operating noise of these 2 commercial wind turbines that will be placed nearby to a residential neighborhood will have on the quality of life, health and safety of the residents.
- 2) BNE Energy to provide expert testimony on potential safety issues of ice throw and mechanical failures involving the operation of 2 commercial wind turbines that will be located approximately 900-feet to a residential home and 1,200-feet to a major State highway (Route 69).
- 3) BNE Energy to provide expert testimony on the effect of neighboring residential real estate values that may result from the location and operation of these 2 commercial wind turbines, and also additional turbines at this same location if later approved.

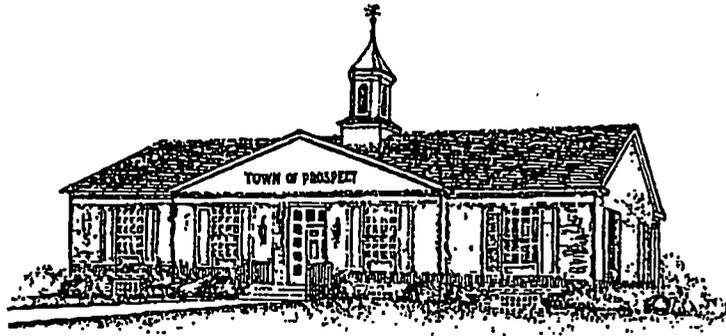
The Planning and Zoning Commission believes any commercial venture of this size and magnitude does not belong in a residential zone but rather, if allowed at all, should be located within a designated commercial or industrial-zoned section of a town or city. We would in conclusion express to the Siting Council our overall disappointment in the legislative body in passing energy policy legislation without first having any kind of guiding regulations or standards in place for the development, placement or utilization of renewable energy resource facilities.

Yours truly,



Donald Pomeroy, Chairman
Planning & Zoning Commission

pc: Mayor Robert Chatfield

**INLAND WETLANDS COMMISSION**

36 CENTER STREET
PROSPECT, CONNECTICUT 06712-1899

February 2, 2011

Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition No. 980—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 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut.

Dear Ms. Roberts:

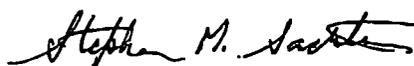
The Prospect Inland Wetlands Commission has reviewed the Petition Filing associated with the above noted Petition. One 1.6 MW commercial wind turbine and proposed access way are located within 100-feet of a defined wetlands. A second 1.6 MW commercial wind turbine is located approximately 130-feet from a wetlands. All activity associated with this project is up-gradient of the wetlands as identified on the property by the applicant's soils scientist. The Inland Wetlands Commission requests the Siting Council consider our following comments when reviewing this application:

- 1) We are informing the Siting Council that this project is located within an active public water supply watershed of the Connecticut Water Company that includes the Long Hill Reservoir, an active public drinking water supply. Approximately 1,000-feet easterly of the proposed wind turbine project is an EPA Brownfield identified as the U.S. Cap, Inc, property, 214 New Haven Road. 214 New Haven Road is also located within the Long Hill Reservoir's watershed. EPA testing has determined that an underground plume of industrial contamination is located on this property. We have concerns that any blasting taking place at 178 New Haven Road associated with the installation of the two 1.6 MW turbines may affect the movement of this underground contamination by creating cracks or fissures in the bedrock resulting in

the plume spreading outward and possibly into the ground water recharge of the Long Hill Reservoir. We request that BNE Energy provide testimony to the Siting Council on what impact, if any, BNE believes the installation of the commercial turbines at 178 New Haven Road would have on the movement of this identified contamination.

- 2) The locations of the 2 turbines are in close proximity and up-gradient of located wetlands on the property. These wetlands are identified as forested hillside seep wetlands draining westerly towards Long Hill Reservoir. The wetlands generally occur where topographical gradient decreases and groundwater breakout occurs. The proposed turbines will be placed on pads that will require excavation and possibly blasting. When completed, these pads will create a physical barrier below ground level that could prevent the up-hill ground water from draining into the wetlands and hence impact the wetlands. We request that BNE Energy provide testimony on the location of these buried pads relative to ground water movement and consequent impact on the affected wetlands. We suggest considering the installation of standpipes being installed in the ground to the bottom elevation of the proposed pads to monitor ground water movement before and after construction.
- 3) We ask if this project is approved that our Inland Wetlands Agent be allowed reasonable access onto the property to inspect the project to ensure the wetlands are not being adversely impacted and that the site is properly stabilized when the project is completed. We request the Agent be provided with the names and contact information of those individuals responsible for the installation and maintenance of all erosion and sedimentation controls, and with the understanding that should our agent find these controls have been damaged due to storm events or construction activities or that additional control measures are necessary, his call would require an immediate response by these individuals to inspect the site and take whatever actions are necessary to protect the wetlands.
- 4) We also request clarification on what agency (Siting Council or Inland Wetlands Commission) would have authority with activities that may occur on this property in addition to the activities described in BNE's Petition. Specifically, we understand that BNE Energy has indicated their desire to construct a structure or structures for educational purposes at a later date that would allow the public the opportunity to visit the site and learn about wind energy. This would likely require more designated parking areas that may involve additional drainage improvements not shown on the existing plans and possibly the installation of a septic system and well. We believe it would be beneficial to both BNE Energy and the Prospect Inland Wetlands Commission if the Council would clarify what would determine when future development or site improvements on the project site by BNE Energy remain under the jurisdiction of the Siting Council, and when local land use regulations would be applicable.

Yours truly,



Stephen Sackter, Chairman
Inland Wetlands Commission



STATEMENT OF AT&T CONNECTICUT

**Regarding Senate Bill No. 98
An Act Prohibiting Spoofing and Cramming
Before the Committee on Energy and Technology
February 3, 2011**

Proposal:

Section One of Senate Bill No. 98 would prohibit people from using a device to alter the caller ID information on a recipient's phone to display a false phone number or name with the intent to cause harm or to defraud and make such an act an unfair trade practices act. Section Two of the proposal would prohibit a telecommunications company as defined in Connecticut General Statutes Section 16-1 from charging a customer for any telecommunications service without their authorization.

Comments:

While AT&T agrees that the proposed bill addresses important consumer privacy and economic interests, AT&T suggests that the bill is not needed as existing federal legislation addresses both issues, making state legislation duplicative and unnecessary. In light of the interstate nature of many of the emerging communications technologies, federal legislation and regulation are the better venue in which these issues should be addressed. Having these issues addressed on a federal level provides consistency between jurisdictions, thus reducing costs of compliance to providers who are able to comply with one uniform set of regulations rather than a patchwork quilt of differing state laws and regulations. This reduction in costs will ultimately benefit consumers. In addition, differing state legislation could inadvertently cause confusion and ambiguity, making protection of these important privacy issues more difficult to achieve.

Section One: Recent federal legislation addresses the issue of "spoofing". In 2010, Congress passed the "Truth in Caller ID Act" or "CID Act" that makes it unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value. Like the proposed Section One, the CID Act is technology neutral. In addition, the CID Act provides both civil and criminal penalties, and provides for enforcement by the state, thus making any additional state legislation duplicative and unnecessary.

Section Two: Federal law also protects customers against cramming as well. The existing federal "Truth in Billing" rules, codified at 47 CFR Part 4 provide detailed protections to consumers against unauthorized third-party billing. Indeed, the Federal Trade Commission ("FTC") continues to examine better ways to protect consumers from "cramming" of unauthorized charges on their phone bills. For instance, the FTC is hosting a forum on May 11, 2011 in Washington DC to examine how the government, businesses, and consumer



**Testimony
Bart Russell, Executive Director
Connecticut Council of Small Towns
Presented to the Energy Committee
Of the Connecticut General Assembly
February 3, 2011**

RE: HB-6249, AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS.

The Connecticut Council of Small Towns (COST) *supports* HB-6249, AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS, which would require the Connecticut Siting Council to adopt regulations for wind turbine projects and put a moratorium on any applications until such regulations are adopted.

Although we are supportive of efforts to promote the use of renewable energy, the placement of wind turbines has raised serious concerns about the impact of such turbines on noise levels, wildlife habitats, public health, quality of life and property values. Towns have not had the opportunity to fully consider these concerns and determine whether planning and zoning and land use ordinances should be adopted to ensure that the placement of turbines does not interfere with other public interests. Moreover, the Siting Council needs time to develop regulations regarding the siting of wind projects, which pose different issues and concerns than other projects under its jurisdiction.

This bill will give Connecticut's municipalities – and the state - some much-needed breathing room in which to review issues relative to wind projects to determine whether such projects are appropriate in our communities and, if so, factors which should be considered in any siting decision.

As the demand for renewable energy grows, small towns and cities are increasingly faced with efforts to erect structures in areas that don't make sense for the town or its residents because of environmental, ecological or aesthetic concerns. Many towns have spent countless hours crafting zoning and land use regulations to control building and growth in their towns to protect neighborhoods, natural resources, historic districts, etc. These issues should be considered in crafting wind turbine regulations before the Siting Council is permitted to approve any wind projects in this state.

Thank you for the opportunity to comment.

James Van Dyke
Vice President of Environmental Sustainability
Jiminy Peak Mountain Resort
Hancock, MA

February 3, 2011

Testimony Regarding

HB 6249 - AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS

Senator Fonfara, Representative Nardello and Members of the Energy and Technology Committee. My name is James Van Dyke, I am the Vice President for Environmental Sustainability for Jiminy Peak Mountain Resort in Hancock, Massachusetts and I would like to offer the following testimony in opposition to HB 6249.

I would like to share the experience of owning and operating the first mega-watt size wind turbine at a ski resort in North America. Jiminy Peak Mountain Resort is a medium sized year round resort located in the Massachusetts' Berkshire Hills, in the town of Hancock and installed a GE 1.5 MW Wind Turbine Generator in 2007.

The project took three years from concept to commercial generation and the turbine has been in operation for the three and a half years without a single complaint. Our turbine was sited using the manufactures' requirements and common sense. The resort has not seen an exodus of its guests, any complaints of illness or injury, or a drop in property values at the resort or in the community. In fact, our business has grown with Jiminy experiencing three record breaking winter seasons in a row during difficult economic conditions, and part of that success is due to the wind turbine. The wind turbine contributes directly to the Resort's bottom line by generating over 4.5 MW of clean renewable energy each year. Jiminy Peak uses half, which directly off sets electricity that would have been purchased from the utility and the other half is "Net Metered", allowing the resort to take a credit against future electricity purchases.

Having the turbine has given all of us at the Resort as well as the community a sense of pride that we are showing businesses and communities everywhere the value of taking the initiative rather than waiting for some else to provide solutions.

The numbers of guests that visit the Resort have increased. Each year between 15% and 23% of our guests visit Jiminy because of our environmental initiatives including the wind turbine. Each year that percentage translates to 40,000 to 62,000 guest visits. Those guests travel to the Berkshires, stay at our resort or stay at the local Hotels, Motels, or Bed and Breakfasts', eat at the restaurants, shop at the local shops, and buy gas at the convenience stores. Some buy homes in the area. The dollars that the guest spends in the Berkshires stays here and directly and positively benefits the community.

An unexpected benefit of the turbine has been the amount of public interest in it. As a result, Jiminy created a turbine tour program that runs each summer and fall that is open to the public. It allows them to get up close to the turbine and learn about our project and the benefits we have experienced and how they might make a change in their community.

James Van Dyke
Vice President of Environmental Sustainability
Jiminy Peak Mountain Resort
Hancock, MA

February 3, 2011

In addition, we have presented this tour to over 15,000 people over the past three years. It has been shown to groups of professionals and business owners in the Ski Industry, Resort and Lodging Associations and many Chambers of Commerce, Rotary Clubs and School groups. The tour's presentation has even gone "on the road" in and presented in New Hampshire, New York, California, and Colorado.

Another company was created directly as a result of the turbine project. EOS Ventures, LLC was setup to provide "one stop shopping" for people and business who want to reduce their energy costs by investing in renewable energy projects. EOS can construct, finance, own and manage renewable energy projects. They can perform as one or all of the following, an Engineer Procurement and Constructor (EPC), an Owners Engineer, a Project Manager, a Financer, and offers long term Power Purchase Agreements (PPA). Our completed projects and projects in development, extend from Maine to the Mid-Atlantic States including solar installations in Connecticut. This company has grown in two and half years to over ten employees and also partners with local and regional suppliers and contractors. EOS Ventures has participated in the development of 21 MW of wind power and over 1.3 MW of solar power, with an additional 4 MW in development, in total representing over an investment of over \$70,000,000.

It has been my experience that when a community is presented with facts, not emotionally charged misinformation, they will "Think Globally and Act Locally" and be proud of what they have accomplished. The Connecticut Siting Council has the regulatory authority, perspective, and broad experience amongst its members to understand the complex issues of a Wind Turbine Generator project. Adding additional regulatory requirements and additional levels of review will only further delay wind renewable energy projects in the State. The Siting Council has already demonstrated that "Reasonable People Making Reasonable Decisions" has been very successful.

Please do not handcuff the Siting Council or the residents in every community who would welcome renewable energy.

Please do not support this bill for a moratorium of siting wind turbines.

Testimony of Renewable Energy New England, Inc. before the
Energy and Technology Committee on proposed
House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the
Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Francis Pullaro and I'm here on behalf of RENEW as its Executive Director to testify in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

RENEW is a partnership between the renewable energy industry and environmental public interest groups in New England whose mission involves promoting clean, renewable and environmentally responsible technologies for the region that will increase energy diversity, spur economic development, and improve environmental quality. RENEW's membership is comprised of the American Wind Energy Association, Conservation Law Foundation, First Wind, Horizon Wind Energy, Iberdrola Renewables, Union of Concerned Scientists and Vestas Americas.

Wind and other forms of clean renewable energy have been encouraged by the legislature for more than a decade. The General Assembly adopted the Renewable Portfolio Standard as part of Public Act 98-28 to require electric companies and competitive suppliers to procure increasing amounts of their power from renewable and other clean energy resources. Just last year the legislature's vetoed energy bill would have required the Connecticut utilities to file contracts with the DPUC for various renewable energy projects including 25 MW of capacity from wind resources. Public financial support through the Clean Energy Fund has been beneficial for supporting the first wind energy resource projects in the state.

RENEW's membership is concerned that a moratorium on wind energy projects could delay development of clean renewable energy in the state by at least several years. We need to consider not just the impacts of the location, construction and operation of renewable energy facilities, but also the public health disadvantages should we fail to deploy new clean energy infrastructure and leave ourselves dependent on dangerous and polluting electric generation sources including the region's fleet of old coal plants.

Connecticut must nurture its budding renewables industry if it is to meet its laudable goal of attaining 27 percent of its energy from renewable resources by the year 2020 particularly with the requirement that a minimum of 20 percent derive from Class I renewable energy sources such as wind. Connecticut needs to maintain its hospitable climate for renewable energy developers. A moratorium will push wind developers into its neighboring states which all favor wind development. This result will be counterproductive to Connecticut's energy and economic development policy goals.

Testimony of Renewable Energy New England, Inc. before the
Energy and Technology Committee on proposed
House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind Projects Until the
Adoption of Regulations*
Thursday, February 3, 2011

RENEW recognizes that appropriate energy facility siting standards are equally as important to protecting our environment and for our general health. We will always face the challenge of harmonizing the public benefits of increasing our use of renewable energy sources and protecting other environmental values. Last year, the environmental and developer community supported legislation in Massachusetts that would have created a process to fast track the permitting of community scale on-shore wind projects in part because it included reasonable environmental and siting standards. The bill did not, however, impose a moratorium on permitting projects under the traditional process until such time as standards became law.

In evaluating this legislation RENEW hopes that the committee will consider the entire state and even region, not just an individual site, to strike the right balance between development and the environment. We must recognize that wind power is not an ordinary type of development, but a source of energy with enormous environmental benefits.

In summary, RENEW believes that (1) Connecticut has an immediate need for responsible wind energy development, in addition to conservation, efficiency and other renewable energy technologies; (2) we must ensure that wind projects compete with polluting fossil fuel projects on a level playing field; (3) all energy projects have impacts and we need standards that will avoid or mitigate those impacts; and (4) responsibly sited wind energy projects at the community level are vital to achieving the State's environmental and economic development goals.

I appreciate the opportunity to provide these preliminary comments. RENEW hopes that the parties with vested interests can come together to strike the right balance over standards for the siting clean wind energy. Our environment depends on it.

RENEW
Renewable Energy New England, Inc.
PO Box 383
Madison, CT 06443
Voice: 646-734-8768
Email: fpullaro@renew-ne.org

line 20, page 3

Energy and Technology Committee Public Hearing, February 3, 2011

RE: HB 6249: An Act Establishing a Moratorium on the Siting of Wind Projects until the Adoption of Regulations

Testimony of Town of Bethany First Selectman Derrylyn Gorski:

Mr. Chairman, Madam Chair and members of the committee. Good afternoon. My name is Derrylyn Gorski and I am the First Selectman of the Town of Bethany and I am here on behalf of the Board of Selectmen and the Planning and Zoning Commission of Bethany to support HB 6249. As you know, there are currently applications for wind turbine projects in Prospect and in Colebrook. Prospect is a neighboring town and several Bethany residents are within the visibility and arguably the noise zone of the Prospect project. As I inquired about this project I was surprised at the height of the turbines and dismayed to find that the State of Connecticut has no regulations concerning the development and operation of industrial wind turbines.

Please do not misunderstand our concern. The Town of Bethany is a Connecticut Clean Energy Community and we have earned 16 kW of free solar panels for our municipal buildings. We support clean energy. However, we firmly believe that regulations are necessary to protect public health and safety.

The Public Service Commission in Wisconsin, a state with almost 20 MW of wind power, will be increasing setbacks from 1000 ft to 1250 ft effective in March and Wisconsin's Gov. Walker is proposing an increase to 1800 ft.

Canada has over 1800 MW of wind power. In a case currently before the Ontario Superior Court a resident contends that when Canada's Ministry of Environment established setbacks of 550 meters (1800 feet) between 40-storey industrial wind turbines and nearby homes, the setback distance was arbitrary—that it was established without a scientific or medical foundation.

Oregon has about 1200 wind turbines. In October, 2010, the Oregon Division of Public Health embarked on a public health assessment of wind farms and is expected to issue a report on wind health in March.

The fact that governments that have years of experience with wind turbines are re-examining their regulations strongly indicates the need for regulations in Connecticut that will protect public health and public safety.

The elected officials of the Town of Bethany commend the Energy and Technology Committee for raising this bill and we strongly support it.

Thank you,



Environmental Planning Services*Wetland, Biological and Soil Sciences*

TESTIMONY OF MICHAEL S. KLEIN

RE: HOUSE BILL 6249- *AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS*

My name is Michael Klein. I am a biologist and wetland scientist with nearly 34 years of experience in field surveys, permitting, and environmental impact assessment in Connecticut. I served on local inland wetland and planning and zoning commissions for many years. My office has reviewed numerous development applications on behalf of town land use agencies. Today I am testifying on behalf of FairWind CT, who engaged my firm to review BNE's applications for six wind turbines at two sites in Colebrook.

Development of renewable energy sources is recognized by the conservation community and my clients as necessary to support sustainable growth. We recognize that this will most likely require trade-offs. These tradeoffs should be clearly and accurately identified, and their consideration should be explicitly recognized and incorporated into the review and approval process. Most importantly, accurate data, collected and interpreted by appropriately trained natural resource professionals, is critical to this process.

I urge you to adopt regulations that establish specific requirements for considering impact of wind and other renewable energy facility on:

- Wetlands
- Watercourses
- Flora
- Fauna
- Wildlife habitat
- Bio-diversity
- Endangered, Threatened, and Special Concern species
- Stormwater quantity/quality

These regulations should set minimum standards for data collection tailored to facility type and size and clearly establish the need for on-site surveys by qualified scientists at the permitting stage. Desk-top or other screening methods MAY be appropriate for identification of sites that are suitable for further study, but they are not an acceptable substitute for site-specific surveys. Appropriate regulations would establish the appropriate level of detail based on known issues associated with the specific technology under consideration and should be conservative in the face of significant unknowns.

Based on established principles of environmental sampling and my review of the petitions currently before the Siting Council, reasonable regulations must require that conclusions are based on data collected at the appropriate time of the year, in the appropriate location, accounting for daily, seasonal, and diurnal variations. Data collection plans must be designed and implemented by appropriately trained personnel.

www.epsct.com

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138 Mystic Road
North Stonington, CT 06359
Phone 860-535-0625 Fax
james.cowen@epsct.com



The level of effort and qualifications of the field personnel should be clearly identified. Finally, reporting and impact assessment must not only be factually correct, but also presented in a way that does not obscure the real impacts. For example, it may be technically correct to report that only 4 species of songbirds and 3 mammals were observed at the site, but this information is of little use for impact assessment if it was collected during a single, 8-hour survey of a 200-acre parcel conducted in mid-winter.

Assessments must also give explicit consideration to construction stage as well as the operational phase impacts. This is especially true for wind power, since in Connecticut they are likely to involve steeply sloping sites. The assessment should consider construction access, staging, erosion and sediment control and stormwater management.

The operational phase assessment must consider waste disposal, maintenance, stormwater management, and reasonably foreseeable contingencies, as well as indirect impacts like noise and safety. Finally, since the appropriate wind conditions are un-evenly distributed across the site, the cumulative impacts of several facilities concentrated in a small geographic area should also be considered.

I urge the legislature to require pre-application scoping, to identify significant issues and stakeholders at an early stage in process. This would allow a proponent to allocate their resources appropriately and prevent substantial delays. As a biologist, there is nothing more frustrating than being retained in July to conduct a survey for box turtles, whose survey "window" typically closes in late June.

The Siting Council will need appropriately trained staff or the ability to retain third-party reviewers with specialized skills. The CT land-use enabling statutes provide a model for passing costs through to the project sponsor. Most of my firm's work for local Commissions is funded that way. Finally, the regulations should clearly establish the relationship of the Siting Council process to other environmental, land use, and bio-diversity protection regulations.

In summary, the Council cannot make environmentally sound decisions without sound data, collected according to scientifically defensible protocols, and interpreted by those with the necessary expertise. In many cases, substantial protection of natural resources and biodiversity can be accommodated by technology selection and appropriate site design. On or off-site mitigation is also possible, but resolution of these issues cannot be assumed unless they are specifically addressed in the siting process. The current regulations do not do this.



PLANNING AND ZONING COMMISSION

TOWN OF BETHANY
 Town Hall - 40 Peck Road
 Bethany, Connecticut 06524-3338
 Tel. (203) 393-2100 Ext. 115
 Fax: (203) 393-0821

February 3, 2011

Derrylyn Gorski, First Selectwoman
 Town of Bethany
 40 Peck Road
 Bethany, CT 06524

SUBJECT: Bethany Planning and Zoning Commission support of Raised Bill No. 6249

Dear First Selectwoman Gorski:

This letter is to serve as notification that at the Planning and Zoning Commission Regular Meeting of February 2, 2011, the Commission voted in **unanimous support** of the following resolution

Whereas, Derrylyn Gorski, First Selectwoman, came before the Commission at its regular meeting of February 2, 2011, to discuss Raised Bill No. 6249 – An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulation;

Whereas, the *Bill* requires:

- (a) The Connecticut Siting Council, in consultation with the Department of Public Utility Control and the Department of Environmental Protection, shall adopt regulations, in accordance with the provisions of Chapter 54 of the general statutes, concerning the siting of wind turbines. Such regulations shall include, but not be limited to, (1) a consideration of (A) setbacks, including considerations of tower height and distance from neighboring properties; (B) flicker; (C) a requirement for the developer to decommission the facility at the end of its useful life; (d) different requirements for projects of different sizes; (E) ice throw; (f) blade shear, and (G) impact on natural resources; and (2) a requirement for a public hearing for wind turbine projects.
- (b) The Connecticut Siting Council shall temporarily suspend action on any application for siting of a wind turbine until the adoption of regulations pursuant to the subsection (a) of this section. For any wind turbine application submitted to the siting council on or before the effective date of this section, the siting council shall resume consideration of such application upon adoption of such regulations and shall allow such applicant the opportunity to satisfy the regulation requirements

Whereas, the Commission discussed the matter and resolved that it was the consensus of the Commission to support the *Raised Bill*.

Respectfully submitted,

Sharon J. Huxley /arm

Sharon J. Huxley, Chairman
 For the Planning and Zoning Commission
 SJH:arm

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Testimony of John Olsen, Vice Chairman of the Connecticut Clean Energy Fund
before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is John Olsen and I am Vice Chairman of the Connecticut Clean Energy Fund (CCEF). I am submitting this testimony on behalf of CCEF in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

BNE Energy is developing commercial wind projects in the towns of Prospect and Colebrook. These are the first commercial wind projects in the state and are currently under consideration before the Connecticut Siting Council. I have known about these wind projects and have supported them for more than two years. The wind projects are being funded in part with public funds provided by CCEF in order to encourage the development of renewable energy in the state. Under CCEF's Pre-Development Program, BNE received two unsecured loans of \$500,000 each project for a total of \$1,000,000 in funding to develop these projects. Prior to receiving funding, BNE submitted letters of support for the projects from Mayor Chatfield in Prospect, First Selectman McKeon in Colebrook, and various state representatives from those districts. The purpose of the Pre-Development Program is to create a pipeline of eligible projects to compete for Project 150. CCEF strongly supports the development of renewable energy sources in the state including wind, solar, biomass and other Class I renewable energy sources.

BNE's wind projects have been under development for several years and the communities have known about them for over two years. In fact, BNE was required to obtain local approvals from both towns prior to installing a meteorological (Met) tower on the sites to measure wind resources and prove that the projects are viable. The Met towers have been installed for more than two years. Also, with the financial assistance of CCEF, BNE has conducted numerous studies on both sites over a period of more than a year including bird, bat and wildlife studies, sound and visual simulations, wetland impacts, storm water management plans, shadow flicker analysis, ice throw analysis, mechanical loads analysis, site design and turbine layout including proper setbacks, and interconnection studies. They are also planning to install GE turbines on the sites. GE is a Connecticut based company with more than 14,000 turbines in operation worldwide that operate safely and reliably.

As you know, wind projects over one megawatt are regulated by the Siting Council. After significant study, time and money, the first two commercial wind projects are finally squarely before the Council where they will undergo extensive scrutiny. Local officials and opponents are participating in these proceedings and will have a full opportunity to present their positions to the Council. Clearly, there is an extensive process in place today for developing wind and other renewable projects in the state.

Testimony of John Olsen, Vice Chairman of the Connecticut Clean Energy Fund
before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

Connecticut doesn't need additional regulations for wind, and it sets a very bad precedent for renewable energy in the state. Likewise, we certainly don't need a Moratorium on wind. CCEF believes that we need more renewable energy projects, including BNE's wind projects built in Connecticut. This bill is simply a project killer and it will devastate the emerging wind industry in the state. Additionally, the federal government has recently extended incentives for renewable energy projects for another year. As state policy makers, we should be working to maximize federal dollars for Connecticut residents, particularly when it's for clean energy projects that benefit our communities. Implementing additional regulations or a Moratorium on wind will prevent projects in Connecticut from availing themselves of federal incentives for renewable energy.

We need clean energy in Connecticut. We certainly do not need more regulations or a moratorium on wind. I strongly urge this Committee to reject H.B. 6249.

Thank you,

John Olsen
Vice Chairman
Connecticut Clean Energy Fund

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**TESTIMONY OF BARBARA CURRIER BELL, PH.D.
MEMBER
CONNECTICUT SITING COUNCIL**

**SUBMITTED TO THE ENERGY AND TECHNOLOGY COMMITTEE,
IN REFERENCE TO
RAISED BILL NO. 6249
AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL
THE ADOPTION OF REGULATIONS**

FEBRUARY 3, 2011

Good afternoon Senator Fonfara, Representative Nardello, ranking and distinguished members of the Energy and Technology Committee. My name is Barbara Currier Bell; I am a member of the Connecticut Siting Council.

Thank you for this opportunity to provide this testimony in connection with Raised Bill No. 6249, An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

Raised Bill No. 6249, An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations seeks to require the Connecticut Siting Council to adopt regulations for wind turbine projects and put a moratorium on any applications until such regulations are adopted.

Naturally, to impose a moratorium on these facilities or any other matter and for whatever reason is a legislative prerogative. Nevertheless, I would be remiss were I to leave you with the impression that the Council acts without the benefit of regulations. Our regulations are extensive and detailed and may be found at RCSA section 16-50j-1 et seq. Moreover, we are further bound by the requirements of the Uniform Administrative Procedures Act (CGS Section 4-166 et seq.). These acts and regulations govern our every action in every matter that is brought before us. These have allowed the Council to fulfill its mission over the past 40 years to objectively balance the infrastructure needs of our modern society with the responsibility of protecting our citizens and environment.

The combination of these guidelines, related statutes and required input from other State Agencies has provided the Council with the ability to successfully site an array of large generation and transmission projects. For generation, I'll refer to the ~544 MW gas-fired

(over)

combined-cycle plant the Council approved in Milford (Milford Power, LLC: Docket 187)—I mention this plant because I live in Milford and I know first-hand about the benefits it brings to the community. For transmission, I'll refer to the most recent large-scale project that came before the Council, one piece of the so-called Northeast East-West Solution (NEEWS: Docket 370), which upgrades transmission resources so the Connecticut grid can operate more reliably within the state and also connect more reliably with our three neighboring states.

The Council's recent choice to hold extended public hearings in each of the communities in which new wind generation is proposed is a clear indication of the seriousness of our members and the flexibility of our current regulations and process.

The Council consists of nine members with diverse backgrounds and varying experience. We come from all parts of the state. Our main concern, as mandated by the legislature upon establishing the Council almost 40 years ago, is to minimize the environmental impacts of proposed projects under our jurisdiction: like all our fellow citizens, we include in that mandate a concern with protecting public health and safety. The Council does not set energy policy, or plan energy facilities in advance. It must deal with projects as they come. Gathering as much information as we can on the details of such projects, aided by a knowledgeable staff, and especially going out to view the subject sites and soliciting input from people in the municipalities where they are proposed, Council members work through each application as comprehensively as we can to come up with good siting decisions that reconcile public benefits with public needs.

In the case of petitions for declaratory ruling regarding renewable generating facilities, the Council has proceeded using the same statutory authority, procedures, and regulations applicable to the above-referenced traditional generation and transmission projects. While not automatically requiring a public hearing for the approval of a petition, the statutes nonetheless give the Council the authority to hold such a hearing upon its own motion: thus, at the request of residents and legislators from two communities where wind energy projects are currently pending, the Council voted to schedule not one but two public hearings in each community, and contested proceedings have been initiated. Also, anticipating a need for specialized background information—information that will become available to all parties through the Council's customary open procedures—the Council hired a consultant to provide independent advice on the technical aspects of the petitions.

As previously demonstrated, the Connecticut Siting Council has both the experience and expertise necessary to process applications and petitions relative to wind renewable energy. Whatever you decide on this bill, please note that adequate regulations and guidelines are in place and the Council has established a credible record for the successful siting of controversial projects.

I would be pleased to take your questions.

Testimony — Connecticut Legislative Energy and Technology Committee

RICHARD T. ROZNOY

Thursday, February 3, 2011

H.B. No. 6249 (RAISED) —

**AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS
UNTIL THE ADOPTION OF REGULATIONS**

Senator Fonfara, Representative Nardello, members of the Energy and Technology Committee. I am Richard Roznoy, an attorney with an office in East Granby, here today to speak in support of **Raised House Bill No. 6249 Concerning Regulations for Wind Projects in Connecticut and a Moratorium until such Regulations are adopted.**

I represent a homeowner who is directly affected by the prospect (so to speak) of construction of a wind energy turbine tower a few hundred feet from her home in Colebrook, Connecticut. If a proposal before the Connecticut Siting Council (Petition #983 — “Wind Colebrook South” — on the Siting Council’s agenda) is approved, Ms Hirtle’s home would be within 800 feet of the nearest tower; the tower would be 600 feet from her property line. This would be one of three such towers proposed for property abutting Ms Hirtle’s.

All of us are in favor of finding renewable sources of energy. But as Senators Hartley and Witkos, and Representatives Nardello and Rigby made plain in their January 11th letter to the Siting Council, passage of legislation promoting wind energy in Connecticut was possible because of a belief the projects would be located offshore or on ridgelines and not in proximity to residences. Instead, my client is faced with the possibility that towers **328 feet high to the hub of each tower** with another **270 feet to 320 feet added for the span of the blades** that will be running perpetually adjacent to her residence. This is a height of approximately 600 feet high, perhaps higher, all day, every day.

Rather than address the request and advice of our elected officials in their January 11th letter that Siting Council hearings on these projects be forestalled until rules and regulations can be developed and promulgated, the Siting Council is moving forward with hearings — ours, and at least two others. These proceedings will be without the benefit of rules and regulations for the siting, placement, operation and maintenance of such towers, other than the experiences and knowledge the good members of the Siting Council bring to the process.

The Siting Council is composed of a broad range of diligent individuals who do a commendable job of evaluating petitions and determining how best to proceed. This is not a knock on the members, leadership or staff of the Siting Council. But to ask them to make decisions based on their subjective evaluations of wind turbine petitions, without an underlying set of regulations and rules to apply, is unfair not only to my client Ms Hirtle, but to all towns and residents of the State of Connecticut and also to the Siting Council. Serious issues of public safety surround the applications before the Council; without appropriate rules and regulations these issues cannot be objectively addressed.

Raised H.B. 6249 – Richard T. Roznoy
Committee on Energy and Technology, February 3, 2011

Other states are reviewing rules, regulations and requirements regarding wind turbines. Massachusetts and New Jersey are but two which have embarked on reviews to balance the potential benefits of such energy-generating facilities with reasonable environmental and safety standards to ensure the interests of residents are addressed. Some proposals for regulations include:

- setbacks at least 1.5 times the height of the turbine (including the blades) to the nearest property line;
- setbacks at least equal to the height of the turbine (including the blades) to any structure or road not a part of the turbine's operation;
- no turbine within three times its height to the nearest existing residential structure.

According to these standards, the proposed turbines for the project abutting my client's property should be at least 2,649 to 3,060 from her home. Again, they are proposed to be merely 800 feet from her home. Additionally, rather than a mere statement that their project would have "no significant shadowing or flicker impacts" (as represented by the developer of the Colebrook facility), clear guidelines have been proposed that all private structures within a half-mile of the turbine should be subjected to not more than 30 minutes per day of flicker. These are but two of many factors to be addressed by thorough rules and regulations.

Clear, objective standards set forth in rules and regulations will benefit not only residents of Connecticut affected by nearby turbines, but will benefit developers of these projects as well. When all parties know the standards to be applied, and when the standards are developed based on objective criteria, we will all benefit.

Absent rules and regulations, the Siting Council is working in the dark. On behalf of my client I heartily approve of the specific requirements of Section One of this Bill; further detail may be forthcoming from those with more technical knowledge and background. Without such rules and regulations, and until they are adopted, the Legislature should impose a moratorium on the siting of any wind project in Connecticut.

It was enabling legislation in 1971 that established the predecessor of the Siting Council (the Power Facility Evaluation Council); it is now the responsibility of the Legislature to ensure the Connecticut Siting Council functions in a manner to serve and protect all the interests of residents of the state. Without timely passage of this Bill residents of Colebrook and Prospect would be subject to potential approval of proposed facilities perhaps even by summer of this year.

Thank you very much for the opportunity to address you about this important bill, which I certainly hope you will support and pass, and in a timely manner.

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**Statement by Tom Satkunas to the Energy & Technology Committee in support of
Raised Bill No. 6249, An Act Establishing Moratorium on Siting Wind Projects until
the Adoption of Regulations**

Chairman Fonfara, Chairman Nardello and members of the Committee:

Thank you for raising this bill and allowing me to appear before this Committee to discuss this important matter.

My family and I live at 232 New Haven Road, Prospect, Connecticut, and my mother lives at 220 New Haven Road which is within 400 feet of the property line of the proposed site for the Prospect Wind Turbine as proposed BNE. My family and I also own 3 other adjacent properties. These properties are the fruit of my life's work and the key element of my family's financial resources.

I support renewable energy and am in favor of wind power. But like all other industrial activities they should not be allowed in residential neighborhoods, like mine or others.

BNE has proposed two five-hundred foot tall structures the height of CityPlace in Hartford with turbines on them which are too big, too large, too loud, too close to be sited on New Haven Road in Prospect, Connecticut.

The applicants claim that the statute allows the Siting Council to approve the facility without any consideration of or balancing of the rights of the neighbors.

I know this is not what the legislature intended. I respectfully request that you immediately pass this bill to provide that there must be standards before siting of these huge facilities particularly in residential neighborhoods.

Thank you for your consideration.

For any further information call: Tom Sutkonas 203-592-1344

**Testimony of Manuel Cords, President of
The Colebrook Land Conservancy, Inc.
Before the Committee on Energy and Technology**

Thursday, February 3, 2010

My name is Manuel Cords and I am the President of The Colebrook Land Conservancy, Inc. (the "Conservancy"). We appreciate the opportunity to testify before you with respect to wind turbines in Connecticut. The Conservancy is a local land trust and a qualified charity under Section 501(c)(3) of the Internal Revenue Code of the United States. The Conservancy is a non-partisan organization. Our organization was formed in 1986 and is run entirely by volunteers, and we are fortunate to have both an active Board of Trustees and an active membership. The purposes of the Conservancy are to promote, for the benefit of the general public, the preservation of natural resources, including land and water resources, plant and animal life, and unique scenic, natural and historic sites, principally located in, but not limited to, the Town of Colebrook, Connecticut. I am attaching to our testimony today a copy of our 2010 appeal letter, which summarizes the kinds of activities the Conservancy undertakes and I invite you to visit our website at Colebrooklandconservancy.org.

The Conservancy has approximately 300 members, a remarkable number given there are only about 1,400 souls in Colebrook. The Conservancy protects over 1,050 acres in Colebrook: it owns 648 acres and holds voluntary conservation easements on 413 acres. Included in the Conservancy's owned property is the Phelps Research Area, which consists of a 395-acre tract that has been described by the The Nature Conservancy as a "prime example of unspoiled nature in the northwestern part of Connecticut." The Phelps Research Area provides excellent refuge for a broad variety of wildlife. About 30 species of animals and more than 20 species of reptiles and amphibians have been reported on or near the preserve. Its location, large size and diverse habitat of rocky slopes, woodlands, post-agricultural fields and wetlands support birds that require undisturbed forest for breeding, such as the broad-winged hawk, pileated woodpecker, yellow bellied sap sucker, hermit thrush, white throated sparrow and several warblers. Besides being an excellent area for bird study and other research, the Phelps Research Area is used to track the long term effects of the 1976 tornado. The Conservancy has provided stewardship of the Phelps Research Area since 1995. In 2009, The Nature Conservancy transferred ownership to the Conservancy, signifying an important vote of confidence by a national organization. The Phelps Research Area is approximately 3.5 miles from the location of wind turbines proposed for Colebrook by BNE Energy, LLC ("BNE").

While the Conservancy also owns and holds conservation easements on other significant tracts of land, The Phelps Research Area is a prime example of the benefits associated with the preservation of large tracts of land and the ecological and natural resources of the Northwest Corner of Connecticut. These resources are under ever greater threat, but there are significant conservation organizations in the Northwest Corner working to conserve what is left. And the area has attracted some national attention and Federal and State grants designed to further conservation values and which acknowledge the significance of this part of Connecticut. For example, the Conservancy has been the recipient of various State grants, including one that enabled us to purchase an important parcel at the corner of Routes 183 and 182 (less than 1.5 miles from the site of the proposed wind turbines), which included excellent bird, wetland and upland habitat as well as the oldest surviving upland dairy barn in Colebrook (originally built in

the late eighteenth century). The Conservancy did extensive restoration work necessary to keep the barn upright and historically accurate, and in 2009 was the recipient of a 2009 Barns Grant by the Connecticut Trust for Historic Preservation. The Conservancy has also been the recipient of several Federal grants administered through the Natural Resources Conservation Service ("NRCS") in connection with the re-establishment of fields and the elimination of invasive plant species. The Conservancy believes its efforts are an important step in maintaining avian and wildlife friendly habitat in Colebrook. And the Conservancy has sought and received advice from the NRCS in connection with the removal of an older camp and the restoration of a seven acre parcel to a natural state. Once again, this effort should be viewed in the context of a larger, landscape sized effort to provide natural habitat, clean waterways and ecological benefit in Colebrook. The Conservancy is also sponsoring the development of a management plan for parts of Sandy Brook, one of Connecticut's premier trout streams and a State Natural Area Preserve. Sandy Brook is considered the highest ranking salmon restoration stream in the Farmington River basin, home to a diverse number of native fish and threatened or endangered species. We have also constructed various trails and sponsor various educational events during each year. As a result of the Conservancy's initiatives, I can say that we are a science-based organization that prefers to be guided by science in our actions.

The Conservancy favors a moratorium for one year which would allow a rule making process either in the legislature or by the Siting Council with legislative oversight. The regulations that ultimately emerge should reflect several key points:

1. The regulations need to be understood with common sense and they need to be generally agreeable to the public.
2. The regulations need to be based on science and need to provide a coordinated statewide framework for the development of wind power versus other renewable energy resources in Connecticut.
3. The regulations should provide an enhanced level of local control inasmuch as the visual intrusiveness, noise issues, health issues and the enhanced effects of these industrial machines are newer and far greater than the effects of equipment such as cell towers.
4. The regulations need to approach environmental issues on a landscape scale and not only on a real estate parcel by real estate parcel scale.
5. The regulations need to protect people's private property from the depreciation that poorly sited wind turbines cause.
6. The regulations should promote a coherent approach to wind power based on the best economic outcome for Connecticut.

I would like to comment on each of these six points.

First Point. As a resident of Colebrook, I can tell you that the anecdotal evidence supports the notion that as a result of the proposed wind farm development, people feel disenfranchised. Their property values are likely to be adversely affected. After all, as one person mentioned to me, why would anyone want to move to Colebrook if a wind turbine

developer could gut the value of their home without even going to the Town's Planning and Zoning Commission? There is a sense of outrage out there. There is a general belief that the role of the Planning and Zoning Commission, the Inland Wetlands and Watercourses Agency, the Conservation Commission and Town government generally is to protect the public from this kind of development and to enhance the environmental and historical values that brought people to residential Colebrook in the first place. Most people in Colebrook would view the approval or establishment of a wind farm as a back door taking. We have already been through the corrosive taking issues in New London. They are bad for the citizens and the politics of this State. We don't need to go through these issues relating to wind power.

In addition, many people in Colebrook believe that Colebrook has already contributed to the renewable energy portfolio in Connecticut at great cost to the Town. The Town was torn apart when Colebrook River was flooded in the 1940's to make way for the Metropolitan District Commission (MDC) Goodwin Dam and Colebrook River Dam, and the memory of those forced to move still reverberates within the Town. According to the MDC website, "The Goodwin Facility generates 13,600,000 kilowatt hours of electricity in a typical year, enough to serve 2,000 homes. The Colebrook River Facility generates enough electricity to serve 1,000 homes—approximately 6,700,000 kilowatt hours annually." My point is that political disenfranchisement is always felt in a democracy where the government can unilaterally harm a person's property and health and well being. Proper regulations would establish a level playing field.

Second Point. Regulations need to be science-based. For example, computer modeling of noise effects should be mandatory. Other environmental effects to not only the property in question but other properties in the area should be examined. An independent party such as the DEP could be encouraged to do a more in depth survey of environmental effects. There are myriad similar points the can come to mind. Good science can resolve many problem issues; bad science may permit an applicant to "check the box" but will simply exacerbate them. The goal should be to get at the truth, not to get something built.

Regulations should also provide a format for examining wind power versus other renewable energy sources. For example, as noted above, there is hydro power in Colebrook. It may be possible to expand it significantly which would have the salutary effect of not stuffing the electrical grid with intermittent power, and might also have a much more limited footprint in the interference with people's residences or conservation values. The current regulatory regime does not seem to provide for such consideration adequately.

Moreover, it seems to me that if we are a State, then no one area should be required to endure disproportionate burdens for all other areas of the State. There should be established some mechanism for sharing the burden other than paying for the higher electric charges resulting from wind power. If Colebrook is to bear the brunt of the State's desire for wind power, then the remainder of the State should do something for Colebrook to mitigate the damage. For example, the State might collect funds from unaffected areas to increase open space and wildlife habitat in Colebrook. Otherwise, wind power development in Connecticut will be played out as an exercise of some towns seeking to preserve their residential tax bases at the expense of others that will be burdened by this type of development.

Third Point. Enhanced local control is desirable because it can be more responsive to strictly local issues than a State agency. There should be room in the debate that will accompany the development of all renewable energy sources to adequately reflect local opinion. Once again, the basic issue is that this is a democracy and people don't much like having things crammed down their throats, especially when it involves their home, their health and their well-being, without significant local input. This is especially true of highly intrusive facilities like wind. I would like to note that in Colebrook, there are three hydro facilities (two of which are mentioned above) and in the 16 years I have lived there as a full time resident, I have never heard anyone complain about them (other than in connection with the flooding of Colebrook River).

Fourth Point. The regulations need to approach environmental matters on a landscape scale. While it is relevant to find site specific facts, common sense should tell you that a wind farm can affect wildlife beyond the acreage on which it is located, either directly through sound and light, or indirectly, for example, by causing the removal of prey animals which will result in predators moving to other areas or being squeezed out, or by creating awkward landing patterns for migratory birds. If people are up in arms about the noise, flicker, subsonic issues, etc., then it should be obvious that animals (for this purpose including mammals other than humans, reptiles, amphibians, fish and birds) will very likely also be affected. In the Northwest Corner of Connecticut, and in Colebrook specifically, the Conservancy, the State, MDC and other organizations have made great efforts to preserve the conservation values at hand. The issues of open space, habitat, species preservation, and truly minimizing environmental effects are lost if only a single parcel is considered. Therefore, the regulations should require a review of a plan for one or more wind farms to undergo the scrutiny and questions around the issues of how much damage to the environment do we want to cause in the name of this type of so-called green energy. There are likely places in Connecticut where the damage might be quite minimal. But in the Colebrook situation, we believe the damage could be consequential not only for the excellent habitat provided by the parcels where the wind turbines are to be located, but also for land a considerable distance away. Wildlife knows no property boundaries. Our history as a country is littered with examples of short-sighted planning that ended up creating an environmental mess. We should heed our need as a culture to preserve and protect those things that make us Americans: historical buildings and their context for sure, the American environment, also for sure. The world should not become a uniform urban or suburban landscape, or for that matter an industrial landscape.

Fifth Point. The regulations should go very far in protecting the values of every individual's property. As a land conservancy that relies to a great extent on donations of easements and outright ownership of land, the ability of the Conservancy to receive such donations would in our opinion be adversely affected by further declines in the value of land, or in there being fewer parcels which have significant conservation values that deserve protection.

Sixth Point The regulation should provide mechanisms for the coherent evaluation of wind power in the context of both the State's need for power and the availability or desirability of other renewable and existing energy resources to arrive at the best solutions for Connecticut. I believe I am not far off the mark if I point out that Connecticut pays about 20% higher electricity costs than the other New England states and according to some testimony given to your committee I understand that wind energy will likely cost about 25% more than fossil fuel

produced energy. Nevertheless, wind may be a useful technology in the right places, but one should ask why a bona fide wind developer would choose a State like Connecticut where according to the latest information I have the wind blows 30% of the time, rather than going to Texas, where the wind reportedly blows 45% of the time.

Another example is brought to mind by the reference to the MDC dams above. It seems to me that it would be valuable to analyze further hydro possibilities which may be both cheaper and non-intermittent before going to an intermittent, higher cost, less efficient renewable energy portfolio. Similarly, by way of example, when considering a wind project, it would be valuable to consider that back-up generating power driven by natural gas or other fossil fuels will also be necessary. At a time when natural gas prices look to continue to be very low, it would be valuable to consider whether the wind component is in fact unnecessary or should be curtailed in an effort to keep electric rates in check. These types of analyses are already being done by countries like Denmark and Germany where resistance to ever increasing electricity costs by consumers has resulted in decommissioning of some wind turbines.

Finally, it seems to me that the State of Connecticut should have regulations which will enable it to avoid what has happened to wind power in California, where I believe 10,000 wind turbines are either idle or spinning without producing any electricity. Some of this abandonment is the result of subsidies and tax credits running out; some is the result of improved technology; some is the result of poor environmental planning. By delaying installation of wind turbines in Connecticut, the State might benefit from the likelihood of improved technology in the future as well as the low natural gas prices which could not have been envisioned only a few years ago.

The Conservancy is pleased to join the chorus of local Town commissions and other groups and individuals to urge the establishment of a moratorium on wind turbine development in Connecticut and the establishment of science-based regulation for the industry. We believe such regulation should be in place before wind turbines are built in Connecticut. We encourage your Committee to exercise your oversight powers to make sure such regulation is in fact science-based and comprehensive, and that such regulation protects the important environmental, ecological and historic values found in Colebrook and other rural Connecticut towns. We urge you to get it right. We know you will do your best.

Respectfully submitted,



Manuel Cords



"In Land We Trust"

The Colebrook Land Conservancy, Inc.

P.O. Box 90, Colebrook, Connecticut 06021

Spring 2010

Annual Membership Appeal

Please join us and the members of the Norfolk-Colebrook Garden Club for a pot luck dinner Friday, April 16th, at 6 p.m. in the Colebrook Senior & Community Center. After dinner, Adam Welchel will speak on Climatic adaptation: Natural Resources in Connecticut, today and tomorrow.

Dear Members and Friends,

Officers:

*Bernard Adams
President
Manuel Cords
Vice President
William Sampson
Secretary
Ed Stevenson
Treasurer*

Trustees:

*Bernard Adams
Manuel Cords
Robert Grigg
Joyce Hemingson
Michael Hurd
Edward Lord
Greg Millard
Linda Raciborski
Ed Stevenson
William Sampson
Daniel Strickler Jr.
Sukey Wagner*

Thanks to your support, the Colebrook Land Conservancy now protects more than 1,000 acres in town. We reached a major milestone in May of 2009 with the transfer of ownership of the Phelps Research Area from The Nature Conservancy to the Colebrook Land Conservancy. In addition, we received three grants to assist with our mission, including a grant which allowed us to replace the roof on the Hale Barn with historically appropriate cedar shakes and one to remove invasive plants. The receipt of external funding signifies an important vote of confidence in the Conservancy's ability to carry out our mission, but each of these grants requires a match with Conservancy funds.

Membership Drive

This annual letter is our opportunity to ask you to support this non-profit organization's work to preserve Colebrook's natural resources through your tax-deductible dues and contributions. We are run entirely by volunteers and depend on the generosity of our long-time contributors, as well as our newer members. Dues are \$25 for families, \$20 for individuals and \$10 for seniors. New and returning members are welcome! For your dues, you also receive our informative newsletter.

April 16 - Pot Luck

April 18 - Annual Meeting

You're invited to a pot luck dinner followed by a talk on conservation, co-sponsored by the Norfolk-Colebrook Garden Club, April 16 at the Colebrook Senior & Community Center. Our guest speaker is Colebrook's own, Adam Welchel, Director of Conservation Programs, The Nature Conservancy, Connecticut Chapter. The pot luck starts at 6 p.m., followed by the presentation about an hour later. Please bring your favorite dish or dessert. There is no charge for the dinner or talk. A short annual meeting for the election of Conservancy officers and trustees will be held Sunday, April 18, at 9 a.m. in the Community Center. PLEASE JOIN US.

Highlights of Other Conservancy Activities

Land Conservation and Stewardship

- We're planning a presentation on open space preservation techniques and tax benefits and will update you once the details have been finalized. In the meantime, if you'd like to find out about the many ways you can protect your land and save on taxes, please contact a Conservancy Trustee.
- The Conservancy now has in place a network of volunteers to steward the 23 properties under our protection. Please let us know if you'd like to be part of this program.
- We actively manage the hayfields and pasture land at our Hale Farm property and maintain the meadows at our Colebrook Road Preserve that provide essential foraging habitat for wildlife such as deer, fox, hawks, rabbit and turkey.

Education

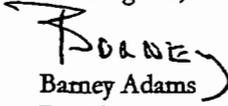
- Please look at our web site at www.colebrooklandconservancy.org. Special thanks to Frank Thompson for making this possible. While there, click on the "Donate" button to speed your contribution on its way.
- Our Fall cider and donuts open house at Hale Barn was well attended. Thanks for joining us. Please let us know what other events you'd like us to put together.
- Joyce Hemingson led a series of informative walks this past spring and summer.
- We prepared a cost-of-services study for Colebrook that showed how undeveloped land actually helps taxpayers because it costs less in services than the tax revenue it produces.
- Bob Grigg and Harry White's talk on Sandy Brook was a big hit at last year's pot luck.
- In honor of Earth Day, the Conservancy's Robert B. Lisle Book Fund will again donate several books to the Colebrook Consolidated School Library.
- Be sure to look for conservation news on our bulletin board at the Community Center.
- Stop by our booth at the Labor Day Fair. There's always something for the kids and you can catch up on our latest projects.

Trails

- This spring and summer we will be hosting walks on Phelps Research Area trails as well as in the Kitchel Wilderness. Please look for details.
- The Rockwell Trail on Conservancy land near Colebrook Center is a short, easy-to-hike trail is 6/10 of a mile from Colebrook Center on Route 182A (Rockwell Road). Park at the top of the hill off the road on the right. You'll see a log gate across an old logging trail. Walk in and the trail starts toward the left. Trail guides that tell of the land's history stretching back to the 1760s and its abundant natural features are available near the trail head.
- The Hale Trail is near the intersection of Routes 183 and 182. The trail head is about 200 yards north of the Hale Barn at an opening in the guard rail on the left side of Route 183 as you head to the Center. Park at the barn on the Route 183 side.

The annual dues envelope is enclosed. **Please add your email contact details** when you return the envelope with your contribution so that we can communicate more effectively with our members and friends. Thank you for your support. My fellow Trustees and I look forward to seeing you at the pot luck April 16th.

Kind regards,


Barney Adams
President

February 3, 2011

Re: House Bill 6249

Dear members of the energy and technology committee:

My name is Kristin Mow. I live at 12A Greenwoods Turnpike in Colebrook, CT. Our family has lived at this property since purchasing it in September 2006. I live at the property with my husband Benjamin and our 3 children. I have a 12 year old daughter Alyssa, 10 year old son Benjamin and 8 year old son Daniel. We have a little 4 acre hobby farm on this property.

I was informed by our neighbor in early December about the proposed windmill projects. I am one of the abutting property owners located in between the proposed windmills. Our property line is about 600 feet from one of the proposed turbines. Our house is located only 800 feet away from one of these proposed turbines, according to BNE maps.

I started doing research in early December. I wanted to find out what, if any risks have been previously reported on similar projects in the past. At that time I had not been familiar with wind energy projects. I wanted to educate myself on what was going to be happening in my surroundings. I immediately started to find articles in the US and in other countries reporting health issues with adults and especially children. This has caused a lot of alarm for me. I started to notice in all of the studies done several recurring symptoms were reported. I am personally concerned for my children and found this very alarming. I noticed symptoms such as sleep deprivation, stress, nausea, disorientation, chronic headaches, migraines, ringing in the ears, visceral vibratory vestibular disturbance and the most alarming to me is possible seizure for people who are predisposed to seizures. I am concerned for the health of all of my children. My main cause for concern is that my 8 year old son Daniel has had seizures in the past.

Daniel has sensory issues and is very affected by certain sounds and lighting. Daniel cannot be exposed to strobe lights, etc. due to past problems with seizures. The

Connecticut Children Hospital diagnosed Daniel with vertigo about 4 years ago. The vertigo causes dizziness, the sensation of spinning or the perception that surrounding objects are moving or spinning. Vertigo indicates a peripheral vestibular disorder (inner ear disturbance); this is also one of the symptoms that many researchers have stated will affect a person or child living in a close proximity to one of these turbines. In the time that I have researched this I have come to find a lot of information that points toward possible further health affects for Daniel, due to the close location of our house to the project.

I understand that the issue is still a developing field. I am aware of one expert, Dr. Michael Nissenbaum, a radiologist in Maine who has been studying this issue for years. He will be publishing an article in the New England Journal of Medicine soon, and the preliminary results that he has made public suggest residents living within 3500 feet of an industrial wind facility in Maine have a higher incidence of medical problems. These problems add to the previously listed symptoms such as weight changes and increase's blood pressure. This study contains a large control group of people living 15,000 to 16,000 feet away from the turbines, and is one of the first studies to contain a real control group. The turbines in the project Dr. Nissenbaum studied are smaller than the turbines proposed by BNE. All of the people living in the proximity to the turbines felt their quality of life decreased and most considered moving from their homes. Please keep in mind that our house is located only 800 feet away from one proposed turbine, so we are well within the area of concern identified in this study. I have attached a copy of Dr. Nissenbaum's preliminary findings to my written testimony.

I understand that this is an issue of debate because of the lack of peer reviewed studies on this issue, but I don't think that we should move forward with these projects until the legislature has at least considered the issues at hand. It is part of your job to protect us and especially our children. I am not just talking about my family but all of the families in Connecticut. All of the families in Connecticut will and can be affected simply because there are not regulations currently put in place for these projects.

I know that this is a difficult situation to be in. I am absolutely in favor of green energy. I am not opposed to wind projects in general. This is a health and safety issue for my family. I am requesting proper set backs from residential homes. I have found studies

reporting ice can be thrown 1600 feet during the winter from wind turbines. That is double the distance that our house is located from just one of these turbines. This is not about an inconvenience of our view being obstructed – this is about my family's health and safety.

My family and all of the families in Connecticut are depending on the legislature to step up and protect us and our health. I believe that regulations need to be put in place. There needs to be a safe distance established for the health and safety of the public. Our communities cannot move toward a goal of green energy without the protection for all of our families to be healthy and safe. I ask that you please take this into consideration. I understand that the responsibility of considering these projects is very large. I pray that you can take all of this information into consideration before moving forward. The legislature has the responsibility of protecting the people and especially our children. There is too much information that has been presented for us to simply brush these concerns aside without further investigation. I think that all industries need regulation to establish safety zones for the residents of this state. I know our state needs to establish safe boundaries to ensure the good health and safety for all Connecticut residents.

Sincerely,

Kristin M. Mow
Colebrook, CT

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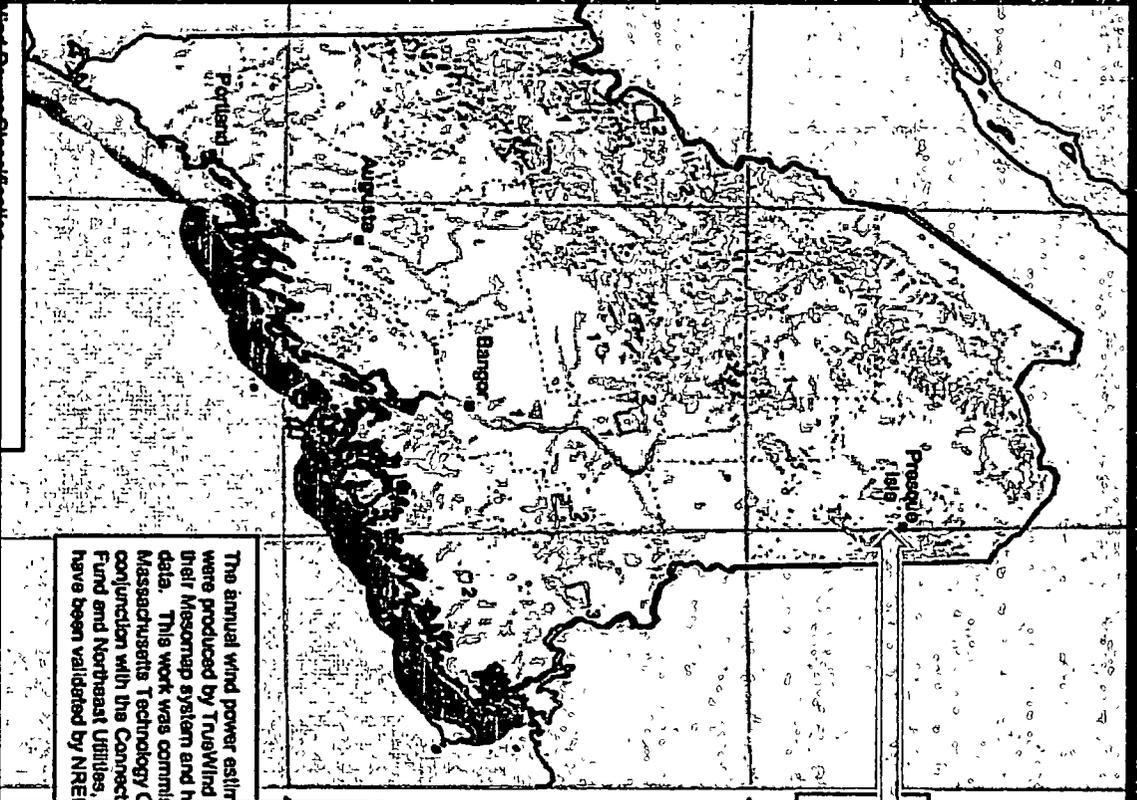
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Sincerely,

Kristin M. Mow
Colebrook, CT

Mars Hill Wind Turbine Project Health Effects - Pilot Study

- 28 turbines, 389 ft tall
- Online Dec 06, Complete Mar 07
- ~30 adults, ~15 children live within 3500 feet (1km) within ~18 homes



Mitford A. Snowdon, M.D., 2010. Mars Hill Wind Turbine Project Health Effects - Pilot Study 2010.

Mars Hill, Maine

Cross Sectional Controlled Study

Attempt made to capture all adults on the three roads – drastically reduces sampling bias

Subjects and controls approached by investigator – essentially all agreed – very low self selection bias

Controls well matched by age and sex

Initiated after media reports of complaints
and no government investigation

Pilot Study – not meant to evaluate full dose
response (distance versus symptoms
mapping), but to assess for relative risks of
sleep disturbance and health complaints

Goal: Collect preliminary data for Maine
Medical Association.

Mars Hill Wind Turbine Project Health Effects – Preliminary Findings

Population Sample - Demographics

- 22 subjects interviewed. 10 female, 12 male.
- Subjects: Distance to nearest turbine ranges 1200 – 3400 ft; Mean distance 2500 feet
- 27 controls interviewed. 12 female, 13 male.
- Controls: Average distance 15,000-16,000 feet.

AGE AND SEX MATCHED

Mars Hill Wind Turbine Project Health Effects - Pilot Study

Subjects and Controls: Sex, Age, Distance

F	67	3400
F	62	2400
F	65	2500
F	73	3000
F	66	3200
F	38	1200
F	41	2300
F	49	2500
F	41	1500
F	18	1500

Avg. Age: 52
Range: 18-73

M	65	3400
M	77	2400
M	75	3000
M	74	3200
M	52	1200
M	50	2100
M	51	2400
M	47	2300
M	58	2400
M	79	1500
M	56	1200
M	43	1500

Avg. Age: 61
Range: 43-79

F	31	~15,000
F	50	~15,000
F	33	~15,000
F	63	~15,000
F	28	~15,000
F	40	~15,000
F	77	~15,000
F	64	~15,000
F	73	~15,000
F	70	~15,000
F	19	~15,000
F	81	~15,000
F	56	~15,000

Avg. Age: 51
Range: 19-81

M	65	~15,000
M	60	~15,000
M	61	~15,000
M	40	~15,000
M	57	~15,000
M	40	~15,000
M	47	~15,000
M	39	~15,000
M	74	~15,000
M	81	~15,000
M	33	~15,000
M	47	~15,000
M	55	~15,000
M	43	~15,000

Avg. Age: 57
Range: 33-81

Troubled by Shadow Flicker

Exposed # 22

Non-Exposed # 27

Symptom	Number	Percentage	Number	Percentage
Nausea	2	9%	0	0
Dizziness	4*	18%	0	0
Trigger Migraine	1	5%	0	0
Unease	2	9%	0	0
new Rx	0	0	0	0
Total # Affected	7	32%	0	0

*2 subjects had dizziness AND nausea

Unintentional Weight Change

Exposed #22

Non Exposed #27

Symptom	Number	Percentage	Number	Percentage
Increase	6	27%	0	0
Decrease	2	9%	1	4%
new Rx	0	0	0	0
Total # Affected	8	36%	1	4%

New or worsened

Headaches

Exposed # 22

Non-Exposed # 27

Symptom	Number	Percentage	Number	Percentage
New	7	32%	0	0%
Worse	0	0%	1	4%
↑migraine	2	9%	0	0%
New Rx	2	9%	0	0%
↑ Rx	1	9%	0	0%
Total Rx	3	14%	0	0%
Total # Affected	9	41%	1	4%

New or worsened

Auditory/Vestibular

Exposed # 22

Non Exposed # 27

Symptom	Number	Percentage	Number	Percentage
Dizziness	3	14%	0	0
Tinnitus	3	14%	0	0
Ear Pain	1	5%	0	0
Ear Pulse	3	14%	0	0
new Rx	0	0	0	0
Total # Affected	9	41%	0	0

New or worsened **Sleep Disturbance**

Exposed # 22

CONTROLS # 27

Symptom	Number	Percentage	Number	Percentage
Falling Asleep	10	45%	0	0%
Waking	17	77%	1	4%
1-2/wk	4	18%	0	0%
3-4/wk	5	23%	0	0%
5-7/wk	9	41%	0	0%
New Rx	5	23%	0	0%
Total # Affected	18	82%	1	4%

Michael A. Nissenbaum, MD, 2010. *Ways the Virus Treatment Project Treats - Pilot Study, 2010*

New or worsened

Psychiatric Symptoms

Exposed # 22

Non Exposed # 27

Symptom	Number	Percentage	Number	Percentage
stress	13	59%	0	0
anger	17	77%	0	0
anxiety	7	32%	0	0
irritability	6	27%	0	0
hopelessness	12	55%	0	0
Depression	10	45%	0	0
<i>new</i>	8	36		
<i>worsened</i>	2	9		
<i>New or</i>   	4	18%	0	0

Prescription Medication Use

Exposed # 22

Non Exposed # 27

Symptom	Number	Number
Accepted new Rx	12	4
↑ Rx	3	0
Total New Or ↑ Rx	15	4

15 New or increased prescriptions (12 people)
 11 additional prescriptions offered and declined
 in subject group

Types of Medications

Subjects:

Cymbalta Lexapro
Mirtazepine Zoloft
Trazodone Meloxicam
Hydrocodone Tylenol III
Topamax
Anxiolytics (2)
BP meds (3)

Controls

Antihypertensives: 3
Antiarthritic: 1

Quality of Life Perception

“No desire to go outside”

“Feel trapped”

“Dreams have been dashed”

“Was our dream home . . . it's all been stolen from us”

“My husband's (who has MS) only pleasure in life was
to see the wild animals. They are gone.”

“Sinking feeling every night when I (come home) and
see them.”

Quality of Life Perception

Exposed # 22

Non-Exposed # 27

Symptom	Number	Percentage	Number	Percentage
Increased	0	0	0	0
Decreased	21	95%	0	0
Considered moving away	19	86%	0	0

Anger

“Absolute rage – you feel you want to kill someone, and don’t know who to kill”

(67 y.o. woman)

“So angry I could kill”

(65 y.o. man)

“Makes my blood boil”

(65 y.o. woman)

Hopelessness

“Nobody will help us.”

“This is an awful thing to have happen to you.”

“People don't believe us — (complaints) fall on deaf ears.”

“No one cares. No one listens.”

“They just tread on us.”

*“Daddy, I’m going to
sleep at the hotel with
Mom.”*

Mars Hill ME DEP Nighttime Noise Variance 45 => 50 dbA

“There are 4 protected locations where the noise level would be above 45 dbA, but less than 50 dbA, which is approximately equivalent to the noise that songbirds make... the Department finds that the applicants’ project will not have an unreasonable adverse impact... and therefore grants a variance from the noise standards for the windpower farm.”

DONE AND DATED AT AUGUSTA, MAINE, THIS 1ST DAY OF JUNE, 2004.
DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: *Dawn R. Gallagher*
DAWN R. GALLAGHER, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES
Date of initial receipt of application: January 12, 2004
Date of application acceptance: January 22, 2004
Date filed with Board of Environmental Protection
RC/121635A/NBN



Save Prospect Corp.
42 Woodcrest Drive
Prospect, CT 06712
203-232-0725

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Dear Committee Members:

First, let me express my extreme gratitude to Co-Chairs Vickie Nardello and John Fonfara for their understanding and objective approach to this very important issue of the siting of industrial wind turbines as part of Connecticut's plan for alternative energy sources. I thank the committee members for providing the opportunity for all members of the public to weigh in on this important issue. And in the end it is my hope that you will realize that this is first and foremost, an issue of responsible setbacks. The group which I preside over, Save Prospect Corp., is firmly founded in the belief that alternative energy sources must be utilized which provide for much needed energy, while reducing the carbon footprint on our planet. It is also our strong belief that the lives of Connecticut's residents cannot be put at risk to accomplish this goal.

Just over three months ago my world was turned upside down. I went from life as a teacher at Naugatuck High School, father of a daughter who attends Southern Connecticut State University as a social work major, and a 13-year old daughter, Sarah, a honor society student at Long River Middle School. It is at Sarah's school, where in three weeks hearings will be heard by the Connecticut Siting Council to determine whether Sarah's life, and that of our family and those neighbors we have come to love, will ever be the same again. For that reason, Sarah is here with me today. I am showing her that this very public process today clearly illustrates that our country represents the will of the people to direct government to do the right thing. I have explained to her that it is government's job to protect its citizens, and that is what I am asking of you today. So I ask will you move this bill forward, on to the governor's desk to protect the rights of the good people of Prospect?

This sudden rush for wind energy in the south end of Prospect has taken us all by surprise. Until mid-October of last year not a soul in Prospect knew this was coming. To a person, we feel like our liberties, made possible by the constitution, have been stripped away. Now after the fact, we attend local council and commission meetings every week along side of developers who have run tests for almost two years but have never considered us, the residents of Prospect. Is that the type of state we have become? Where important policies such as the development of wind energy will be done in a vacuum, at the exclusion of the state's residents? Shouldn't the state's residents be part of the solution. Shouldn't the state's residents make the decisions on how we can all reduce the carbon footprint? Remember the calls in past years by elected state and national leaders to turn down thermostats in winter and up in summer, to conserve electricity in our homes, and gas in our cars? Can we use the bully pulpit again to make a difference? Why

can't we involve the best of the state, its residents, in the development of alternative sources like wind energy? Why let developers move forward without the full input and contribution of those that elected you to office?

We are told by our local town leaders that they support us but that the law prevents them from doing anything to ensure our protection, in that the statutes give the Siting Council full jurisdiction. My neighbors and town officials ask me repeatedly how there could be no regulations for such industrial activity, so it is with the great hope that we proceed today with discussion and review of this important legislation to create a moratorium on wind power development while needed regulations are enacted.

This afternoon many speakers from both Prospect and Colebrook, and I'm sure other towns, will provide very detailed concerns based upon extensive research that we have been forced to accomplish in three short months due to the lack of advance notice by developers seeking approval for these wind projects. You will be astounded by what you learn and we hope that the foundation of our testimony will illustrate the very real risks associated with the siting of industrial wind turbines in or next to residential areas. It is not too late to fix lost opportunities of the past few years. We have waited this many years to follow the approach to alternative energy led by many countries around the world, and many states in America, and we can certainly justify spending the needed time to do it right. There have been important lessons learned from those installations, especially those that have been sited in or near residential areas with dire impact on the quality of life, health and property values for the residents. You will be shown a video today, which will give you an insight into these factors, and actual cases that make the importance of today's hearing so much more relevant.

I ask that you remain open to our input and balance the importance of your constituents against the pressure for alternative energy solutions. When doing so, understand that in each of Connecticut's 169 municipalities there are stories about the residents. These stories are the fabric of our state and hold no less importance in your decision making than any other factor. And now let me share with you the story of Tyler Nitsch, an 11-year old boy who lives at 11 Lee Road in Prospect. Note that the Nitsch family home sits only 1700-feet from a proposed 492-foot industrial wind turbine, which is part of a proposal currently under review by the Connecticut Siting Council.

Tyler's Story

Tyler's mom Marisa wanted to be here today to speak with you but could not be since she needs to be home for Tyler when he arrives home from school. Transitions are so important to her son Tyler who suffers from epilepsy, bipolar mood disorder, autism, anxiety disorder, depression, and obsessive-compulsive disorder. Tyler is afflicted with frequent seizures and has a seizure-alert, mood/autism service dog. Tyler is a big brother to his 6-month old sister Sophia and stepbrother to Colette who is seven. I have met Tyler and I can tell you that on appearance he is the "boy next door". I can also share with you that he whispered in his mom's ear, "Why are these two men here?" It was readily apparent that he is easily affected by anything out of his norm, which his family spends considerable time ensuring is never compromised. The Nitsch has a fully integrated home video system which tracks Tyler's movement both in the house and outside in the yard. Their main display panel is located in the airy kitchen where they, like many people, spend so much time.

Tyler's dad Mark recently deployed to Kuwait with the Air Force, and he hopes to return to his family in June. The family moved to their Prospect home just two years ago, leaving behind the more frenetic life in busy Yonkers, New York. They settled in Prospect with in the hope that this comparatively bucolic town and its welcoming neighbors could provide a safe, calm environment for Tyler to grow up in.

But even more ironic than the fact that they left busy Yonkers for the quiet of Prospect only to learn that noisy industrial wind turbines may ruin their dreams, this couple has done more for the environment than anyone I know, and I'm certain most folks you know, only to have wind developers tell them as members of Prospect's community that they are nimbys who are against green energy.

In 2009, the Nitsch family installed a \$38,000 Geo Thermal Green Energy unit. The construction process ran for two months and involved the excavation of their yard and the running of pipes 300 feet into the earth where water is warmed in the winter for heat and cooled in the summer for cooling. They have a common loop system. An example of this can be found at the following web site address:

<http://www.geocomfort.com/geothermal-technology>

So the Nitsch family is environmentally ahead of most of us in many ways, but now faces a life they did not bargain for when buying their house. Tyler loves the outdoors, playing in his yard and swimming in the family pool in summer months. He goes out to the yard for comfort, to relax. The yard is fenced in for his protection. Marisa tells me that Tyler has anxiety fears and that certain noises and constant droning sounds affect him negatively. The constant "whooshing" of the turbines as the blades sweep by the tower is her biggest concern. Marisa also worries whether these sounds will have any impact on the service dog's ability to stay focused on his only job, and that is to sense seizures before and as they are happening, thereby protecting Tyler's safety.

And with a direct west facing location of their property, if wind turbines were installed as proposed, their lives would have to adapt from each evening's beautiful sunsets to the disturbing shadow flicker that results from the setting sun cutting through the spinning blades (please refer to the video). She worries greatly about the impact these factors will have. They have been well reported from communities around the world, and the effect on quality of life and the health of residents is indisputable.

This is just one of many real life stories that exist in neighborhoods around the state. And it is the reason for Save Prospect Corp.'s position that industrial wind turbines should never be sited in neighborhood areas. Our system of government provides for the proper zoning of property to protect the health and safety of citizens, and the quality of life and value of one's property. The members of Save Prospect Corp ask that the committee members consider the importance of our communities. They are the lifeblood of Connecticut. Let's make our alternative energy initiative work from the start and not start with a mistake on our first wind power projects in our state. We can do no less for our citizens.

Sincerely,

Timothy C. Reilly
President

line 3, page 13

Katie Lanouette
19 Lee Rd
Prospect, CT 06712

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Dear Committee Members:

We have only lived in Prospect for a couple years but we have grown to love it. I live here with my husband, my 7 year-old son and my 3 dogs.

In 2006 I worked as a Business Analyst System Developer for Northeast Utilities but I had to leave my job because of debilitating headaches and migraines. They got so bad I was in bed 24 hours a day. The headaches led my doctors to do an MRI where they discovered a brain tumor. We had to sell our house and move because we could no longer afford to live where in our home.

During the past couple of years I have fought hard to get better, and to have some quality of life. I have missed so much of my son's life. I have gone through over 40 medications, Botox, Acupuncture, Physical Therapy, Biofeedback, and changes in diet. I have also gone through 5 neurologists. And I have done all of this so that I did not have to spend my life in bed and so that my son would have a mother.

I still have headaches 24 hours a day. It is just a matter of how bad they are each day. Rescue medications no longer work for me. So the days I have severe migraines I just have to suffer through them and I am usually in bed all day, sometimes two. Today you may see me at Sam's Halloween Party at school or his soccer game but you have no idea what I have to do to be there. I need 9-10 hours of uninterrupted sleep a night and a nap in the afternoon. I need to take my 8 different medicines on time. I need to eat my restricted diet on time. I also have to take it easy I can't clean the house and go grocery shopping and run errands like normal people, and the weather needs to cooperate as well.

It can't be rainy, cloudy or snowy or that contributes to the bad headaches. Do you know how hard it is to juggle all of that, as some things are out of my control. If one of those balls falls to the ground so do I. There are many things that I can't do because I am sound sensitive and light sensitive. I can't go to movies, concerts and anything similar since they are too loud and cause pain. I am light sensitive and for example I do not like to drive after dark because oncoming headlights really bother me.

If they were to put a Wind Turbine 1700 feet from my house I will have no quality of life anymore. I will end up in bed 24 hours a day. If my sleep is disturbed by the sound of the Wind Turbines I will get severe migraines and I will be in excruciating pain with no relief. Loud sounds and flickering Shadows will only make my migraines worse. Since the noise will never stop as long as the wind is blowing it will be a endless cycle and I

will have a constant migraine. There is no way I will be able to sell my house. Would you buy my house with the Wind turbine 1700 feet from it? I will miss more of my son's childhood. And my son won't have a mother. I can't pay for daycare so does someone have a solution for who is going to care for my son and help him with his homework when I am in bed and my husband's still working a 12 hour day just to pay the mortgage and taxes, so we can live in Prospect?

Please don't let them do this to me and my family. I am barely getting by now, I am afraid this will be the end for me. I know Prospect won't let me down. I hope you won't let me down.

Calvin Goodwin
16 Woodcrest Drive
Prospect, CT 06712
203-758-4375

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Dear Committee Members:

Due to a recent proposal in my town I started learning about wind energy. After several days of research my information leads me to the conclusion that General Electric is the leading manufacturer of wind turbines in the United States. Reading the documents referenced above I made a few observations.

All the photos included in the brochures show wind turbines that appear to be in wide-open spaces. I did not find any photos of an industrial wind turbine located in a neighborhood. Upon reading Wind Energy Basics, page 5 paragraph 2 bullet 2, I read the following statement:

“Depending on setback requirements tens of acres might be necessary to house a single GE 1.5MW turbine. Hence, megawatt-scale wind turbines cannot be located in densely populated areas.”

I think General Electric has it right.

This publication is not specific as to exactly what is meant by “tens of acres”. I want to be comfortable using the guidance provided by my legislators as to what is specifically needed to have a successful siting of green, renewable energy.

The publication “Wind Energy Basics”, further details from Page 6 paragraph 2:

Regulatory Framework

- Permits, licenses and regulatory approvals are typically required at the Federal, State and Local levels
- See AWEA Siting Handbook² for detailed information on this topic.
- Zoning and permitting expertise is essential
- The developer would be well served to obtain the services of a professional (consultant) familiar with the regulatory environment surrounding wind plant development.

p.2 E&T hearing 020311

This is the reason I am here. General Electric, the country's premier provider of industrial wind turbines expects the regulation of their products.

I am asking the legislators to write legislation to clearly define regulations for responsible siting of industrial scale wind turbines.

I have heard many comparisons as to the noise a turbine can create. One of my favorites is that the turbines will not be any louder than your average dishwasher. I can't speak for all, but I am glad when mine shuts down. I have heard that the noise is no louder than a few people having a normal conversation. We all know that when we are trying to sleep, the last thing we need to hear is normal conversation. If a few people start to have a separate conversation the Teacher, Judge, or meeting leader is likely to say, One at a time so we can all hear. "Please tell the kids to stop talking, so we can all go to sleep."

This country needs clean energy. We cannot expect to have a vast placement of renewable energy if we do not establish regulations. If we can do it right the first time we can do it right many times, If we do it wrong once we may not get a chance to do it again.

I am asking the legislators for a moratorium to write legislation to clearly define regulations for responsible siting of industrial scale wind turbines.

Sincerely,

Calvin Goodwin

To Download More Information:

- [1.5 MW Wind Turbine Brochure](#) (2.43MB PDF)

http://www.gepower.com/prod_serv/products/wind_turbines/en/downloads/GEA14954C15-MW-Broch.pdf

- [Wind Service Solutions Brochure](#) (1.54MB PDF)

http://www.gepower.com/prod_serv/products/wind_turbines/en/downloads/wind_service.pdf

- [Wind Energy Basics](#) (445KB PDF)

http://www.gepower.com/businesses/ge_wind_energy/en/downloads/wind_energy_basics.pdf

http://www.gepower.com/prod_serv/products/wind_turbines/en/15mw/index.htm

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Karen Dunn
16 Woodcrest Drive
Prospect, CT 06712
203-758-4959

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Dear Committee Members:

Lack of reasonable regulations has torn my life and my town apart. We do need alternative, renewable energy, but, in the proper place. Industrial size wind turbines do not belong in residential areas.

I moved from New Haven to Prospect in 1968 to get away from the hustle and bustle of the big city. I moved here for the tranquility, the quiet, and this beautiful area called Prospect. This would be my special place to start and raise a family. We are the epitome of rural living. We do not live in mansions but we are hard-working Americans, living our dream. We have modest homes on ½ acre lots and there are many of these homes that would be adversely affected by the proposed installation of industrial wind turbines. There are many residential areas and many, many lives in our beautiful state that could be severely affected, now or later by your decisions.

I did not move next to an airport and then get mad because of the airplane traffic. Nor, did I move next a mall and get upset because it was too noisy. I moved to a quiet street in a quiet town where my neighbors did and do take care of each other, and we all work hard to make a life for us and our families.

We are now fighting for our way of life against big corporations and big government, and there are no regulations in place to protect us.

I have no charts or statistics to give you, I just have my heart, my health and a way of life that I do not want to see compromised.

I urge **YOU**, our Representatives to serve, protect and defend all the residents of this great state that could be harmfully affected by this proposal. Please vote for a moratorium for us, and the creation of regulations that allow for the safe and responsible siting of industrial wind turbines.

Thank you for your time and for giving me the chance to tell my story. Please don't allow them to write a sad ending. My home is all I have and all I want.

Sincerely,

Karen Dunn

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Statement to House Energy Committee Regarding Industrial Wind Energy

"Lavish Subsidies in the Absence of Regulation Spells Trouble"

By Eric Bibler, President, Save Our Seashore

Madame Chairman, Ladies and Gentlemen of the Energy Committee,

Thank you for this opportunity to address you today on this important topic.

My name is Eric Bibler and I am a full-time resident of Weston, CT.

I am the President of an organization based in Wellfleet, Massachusetts called Save our Seashore, and I have spent much of the last 15 months, along with a very selfless and dedicated group of individuals, fending off ill-advised and irresponsible industrial wind energy developments along the length of Cape Cod.

I am testifying before you today in the hope that you may benefit from our experience on Cape Cod, which, like the State of CT, suffers from an absence of regulations and an abundance of lavish state and federal subsidies that have provided numerous and very powerful incentives for both private, and municipal, businesses to enter the wind energy business, in a pell mell fashion, in an effort to cash in on these artificial economic returns.

One of the great, and unacknowledged tragedies of this situation, in my opinion – a subject which I will not be able to give due treatment in this context – is the sheer scale of the economic distortion – and the enormous risk of collapse – that these incentives have created.

Since I have a background in the banking and financial industry (as a lender and a bond trader with several major firms), it was apparent to me early on that the *continued viability* of all of the multimillion dollar projects that were contemplated in Wellfleet, and beyond, was wholly dependent upon the willingness of the federal government, and the Massachusetts legislature, to continue providing subsidies that would allow producers like the tiny Town of Wellfleet to sell their production, continuously over a 20 year life of the project, at a rate that amounted to four times the wholesale price of electricity.

Without the subsidies – or even in the face of a modest reduction in the amount of the subsidies – the projects would collapse.

I offer this bit of information as an aside for the following reasons:

- 1) I believe that this fact must be acknowledged in any policy-making decisions because it reveals the *vulnerability* of these projects – and of their owner/

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operators, including inexperienced, and relatively unsophisticated municipalities to the abrupt withdrawal – or non-renewal – of these enormous subsidies;

- 2) It highlights the necessity for serious attention to providing ample provision for the “*de-commissioning*” – the dismantling – of the projects and their massive structures in the event of economic failure or court decision (based upon impairment of health or property, or environmental degradation) forcing the operators to cease operations;
- 3) It is worth noting that the vast majority of decision making bodies – including many of the towns and Siting Councils that embrace these projects -- are not trained in financial risk analysis and *do not sufficiently appreciate the substantial risks* – and disruptive adverse consequences -- that are embedded in them.
- 4) It is particularly troubling to note, in this context, that *a majority of the projects that have been proposed are being pursued by inexperienced operators* – like municipalities that have never run a business or by shell corporations with no assets, no accountability and no prior experience – even as more experienced operators, and large companies, deem them to be too risky or uneconomic.

Most of these operators have no true appreciation of the financial risks, and no experience, or any understanding, of the technology, which is relatively new and untested, after all. They are all after the tax write-offs and the subsidies, and most of them have been actively prospected by quasi-government agencies, such as the Massachusetts Technology Collaborative, and/or the wind turbine manufacturers.

That is why every Town on the Cape – and everyone who owned a cranberry bog or a gravel pit – suddenly had a plan to install a multi-million dollar wind energy power plant.

I’ll leave this topic for now with the simple observation that once we were able to make officials in the Town of Wellfleet appreciate the risks they were taking on their proposed \$6-7 million project, they found this knowledge sufficiently sobering that it became one of the deciding factors in their decision to move swiftly from a unanimous endorsement of the concept to a unanimous decision by the Board of Selectmen to abandon it entirely.

But it took a great deal of effort – and the availability of financial expertise outside of the prescribed process – to achieve this understanding and this result. The Selectmen, who initially were not pleased with our opposition to their proposal, ultimately offered us many letters of thanks or sparing them from a terrible mistake.

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I beg you also to understand that great credit is due to the Selectmen of Wellfleet for their willingness to study the issues and to proceed carefully, and not to be blinded by the "conservative" pro forma financial projections that seemed to offer them a much-needed opportunity to balance their budgets – the promise of a painless "free lunch." Wellfleet is the exception to the rule.

Background of Save Our Seashore and a Brief History of Development on Cape Cod

Until the first week of November of 2009, until a chance visit to the house of my mother-in-law in Wellfleet, MA, I had no particular interest, and certainly no understanding, of industrial wind energy.

On that visit, my mother-in-law – who lives within the Cape Cod National Seashore – told us that one of her neighbors wanted to stop by to talk about the wind turbine that the Town of Wellfleet wanted to install on a legacy parcel of town-owned land in a pristine woods, in the very heart of the National Seashore, about a half-mile behind her house. She had informed the neighbor that she was "for" the project; that she had voted for it the week before at Town Meeting; and that she was unlikely to change her mind; but he gently persisted and she agreed to meet with him. She asked if we would attend the meeting.

The neighbor came over and began to explain the ramifications of the project. He was perplexed that the Town had sent letters to 56 abutters to the project, to residents who are normally fiercely protective of the natural beauty of the park, and that only 5 had responded.

As it turned out, the simple fact was that no one understood the location, the scale or the consequences of the project; and everyone had been given to understand that industrial wind turbines were silent, and wholly benign.

Within 30 minutes of study, we realized that a terrible tragedy was unfolding; that the consequences to the park, and to the residents in this wild and natural place would be dire; and that virtually no one – including my mother-in-law and her friends – understood any of the relevant aspects of the plan. Yet voters had just approved an expenditure of \$260,000 to pursue a plan that was projected to cost \$5 million (later almost \$7 million) – and which would have had a transformative influence on the Town, on the National Seashore, on the landscape and the "soundscape" and on a substantial tract of fragile, "unfragmented" habitat.

That was the beginning of my personal odyssey, and of Save Our Seashore, which was founded in a living room by a handful of people who cared passionately about a particular patch of ground, the National Seashore and all of Cape Cod.

We prevailed in our effort to urge the Town of Wellfleet to reconsider its plan and, ultimately, to abandon it, in March of 2010.

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Along the way, we reached out to some of the historians in the National Park Service, who sympathized and who told us that our battle was eerily reminiscent of the famous struggle over the Hetch Hetchy canyon that led to the founding of the national park service.

We also reached out to the National Parks Conservation Association (NPCA) and provided them with our research into the inevitable adverse impacts upon the park. Finally, after months of study (and after reviewing, and changing, some of its internal policies), the NPCA issued a letter of support and commendation to Save Our Seashore, on behalf its 350,000 members, for opposing the project and fighting to protect the National Seashore and Cape Cod – even though our efforts were in direct opposition to the continued, and long-standing support of the park superintendent for the Wellfleet project, and similar initiatives to install industrial wind turbines within the park. As you can imagine, this step by the NPCA was not taken lightly and was, in fact, quite extraordinary.

We also solicited the help of scientists, acoustic noise specialists, medical professors and clinical researchers, electrical engineers, energy reporters and wind energy authors and experts, wildlife experts and numerous other specialists with formidable credentials and qualifications who had done pioneering work in evaluating the efficacy, and the consequences, of such massive industrial wind energy installations.

As noted, we managed to prevail against considerable odds in Wellfleet in a relatively short amount of time, thanks to a considerable amount of help from many sources and the willingness of the Selectmen there to give the problem close study and attention.

But we had become acutely aware that there were numerous ongoing threats to the National Seashore from other projects still on the drawing board and which carried the explicit support of the park superintendent – including two large wind turbines that he proposed to erect on federal property within the National Seashore. We felt it was our duty to continue our efforts to protect the national park from the threat of additional invasion on multiple fronts.

Even more alarming, we became aware that Cape Cod was positively overrun with project proposals for the installation of 400 and 500-foot wind turbines in places where they were bound to cause untold misery – due to the population density there – and to do vast environmental damage.

It quickly became apparent that every town had a proposal to build one – or two – or eight – huge wind turbines, all of them run through unsophisticated – or at least, unknowledgeable – local Planning Boards that had no idea what they were getting themselves into.

All of these projects had been percolating for years – fueled by millions of dollars in

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grant money from the State of MA that provided virtually 100% of the upfront costs of laying the groundwork – and all of them fueled by the desire of these towns to tap into a huge river of subsidies that were funded by surcharges on consumers electric bills.

Hanging over the entire process was an ominous conflict of interest: the Towns that were *reviewing* the potential adverse impacts of the projects through their Special Permitting process – and granting the permits -- were also *the proposed owner/beneficiaries of the projects!*

The Towns were upholding a pretense of impartiality but were essentially going through a process of granting permits to *themselves* – after years of preliminary effort and after spending hundreds of thousands of dollars of state grant money -- in a state where the governor was exerting heavy pressure on them to help him turn Cape Cod into “the Saudi Arabia of wind.” And, of course, at the end of the rainbow, there was that gleaming pot of gold.

We began to get regular visitors to our website and we begin to get phone calls from concerned citizens. “Please help us!” the pleaded. They, too, had begun to do some research and they feared for their health and the health of their children; their quality life; and their value of their property – their homes that they had spent many years tending, improving and religiously paying for, usually with two incomes.

Residents in other towns had been proceeding down a parallel path to Wellfleet – absent some of the considerations revolving around the national park, and had accumulated similar knowledge and expertise.

Proposals that once seemed to have unstoppable momentum behind them were rejected in town after town – *because they made no sense*. Voters, and their town boards and committees in Orleans, Eastham and Harwich all turned away proposals that once enjoyed virtually unanimous support. The Old Kings Highway Historic District Commission held its ground and refused to certify a project at the Cape Cod Community College, winning a court judgment despite a lawsuit against it that was joined by the State of Massachusetts.

The recalcitrant park superintendent’s pet project in the National Seashore – proposed within less than a half mile of a major radar installation over the objections of both the Air Force and the Federal Aviation Administration was refused – twice – with a ruling stipulating that the “maximum permissible height” for a wind turbine at the proposed site was “zero feet.”

Projects are still pending in the Towns of Brewster (two 410 foot wind turbines), Bourne (eight 500-foot wind turbines) and Wareham. A project in Plymouth in cranberry bog has been approved, but the decision has been appealed. Other towns, including Dennis, are keen to build several, despite close proximity to residences.

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Personally, I believe that it is doubtful that any of these projects will ever be built because they are all so demonstrably harmful and injurious.

The only large-scale industrial wind turbines that have been built on Cape Cod are the two in Falmouth – largely because the Town of Falmouth decided that it did not need to follow the Special Permit process or hold public hearings in order to build its own project – and significant group of residents in Falmouth is now paying a very heavy price. As a matter of fact, the Town of Falmouth proceeded to build their project even though GE Energy declined to provide them with a bid out of concern that one of the sites was too close to a major highway, and, therefore, unsafe.

To their credit, many of these victims in Falmouth – even as they seek some measure of relief from a town government that has chosen to marginalize and sacrifice them, to ostracize to ignore them – have faithfully attended board and committee hearings in *other* towns from one end of Cape Cod to another, detailing their symptoms of sleep deprivation, headaches, ringing or pressure in the ears, intense flicker effects, and so forth.

They consider this their duty as a public service: to warn their neighbors and to make every effort to ensure that no one else on Cape Cod should suffer the same fate by falling for the same false and misleading reassurances that lead them to support the projects in their Town of Falmouth.

More recently, belatedly, the Cape Cod Commission has taken determined steps to formulate Minimum Performance Standards and a detailed Technical Bulletin to govern the installation of these industrial wind energy plants on Cape Cod with the intent of fulfilling its stated mission of preserving the scenic and historic character of Cape Cod and of regulating development in such a way that it does not impair the character of the region or threaten the health and well-being of its residents.

This is an extremely welcome, and long-overdue, development and members of Save Our Seashore are working closely with the Cape Cod Commission to promulgate regulations that provide some meaningful guidance in all of these areas.

Lessons Learned – Putting It in a Nutshell

As may be apparent from the above narrative, events have been unfolding at a furious pace on Cape Cod as numerous wind energy projects have come to a head.

I am embarrassed to admit that what it took us many hundreds of man hours to appreciate – or at least to enunciate – the former Attorney General, and current Senator, from Connecticut, Senator Richard Blumenthal, was able to size up in a matter of days, or even minutes, or having been presented with a similar problem in Connecticut by making two very perceptive points:

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1) Senator Blumenthal said, in his press conference in early January on this subject, that the current process as prescribed in Connecticut, is virtually "lawless."

When questioned on this point, Senator Blumenthal was quick to clarify: he did not mean that applicants, the Siting Council, or anyone else was breaking the law. What he meant was that "there simply *are no laws*" to provide the standard protections to other property owners, communities and other stakeholders. None.

2) After hearing the litany of problems that had been evaluated, or had ensued, from these projects on Cape Cod and all over the world, Senator Blumenthal observed that the problem is that industrial wind energy installations are essentially "incompatible" with other, pre-existing and wholly legitimate rights and uses of property for residential development; for scenic and historic preservation; for recreation; and for natural conservation.

Industrial wind turbines – towering 400 and 500 feet in the air, with a rotor width in excess of 300 feet, with individual blades weighing over 7 tons rotating at speeds in excess of 150 mph and emitting loud, unrelenting, repetitive, rhythmic, high intensity, pulsing noise and flicker -- are nothing less than giant, industrial, kinetic physical power plants. They are massive in scale; they are dominant, intimidating and incongruous on the landscape; they emit industrial noise – 24 hours a day – which is demonstrably much more destructive to health and disturbing than noise of comparable loudness from other more familiar sources such as railroads, airports or highways; they drive off and disrupt wildlife; and they therefore constitute a distinct threat to the use and enjoyment of property for other purposes and objectives, such as residential development or conservation.

I would like to extend Senator Blumenthal's analysis a bit to propose the following framework for describing, and evaluating, this problem – the same framework I have proposed to the Cape Cod Commission:

- 1) Acknowledge the legitimacy of the rights and interests of existing property owners.

Regrettably, the usual point of departure for the discussion of the merits of any proposal is the assertion by the proponents of our need to promote the development of renewable energy; to reduce green house gas emissions; to meet a State renewable energy goal; or to earn revenue for the Town.

But, in so doing, we fail to acknowledge the legitimacy of existing property holders who were there first, the actual code of the zoning bylaws or Special Permit provisions; hundreds of years of legal tradition; and even the Bill of Rights.

All of these sources reinforce the idea that *no developer* has the right to impair the use and enjoyment of property by his neighbors or to impose

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unreasonable costs upon the community.

Wind energy developers invariably presume that their interests should supersede all others -- to be accorded some sort of special status as if we are in a time of war -- even though all of the financial *benefits* of the project accrue to the developer and *all of the adverse consequences and external costs of the project* are imposed upon innocent third parties.

So the point of departure for any meaningful and equitable legislation must be to acknowledge the legitimate rights of existing property holders, and to assert that wind energy developers, notwithstanding their assertions to the contrary, do not possess any pre-emptive rights to the use and enjoyment of property.

This is consistent with all of our zoning laws, with the Special Permit language and with hundreds of years of tradition concerning property rights.

- 2) Acknowledge that the development of industrial wind energy is fundamentally incompatible with many other legitimate, antecedent uses of land.

If this is true -- and, if not self-evident, it is very easy to establish -- then this means that *other*, pre-existing, legitimate stakeholders are deserving of protection from the adverse impacts of wind energy development.

Care should be exercised to see that these other legitimate interests -- some of which, like the National Seashore, have defended their interests against multiple threats literally for generations -- are adequately protected.

A "lawless" Siting Council -- with no rules, no guidelines, no experience and no understanding of the underlying issues -- will never be able to accomplish this task.

- 3) The Burden of Proof rests with the Developer to Prove the Absence of Harm.

Currently, due to poisonous interaction of a number of factors, including the lack of regulation and the presumption that wind energy possesses some sort of ill-defined, pre-emptive rights, the wind energy developers are virtually never held to appropriate standard of proving that their projects will not impair other legitimate interests. This is true notwithstanding specific language to this effect in many Special Permit provisions in the zoning laws of individual towns!

The perverse result in Cape Cod is that residents who are under threat -- or, as in the case of Falmouth, already being subjected to daily misery -- are draining their bank accounts, skipping insurance payments or IRA contributions and liquidating retirement accounts or college funds to hire

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their OWN lawyers, acoustic consultants, real estate appraisers, and so forth, to fend off the threat. This is completely inappropriate and unjustified. In fact, it is criminal.

God forbid that a project should be approved, and built, in violation of normal due process and numerous safety provisions, after a long campaign of willful denial of the applicable standards or in a grossly negligent manner. Then the victim's only recourse is to pursue an expensive lawsuit against his own town, when everyone knows that judges are notoriously reluctant to second guess municipal planning boards, despite these extenuating circumstances and the obvious conflict of interest.

I believe that if legislators keep these three principles in mind – and flesh them out appropriately – they will prevent a great deal of harm.

We could write a dissertation on cataloguing the various tests that could be applied - the mechanisms – to accomplish these tasks. In fact, this is what the Cape Cod Commission is currently endeavoring to do in a simplified fashion.

Needless to say, this will require some time and effort – a powerful argument in favor of a moratorium to ensure that sensible protections are enacted. But it should be clear that the current “lawless” regime run through the Siting Council provides none of these protections and is wholly inadequate to the task.

Conclusion

Please keep in mind that anywhere there is potential for profit – especially for profit that is artificially inflated, or supported, by very large subsidies – in combination with a lack of regulation, there is ample scope for waste, abuse – and even tragedy.

Our government -- our legislatures and our state and federal executives – created and enacted these incentives and they have a responsibility to protect citizens from the gold-rush mentality that currently prevails which, after all, is a product of their own creation.

Finally, we beg you to remember that one critical function of the Rule of Law is to protect the weak and the powerless – especially when they are divided and disorganized – from the over-riding influence, even the predations, of others who are economically powerful and politically well connected.

Thank you for your time and consideration of these important matters.

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Dear Members of the Energy and Technology Committee:

Our names are Stella and Michael Somers. We live in Colebrook, CT, less than half a mile from one of the proposed turbine sites and less than one and a half miles from the other proposed site. We own a bed and breakfast business in Colebrook in an historic landmark residence known as Rock Hall, which is listed on the National Register of Historic Places.

We ask, as Connecticut residents and owners of both a small business and an historic structure, that you vote in favor of House Bill 6249. Siting wind turbine projects that may be as high or even higher than 492-feet tall in the total absence of regulations should not be permitted in our state or in any state. We are especially concerned that the lack of regulation will allow companies to site these massive projects in close proximity to historic structures, which would in effect negate the protection that inclusion on the National Register is supposed to provide.

We fell in love with Rock Hall and the rural beauty of Colebrook at first sight in December 2004 and within a few months, purchased the house and 7 acres for \$930,000. Shortly afterwards, an abutting 15-acre lot came on the market and to protect our investment and our privacy, we purchased it for \$150,000.

Rock Hall was designed by Addison Cairns Mizner (1872–1933), best known for his Spanish Revival mansions in Palm Beach. Our home is the only surviving example of Mizner's work north of the Mason Dixon Line. The exterior is an unusual combination of stucco and native stone, with a tile roof. The renovation took about 18 months and although we weren't attempting to restore Rock Hall to its original grandeur, we did want to be respectful of the architect's intent. We spent hundreds of hours researching wallpapers, fabrics and the period within which Mizner worked. We replaced the old ball and tube electrical system, put in new plumbing, insulated wherever we could, added to the heating system, restored the elaborate woodwork, repaired canvas ceilings, restored windows, repaired the exterior stucco and terracotta tile roof and plastered, painted and wallpapered. With the exception of some of the finish painting, all of the work was done by local contractors, carpenters, plumbers, electricians, masons, etc., who continue to maintain our home. All of these workers have become part of our "Rock Hall Family."

We also restored Rock Hall's extensive grounds, which have been attributed to a collaboration between Mizner (who favored Asian specimen trees) and the firm of Olmsted and Olmsted (who worked on a variety of projects in and around Hartford, including Bushnell Park). We revived one of the 100-year-old apple orchards, clearing areas that had become overgrown with bramble, and found ourselves caring for one of the largest collections of specimen trees in New England.

A member of the Colebrook Land Conservancy introduced us to Glastonbury's Ed Richardson, "The Big Tree Hunter of Connecticut." Ed proudly informed us that the pitiful Fraser Fir we had planned to cut down was the tallest in the State and the new prize winner, so we decided to

save it. That Fraser Fir is thriving now after years of pruning and fertilizing, carefully caring for its apron and amending its soil. We restored the woodland gardens, installed cutting gardens, vegetable gardens, a blueberry patch and formal gardens. The swimming pool and tennis court had fallen into disrepair and were also restored. All the work on all the grounds was also done by local gardeners, arborists, and contractors – all of whom continue to be part of the "Rock Hall Family."

Our original plan in 2005 was to renovate Rock Hall for use as a country house until our daughter was of high school age, and then move to Colebrook full time. Our plan and lives changed following a skiing accident that left Stella wheelchair-bound for almost a year, just as the economic downturn precipitated Michael's leaving the financial sector. It was then that we reinvented ourselves as innkeepers and applied to the Town of Colebrook to turn Rock Hall into a bed and breakfast in order to support ourselves and our young daughter. All of our neighbors were notified and many of the townspeople attended the community meeting to voice their opinions pro or con and ask questions about our application, as well as other applications under consideration that evening. We had to go through this comprehensive proceeding to open a five-room bed and breakfast in a residential neighborhood – but companies proposing to site 40-story turbines in residential neighborhoods are not even required to submit themselves to a public hearing.

In order to ensure that Rock Hall would continue to be maintained regardless of our financial circumstances, we decided to embark on the long and costly process of applying for listing in the National Register of Historic Places. On June 22nd, 2010 after almost two years and a State Historic Preservation Office meeting postponement of 5 months, we were officially listed on the National Register.

For the past two and a half years we have worked virtually 24 hours a day, 7 days a week, during the worst economic climate since the Great Depression, to make Rock Hall a success. Limited by town regulations to a B&B, we have tried to maximize the unique aspects that Rock Hall and its magnificent grounds have to offer as luxury lodging for the high end traveler. We worked with a Connecticut-based consultant who discovered that Colebrook, Norfolk and Winchester are blessed with a surprising number of very accomplished massage therapists, yoga masters, personal trainers, and tennis pros who were eager to expand or supplement their practices in trying economic times and provide their freelance services to growing numbers of Rock Hall guests.

For over 5 years we have opened and shared our historic home with friends, family, neighbors and interested strangers as well as visitors from abroad and all over the U.S. We have donated our home, our time and our resources to help raise money for local causes, such as the United Way, Colebrook's First Responders, and Colebrook's Community Center.

We reached out to and forged relationships with the Mark Twain House in Hartford, whose summer gala we have been asked to host outdoors on our grounds. The Yale School of Music and the Norfolk Chamber Music Festival, Infinity Hall and the Farmer's Market, The Norman Rockwell Museum, The Mount, and Lime Rock Raceway reached out to us to form mutually

beneficial relationships. We are listed as recommended lodging on the web sites of The Hotchkiss School, The Taft School, The Salisbury School, The Berkshire School, The Forman School, and The Westminster School, and have hosted families from all those academic communities. Locally, we are members of and support the Northwest Connecticut Chamber of Commerce, The Litchfield Hills Northwest CT Visitors Bureau (to which Michael is Colebrook's representative), The Berkshire Visitors Bureau, the Association of Litchfield County B&Bs, The Greater Hartford Metro Alliance and the Professional Association of Innkeepers International.

Our hard work paid off immediately. Editors, writers and guests responded to our personal touch and the level of service the two of us offered at Rock Hall in its serene, rural, setting. In our first year of operation in 2009, we were selected for and awarded Editors' Choice by Yankee Magazine as "Best Far From the Madding Crowd" and featured in Connecticut Magazine in a piece by the Managing Editor, Dale Salm, who cited Rock Hall as one of the State's most romantic and luxurious destinations. In 2010 we were chosen as one of five properties by New England Travel Magazine, a publication of Boston Magazine, as Best of New England and last month Out Magazine cited Rock Hall as one of the most luxurious places to have an intimate wedding ceremony. We have been featured in Berkshire Living, NY1, The Joan Hamburg Show/WOR Radio, Daily Candy, The Litchfield County Times, The Republican American, The Winsted Journal, Westchester Magazine, Westport Magazine, Rural Intelligence, Go New England, Luxist, et al. We are currently being considered by Boston Magazine as a New England destination for the most stress-free vacation or get-away and by Frommer's for a new luxury travel book they are in the process of compiling. None of our acknowledgements are "Pay for Play." We have earned every word and every punctuation mark of those accolades.

At Rock Hall we strive to reduce our energy consumption and reduce our carbon footprint. In season we grow almost all of our own fruits and vegetables for our now legendary breakfasts, which Michael begins to prepare every morning at 6am. We encourage guests to conserve water and reuse linens without sacrificing luxury. We are featured in a YouTube video for our "Green Efforts." We support efforts to explore and use renewable, green forms of energy.

What we do not support and what threatens our livelihood and means of support as well as our and our neighbors' properties, homes, safety and health is the potential siting of utility-scale wind turbines within residential areas and in close proximity to historic sites. We urge you to vote in favor of House Bill 6249, which would put a moratorium on the siting of wind turbines until appropriate regulations for siting such projects are adopted. We also ask that the bill require that the Siting Council consider the potential adverse effect of wind turbine projects on historic resources, as is required under Section 106 of the National Historic Preservation Act.

Sincerely,

Michael and Stella Somers
Rock Hall Luxe Lodging

February 3, 2011

Energy and Technology Committee
State of Connecticut Legislative Office Building
Hartford, CT

Re: HR6249

Dear Committee,

I am Victor J. Visockis, Jr. of 73 Grandview Drive, Newington, CT. I am part owner of the family farm at 175/178 New Haven Road, Prospect, CT. which is the site of the two wind generators being proposed by BNE Energy. I wish to express my support for this project.

I am very familiar with the proposed location. Up until the time I left home to enter the US Army I worked with my father operating a dairy farm there. I am proud that this property has been in the family since the 1920's and that 5 generations of our family have lived and work on this land. I have walked the fields and forest of the property herding cows, fixing fences, logging wood and clearing field on an off for most of my life.

When the opportunity arose to turn the dairy farm into a wind farm we were very pleased. We did not want the land turned into a housing development. We wanted as much open space to remain as possible. Some years ago the town of Prospect proposed putting a school on the property: a land use that we also favored. Unfortunately that project was voted down by the town.

The wind farm will preserve a great deal of open space which is becoming a scarce item in Connecticut. The land in question is abutted by water company property on over half its perimeter. The property slopes away from the main road (route 69) and is mostly exposed to the water company water shed property. There are already 2 cell towers and another communication tower on or near the property. The site seems the ideal place for a wind farm.

The alternative use for the land is for housing. A subdivision of 50 or more homes is likely for this property. As a housing development the cost of public services will easily outstrip any tax revenue. The wind farm will generate tax revenue without using public services (schools, roads, fire, police, social service, etc.). And, of course, once the land becomes a housing development, the opportunity for a wind farm will forever be lost.

I have seen the tremendous effort that is required to meet local and state regulations regarding approvals for any kind of land use project. I have been involved with the onerous paperwork, engineering work and bureaucratic procedures required for a cell tower and for a housing development. I am convinced that more regulation is not needed

and that regulation is now at the point of working against the economic and social needs of the citizens of Connecticut.

We need to be less reliant on foreign oil and dirty coal. All decisions involve looking at the alternative. The alternative to wind energy is continued reliance on foreign oil, much of it coming from countries hostile to US interests. Foreign oil reliance inevitably leads to compromising US interests and sometimes war. Another consequence of not moving to clean energy is dirty air coming at us from coal fired electric plants. Wind energy is one way to reduce this dirty air and the environmental destruction that coal involves.

The consequence of over regulation and other forms of bureaucratic obstruction of clean energy generation is increased project costs and, ultimately, lost opportunities. As our state is depleted of open space for clean energy projects, we need to decide what we are FOR and not just what we are against. I am FOR the minimum regulation required. I am FOR preserving open space. I am FOR energy independence and clean air. I am FOR clean energy. Thank you.

Respectfully,



Victor J. Visockis, Jr.

February 3, 2011

Re: House Bill 6249

Dear members of the energy and technology committee:

I am Susan Wagner, from 117 Pinney Street in Colebrook, and am an abutter to the proposed wind turbines on Rock Hall Road ("Colebrook North.")

My husband and I bought 200 acres of Colebrook in the early 90's, attracted by the serene untouched nature here, the opportunity to watch backyard birds, water birds such as the mergansers and herons who visit the pond, the red tailed hawk that lives near-by, the turkey and bear and deer who frequent our area, and to walk in the pristine woods. We wanted also to enjoy a quiet rural life in our retirement.

We designed and built a house with huge windows, to embrace the beauty of the landscape around us. We applied for all the usual permits, and found that Colebrook officials are assiduous in the performance of their duties, making sure that any construction is done correctly. The wetlands were amply marked on the site by tags and black cloth screening and stakes with color coding. Every regulation was followed exactly. An inspector deemed, for instance, that the railing on the steps leading down to the pond was too high, so we were instructed to install another railing about 8 inches below the first.

The P and Z will note and remonstrate any resident who places a garage a foot too close to the road, or for any tiny infringement of the clear regulations they have created. I found it hard to believe, then, that a trio of structures, each taller than any office building in Hartford, could be approved for placement adjacent to my property without any town permission, any discussion, even any notice sent to the abutter. My neighbors and I first heard of the Rock Hall (Colebrook North") wind turbine proposal at the 'informational hearing' on November. We thought we had come to learn about the proposal for Colebrook South, Flagg Hill, so were understandably stunned when announcement was made of additional turbines on the street behind us. Nothing this large, or so potentially deforming of our quiet country life, should be done by stealth, however inadvertent the timing may have been. Surely in a democracy one has the right to descriptions and discussions prior to such a transformative intrusion into the community.

We built this home not only for our own retirement, but as an ingathering place for our family. Our grandchildren come all through the year on vacations, but particularly do they love it in the summer at "granny camp." So the studies of the ill effects from sound and infrasound, while decried by many developers as "fear mongering," are of grave concern to me. As one reads on the internet in the various complaints and studies, the same cluster of symptoms are found across the world, from Australia to America to Europe. Surely there is some ill effect for at least some of the people who live near the turbines. Since the sonic and subsonic rays seem to be most harmful to the elderly such as I, and the young, such as my grandchildren, I believe this subject should be pursued scientifically in the next year or two, before unalterable constructions are built. Constructions which may bring harm. This

is an issue which is being actively studied as well as litigated at the moment. I implore the state of Connecticut to move with caution until more is known.

Within a mile of the 6 proposed turbines are about 100 houses. There is much juggling of opinions and facts, and on the part of developers countrywide a denial that proximity will have any diminishing affect on real estate prices. But the preponderance of studies show that there is indeed a downward pressure on market prices. From a pure common sense point of view, which one of us, if looking for a quiet pristine neighborhood, would choose to purchase a house overshadowed by monstrously large wind turbines? These are three times the height of cell towers, and noisy as well. In our own town already, a previously agreed upon price has been subject to renegotiation downward once the buyer learned of the wind turbine proposal.

According to the online tax database, there is about \$22 million worth of assessed real property within the mile radius of the 6 turbines. Beyond that, there are many many houses which will have the turbines in view, according to the developer. Both of these affects decrease property values, and hence, the tax income to the town. I certainly will not be amenable to paying my current real estate taxes if I find my house and property are much diminished in value. This is, in effect, an act of 'taking' of the town's income. For many of my neighbors, their house is their main, and in many cases, their only significant asset. Decreasing its value is also a form of 'taking.' If the developers are so sure that there will be no ill effect on market value, they may be willing to give what is required in another state, a "guaranteed property value" bond by which homeowners will be compensated for their loss. There is a long record of developers buying up residences close to turbines; that admits that there is lowered worth.

For the fairness and protection of the citizens of Connecticut, it is imperative that these issues be dealt with scientifically, thoroughly, and thoughtfully, before the Siting Council is directed to give permissions.

Susan Wagner, Colebrook, CT

line 20, page 17

Nicholas J Harding, Esq.
Reid and Riege, PC
One Financial Plaza
Hartford, Connecticut 06103

Counsel to FairwindCT, Inc.

Before the Committee on Energy and Technology

Testimony RE: House Bill 6249:

**AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF
WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS**

Madam Chair and Members of the Committee:

My name is Nicholas Harding; I am an attorney admitted to practice in Connecticut, and have practiced law in Connecticut since 1979. I practice law with the law firm of Reid and Riege, PC in Hartford, Connecticut. I currently represent FairwindCT, Inc.

I had the good fortune to start my legal career as a tax lawyer, and spent the first six years of my career as a tax lawyer, and toward the end of that tenure, I spent time working on the syndication of real estate and equipment leasing tax shelters. With the 1986 Tax Reform Act, tax shelters went away, though many of the features of tax shelters have returned in another form. Many of the techniques which encouraged people to do tax motivated transactions in the early 1980s that did not have economic substance have found their way back into the Internal Revenue Code as a means of encouraging the development of alternative sources of energy.

After 1986 I was recycled into environmental law. And since that time I have devoted substantially all of my time dealing with environmental issues.

Over the years I have been involved in the siting of some controversial electric generation projects. These projects raised controversy and opposition from either citizens or from a competing organization such as the Connecticut Resources Recovery Authority. These projects were eventually permitted pursuant to a series of complex regulatory requirements at local, state and federal levels.

These requirements included compliance with:

- Local planning and zoning regulations (and in two cases changing the local planning and zoning regulation to allow the proposed use);
- local inland wetlands regulations;
- a wide array of Connecticut DEP permits including air, water diversion, water discharge, solid waste, etc.;

- the Connecticut Siting Council certificate of public need and environmental compatibility process; and
- US Army Corps of Engineers wetland permitting.

Each of the projects was much the better for having to comply with state and local regulations. Without having to comply with the local regulatory requirements, each of the towns would have been stuck with a project that was designed only by the developer.

Each project was much the better for having to comply with an array of state and federal regulations as well. Without regulation at the state level development would have only been driven by the incentive to keep costs at the lowest possible level, regardless of the consequences. Regulation at the state level provided the developers and their engineering teams with an understanding of the minimum requirements expected by the Connecticut state agencies.

Wind energy played a very important role in the early history of Connecticut. Wind energy was displaced by more reliable forms of energy in the 20th century and wind became a recreational form of energy, used principally by sailors and some glider pilots. In the course of the 20th century elaborate regulatory schemes were put in place to protect the people, towns and natural resources of the state from the newly developed forms of energy.

With the return of wind as an industrial energy source it is important to protect the interests of the people, towns and natural resources of the state from the inappropriate redevelopment of wind resources as a form of energy. Renewable energy projects should not be allowed to become the 21st century version of the 20th century abusive real estate or equipment leasing tax shelter. If wind turbines that are approximately as tall as City Place are to be perched on hilltops in the northwest corner of the state, and perhaps some day, on ridgelines like Avon Mountain, they should be sited on some basis that is subject to review such that the interests of local towns, residents and the natural resources of the state are all protected. No form of energy should be sited without thought to consequence. No form of energy should be sited without regard to other values that have been long treasured by the citizens of the State of Connecticut, including the values of home rule and the protection of the natural resources.

With the advance of distributed generation this body chose to allow many projects to go forward by declaratory ruling before the Connecticut Siting Council. Distributed generation and cogeneration projects were ancillary to another use which had already been approved by local land-use regulatory bodies. The addition of a generator or turbine at a factory that was already producing steam for industrial uses, at certain sizes did not need the full certificate of need process for siting. Land-use decision had already been made with the siting of the original factory. The addition of a cogeneration turbine to capture waste steam made sense. The conversion of this declaratory ruling process for other purposes, such as the siting of wind turbines, without a regulatory scheme to protect the interests of the local citizenry, town or the natural resources of the state should be clarified by the adoption of HB 6249.

We all are fans of energy and look forward to the development of reliable clean energy sources. These need to be developed in a thoughtful manner and not without regard to local concerns.

Respectfully submitted,

Nicholas J. Harding

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENERGY AND
TECHNOLOGY
PART 2
335 - 644**

2011

Testimony of Paul Vallillo before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Paul R. Vallillo and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I have lived in Prospect since 1994. I have watched Prospect grow as more and more folks moved into town. Along with this growth have come growing pains. Some schools have become obsolete and overcrowded. We now have 4 traffic lights – there were only two when I moved in, the result of increased traffic.

When I learned about the wind project back in 2006 I was very excited. Here was an opportunity for Prospect to accomplish several beneficial goals: a. increase tax revenue to the town; b. develop a large site in a way that minimally impacts the environment; and c. start us on the road to renewable energy with Prospect leading the way.

From the time that BNE Energy, Inc. (“BNE”) received approval from Planning and Zoning for approval of the meteorological tower in October, 2008 up until BNE’s informational session at the Firehouse in October, 2010, there was nothing but positive feedback from town officials and fellow residents.

BNE has followed the rules prescribed by the legislature, submitting its petition to the Siting Council. This is the process that has been developed after due consideration of many legislators for several years and many sessions. This Committee, more than any, has been responsible for encouraging the development of green energy in Connecticut, knowing all along the potential impacts that development proposals may raise.

I implore this Committee to reject proposed HB6249. This bill is a knee-jerk reaction to a few people who seek to derail wind development based upon NIMBY-ism. The stated urgent energy needs of the entire state should not be held hostage by a few folks. I urge you to do the right thing. Changing the rules in mid-stream is not good for Connecticut energy policy and it will have a chilling effect upon current and future renewable energy investment in Connecticut.

line 6, page 18

Testimony of Dan Barnhart before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Dan Barnhart and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I am a small business owner and licensed general contractor in the state of Connecticut.

In my lifetime, I have witnessed our state go from one of our nations most vibrant and prosperous economies to one of, if not the worst economy. Connecticut used to be full of creative people that did things and made things. We sent things to every corner of the globe. Now the government seems to be inhibiting progress and growth at every turn. With so many industries leaving our state, we should welcome an industry that wants to bring a 25-30 million dollar project to our area. Especially one that will provide a viable renewable energy source.

Our current dependence on foreign oil is a threat to our national security and it actually forces us to commit the lives of our youth to dangerous areas of the world to secure that oil supply. Also, the environmental impact of the continued burning of fossil fuels at the current rate is unimaginable. Wind power is one of the solutions and Connecticut could be at the forefront of this technology in New England. As you know, by 2010 the state's "renewable portfolio standards" requirements will increase to 27% - How are we going to achieve that goal? The proposed projects in Colebrook and Prospect are a great step in the right direction. They will produce 100% clean, green, renewable electricity with zero emissions and no water consumption. The Colebrook project alone will produce more than twice the annual residential electric needs of the town and generate approximately \$430,000.00 in greatly needed tax revenue for the town.

In addition, let's not forget the great opportunity this could provide for schools throughout our state to help inspire our children in the areas of math and science. In partnership with these industries, they would be able to explore "green" energy technology first hand, right in their own backyard and get excited about a sustainable future!

Washington claims to agree that we need alternative energy sources. We can't do that with more government regulation. I urge you to drop this bill and get out of the way of the technology we need. Thank you.

Daniel Barnhart
Barnhart & Barnhart General Contracting
6 Allen Place
Collinsville, CT 06019
860-693-1231

line 12, page 18

Testimony of James Zupkus before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is James A. Zupkus and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I would like to express to you my disappointment at the opposition to the proposed wind project to Prospect. I would like to relate to you a similar experience I had while installing a Doppler Weather RADAR for the Unisys Corporation. I served as Engineer in Charge in over thirteen of these RADARs and installed over twenty two RADARs across the country. This new technology brought the average tornado warning time from four minutes after the tornado touched down to twenty minutes *before* the tornado touched down. The RADAR was greeted in most states by Boy Scout troops and school day trips. However, when one was proposed on a mountain across from actor Larry Hagman's mansion in the Los Angeles area, a similar opposition as that started in Prospect was sprouted by local residents.

The oppositions data in California was extracted from suspect sources, taken out of context and exaggerated in a way that would make Michael Moore proud. I see the same here in Prospect and am disappointed. I see children, seniors, veterans and even a foster child scared into the belief that all they hold sacred will be lost. I saw an opponent say on TV that he had found a report that said you can hear the turbines up to a mile away. I know you can find anything you want on the internet and as a lark I Googled, "wind turbine UFO". Sure enough there on the front page of a newspaper was an article stating a wind turbine had been struck by a UFO. The opposition in California caused an unnecessary delay just this moratorium would cause. I strongly believe that in Prospect, as in California, the real issue is the fear of decreased property values. Numerous reports show this is not the case anywhere in the country.

I urge the committee not to further delay the wind project in Prospect or anywhere else in Connecticut by this moratorium. These projects create jobs, put money into our local economy and contribute to the tax bases in the towns where they installed. In these difficult economic times and an unstable Middle East I think we need to go forward with green energy projects such as these wind projects. We currently fight wars over oil. I read a few days ago, we give 1.5 billion dollars to Egypt to keep the Suez Canal open. I believe it would be irresponsible to both the local communities, the State of Connecticut and the country not to exhibit leadership and let the Siting Council do it's job.

Thank You,
James Zupkus

Testimony of Michael Simaitis before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Mike Simaitis and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I live in the northwest corner of Connecticut where there are abundant wind resources and open space to support clean green wind energy today. I see that there is renewable wind energy deployed in all New England states except for Connecticut. Now is the time to support a renewable investment in our state and in our towns, creating jobs and economic development and most importantly, strengthening our local tax base.

I oppose this bill and the concept of a moratorium because it changes the rules and it will essentially kill the development of wind energy in Connecticut. It also sends the message to anyone considering doing business in Connecticut they are not welcome because the rules will be changed without warning.

Legislators on this Committee I ask you to do what is right – vote against HB6249 and support wind energy in Connecticut today.

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Testimony of Paul J. Corey on behalf of BNE Energy Inc.
before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium
on the Siting of Wind Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Paul Corey and I am submitting this testimony on behalf of BNE Energy Inc. in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

BNE Energy (BNE) is wind developer based in West Hartford, CT. We currently have two commercial wind projects under development in the towns of Prospect and Colebrook, totaling 12.8 megawatts (MW) of clean renewable energy in our state. To put that in perspective, Wind Prospect will supply 25% of the annual energy usage of the Town of Prospect from just 2 wind turbines. Wind Colebrook will supply more than 400% of the annual energy usage of the Town of Colebrook from 6 wind turbines. These renewable projects represent a significant investment in the communities. Overnight BNE will become the largest taxpayers in both towns, and will become nearly 10% of the Town of Colebrook's budget. In addition, these green investments will create green jobs, foster economic development and help the state meet the mandated goals of 27% renewable energy by 2020. While these wind projects may be the first commercial wind projects in the state, they certainly will not be the last unless, however, additional regulations and a moratorium on the wind industry are adopted. Additional regulations and a moratorium on clean energy is bad public policy. It is the wrong approach for this state which has been a leader in promoting green energy. Additional regulations and a moratorium on wind would deal a crushing blow to the emerging wind industry in Connecticut and will stifle investment in wind energy for many, many years to come. In fact, if a moratorium is imposed by the Connecticut legislature, you can be assured that the wind industry in the state will be devastated and likely never recover.

However, if the legislature continues to promote renewable energy sources such as wind, solar, biomass, fuel cells and other green energies as it has done for so many years, then Connecticut will have a bright future and new clean-tech industries will emerge bringing with them renewable energy, a cleaner environment, green jobs, economic development and much needed tax revenue to the state and to local communities. Wind energy is the fastest growing sector in the energy industry and it is the leading source of renewable energy in the United States. Today, wind energy is being embraced by states and local communities throughout New England and being built near schools, churches and homes. I encourage you to look at the attachments to this testimony to see wind working in communities throughout New England. Connecticut is the only state without commercial wind, but we have an opportunity to change that. Wind energy has the capability to become the leading source of renewable energy in the state. There are many sites across the state conducive to wind generation. In fact, BNE has several other projects currently under development in the state, and many developers are waiting in the background for the right opportunity to invest in the state. They are waiting for the first commercial wind projects in the state to be approved so they can have some assurance that future investments in clean energy will not be met with additional regulations or a moratorium. One thing is certain, a moratorium on wind will kill any future investment in the wind industry in Connecticut.

Testimony of Paul J. Corey on behalf of BNE Energy Inc.
before the Energy and Technology Committee
On proposed *House Bill 6249 An Act Establishing a Moratorium
on the Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

BNE has spent more than 4 years developing Wind Prospect and Wind Colebrook, more than 2 years measuring the wind resources on the sites, and more than 1 year conducting the studies and reports needed to *begin* the process before the Connecticut Siting Council (Council). We have conducted virtually every study possible for commercial wind anywhere throughout New England. In fact, we have conducted every study listed in H.B. 6249 and then some. BNE has conducted a detailed analysis of proper setbacks including considerations of tower height and distance from neighboring properties. BNE worked closely with GE Energy for many months to identify the optimal locations of the wind turbines on the sites to maximize renewable electricity production while minimizing environmental impacts, including wetland impacts and ensuring proper setbacks. We have conducted numerous studies on both sites over a period of more than a year including bird, bat and wildlife studies, sound and visual simulations, wetland impacts, storm water management plans, shadow flicker analysis, ice throw analysis, mechanical loads analysis, site design and turbine layout including proper setbacks, and interconnection studies. BNE is also proposing to install GE turbines on the sites. GE is a Connecticut based company with more than 14,000 turbines in operation worldwide that operate safely and reliably. The proposed unit is one of the world's most widely-used wind turbines in its class with operation in 19 countries, 170+ million operating hours and 100,000+ gigawatt-hours (GWh) produced. It should be noted that the Connecticut Clean Energy Fund (CCEF) has been instrumental in the development of these projects. The financial assistance of CCEF providing \$1,000,000 of funding for the projects in the form of unsecured loans through its Pre-Development Program has been critically important and must be recognized.

These extensive studies are only the beginning of the process. We have met with and informed the local communities of the projects from their inception providing them with regular updates. In fact, BNE was required to obtain local approvals from both towns more than 2 years ago prior to installing a meteorological (Met) tower on the sites to measure wind resources and prove that the projects are viable. Prior to making our filing with the Council, BNE made informational filings with both towns, and we held informational meetings in the communities to properly inform the public, answer any questions, and to make them aware of the approval process. BNE filed its Petitions with the Council on November 17, 2010, for Prospect and about a month later for Colebrook. As you know, wind energy projects over 1 megawatt are regulated by the Council, which is responsible for the siting of energy and telecommunications facilities in the state. The Council is an expert agency with broad authority and with representatives from the Department of Public Utility Control, Environmental Protection Agency and other appointed officials from the Governor and from the Legislature representing the interests of the state. In addition, the Council has hired an expert consultant to assist them with the review of the wind projects and other renewable projects. The Council regulates nuclear, coal and natural gas plants, sub-stations, transmission lines and cell towers, but in a similar manner to wind the Council does not have "specific" regulations for any of these facilities. Also, most of these electric projects affect many more residences and have much greater impacts to people who live near them than wind (for example, transmission lines make noise, affect property values, are unsightly and are built near homes all over the state).

Testimony of Paul J. Corey on behalf of BNE Energy Inc.
before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium
on the Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

The administrative proceeding before the Council is extensive and will take approximately six months for each project. The Council is in the process of evaluating BNE's filings for Prospect and Colebrook, and has scheduled multiple hearings in each of the towns. In addition, local officials and opponents to the projects, have intervened and will have every opportunity to fully participate in the proceedings raising issues, presenting testimony and critiquing the proposals. In addition to the extensive list of studies already filed, there will be hundreds of interrogatories, pre-filed testimony, numerous hearings, briefs, draft decisions, written exceptions, oral argument and only then, final decisions. This is exactly the type of regulatory process that is appropriate for the siting of electric energy facilities. We don't need more regulations in addition to all of these requirements and we certainly don't need a moratorium. To the contrary, we need to let the informed process work, and let the Council do their job.

The Council will be reviewing all of the issues contemplated in the Moratorium bill including, but not limited to: safety, visual impacts, proper setbacks, ice throw, sound, shadow flicker, wetland impacts, storm water run-off, interconnection plans, site design, and the impact on birds, bats and wildlife. The Council's decisions on BNE's current projects will set precedent for future wind projects in a similar manner to regulations. BNE believes that we have set the standard for all future commercial wind projects in the state by conducting all of the appropriate studies for wind energy, spending extensive time and resources to design the projects to minimize any potential impacts, and by informing the community, not only because it was the right thing to do, but also because it is required by current law and regulations.

Now is not the time to impose additional regulations specific to wind, or to impose a moratorium on the leading source of renewable energy in the United States. We need clean energy in the state, and we need it now. The Moratorium bill is bad public policy for all of these reasons:

- The proposed moratorium is in direct contradiction to the Energy Independence Act of 2005 - which promotes renewable energy and passed unanimously;
- The proposed moratorium is in direct contradiction to state-mandated RPS standards and goals; and
- The proposed moratorium is in direct contradiction with the UAPA - state law requiring the Council to render a decision on the pending petitions within 180 days.

The moratorium should and must be rejected. Contrary to the assertions of some opponents attempting to kill wind in Connecticut, wind turbines are extremely safe, reliable and have minimal impacts. Wind turbines are not evil, they are not giant monsters invading our homes and ruining our way of life. Rather, wind turbines are a clean source of renewable energy that produces a significant amount of electricity from the wind. Wind energy is good for the environment, creates jobs, stimulates the local economy, and produces a significant amount of tax revenue. Wind turbines are extremely safe, reliable and have minimal impacts. This is evidenced by the fact that wind is the fastest growing sector in the energy industry and that wind

Testimony of Paul J. Corey on behalf of BNE Energy Inc.
before the Energy and Technology Committee
On proposed *House Bill 6249 An Act Establishing a Moratorium
on the Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

turbine are being built in communities across America and throughout New England near schools, churches, businesses, homes and cities. People who oppose wind projects understand this too. So what do you do when you don't have the facts on your side, you propose additional regulations and a moratorium to kill wind projects in the state.

BNE understands the legitimate concerns of local residents and we believe that we have appropriately addressed them. One of the most important issues in developing an energy project, including wind, is finding the right site. BNE spent more than a year identifying proper sites for our projects and we believe that Wind Prospect and Wind Colebrook are excellent locations for the first commercial wind farms in Connecticut.

The opposition claims that they support wind energy, that they believe in renewable energy in the state, but that wind turbines don't belong in residential neighborhoods. While this thinly veiled argument may have some appeal, BNE's projects are appropriately sited. For example, the location of the two wind turbines proposed by BNE in Prospect will be in the middle of 68 acres, adjacent to more than 1,000 acres of water company land that will never be developed. While there are a few homes near the project, BNE has provided for appropriate setbacks from residential properties to ensure safe and reliable operations. It is also important that the turbine locations are close to the grid to minimize interconnection costs which can be substantial, and to also minimize environmental impacts in connecting to the grid. In addition, the site is located in a mixed use area of residential, commercial and industrial businesses located on Route 69 which is the main road in Prospect. Next to the homes near the site is a used car dealership, a commercial office building, 3 cell towers and the U.S. Cap and Jacket brownfield consisting of a 5.1-acre parcel of industrially-zoned land that is contaminated. We believe the wind turbines will truly enhance the neighborhood while at the same time making Prospect greener. Similarly, Wind Colebrook is located on over 200 acres of uninhabited land next to conservation property and a gun club in a mixed use area along busy Route 44. BNE has not ignored the concerns of local residents, we have addressed them and so too will the Council during its review process.

The Connecticut legislature has been a leader in the country in promoting renewable energy. It has encouraged the development of renewable projects and has set high standards and mandates that 20% of our electricity supply come from Class I sources like wind and solar by 2020. BNE Energy completely supports the renewable portfolio standards established by the state, but also believes that we need renewable energy projects built in Connecticut producing green energy, creating jobs, and contributing to the tax base of the local communities.

The state has an opportunity to embrace wind energy. Now is not the time for more regulations or a moratorium that will crush the emerging wind industry in the state by imposing delays and making it impossible to bring federal incentives to Connecticut. While the federal government and states throughout New England are encouraging and promoting clean energy, Connecticut should not reverse course from its wise policies implanted for more than a decade promoting renewable energy. All forms of clean energy, including wind energy, should be promoted. We need clean renewable energy now, and we need it for the future of generations to come.

Testimony of Paul J. Corey on behalf of BNE Energy Inc.
before the Energy and Technology Committee
On proposed *House Bill 6249 An Act Establishing a Moratorium
on the Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011.

BNE Energy strongly urges the rejection of H.B. 6249.

Thank You,

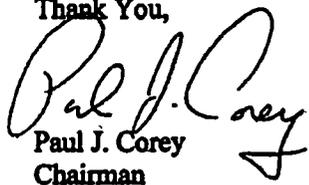

Paul J. Corey
Chairman

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VIEW	DESCRIPTION	CITY/TOWN	ORIENTATION	DISTANCE TO SITE AREA	VISIBILITY
1	GEORGE STREET AT ROUTE 69 (8mm focal length)	PROSPECT	NORTHWEST	0.25 MILE +/-	YEAR-ROUND



8mm focal length

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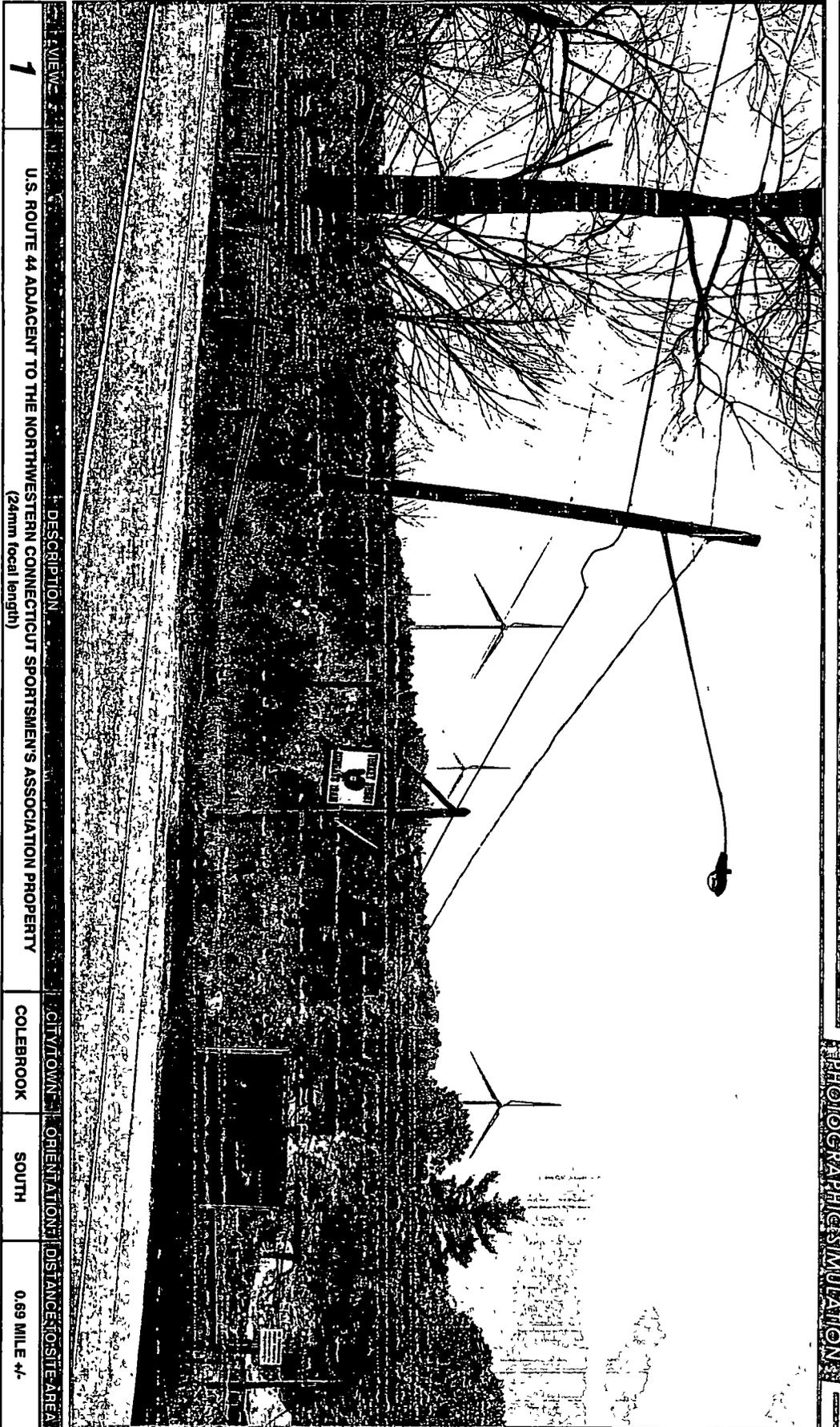
VIEW	DESCRIPTION	CITY/TOWN	ORIENTATION	DISTANCE TO SITE AREA	VISIBILITY
3	ADJACENT TO #4 SMOKERISE CIRCLE (50mm focal length)	PROSPECT	SOUTHEAST	3.20 MILES +/-	YEAR-ROUND



PHOTOGRAPHIC SIMULATION

1104

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PHOTOGRAPHIC SIMULATION

VIEW	DESCRIPTION	CITY/TOWN	ORIENTATION	DISTANCE TO SITE AREA
1	U.S. ROUTE 44 ADJACENT TO THE NORTHWESTERN CONNECTICUT SPORTSMEN'S ASSOCIATION PROPERTY (24mm focal length)	COLEBROOK	SOUTH	0.69 MILE +/-



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Written Testimony of Christopher Phelps, Program Director
Before the Connecticut General Assembly Energy and Technology Committee

February 3, 2011

Written testimony concerning HB 6249, An Act Establishing A Moratorium On The Siting Of
Wind Projects Until The Adoption Of Regulations

Representative Nardello, Senator Fonfara, Representative Hoydick, Senator Witkos, and
members of the Committee:

Thank you for the opportunity to offer this testimony concerning Raised House Bill 6249.
Environment Connecticut is a member-supported non-profit environmental advocacy
organization. Although we agree with the need for ensuring that wind energy projects are sited
pursuant to clear, predictable standards based upon best practices for such projects, we oppose
this bill in its current form due to the potential for the proposed moratorium to kill currently
proposed projects and prevent potential developers from pursuing additional wind energy projects
in Connecticut now or in the near future.

Development of new renewable energy generation resources in Connecticut, such as wind power,
is an important part of our state's efforts to cut pollution, including pollution reductions mandated
under the CT Global Warming Security Act and the Regional Greenhouse Gas Initiative.
Additionally, development of such projects has real near-term job creating benefits in
Connecticut communities.

In short, we strongly urge the committee not to enact a moratorium on wind projects as Section 2
of HB 6249 proposes. It is our view that the existing Connecticut Siting Council process for
evaluating such projects can, and should, lead to the establishment of prudent standards
governing siting of wind turbines. To the extent that a legislative "backstop" to enactment of such
standards would be useful, we urge the legislature to work with interested stakeholders to craft a
bill that accomplishes that task without resorting to the extreme of a moratorium on wind power
development in Connecticut.

Regarding the specific sections of the bill:

Section 1 appears to require that wind siting standards adopted by the Siting Council
must regulate a number of specific issues, such as "flicker," even if such issues are not
best addressed through rigid regulatory standards. Similarly, this section appears to
mandate that separate regulations be adopted for wind turbines of different sizes.
Although it could be that there should be different standards for large utility scale
turbines versus small turbines, the language of the bill could be interpreted as requiring
separate standards for similarly sizes of utility scale turbines. – These comments could be
addressed simply by "tweaking" the language of Section 1 to clarify that such issues
should be *considered* when adopting siting standards, but without mandating specific

regulations governing each and every one of these issues if doing so is in fact not the best method of addressing such issues.

We oppose the proposed moratorium on wind power projects contained in Section 2 for the reasons cited earlier. It is our view that a moratorium is unnecessary at this time to achieve the goals of Section 1 of this bill. Additionally as the committee is aware, there are wind power projects currently before the siting council and a moratorium could have the effect of killing such projects and preventing the council from continuing, through its existing process and procedures, to establish prudent siting standards for these and future wind power projects in Connecticut. Finally, such a moratorium could also have the unintended consequence of signaling to developers considering other projects here that our state is not a friendly place for them to do business.

In conclusion, while we agree with the goal of ensuring that wind power projects in Connecticut are developed pursuant to standards and guidelines based on best practices incorporating experience of other states and jurisdictions, as well as ensuring local municipalities and residents have a legitimate voice in the process, we do not believe this bill in its current form the best way to achieve that goal. Environment Connecticut urges the committee not to enact a moratorium on wind power projects. Rather, we urge you to allow the existing siting council process to continue and, to the extent legislation is needed, to focus on working with all interested stakeholders to ensure that prudent siting standards are implemented without risking the unintended consequence of stopping developers from proceeding with wind power development in Connecticut now or in the future.

Thank you for the opportunity to offer this testimony concerning Raised House Bill 6249 on behalf of our statewide membership.

Sincerely,

Christopher Phelps
Program Director
Environment Connecticut

February 3, 2011

Jeffrey J. Tinley, Esq.
Tinley, Nastro, Renehan & Dost, LLP
60 North Main Street
Waterbury, Connecticut 06702
Counsel to Save Prospect Corp

Testimony RE: HOUSE BILL 6249:

**AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF
WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS**

Madam Chairman and Members of the Energy Committee:

My name is Jeffrey J. Tinley. I practice law with the firm of Tinley, Nastro, Renehan & Dost, LLP in Waterbury, CT. We are counsel to Save Prospect Corp.

I would like to address the Committee on the subject of turbine safety and setbacks. Turbine manufacturers as well as the scientific community have recognized that industrial wind turbines must be sited with extreme care to protect the public from the risks associated with ice throw, blade breakage and blade throw.

For example, while turbine manufacturer GE recommends "[l]ocating turbines a safe distance from any occupied structure, road, or public use area," GE and others recognize that there is no clear formula to determine a "safe" distance and that "actual distance is dependent upon turbine dimensions, rotational speed and many other potential factors."¹

Similarly a white paper prepared by a team of physicists from the University of California, Davis,² surveyed the existing literature addressing blade throw risks and reached the following conclusions:

- "None of the analyses have been validated with actual failures."
- "The literature . . . does not offer any guidance for applying setback distances that would be used for wind energy planning."

Dr. Terry Matilsky, Professor of Physics and Astronomy at Rutgers University, has concluded that a setback distance of 1.5 times blade height – a rule of thumb often cited by

¹ Wahl and Giguere, "Ice Shedding and ICE Throw – Risk and Mitigation," GE Energy, Greenville, SC.

² Larwood, "Permitting Setbacks for Wind Turbines in California and the Blade Throw Hazard," California Wind Energy Collaborative, University of California, Davis (June 16, 1995)

developers of wind farms – appears to have been “just pulled out of a hat.” He notes that as the problem has been studied with more care, the suggested setback distances have increased significantly. Professor Matilsky has calculated the potential range of a blade fragment throw at 1680 feet.³

You have already heard that numerous homes, businesses, and State Route 69 are well within this distance of the proposed wind turbine site in Prospect. Thus, safe setback distance is a subject that most definitely requires further careful study and regulation to protect public health and safety.

As Professor Matilsky states, “there are some problems with wind turbines that have unavoidable consequences.” But, the risk of injury associated with blade throw can be eliminated “if you just adopt a conservative value for your setbacks.” This basic wisdom is echoed in one of the early papers on the subject of ice throw, which concluded:

*Each incident or accident caused by ice throw is an unnecessary event and will decrease the public acceptance of wind energy.*⁴

Government has no higher duty than to protect the health and safety of its citizens. Regulations incorporating responsible setback requirements adopted after careful study will both protect public health and safety and promote public acceptance of wind energy.

³ Matilsky paper available at: <http://xray.rutgers.edu/~matilsky/windmills/throw.html>

⁴ Seifert, *et al.*, “Risk Analysis of Ice Throw from Wind Turbines” (Paper presented at BOREAS 6, April 9 to 11, 2003, Pyha, Finland) (Emphasis added).

line 17, page 24

Annette Smith, Vermonters for a Clean Environment, Connecticut Committee on Energy and Technology, 2/3/11

My name is Annette Smith. I am Executive Director of Vermonters for a Clean Environment. Thank you for hearing my testimony today.

VCE is a statewide non-profit that works with citizens to provide facts and information so people can make informed decisions and participate in regulatory processes.

I have spent two years researching the complex issues surrounding wind energy development. If I had any bias when I began this investigation, it was in favor of wind energy. I made fourteen visits to wind turbine projects in the region¹ and all the major proposed sites in Vermont.² I talked to people who live around existing, proposed or approved wind projects.³

I am here to share with you what we have learned, and what Vermont's experience has been as big wind projects have made their way through the regulatory process.

Vermont's Public Service Board has issued Certificates of Public Good for three big wind projects so far. A fourth begins technical hearings today. Of the three approved projects, two still have outstanding unresolved issues while one project has begun construction.⁴ About a dozen other proposals have been floated by developers. Vermont has one existing wind project in Searsburg, which has eleven .5 (half) MW turbines less than 200 feet tall, with no lights.

Vermont's legislature has not enacted any special legislation or rules regarding wind turbine siting. Siting and setback legislation was introduced last year but not taken up by committees of jurisdiction, which unfortunately are choosing to let the PSB rule on the issues on a case by case basis. I commend you for holding this hearing today to evaluate how to provide guidance to the Siting Council and establish rules for this new technology because, in my opinion and experience, the way Vermont is doing it is not working.

My written testimony lists the issues associated with building big wind turbines, with references to testimony, raw data, newspaper and magazine articles, and other sources that document what is happening worldwide with this technology.

The top two problems we find are 1) the way wind development divides communities and creates conflict and 2) wind turbines' unique noise profile that sickens people and causes some to flee their homes. Wind developers deny the problem and governments have not set adequate standards. These noisy, huge machines dominate the landscape and create sacrifice zones that reduce property values. They collapse, throw ice and blades, catch fire, create hazards for air traffic, kill birds and bats, fragment critical wildlife habitat, and have technical problems that require frequent maintenance. Utility scale wind turbines harm people, communities, and the natural environment.

Regulatory processes are grossly imbalanced, creating enormous financial burdens for communities and project neighbors, with inadequate time to develop expert witness testimony to represent their interests. Regulators are relying on expert witnesses working almost exclusively

Annette Smith, Vermonters for a Clean Environment, Connecticut Committee on Energy and Technology, 2/3/11

for wind developers. Whatever standards you put into place must address these impacts and process-related issues.

I would be glad to answer questions about any of the specific issues identified. Thank you for this opportunity.

Communities Divided⁵

Promise of money to landowners and towns, no compensation for neighboring landowners or neighboring towns⁶

Noise and Health

Canadian Survey⁷ -- raw data showing distances from turbines
 Canadian Health Study⁸
 Canadian Litigation & Ontario Environmental Tribunal⁹
 Danish Rule Limiting Wind Turbine Noise¹⁰
 Australian/New Zealand Investigation¹¹
 Australian Litigation¹²
 Ken Kaliski testimony¹³ -- noise expert working for Vermont wind developers
 Rick James testimony¹⁴ -- noise expert working for opponents nationally
 Vermont Dept. of Health testimony¹⁵
 Dr. Lovko testimony¹⁶ -- rebuttal of Vermont Dept. of Health testimony
 Dr. Sarah Laurie¹⁷ -- Australian Doctor
 Dr. Christopher Hanning¹⁸ -- British Doctor
 Dr. Michael Nissenbaum¹⁹ -- Maine Doctor
 Hard lessons from the Fox Islands Wind Project, Vinalhaven²⁰ -- Maine Citizen
 Ohio, Too Close to Homes²¹ -- Ohio Citizen

Aesthetics

Wind Turbines are now Huge
 Landscape-dominating²²
 Night lighting²³
 Shadow Flicker²⁴

Property Values

McCann²⁵ -- says property values decline
 Hoen²⁶ -- says property values do not decline
 Buying Out²⁷ -- with gag orders
 Property Value Guarantee²⁸ -- wind developers refuse
 Historic Properties²⁹ -- an issue in Rhode Island

Safety -- ice throw, blade throw, fire, collapse³⁰ -- raw data showing distances

Economic Impacts³¹ -- tourism, recreation, second homes, businesses

Annette Smith, Vermonters for a Clean Environment, Connecticut Committee on Energy and Technology, 2/3/11

Air Space Hazards

Met towers³² -- pilot killed
Airports³³ -- turbines create hazards
Gliders and Hang Gliders

Environmental Impacts

Wetlands
Streams, Stormwater/Sedimentation³⁴
Blasting/Explosives³⁵
Trucking -- thousands and thousands of truckloads
Aggregate
Concrete
Rebar
Roads necessary for 200,000 pound components³⁶

Wildlife

Bats³⁷ -- turbines kill bats, lungs explode
Wetlands and Bats³⁸
Birds³⁹ -- turbines kill birds
Habitat Fragmentation and Natural Communities⁴⁰ -- road building impacts

Operations and Maintenance Costs

Gearboxes failures⁴¹
Blade failures, Warranties for blades
Warranties expiring⁴²
Concrete base failures⁴³

Reliance on Expert Witnesses -- the usual suspects, for example Stantec⁴⁴

Public Process Expensive and Imbalanced

Alternatives: Intervenor Funding⁴⁵
or Collaborative Stakeholder Process for choosing experts⁴⁶

Helter Skelter Development Absent a State Plan

Financial Fundamentals Lacking

LLCs -- for example First Wind's 144 LLCs⁴⁷
Iberdrola (Spain), Enel (Italy), GMP (Gaz Metro, Canada), speculators

Decommissioning -- Inadequate restoration plans

Need for Independent Studies on Energy and Emissions⁴⁸

Annette Smith, *Vermonters for a Clean Environment, Connecticut Committee on Energy and Technology, 2/3/11*

¹ Searsburg VT (20; Cohocton (2), Maple Ridge (2), Hardscrabble NY (2); Lempster NH(1); Locust Ridge (3), Bear Creek PA (1)

² http://www.vce.org/VCEEndofYear2010_3456sm.pdf

³ Londonderry, Sheffield, Lowell, Readsboro, Manchester, Ira, Hubbardton, Milton, Eden, East Haven Waitsfield in VT, Lempster in NH, Locust Ridge in PA, Cohocton in NY.

⁴ Georgia Mountain/Setbacks, Deerfield/USFS Permit, Sheffield/First Wind

⁵ http://www.vpr.net/news_detail/89909/
<http://www.burlingtonfreepress.com/article/20110130/NEWS02/110129009/1007/Lowell-Mountain-wind-project-opponents-carry-on-despite-setbacks>

⁶ <http://technorati.com/lifestyle/green/article/breaking-news-neighbors-come-to-neighbor/>

⁷ http://windvigilance.com/downloads/symposium2010/swv_symposium_poster_windvoice.pdf

⁸ <http://topnews.us/content/231125-canadian-officer-studying-health-effects-wind-turbine>

⁹ <http://www.ottawacitizen.com/health/Court+challenge+threatens+Ontario+wind+energy+plans/4152749/story.html#ixzz1ByneuU00>
<http://www.owensoundsuntimes.com/ArticleDisplay.aspx?e=2952501>

¹⁰ http://www.publics.bg/en/news/3588/Denmark_Sets_Limits_for_Wind_Turbine_Noise.html

¹¹ http://www.aph.gov.au/Senate/committee/clac_ctte/impact_rural_wind_farms/index.htm

¹² http://www.adelaidenow.com.au/business/sa-business-journal/wind-farm-fight-heads-to-supreme-court-as-community-opposition-grows/story-e6fredel-1225996349402?from=public_rss

¹³ <http://www.kingdomcommunitywind.com/permitting/gmp-witness-kenneth-h-kaliski/>

¹⁴ <http://www.kingdomcommunitywind.com/permitting/town-of-albany-richard-james/>

¹⁵ <http://www.kingdomcommunitywind.com/permitting/dps-william-irwin/>

¹⁶ http://energizevermont.org/wp-content/uploads/2010/11/2010-11-22_Lovko_Rebuttal_TestimonyDocket7628.pdf

¹⁷ <http://www.thecourier.com.au/news/local/news/general/windfarm-health-fears-grow/2014133.aspx?src=rss>

¹⁸ <http://windvigilance.com/downloads/symposium2010/Wind%20turbine%20noise%20sleep%20and%20health%20November%202010.pdf>

¹⁹ <http://vimeo.com/11577982>

²⁰ <http://www.workingwaterfront.com/online-exclusives/Opinion/13571/>

²¹ http://www.dailystandard.com/archive/story_single.php?rec_id=14011

²² <http://www.kingdomcommunitywind.com/permitting/town-of-craftsbury-gail-henderson-king/>

²³ <http://www.kingdomcommunitywind.com/permitting/gmc-jean-e-vissering/>

²⁴ <http://www.cbc.ca/canada/prince-edward-island/story/2011/01/21/pe-turbine-flicker-complaint.html>

Annette Smith, *Vermonters for a Clean Environment, Connecticut Committee on Energy and Technology, 2/3/11*

- ²⁵ <http://www.windturbinesyndrome.com/news/wp-content/uploads/2010/09/McCann-appraisal-6-8-10.pdf>
- ²⁶ <http://www.allvoices.com/s/event-8031983/aHR0cDovL3d3dy5uaHNlYy5uaC5nb3YvMjAxMC0wMS9pbmRleC5odG0=>
- ²⁷ <http://www.thecourier.com.au/news/local/news/general/waubra-wind-farm-buys-more-properties/2000865.aspx>
- ²⁸ <http://www.watertowndailytimes.com/article/20101213/NEWS05/312139985>
<http://www.windaction.org/documents/30293>
- ²⁹ <http://www.windaction.org/news/29720>
- ³⁰ <http://www.caithnesswindfarms.co.uk/fullaccidents.pdf>
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<http://www.ngnews.ca/News/Local/2011-01-31/article-2187158/Electrical-problem-expected-as-cause-in-windmill-fire/1>
- ³¹ http://www.vpr.net/news_detail/88795/
- ³² http://www.mercurynews.com/breaking-news/ci_17132945?nclick_check=1
- ³³ <http://www.watertowndailytimes.com/article/20101007/NEWS03/310079998>
http://www.jamestownpress.com/news/2010-09-16/Front_Page/FAA_rejects_wind_turbine_at_Taylor_Point.html
- ³⁴ <http://energizevermont.org/wp-content/uploads/2010/09/08-252c.SheffieldWind.dec-2.pdf>
- ³⁵ <http://caledonianrecord.com/main.asp?SectionID=180&SubSectionID=778&ArticleID=53195>
- ³⁶ <http://vimeo.com/16284505>
- ³⁷ http://www.bu.edu/cecb/files/2009/08/Horn_et_al_2008.pdf
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<http://www.kingdomcommunitywind.com/permitting/anr-scott-darling/>
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<http://www.telegraph.co.uk/earth/earthnews/8066012/Wind-turbines-should-be-painted-purple-to-deter-bats-scientists-claim.html>
- ³⁸ http://andrew.elmore.cc/pubs/Lookingbill_et_al_2010_BioCon.pdf
- ³⁹ <http://www.thewhig.com/ArticleDisplay.aspx?e=2946372>
<http://www.omaha.com/article/20101230/NEWS01/712309874>
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Annette Smith, Vermonters for a Clean Environment, Connecticut Committee on Energy and Technology, 2/3/11

- ⁴⁰ http://www.vpr.net/news_detail/89795/
<http://www.kingdomcommunitywind.com/permitting/anr-eric-sorenson/>
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- ⁴¹ <http://vce.org/TheElephantintheWind.pdf>
- ⁴² http://social.windenergyupdate.com/industry-insight/turbine-om-costs-spiral-coming-years?utm_source=WEU%25
- ⁴³ <http://www.cbc.ca/canada/nova-scotia/story/2011/02/01/ns-nuttby-mountain-wind-farm-cracks.html?ref=rss#ixzz1CnSmgYmS>
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- ⁴⁴ <http://www.allvoices.com/contributed-news/8031983-proposed-wind-farm-imperils-falcons-other-threatened-species/content/56092463-an-offshore-wind-farm>
http://www.dcnr.state.pa.us/info/wind/documents/task3_2_.pdf
- ⁴⁵ http://vce.org/IntFund_FactsMemo.pdf
- ⁴⁶ http://www.virginia.edu/ien/docs/collaboration_part1.pdf
http://www.virginia.edu/ien/docs/collaboration_part2.pdf
http://www.virginia.edu/ien/docs/collaboration_part3.pdf
- ⁴⁷ <http://www.vce.org/First%20Wind%20LLCs.pdf>
<http://www.windaction.org/news/29721>
- ⁴⁸ http://www.vpr.net/news_detail/89924/

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solar thermal wind 

RE: H.B. No. 6249

AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS.

Energy & Technology Committee

February 3, 2011

Dear Co-Chairs Fonfara and Nardello:

Thank you for allowing Alteris Renewables to submit testimony regarding House Bill 6249, which would establish a moratorium on all wind turbine projects in Connecticut. As a renewable energy integrator and a member of the community, with offices in all of New England as well as NY, NJ, and PA we support the installation of *properly sited* wind turbines. We fully recognize that not every location is suitable or necessarily appropriate for a wind turbine installation. But, there must be a clear understanding of the difference between the installation of an on-site, distributive generation, community scale wind turbine and wind farms (defined as utility scale wind turbines for the sale of wholesale electricity to the utility and does not apply to any net metered wind projects). An example of an on-site distributive generation installation is the Northwind 100, a 100kW wind turbine at Phoenix Press, Inc., in New Haven, CT which we installed in February 2010, and which helps offset the electrical needs at the property. It was a properly sited installation that had the support from the local community and the city. We have installed turbines for schools, businesses, and affordable housing complexes.

In these difficult economic times, a moratorium on wind turbine installations not only impacts integrators like ourselves, but also businesses and municipalities who are trying to control and offset their energy costs, while exhibiting environmental stewardship. There are Federal incentives in place this year that assist in the financial viability of these projects and the Connecticut Clean Energy Fund has a Request for Proposals for wind turbine projects with submissions that are due on February 28th. A moratorium would essentially close the window on a sector of an emerging market and force companies like ours to move resources and focus our efforts in states that have a favorable wind environment.

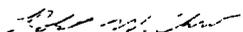
We understand the need for proper siting considerations that address fall zones, acoustic characteristics, flicker, environmental considerations, and view shed. All of these factors can be properly addressed and supported with data. There is a strong tendency for a misunderstanding and misrepresentation of the characteristics and impacts of wind turbines. We strongly believe a moratorium placed on on-site distributive generation projects is not the answer and that these projects can be handled responsibly on a local level with proper consideration given based on the facts and merits of the project.

We ask that the Energy and Technology committee consider Rep. Nardello's and Sen. Hartley's proposed bill No. 5210: AN ACT CONCERNING THE SITING OF CERTAIN COMMERCIAL WIND PROJECTS, but with some adjustment. This bill as currently written penalizes on-site distributive generation wind projects. We propose the elimination of the one megawatt or more language and recommend the following language: differentiated between on-site distributed generation projects (i.e. net metered projects which are currently capped at 2MW) and utility scale wholesale generation wind farms. All the proposed bills should have mandate for rules and regulations to be established within 90 days of passage.

We applaud the great work that the members of the Energy and Technology committee have done in recent years in advancing renewable energy development. Passage of 6249 in its current form without amendments, would have a severe impact on wind turbine businesses in CT

We ask for your support on this issue. I have attached past community scale installations that we have completed in the Northeast. These are the types of projects we are currently developing in Connecticut.

Sincerely,



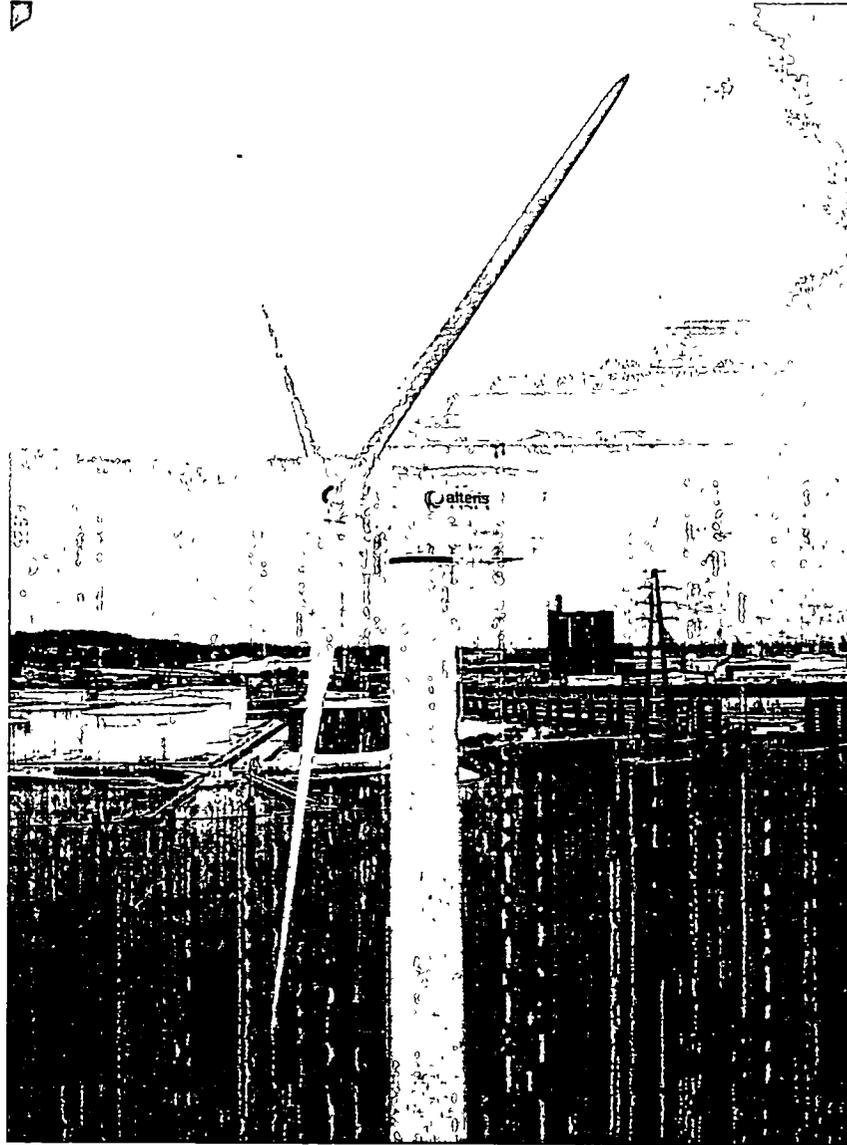
Bob Chew

Bob Chew, President

Wind Business

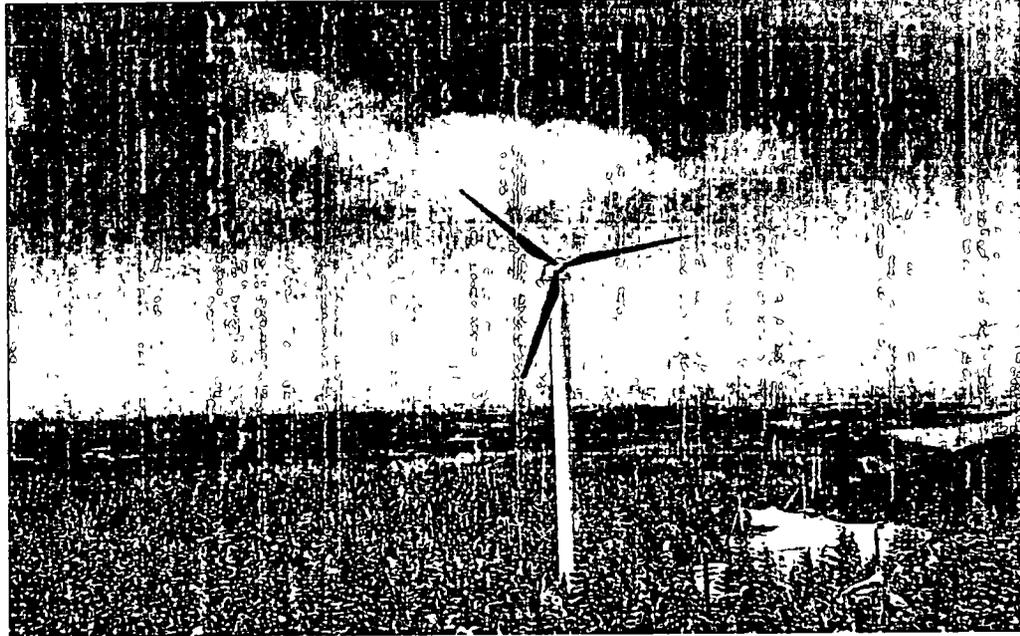


Phoenix Press – New Haven, CT



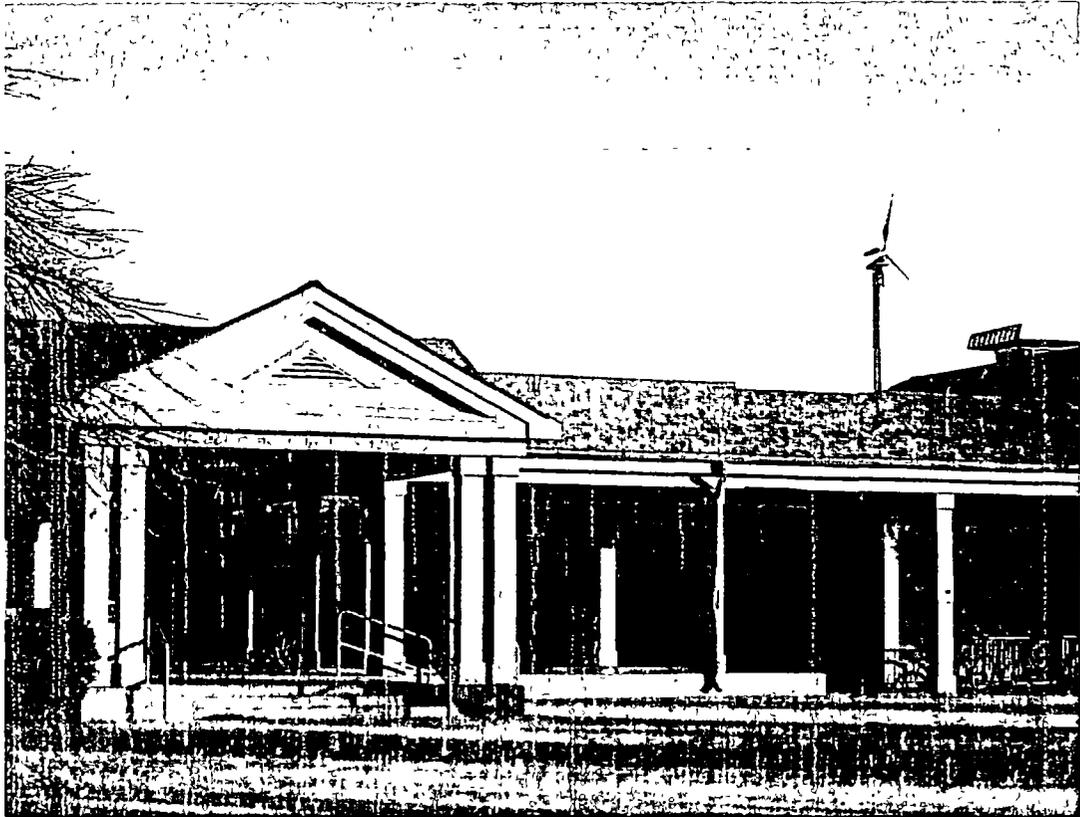
Alteris Renewables installed the NW100 turbine at Phoenix Press in February 2010. It is the first commercial scale wind turbine installed in Connecticut.

Bolton Valley Ski Resort – Bolton Valley, VT



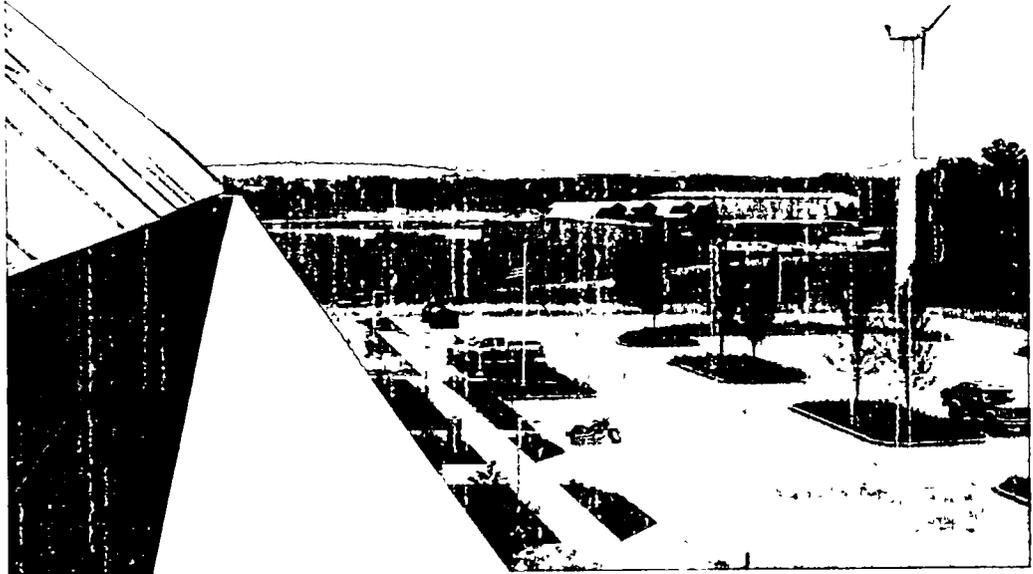
Alteris Renewables installed a NW100 wind turbine at Bolton Valley in the fall of 2009. This is the first wind turbine installation at a ski resort in Vermont and only the second at a ski resort in the U.S. The turbine is installed near the top of the Vista Quad and will generate approximately 250,000 kilowatt hours per year.

Nantucket High School – Nantucket, MA



Alteris performed the feasibility study, assisted with securing the MassCEC Design and Construction Grant, and installed the NW100 for the Town of Nantucket at Nantucket High School. The wind turbine will offset a portion of the school buildings electricity, and will also be used as an educational tool in the classrooms. The wind turbine was installed in September 2010.

Heritage Aviation Center – South Burlington, VT



The NW100 installed at Heritage Aviation Center by Alteris Renewables is the closest commercial scale wind turbine installation to any airport in the United States. Working with Heritage was very much a collaborative process. They had a grand vision of what they wanted and we helped them to refine that vision to optimize the potential of the site from a power production, visual impact, and siting perspective. The result is a solar PV array that greets every visitor as they drive into the facility and a wind turbine that meets all FAA and local requirements.

New England Institute of Technology - Warwick, RI



Starting in Fall 2009, the curriculum in New England Tech's Associate Degree program in Electrical Technology was expanded to include renewable energy generation. Topics covered include various renewable energy sources such as wind power, photovoltaic power, hydro power, fuel cells, tidal power, solar hot water and geo-thermal power. Students examine the components, installation, environmental impact, maintenance, practicality, site sustainability, and local regulations pertaining to renewable energy sources and track the energy produced by New England Tech's NW 100 wind turbine and photovoltaic panels including net metering analysis and economic impact. Upon completion, students are prepared to take the national certification exam offered by the North American Board of Certified Energy Practitioners (NABCEP).

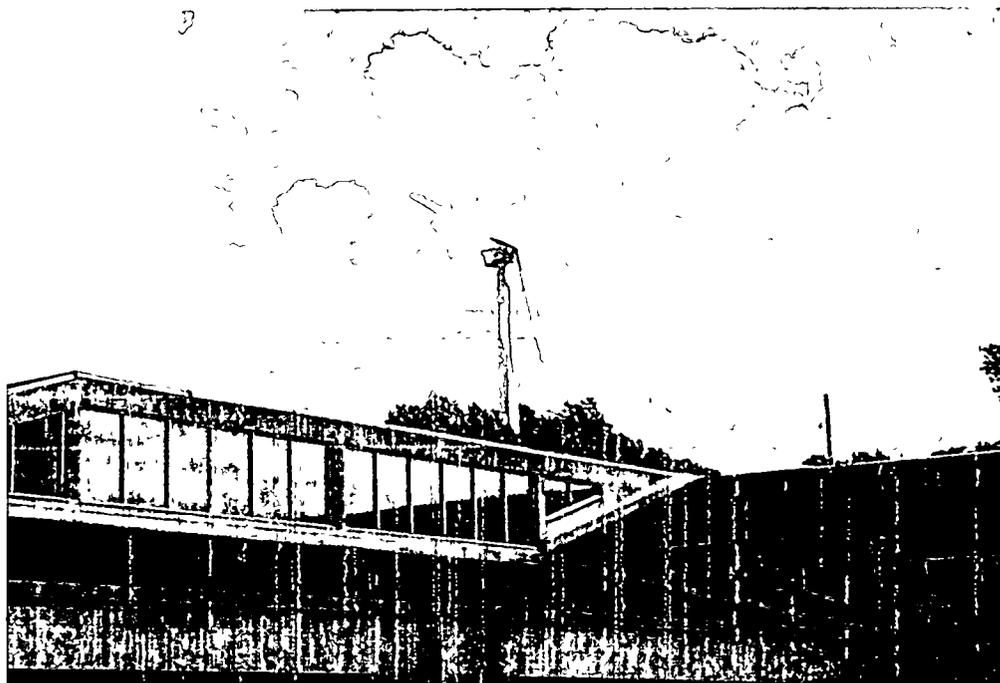
General Service Administration Border Crossing – Jackman, ME



"Photo taken prior to final commissioning".

Alteris installed two (2) NW 100 wind turbines at the Land Port of Entry in Jackman, ME in July 2010. This project has been selected as one of the top 12 ARRA funded projects in the country. The GSA (General Services Administration) had over \$6 billion dollars in projects in 2010. The turbines are installed at the U.S border crossing and will provide approximately 204,590 kilowatt hours (kWh) per year per turbine, for a total of over 400,000 kWh.

Appalachian State University – Boone, NC



Appalachian State University incorporated the NW100 wind turbine installed by Alteris Renewables into their innovative undergraduate and graduate degree programs. Data provided through the advanced Smartview Data Acquisition System is used in the classroom to educate the next generation of Green Collar professionals in engineering and technical trade training. Additionally, ASU uses the PublicView interface to show the public through the ASU website the production and current performance and status of the turbine as a way to initiate interest in Renewable energy and draw attention to the excellent work done by the student run Renewable Energy Initiative (REI).

DynaPower Corporation - South Burlington, VT



Alteris Renewables installed a NW100 wind turbine at Dynapower Corporation in the summer of 2010. You can glimpse it from VT Interstate 89; or you can catch an eyeful traveling through South Burlington on Hinesburg Road. The turbine will generate about a fifth of Dynapower's average load.

Alteris Renewables – Suggested Amendments



General Assembly
January Session, 2011

Raised Bill No. 6249

LCO No. 2640

02640 _____ ET_

Referred to Committee on Energy and Technology

Introduced by:

(ET)

AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) The Connecticut Siting Council, in consultation with the Department of Public Utility Control and the Department of Environmental Protection, shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, concerning the siting of wind farms, (*hereinafter defined as utility scale wind turbines for the sale of wholesale electricity to the utility and does not apply to any net metered wind projects*). Such regulations shall include, but not be limited to, (1) a consideration of (A) setbacks, including considerations of tower height and distance from neighboring properties; (B) flicker; (C) a requirement for the developer to decommission the facility at the end of its useful life; (D) different requirements for projects of different sizes; (E) ice throw; (F) blade shear; and (G) impact on natural resources; and (2) a requirement for a public hearing for wind farm projects.

(b) The Connecticut Siting Council shall temporarily suspend action on any application for siting of wind farms until the adoption of regulations pursuant to subsection (a) of this section. For any wind farm application submitted to the siting council on or before the effective date of this section, the siting council shall resume consideration of such application upon adoption of such regulations and shall allow such applicant the opportunity to satisfy the regulation requirements.

(c) Such regulations shall be established within 90 days of passage by the Department of Public Utility Control, Department of Environmental Protection, and the Connecticut Siting Council.

This act shall take effect as follows and shall amend the following sections:

Section 1 *from passage* New section

Statement of Purpose:

To require the Connecticut Siting Council to adopt regulations within 90 days for farm wind projects and put a moratorium on any wind farm applications until such regulations are adopted.

Alteris Renewables - Suggested Amendments



General Assembly
January Session, 2011

Proposed Bill No. 5210
LCO No. 255

Referred to Committee on Energy and Technology

Introduced by:

REP. NARDELLO, 89th Dist.

SEN. HARTLEY, 15th Dist.

AN ACT CONCERNING THE SITING OF CERTAIN COMMERCIAL WIND PROJECTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

That the general statutes be amended to require the Connecticut Siting Council to adopt regulations within 90 days of passage concerning the siting of wind farm (hereinafter defined as utility scale wind turbines for the sale of wholesale electricity to the utility and does not apply to any net metered wind projects) projects of one megawatt or more and prevent any such projects from being approved before such regulations are adopted.

Statement of Purpose:

To require the Connecticut Siting Council to adopt regulations concerning the siting of certain wind projects that consider the public's health and safety.

Testimony of Michael Dreher before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Michael Dreher and I am submitting this testimony in opposition to proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations*.

I live on 2 Stonefield Drive, the next hilltop over from the proposed Wind Prospect site. According to siting maps, the wind turbines will be visible from my home. As a taxpayer, ratepayer, and lifelong resident of the Town of Prospect, I am in favor of Wind Prospect.

Wind Prospect, proposed by BNE Energy, Inc., will bring a number of significant benefits to our local community and the State of Connecticut. The benefits include much needed local tax revenue, cleaner air and water, the preservation of 67 acres of land from being developed, improved energy security and independence, clean energy funds going to in-state wind project development (i.e. jobs in Connecticut), and clean energy generation to support a starving electrical grid.

I am encouraged that our State Legislature has mandated that, by 2020, 27% of the electrical generation in our State be required to come from renewable sources. I am also encouraged that Connecticut uses a consolidated permitting process for evaluating electric generating facilities. Responsibility for review of proposed major electric generating projects, including wind projects lies with the nine-member Connecticut Siting Council.

Connecticut has established a more consistent and predictable review processes for wind projects that other economic competitor states, e.g. Massachusetts, would like to emulate. Massachusetts currently has permitting processes that make it more difficult to site renewable energy facilities than fossil fuel energy facilities. The review processes for wind projects in Connecticut include:

1. A comprehensive project review (includes input from all interested parties, public hearings, other State agencies);
2. Consolidated review and issuance of a single permit (i.e. one-stop permitting);
3. Guidelines for various technical studies;
4. Specifications and limits on allowable time periods for review; and
5. Limitation on the number of appeals.

Unlike Massachusetts, Connecticut has a permitting process that promotes renewable energy projects. In order to meet our aggressive state renewable portfolio standard mandates, we should not be reversing our course by putting up roadblocks and imposing moratoriums on the three commercial wind projects being proposed in Connecticut.

Testimony of Michael Dreher before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind
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Thursday, February 3, 2011

We need renewable energy sources in Connecticut and do not need policies that make it difficult to site wind energy facilities. We do not need a "build nothing next to residents" policy. We need a review of safety, visual impacts, proper setbacks, ice throw, sound, shadow flicker, wetland impacts, storm water run-off, interconnection plans, site design, and the impact on birds, bats and wildlife. This is what the Siting Council will be reviewing with the current permitting process in place. We do not need to come up with arbitrary setbacks that would restrict viable wind sites, such as Prospect, from ever being developed.

Prospect residents, opposed to the BNE Energy, Inc. wind turbine proposal, have come up with several concerns that should not result in a moratorium on wind turbine siting:

- "Wind Turbine Syndrome" – A phrase coined by Dr. Nina Pierpont, author of "Wind Turbine Syndrome" – A Report on a Natural Experiment". The book is a study of 10 families showing symptoms of irregular heartbeat, nausea, tinnitus, headaches, and sleep disturbance. Dr. Pierpont maintains that low-frequency noise generated by wind turbines is the root cause for these conditions. This conclusion is not recognized by any medical organization in the US as a legitimate diagnosis. There are no scientific studies of or research on wind turbine syndrome. Dr. Pierpont's book was not peer-reviewed, the strongest level of scientific research.
- Reduced property values.
 - A study, conducted in December 2009, funded by the US Department of Energy, entitled "The Impact of Wind Power Projects on Residential Property Values in the United States: A Multi-Site Hedonic Analysis" concluded that neither the view of the wind facilities nor the distance of the home to those facilities is found to have any consistent, measurable, and statistically significant effect on home sale prices.
(Download from <http://eetd.lbl.gov/EA/EMP>)
- Shadow Flicker:
Flicker can only occur if ALL of the following occur at the same time:
 - It is daytime
 - There is no cloud or fog cover
 - There is enough wind for the turbine to be operating
 - The wind orientation is such that the wind turbine is turned to be perpendicular to the sun and the receptor (person)
 - There are no obstacles (trees) to break up the flicker
 - The sun is low in the sky (usually early morning or late afternoon).

Testimony of Michael Dreher before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

Flicker is less of a problem in the US than in much of Europe because we are further south and the sun is higher in the sky. Flicker does not cause epileptic seizures. Wind turbines spin too slowly.

- Ice Throw:
 - GE Wind Turbine has set back guidelines that developers should follow to ensure the safety of residents of abutting properties. These guidelines are based on practical experience (i.e. empirical) from European research done in cold climate wind turbine installations with moderate to heavy icing conditions (e.g. the Alps).

We should not ignore the concerns of the residents of Prospect. However, we should not develop policies with arbitrary setbacks without scientific justification. Those opposed to Wind Prospect want to develop regulations that will ensure no wind turbines will be developed in Connecticut.

I strongly urge you to oppose the proposed House Bill 6249.

Sincerely,

Michael Dreher

line 21, page 7

**Statement by John Lamontagne to the Energy & Technology Committee in support of
Raised Bill No. 6249, An Act Establishing Moratorium on Siting Wind Projects until the
Adoption of Regulations**

Chairman Fonfara, Chairman Nardello, and members of the Committee:

Thank you for raising this bill which will make sure that there are standards and regulations for the siting of Wind Power facilities in Connecticut towns.

My family and I live at 225 New Haven Road, Prospect, Connecticut, which is within 800 feet of the property line of the proposed site for the Prospect Wind Turbines as proposed by BNE. The proposed gigantic machines are not like a static object such as a cell tower. They are huge pieces of equipment with 164 foot blades and max blade tip speeds of up to 180 MPH. Their presence would adversely affect the safety and well being of myself and my neighbors, and in fact the character of the town would be changed by objects that are so grossly out of scale and proportion with our small town.

First, please understand, my family and I support renewable energy and are greatly in favor of wind power where it is appropriate and where it is properly sited with due regard to neighbors and communities.

However we need your help because BNE has proposed two five-hundred foot tall structures with turbines on them which are too big, too large, too loud, too close to be sited on New Haven Road in Prospect, Connecticut.

The applicants are seeking a fast track approval from the Siting Council. They advocated against a public hearing, they advocated that I should not be allowed to be a Party to the proceeding, they also have filed objections to requests for important information to be presented at the hearings.

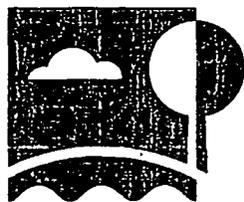
In short, they claim that the statute, which this legislature passed, allows the siting of a facility like this, which is against local zoning which does not allow any structure above 35 feet in height and without any consideration of or balancing of the rights of the neighbors.

I know this is not what the legislature intended. I know this cannot be true and I respectfully request that you immediately pass this bill so that appropriate standards and regulations can be in place before these very large, cutting edge technology facilities, which have adverse impacts and dangers attendant to them, are placed in neighborhoods around the State of Connecticut.

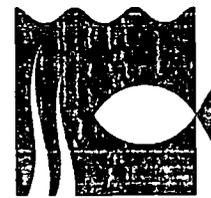
Thank you for your consideration.

For further information John LaMontagne 203-509-4158

line 24, page 23



**Connecticut Fund
for the Environment**



Save the Sound[®]
A program of
Connecticut Fund for the Environment

Energy & Technology Committee
Public Hearing
February 3, 2011

Submitted by: Charles J. Rothenberger, Staff Attorney

Regarding:

**House Bill No. 6249, AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF
WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS**

Connecticut Fund for the Environment ("CFE") is a non-profit environmental organization with over 6,500 members statewide. The mission of CFE is to protect and improve the land, air and water of Connecticut and Long Island Sound. For more than twenty-five years, CFE has used legal and scientific expertise to bring people together to achieve results that benefit our environment for current and future generations.

Representative Nardello, Senator Fonfara and members of the Energy & Technology Committee, Connecticut Fund for the Environment offers this testimony on House Bill No. 6249, An Act Establishing A Moratorium On The Siting Of Wind Projects Until The Adoption Of Regulations.

CFE recognizes the benefits of having criteria to guide the siting of large wind turbine projects. However, we caution against allowing the process of developing such guidelines to delay the development and deployment of wind power within Connecticut.

Connecticut has formally recognized that the development and use of renewable energy resources is a critical part of its energy future and has provided the Connecticut Siting Council with jurisdiction over wind projects greater than one megawatt. Connecticut General Statutes Section 16a-35k states "that it is the policy of the state of Connecticut to . . . (3) develop and utilize renewable energy resources, such as solar and wind energy, to the maximum practicable extent;" Pursuant to Connecticut General Statutes Section 16-50i(a)(3), the Connecticut Siting Council ("Council") has jurisdiction over "any electric generating or storage facility using

any fuel, including nuclear materials, including associated equipment for furnishing electricity, but not including . . . a facility (i) owned and operated by a "private power producer" . . . (ii) which is a qualifying small power production facility or a qualifying cogeneration facility . . . and (iii) which has, in the case of a facility utilizing renewable energy sources, a generating capacity of one megawatt or less" Under current law, applications for wind projects under the Council's jurisdiction are subject to a declaratory ruling process. Connecticut General Statutes Section 16-50k (a). Pursuant to Section 16-50j-40 of the Regulations of Connecticut State Agencies, the Council may respond in one of five ways to a petition for a declaratory ruling. It may (1) issue the declaratory ruling; (2) order the matter set for further proceedings (including a public hearing); (3) agree to issue the ruling by a specified date; (4) initiate a regulation-making pursuant to the Connecticut Uniform Administrative Procedures Act; or (5) decide not to issue a ruling, stating the reason for its actions.

CFE respectfully suggests that providing statutory direction to the siting council to formally evaluate the potential impacts from specific projects with respect to (1) appropriate setbacks based on the project proposal; (2) flicker; (3) ice throw; (4) blade shear and (5) impact on natural resources may accomplish the goals of this bill without delaying the development of wind resources in the state or providing uncertainty to the renewable energy businesses. It is CFE's understanding that, as a matter of course, many of these issues (although not all) are already evaluated during the Council's review of project proposals. As precedent for this, we point the Committee to Conn. Gen. Stat. Sec. 16-50t (b), which provides just such direction to the Council to adopt standards for "best management practices" for electric and magnetic fields.

If the Committee feels that a statutory directive is inadequate and that regulations are necessary, CFE suggest that, rather than permit an open-ended process during which time the development of significant Class I renewable wind resources within the state would be stalled, establishing a deadline by which the Council must adopt regulations for the siting of wind projects larger than one megawatt would be a prudent course of action.

Connecticut General Statutes Sec. 4-168 establishes the timelines for agency adoption of regulations pursuant to a Public Act. Subsection (b) requires that notice of intent to adopt such regulations be published in the Connecticut Law Journal within five months of the effective date of the Public Act or by a time specified in the Public Act. The agency must then submit the

required regulations to the standing legislative regulation review committee within one hundred eighty days after publication of intent. Subsection (a) requires that the agency provide at least thirty days' notice of its intent to adopt regulations and provide the opportunity for a public hearing if requested by certain interested persons within 14 days of publication of the notice.

CFE recommends that this timeline be expedited to the most practical extent while still providing opportunity for public input. Accordingly, we suggest that the Siting Council be directed to adopt regulations no later than sixty days from the passage of the legislation.

Drafting regulations that will adequately address concerns related to noise, flicker and other issues should be relatively easy to draft and be able to quickly move through the regulation adoption process. An increasing number of jurisdictions around the country are looking at similar issues and have drafted guidance documents that can be used as a starting point for Connecticut's effort. For example, both the New Hampshire Office of Energy and Planning and the Massachusetts Department of Energy Resources (DOER) have issued guidance documents for local regulation of wind facilities and both offer similar guidance in dealing with flicker" in the model ordinances provided by their offices. Both ordinances require that wind facilities be sited in a manner that minimizes flicker, with NH establishing an aggregate performance threshold of less than 30 hours per year on abutting occupied buildings. Both model ordinances place the burden on the applicant to prove that shadow flicker will not have a significant adverse impact on neighboring or adjacent uses. CFE suggests that either state has the experience to provide a good model for Connecticut. Massachusetts has twenty times the number of wind projects operating or under development as Connecticut, and New Hampshire has over 300 MW of wind generation permitted and/or operating.

The regulation of wind projects less than one megawatt can probably be adequately handled at the municipal level by local planning and zoning regulations. CFE suggests that the relevant state agency could produce draft model zoning regulations for adoption at the local level as has been the approach in other states.

CFE endorses the proposal that all developers of wind projects commit to decommissioning the facility and provide a decommissioning plan for the facility.

With respect to the public hearing requirement, CFE agrees that this procedure could be strengthened. Current regulations provide for a public hearing pursuant to a requests for a declaratory ruling only if "the council deems a hearing necessary or helpful in determining any issue" concerning the request. Regulations of Connecticut State Agencies Section 16-50j-40 (b). CFE suggests augmenting that language by requiring a public hearing if requested in writing by 25 interested persons.

In conclusion, while CFE recognizes the benefits of having guidelines to govern the siting of large wind turbine projects we caution against allowing the process of developing such guidelines to indefinitely suspend the development of wind power within Connecticut and urge the Committee to proceed accordingly

Testimony of Martin Aikens on behalf of the I.B.E.W. Local 103 Union
Before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Martin Aikens a member of the I.B.E.W. Local 103 union. On behalf of the I.B.E.W. Local 103, I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects until the Adoption of Regulations.

With an eye toward the future, I.B.E.W. Local 103 has aggressively assumed a leadership role in the Renewable Energy field in Massachusetts. With government mandates in place that will ensure a continually larger share of the energy market is represented by alternative sources, Local 103 has recognized the inevitability of this market shift as well as the potential opportunities it presents.

In the Fall of 2002, Local 103 demonstrated its willingness and ability to adapt to new and emerging technological advances in energy by installing a Solar System on the roof of our Apprenticeship Training Facility. This photovoltaic system was installed by twenty-five volunteer apprentices and journeymen in one weekend, and with its high visibility presence just off the Expressway signals to all that Local 103 remains at the cutting edge of our industry. As a result of our commitment to solar energy, which includes Solar training in our current Apprenticeship Training Program and our Journeyman update classes, Local 103 is today installing solar energy in Commercial and Industrial buildings as well as residential homes throughout Eastern Massachusetts.

Now, in 2004 as technology advances continue to become reality, Local 103 similarly sits at the forefront of the emerging wind energy technology. For eight months, Local 103 has been working to design and permit a 100 k/W Wind Turbine to be located on our Freeport Street property. In early Feb 2005 we were awarded our necessary permits and construction of our own energy producing Wind Turbine. Today, the prominent visibility of this structure on our property serves to illustrate to all that Local 103 remains a leader in all emerging energy fields.

Again, the emergence of wind energy, like solar and other renewable sources, is not a "fad" destined to fade off and eventually bow to more traditional energy sources. The electricity deregulation laws passed in Massachusetts in the late 1990s mandate the development and deployment of these technologies and those who are unprepared to understand, train and work with these advancements will be left behind. As with Solar, our Apprenticeship training program does include training on Wind Energy and we plan on being just as aggressive in forging our role on the cutting edge of this new technology.

Similar to Massachusetts, Connecticut has been a leading state in promoting renewable energy. Those efforts are beginning to pay off in the solar and wind industries. Currently, there are two proposals for commercial wind in the state that are regulated by the

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Connecticut Siting Council. **These projects should be encouraged, and should set an example for more wind turbines throughout the state and throughout New England.** The legislature should not adopt additional regulations or a moratorium for wind that would send the wrong message and kill green jobs in the state of Connecticut.

Wind energy is working in Massachusetts, Rhode Island and other states throughout New England creating skilled jobs for our union members. Connecticut should not be the only state in New England without commercial wind. To the contrary, wind energy should be encouraged and promoted by the State. We need more green energy, and we need more green energy jobs. A moratorium on wind would deal a crushing blow to the wind industry in Connecticut and to people who train for these jobs in the state. Today there are thousands of people in this State training and learning to get into the Green Energy Job Market. There are already trained and waiting people for these types of Jobs, and the Maintenance Work that comes with these types of projects, Jobs , Jobs, Jobs that is what Connecticut should be looking at. Good Paying Green Jobs so people can Pay their Taxes and their Mortgages and have a Job again in the Field they are trained in. In a time when Jobs are going overseas and we have a chance for a Win, Win, with Green Energy and Green Jobs why in the world would we put a moratorium on Wind Energy? These are proven, reliable, and cost effective technologies, to have Green Electricity for the people in Connecticut. To clean up our Air for our Children and our Grandchildren and give them back what we are supposed to be the Caretaker of, A Clean Environment. We owe them that and we have the Technology to do that today so I ask you is a Moratorium what we need at this point? The Answer is NO; we need Clean Green Energy to create Green Jobs.

Additional regulations and a Moratorium on Wind Energy should be rejected.

May God Bless America and the People waiting for these Green Jobs.

Thank you for your time.

Martin E. Aikens
81 Mears Ave.
Quincy, Mass 02169

ROBERT G. DORR

February 3, 2011

Members, Connecticut General Assembly
Committee on Energy & Technology

RE: H.B. No. 6249 (RAISED) AN ACT ESTABLISHING A MORATORIUM ON THE
SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS

I am writing to you today to oppose H.B. 6249. This measure, if adopted, will place a roadblock in the way of needed renewable energy projects. This proposal directly conflicts with the stated desire of this General Assembly to develop renewable energy projects within our state. Further, wind projects are already regulated by the Connecticut Siting Council.

Every member of this Committee, and every citizen of this state, knows that we must develop alternate energy sources. Indeed, ExxonMobil has just released its annual review of energy statistics and trends, called **Energy Outlook: A View to 2030***. ExxonMobil has concluded that wind costs roughly the same as traditional power sources - with none of their drawbacks or externalized costs, whether troublesome exporters to deal with, dangerous mining practices for local communities or unhealthy, and durable, by-products such as atmospheric carbon.

I urge you to reject this measure and urge you to rely on the wisdom and judgment of the Connecticut Siting Council.

Sincerely,

Robert G. Dorr
State Senator, 15th District
1983-1984

RGD:dfc

http://www.exxonmobil.com/Corporate/energy_outlook_view.aspx

Testimony of Curtis Jones, P.E., LEED AP before the
Energy and Technology Committee On proposed *House Bill 6249 An Act Establishing a
Moratorium on the Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee.

Thank you for the opportunity to speak here this afternoon. My name is Curtis Jones and I am a Licensed Professional Engineer in Connecticut as well as New York, New Jersey, Massachusetts, Rhode Island and Vermont. I am also certified by the U.S. Green Building Council as a LEED Accredited Professional. I am familiar with the professionalism and dedication that BNE Energy brings to the table after working with them as a Consulting Engineer over the last six months. BNE is truly a company that will bring jobs and economic development to Connecticut.

I am submitting this testimony in opposition to proposed House Bill 6249- An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations. This bill is simply not needed and represents a move by a very small handful of people to restrict the implementation of wind turbines in Connecticut to the detriment of the vast majority of the population in this state.

As you know, it is the responsibility of the Connecticut Siting Council to evaluate wind turbine projects over one megawatt. The Connecticut Siting Council has reliably and consistently discharged its duties. There is absolutely no evidence or testimony that they have somehow been deficient in this regard. Additional oversight of the Siting Council is not needed and will only serve to further restrict economic recovery at a crucial time.

We all know the benefits that wind turbines will bring- clean renewable energy, a reduced dependence on foreign oil, reduced air pollution, jobs and economic development. This is the reason that the Connecticut Legislature mandated that we receive 20% of our power from renewable resources by the year 2020. In fact this is the highest percentage in New England. We commend the Legislature for their foresight in this regard. In addition, President Obama in his recent State of the Union address, emphasized the need to increase the rate of implementation of renewable power.

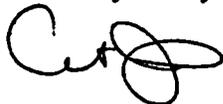
In Connecticut we don't have a lot of choices- there are no significant additional sources of hydroelectric power and the sunlight is much less than our sister states in the sun belt. Yes, we do have fuel cells here in Connecticut and they can make a contribution in specialized applications along with the ability of wind turbines to help satisfy base energy loads.

It is time to move forward and implement the installation of wind turbines in Connecticut. Let private industry use the incentives and public policy already set forth by the State and Federal Legislatures. It is a mistake for the legislature to foster regulations to encourage

Testimony of Curtis Jones, P.E., LEED AP before the
Energy and Technology Committee On proposed *House Bill 6249 An Act Establishing a
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business to move in a certain direction and then almost immediately to throw up road blocks when the businesses move in that direction. We need to be able to move forward together as a State, to get our economy back on track, to promote job growth, and to reduce the State deficit without special interest groups blocking every move that would ultimately benefit the greater good.

Thank you very much.



Curt Jones, P.E., LEED AP
17 River Bend Drive
Woodbury, CT 06798

Testimony of Jeffrey Battiston on behalf of Green Energy Capital
before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind Projects
Until the Adoption of Regulations*
Thursday, February 3, 2011

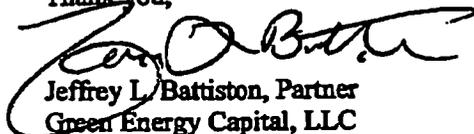
Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Jeffrey Battiston and I'm with Green Energy Capital an independent banking firm with an office in Hartford, Connecticut that invests in the renewable energy and cleantech sectors. I am submitting this testimony on behalf of Green Energy Capital in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

The State of Connecticut has been a leader promoting the development of renewable energy in the state. In fact, the legislature has mandated that 27 percent of electricity come from renewable sources by 2020. Those efforts are beginning to pay off in the wind, solar and other renewable industries in the state encouraging investments in green technologies and green jobs. Green projects such as the two commercial wind farms being proposed in Colebrook and Prospect should be encouraged and promoted by the legislature. These wind projects are exactly the type of renewable energy projects that policy makers have been encouraging in the state. Now is not the time to put the brakes on and reverse policies by putting up roadblocks for renewable energy. A moratorium on the wind industry which is in its infancy in the state would stifle investment and have a devastating effect on wind in Connecticut for many years to come.

I strongly encourage you not to impose additional regulations on wind energy, but rather to let the Siting Council do their job as they have done with many other types of electric facilities including transmission lines, substations, coal plants, nuclear plants, natural gas plants and other renewable projects. Wind energy is the future, and should be part of Connecticut's future too. Many companies are looking to invest in the wind industry in the state. A moratorium on wind would send the wrong message that the legislature is against wind energy and is imposing additional requirements and a moratorium that will prevent wind from emerging in the Connecticut. A moratorium would have an extremely negative affect on the investment in green technologies and green energy in the state.

I strongly urge that you reject a moratorium on clean energy.

Thank you,


Jeffrey L. Battiston, Partner
Green Energy Capital, LLC

Testimony of Kathleen Wiener before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the
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Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Kathleen Wiener and I live on 9 Roy Mountain Road in Prospect. I am submitting this testimony in opposition to proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations*.

As a mother of four, it is very troubling that the legislature is considering a moratorium on wind energy. We need to look out for the future of our children and the future of the earth. We can't take this lightly. Renewable energy is very important to the environment. A moratorium on clean energy sends the wrong signal to communities across the state about the need for renewable energy.

Prospect has an opportunity to become a leader in green energy. We have an opportunity to truly become a green town. It is my understanding that two wind turbines can power about 25% of the town's energy usage. That is a significant amount of clean renewable electricity from only two turbines. Our state legislators representing the interests of Prospect should be establishing policies and streamlining regulations to foster the development of clean energy throughout the state. Instead, the legislature is considering imposing additional regulations and imposing a moratorium that would delay the development of wind for several years and possibly destroy the industry entirely in the state. This is unacceptable for the town of Prospect and for the state of Connecticut.

In addition to the environmental benefits of wind energy which are significant, wind projects will also create green jobs, stimulate the economy and produce significant tax revenue to the town for a very long time into the future.

I strongly encourage you to defeat H.B. 6249. We do not need more regulations or a moratorium on wind, we need clean energy in Connecticut, and we need it now.

Sincerely,

Kathleen Wiener
9 Roy Mountain Road
Prospect, CT 06712

Testimony of William and Patricia Rinckel before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the
Siting of Wind Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, our names are Bill and Patty Rinckel and we live on 55 Cambridge Drive in Prospect. We are submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

We are avid supporters of clean energy and we are proud that the first wind project in the state is in our town. The State of Connecticut has mandated that 20% of our electricity come from Class I renewable sources including wind by 2020. Electric ratepayers throughout the state are spending a significant amount of money each year on out-of-state renewable sources in order to comply with state mandates. Now we have a wind project being proposed in the state, and the legislature is considering a moratorium on wind. This is absurd and a fundamentally flawed policy. As voters, we are very concerned about the resistance and even opposition to wind energy by our legislative leaders.

We need clean renewable energy and we need to move toward a green society. The wind proposal in Prospect is located on a great site down in the woods where there are very few homes. Some people are claiming that it is a bad location for wind, but we disagree. The proposed site is located on over sixty acres of land that is next to hundreds and hundreds of acres of water company land. It is also along Route 69 in an area of commercial and industrial buildings, cell towers and only a few homes. Wind turbines are being built throughout New England much closer to schools, churches, businesses and homes. More importantly, Wind Prospect will produce a significant amount of clean, renewable electricity from the wind with zero emissions. This is a very good thing for the environment. In addition, the project will create green jobs in the community and become a major source of tax revenue for Prospect. This is especially important in this economy. The state should not even be considering a moratorium on clean energy, green jobs and much needed tax revenue that will help fund vitally important services for education and other town functions. Now is not the time for the legislature to reverse policies and oppose green energy.

We implore you to reject a moratorium on wind energy. H.B. 6249 is bad policy and should not be adopted in any form.

Sincerely,

H. William Rinckel and Patricia A. Rinckel
55 Cambridge Drive
Prospect, CT 06712

To the Energy and Technology Committee Members:

I would like to state that I am in support and favor the wind turbine project being proposed by BNE Energy, Inc. for the town of Prospect, Connecticut. This project will create jobs and also will contribute the largest tax contribution to Prospect. The environmental benefits are numerous, such as the project is green renewable energy and will not emit air emissions.

This project proposed by BNE Energy, Inc. has already been approved by the siting council. Now, since a small group of people in Connecticut are against this project, "more regulations" are being proposed for wind projects. This will be a detriment to the future of Connecticut's energy options. The myths about the proposed wind project are not true. Just because a small group of people are against this project all of a sudden "government regulations" are being proposed and a moratorium on all wind projects is also being proposed. This is another example of "kowtowing to the minority" and total disregard for the will and/or goal of the majority.

We do not need more government intervention regarding renewable energy sources. This is not good for Connecticut's continued reliance on outside energy sources, nor for the cost that most Connecticut residents pay for their monthly electric bill. (As a Connecticut resident, I currently pay between \$300-\$500 per month for my electric bill). Therefore I urge you to oppose HB 6249, AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS.

Support for the wind project that BNE Energy, Inc. is proposing is necessary for Connecticut to move forward in its goal to have green and renewable energy sources.

**Respectfully Submitted,
April Slauson
100 Donovan Road
Naugatuck, CT
Home: 203-723-2004
Cell: 203-841-9382**

Testimony of Kenneth Dupont before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Kenneth Dupont and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

The State of Connecticut has established the Connecticut Siting Council (Council) for the purpose of regulating the location of various types of energy producing facilities including nuclear, coal and natural gas power plants, substations, transmission lines and renewable energy projects over one megawatt. The pending proposals submitted by BNE Energy, are currently under review by the Council.

I wish to share with you the following statutory responsibilities of the Council:

- 1) balancing the need for adequate and reliable public utility services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the state and to minimize damage to scenic, historic, and recreational values;
- 2) providing environmental standards for the location, design, construction, and operation of public utility facilities that are at least as stringent as federal environmental standards and that are sufficient to assure the welfare and protection of the people of Connecticut; and
- 3) encouraging research to develop new and improved methods of generating, storing, and transmitting electricity and fuel and of transmitting and receiving CATV television and telecommunications signals with minimal damage to the environment.

Further, the mission statement of the council contains the following passage:

The Connecticut Siting Council (Council) objectively balances the statewide public need for adequate and reliable services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the state for the construction and operation of the following facilities, including but not limited to:

- *Electric transmission lines and electric substation or switchyards, fuel transmission lines and electric generating or storage facilities.*

The people serving on the Council were appointed by the Governor, the Speaker of the House, the President Pro-Tempore of the Senate, the chairperson of the DPUC, and the commissioner of the DEP. I ask you to allow the people appointed to this council the opportunity to perform the duties they were assigned to do. There is no need to impose

Testimony of Kenneth Dupont before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind
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additional regulations or a moratorium for further studies. Regulations currently exist, and the Council has the authority, expertise and the resources available to them to make an informed and intelligent decision regarding the future of energy generation in Connecticut. Renewable energy needs to be a part of that future.

Connecticut is the only one of six New England states to not have an operating commercial wind powered electric generating facility. We also have a mandate to have 27% of our energy produced by renewable sources by 2020. In 2011, 8% of our electricity must come from Class I renewable energy sources including wind. If this mandate is not met, we will face a 5.5 cent per kilowatt hour penalty. With no additional projects on the horizon, we can only assume a hefty penalty in nine years, and money will continue to flow out of state in order to meet mandates established by the legislature for renewable energy.

Please stop kicking the can down the road, let the Council do its job, and help Connecticut meet its mandate for renewable energy.

Sincerely,


Kenneth Dupont
197 Park Avenue
Naugatuck, CT 06770

Testimony of Michael Libertine before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Michael Libertine and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

For the record and in the spirit of full disclosure, I am currently providing environmental support services to BNE Energy on their wind projects in Prospect and Colebrook, Connecticut. One of the major reasons I became involved in these projects was because of my personal belief in the merits of renewable energy and the potential for their contributing to lessening our dependence on foreign oil, domestic fossil fuels and the resultant environmental impacts.

Wind in particular can, and should, play a critical role in meeting the State of Connecticut's renewable portfolio standards. Satisfying the 2020 renewable portfolio standards' mandate of 27% electrical generation from renewable energy resources will require contributions from wind power. Considering the significant timelines associated with developing these sophisticated projects now is not the time to inhibit the process.

Should the legislature impose a moratorium on the siting wind facilities until regulations are adopted would, I believe, not only be bad policy, but could also have a devastating effect on the wind industry in Connecticut. Such action will pose additional barriers for renewable energy, while creating a negative effect on jobs, our economy and the environment.

Siting-related regulations specific to wind projects are unnecessary and, in my opinion, would be singling out just one of many types of electrical generating facilities. No such regulations exist for fossil fuel-consuming power plants or transmission/distribution facilities (e.g., substations, power lines, and the like). The Connecticut Siting Council regulates these types of projects, among others, and has the expertise and resources to review energy facilities in an unbiased, unemotional fashion to promote the best interests of the entire state, not just one neighborhood or community. I have had direct experience testifying in front of the Siting Council on more than 100 projects (including energy and telecommunications) since 2001 and I can attest that each project placed before them is given the appropriate level of scrutiny to ensure that facilities are sited in suitable locations. In my experience, the Council conducts a thorough investigation of the technical and environmental issues associated with often controversial projects, while balancing the needs of all stakeholders. To force a set of superfluous regulations on the renewable energy industry would be counterproductive and redundant, as we currently have a proven, successful process for siting electrical generating facilities.

The wind projects proposed by BNE, which have apparently prompted this potential legislation, can play an essential role in our State's renewable energy policy and provide

Testimony of Michael Libertine before the Energy and Technology Committee
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direct benefits to the communities in which they would be located. The value of these projects to those towns is substantial and sustainable. They would provide sources of clean renewable energy produced at a local level, with zero air emissions and no water consumption. The environmental benefit of these projects is undeniable.

I urge you not to impose a moratorium on wind projects in Connecticut and jeopardize the state's opportunity to develop a much needed sustainable energy infrastructure at a time when it is needed most.

Thank you for your consideration.

Sincerely,



Michael Libertine
102 Machine Shop Hill
South Windham, CT 06266

January 29, 2011

To The Honorable Members of the Energy & Technology Committee:

My name is Debra Hankey and I am a resident of Prospect. I have two very young children, whose futures are at stake every time we ignore the need for renewable energy in Connecticut.

We need to practice what we preach about alternative energy sources and the need for a better environment. We can teach our kids to recycle and how to conserve energy; Region 16 is even considering energy education in the schools, but if *we* ourselves do not act on these lessons, they will fall on deaf ears.

In addition, a poor economy, a country dependent on foreign oil, and a threatened environment with no plans for green energy are major burdens that I do *not* want to place on my children.

Every other New England state has wind projects successfully operating for both commercial use and on site at schools, for educational purposes.

I vehemently oppose House Bill 6249 because it will stop Wind Prospect and jeopardize any hope for future wind projects in Connecticut.

Most Sincerely,



Debra Hankey
69 Klein Drive
Prospect, CT 06712
(203) 758-0145

Testimony of Robert and Margaret Luddy before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the
Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, our names are Robert and Margaret Luddy and we live on 3 Morris Road in Prospect. We are submitting this testimony in opposition to proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations*.

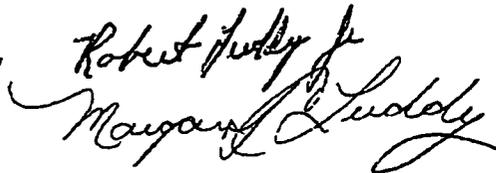
We are concerned parents who enthusiastically support clean renewable energy. Every day our daughters learn about clean energy and the need for a cleaner more sustainable environment. We believe that is the right lesson to teach the next generation, and words to live by today. We are excited about the wind turbine proposal in Prospect and fully support it. Wind energy is clean renewable energy and good for the environment. We have to reduce our dependence on foreign oil and dirty fossil fuels.

In addition, the wind turbines will produce green jobs, economic development and significant tax revenue to the town. Renewable energy offers numerous environmental and economic benefits and should be encouraged by state policy makers. As voters, we are very concerned about the ill-advised attempt to impose a moratorium on clean energy in our state. Connecticut had been moving in the right direction toward a green society. The future of our children is dependent upon it. We cannot stress its importance enough. Now it appears, that a few people who are against the wind project based on concerns that are misleading and untrue are attempting to stop wind in the state by imposing additional regulations and a moratorium on wind projects throughout Connecticut. At a time when the federal government is encouraging and supporting renewable energy, and when wind turbines are being built throughout New England, it is not good for Connecticut to be opposing wind in our great state. We should be leading the way to a greener future, not trying to oppose wind and other renewable sources by implementing more regulations and delays. Prospect has a unique opportunity to truly become a green town. We are proud of that fact. We certainly do not want our state representatives and the legislature at large to stop the first commercial wind project in the state based on the misconceptions of a few. These matters should be properly addressed and reviewed by a state agency such as the Connecticut Siting Council. They have the expertise and will consider projects based on the facts, not on emotions or misconceptions.

This is an exciting time for Prospect and for Connecticut. We must embrace renewable energy as a society and do the right thing for future generations to come. Green energy is good for the environment, produces green jobs, and provides significant tax revenue to local and state government. We strongly oppose the imposition of additional regulation and a moratorium, and urge you to reject H.B 6249 as bad public policy.

Sincerely,

Robert and Margaret Luddy
3 Morris Road
Prospect, CT 06712



Joseph Lukeski
213 New Haven Road
Prospect, CT 06712
203-758-4638

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Good Afternoon Ladies & Gentlemen:

My name is Joseph Lukeski. My wife and I have lived at 213 New Haven Road in Prospect since 1964. We, being both raised in rural communities, chose the South end of Prospect to settle in because of the relative solitude of the area. We want desperately not to lose that aspect of our place to live and enjoy life as retirees. It is a little late in life for us to uproot and move. With the looming possibility of a huge loss in property value, it would be financially impossible to do so. To stay would be a miserable option if gigantic wind turbines are installed in such close proximity to our house; eleven hundred feet in our case; even closer for some of our neighbors; only eight hundred fifty feet for one of them.

We fully support Green Energy efforts, but they must be accomplished in a responsible way. I don't consider such close placement to private residences a responsible position to take. I understand that a lot of time and money has been spent on proposals to site for these gigantic machines here in Prospect, but developers are not considering our safety and quality of life. While wind is a source of alternative energy, it is but one of many that should be considered by the state in its alternative energy plan. In my opinion the most important consideration should be the welfare of the people in the surrounding area. And this seems to have been ignored. Huge wind turbines are not pleasant to look at day after day. The noise may be low level but it is constant.

If Vestas, the largest manufacturer of industrial wind turbines in the world, has established a 1,400-foot "hard hat zone", how could placement even be considered at a shorter distance with homes and a heavily traveled road, route 69, inside of that area? I have protected my family and home since 1964. I now ask you to do the very least, and that is to do the same for my family, other families and the citizens that travel route 69 each day.

I know you will make the right decision when considering this legislation and I thank you for that and the opportunity to speak.

Sincerely,

Joseph Lukeski

Testimony of Michael O'Connor before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Michael O'Connor and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I am a Connecticut resident and have spent the past twelve years working on both the public and private sides of economic and real estate development here in Connecticut as well as nationally. I am a past member of the International Economic Developers Council (IEDC) and am currently a member of the Urban Land Institute (ULI), the International Council of Shopping Centers (ICSC) and the United States Green Building Council (USGBC).

As we are all aware Connecticut has one of the highest energy costs of any state. Further, Connecticut is considered a high barrier to entry market within the development industry. The net effect is that we are a state that drives up the cost of development, making us less competitive in comparison to other states.

Through the work of the legislature, Connecticut has become a leader in promoting clean energy, to include wind. Wind energy is a cost effective measure for the State to meet the RPS mandates. Further, wind energy is proven to be a safe, environmentally friendly cost effective energy source.

A moratorium on the siting of wind projects and the suspension of action by the Siting Council on all pending applications such as those in Colebrook and Prospect, will have a negative effect by creating uncertainty in the marketplace. As you are well aware uncertainty in the marketplace in Connecticut will drive investments in alternative clean energy to other states thereby having an adverse impact on job creation and our economy.

Therefore, I respectfully rise in objection to HB 6249 and ask that you not give this bill favorable consideration.

I thank you for your time and consideration in this matter.

Sincerely,

Michael O'Connor

Testimony of Glenn Weston-Murphy before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Glenn Weston-Murphy of Guilford and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I am writing this from the perspective of someone that has been volunteering since 2007 to establish a thoughtful process of discussion and review of the utilization of Wind Energy Resources in the State of Connecticut. I cofounded the DOE recognized, Connecticut Wind Working Group (CTWWG) along with the Connecticut Clean Energy Fund. The CTWWG was founded on the premise that in order to have successful wind development there are 3 essential components: Wind , Infrastructure and especially Community (see charter, attachment A).

We have held 1-2 meetings a year since Dec 2007 to discuss in an open forum pertinent issues and developments. In fact the entire Energy and Technology Committee was invited to our June 2010 meeting to address the specific issues related to the CT Siting Council evaluation of Wind turbine projects. This was done at a time when there were no proposals before the Council. It was also brought up so that the Council would fully realize that the issue of evaluation would be upon them and they needed to be prepared for the process.

At the June 2010 CTWWG meeting the then Executive Director of the Siting Council, Derek Philips, gave a presentation where he carefully outlined a very thorough and thoughtful process of evaluation for Wind Turbine projects that had yet to come before the Council (See Presentation "*Overview of Jurisdiction, Process, and Environmental Review of Wind Renewable Energy Sources*" attachment B)

The process detailed in the June 2010 Siting Council presentation would satisfy any reasonable level of due diligence and provide for a thorough, thoughtful and fair evaluation of any projects before the Council.

As someone who has worked as an unpaid volunteer on energy issues, with the CT Wind Working Group, as the Chair of the Town of Guilford Energy Task Force, and as one of the Founding members of the Federally funded 6 town Shoreline Regional Energy Commission, I would like to see The State of Connecticut move forward on the important Energy issues facing all of us.

Imposing a moratorium on the development of Wind Energy in Connecticut is both unnecessary for the stated reasons in Bill 6249 and would now impose a burden of delay that will knock the wind out of wind energy development in the state of Connecticut along with the much needed economic development, clean energy production, and tax revenue.

I urge the Committee to allow a reasonable process like that outlined by the Siting Council's June 2010 presentation to proceed and to table Bill 6249.

Connecticut Wind Working Group - December 2007

Up until now there has been limited public discussion of the wind resources available in Connecticut. With the recently published wind resource maps for Connecticut now is the time to explore these resources for maximum public benefit. This is in view of our need for additional electric grid capacity and the lack of renewable generation capacity. The formation of the Connecticut Wind Working Group will gather appropriate Stakeholders in a shared forum to move the intelligent development of wind power in Connecticut. The CT Office of Policy and Management (OPM), Connecticut Clean Energy Fund and Yale University have been recognized by The US Dept of Energy Wind Powering America Program as the Hosts of these nascent efforts to form the WindCT as an essential Triad, Wind-Infrastructure-Community, needed to foster appropriate developments in this area:

Wind:

Due to our geography, population demographics, and mapped wind resources we have not fully explored our potential for utilizing wind energy as part of Connecticut's renewable energy mix. With the rising cost of "conventional" fossil fuel and improvements to wind turbine equipment the economics of wind generation have improved greatly.

It is our goal to identify and realize the potential for small and community scale wind resource development throughout our state and its' territories. Connecticut is a state of proportionality small geographic features when compared to many of the more highly developed wind generating states. This means that we need to carefully investigate and measure our resources so that we can make thoughtful decisions on where, when and if we choose to utilize these resources.

WindCT goal is to fully understand and explore local conditions and resources so that educated utilization of these resources can occur.

Infrastructure:

Traditionally, this would include the basics of loads, transmission capacity and generation capacity Connecticut has the potential for a much broader scope of infrastructure in view of our history, industry, education and population.

Connecticut has arguably been at the forefront of technological developments throughout our history- Today is no different- Our local developments in the areas of fuel cells, aerospace and nanotechnology are but to name a few that with proper nurturing might be combined with use of renewable resources to produce significant economic development and a much more robust energy infrastructure. To cite one possible example is to combine the variability of wind power generation with our industries working with hydrogen generation and fuel cells to produce systems that balance the peaks and valleys to produce a healthy, reliable energy infrastructure.

Community:

We have an amazing community of people in our great state of Connecticut. From highly skilled manufacturing and construction individuals to technical expertise on a par with anywhere in the world to our citizenry that appreciates the delicate balance that we have with the environment.

Any productive discussion of our nascent renewable energy resources requires one to engage our community at large. One leg of our Wind Working Group Triad, will be a discussion forum with state and local government, environmental, community groups and individuals to achieve a balance appropriate for Connecticut.

Summary:

By forming Connecticut's Wind Working Group on this Triad we will serve as a catalyst to our state's development of wind resources and a balanced renewable energy infrastructure.

Charter, attachment A

Testimony of Glenn Weston-Murphy before the Energy and Technology Committee
On proposed *House Bill 6249*

Feb 2, 2011

John P. Johannemann
45 North Anguilla Rd.
North Stonington, CT 06359

Sen. Kevin Witkos
Legislative Office Building
Room 3400
Hartford, CT 06106-1591

Dear Sen. Witkos,

I am writing to urge you to reject the two bills, H.B. No. 6249 and H. B. No. 6250. At a time when we have record unemployment, investment in our state is at an all time low and citizens throughout the country are seeking solutions to the climate issues these bills are counterproductive. H.B. No. 6249 and H. B. No. 6250 before the Energy and Technology Committee provide no value added and will accomplish nothing but to delay and raise the cost of development in the state of Connecticut.

The Connecticut Siting Council is the proper place for the wind turbine permit process and their methods of approval address all of the environmental and study issues associated with wind turbine projects.

The installation of any wind turbine creates jobs in the research and wind analysis area, construction, operation and maintenance. The infrastructure upgrades and equipment installation add to the local tax rolls and the power generated provides income to companies and taxes to the state. These things are all accomplished while reducing our carbon footprint.

The first electric car charging stations in the state were announced last week. If we generate the electricity to run these chargers with coal or oil we have accomplished nothing environmentally. Generate that power with a wind turbine and we set the example for the country.

In places like Portsmouth Rhode Island and Worcester and Hull Massachusetts their wind turbine generators are a thing of pride. The citizens know that the blades dancing in the sky are generating clean renewable energy which helps the environment and future generations. Not to mention that they contribute to stabilizing taxes.

The Department of Energy has set a goal of 24% power from renewable sources; Connecticut has a chance to be a part of achieving that goal. Additional hurdles that provide no added value to the permit process will only serve to drive investors from the state and jobs that should have been in Connecticut will go elsewhere.

Gov. Dan Malloy said "Today I see an economic crisis and an employment crisis, both fueled by an unfriendly employer environment,.." The "Not in my backyard" mentality is stifling to progress, will hurt our environment and drive more businesses, jobs and people from our state.

Please reject these bills and let's get on with the business of developing clean energy resources within our state and consistent with the environmental goals of the country.

Sincerely,

A handwritten signature in black ink, appearing to read 'John P. Johannemann', with a long, sweeping horizontal line extending to the right.

John P. Johannemann
45 North Anguilla Rd.
North Stonington, Ct 06359

line 13, page 17

Richard Sargeant
3 Radio Tower Road
Prospect, CT 06712
203-758-4959

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Dear Committee Members:

Somewhere around 12 weeks ago I learned about the proposed wind projects in Connecticut and started to research the issue because my family lives approximately 1,500 feet from the proposed site. I have taken a great interest and took the bus trip with our town and mayor up to Falmouth, Massachusetts to view the industrial wind turbines installed there.

One thing that struck me was how many people met us at the first stop at the Falmouth Wastewater Treatment Facility on that cold morning in November. They spent as much time as we needed answering questions and telling how the turbines had changed their lives. We all walked over to the 400-foot tall turbine and we all couldn't believe what we were seeing and hearing. The turbines proposed for Prospect are approximately 100-feet taller than those at Falmouth. It was nothing less than surreal for me.

We got back on the bus and proceeded over to a residential neighborhood to view the second turbine. The distance of that turbine to the homes was comparable to mine. After the bus driver shut off the engine all you could hear was the whooshing noise, which really does sound like a plane that never lands. Even the Mayor of our town said the whooshing noise was louder than he expected.

I have been doing some research and it all comes down to setbacks. When sited properly it insures the safety and well being of everyone. Regulations I have researched include:

- Montville Maine, with a 1 mile setback from homes
- Allegany, New York, with a 2500feet setback from boundaries of residences
- Ridgeville, Wisconsin with a one-half mile setback from residence property lines and 2640 feet from homes
- West Providences, Pennsylvania. has a 2500 foot setback from homes

- Woodville Wisconsin has a 1000 foot or 3X total height whichever is greater from roads or power lines, and a 2640-foot setback from nearest residences.

These are just a few well-written ordinances I have seen that build in a "margin of safety" for the people they are supposed to help. Currently Massachusetts is hearing draft regulations for a 3000-foot setback for industrial wind turbines. The story is sadly the same across the country of lives broken and dreams shattered when industrial wind turbines are sited to close in neighborhoods. Please help me protect my family today

Sincerely,

Richard Sargeant

Testimony of Derek Brown before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Derek brown and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I live in the Town of Prospect and have watched as my neighbors have debated the BNE Energy proposal to erect two wind turbines on 68 acres of water company land. I've been amazed by the small group of folks who are opposed to this project. I favor the tax revenue and economic development that wind energy will bring our town.

Connecticut has long been struggling with ways to handle our energy generation. We now live under a federal mandate to reach a renewable energy threshold of 20% by the year 2020. If we don't get there, the state will be financially penalized. HB 6249 will tie Connecticut's hands further and make it even more difficult for us to attain that goal. How can we expect to build clean, sustainable energy projects if the legislature impedes our ability to do so?

The federal government wants us move forward. Our children's future demands it.

I urge your rejection of HB 6249. Thank you.

February 3, 2011

Dear Connecticut Legislative Committee Members,

My name is Darcy Anderson-Abbott, I live in New Hartford Connecticut. I would like to thank you for your time and consideration concerning the matters at hand, and I ask that you vote in favor of House Bill 6249.

My concerns are the lack of regulations governing turbine wind power. I feel strongly that proper research and regard needs to be given to all parties that the turbines would affect and benefit. The residents, businesses, wildlife, landscapes, and resources in any community need be the focus of the regulations. I would hope that the regulation also take into consideration other existing and potential renewable energy opportunities. Haste makes waste. Our communities cannot afford to waste any of its current or future resources on a project of this proportion that is not adequately researched, regulated, and overseen.

I realize that we can not rely on regulations alone. I feel that communities need to be proactive and start thinking about what renewable energy sources would be viable and acceptable in their community. I would hope that the regulations include a process that requires the government of any community to be forthright in their communications with the community about any plans to consider hosting renewable energy sources prior to any approval or permit issuance.

I would be directly affected by any negative impact that the proposed turbines in Colebrook would have on Rock Hall, a historic residence now operating as a luxury bed and breakfast and located within less than half a mile from one proposed project and less than one and a half miles from another proposed project, because I work there. You see, I was laid off from the community college system in December of 2008 due to budgetary shortfalls. I currently attend the University of Connecticut in Torrington, where I took a student worker job in the IT department. This position lasted 2 semesters before the funding for that category of student workers was cut as well. As a result, I rely on my private sector position for financial sustenance. Any impact on that will impact me and my family.

Thank you again for your time and consideration.

Darcy Anderson-Abbott

Testimony of Joe Flaherty before the Energy and Technology Committee
On proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind
Projects Until the Adoption of Regulations
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Joe Flaherty and I am submitting this testimony in opposition to proposed House Bill 6249 An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

I'm a long time resident of Connecticut and a supporter of wind energy. The bill before you would stifle economic development and investment in a burgeoning industry. If you pass a moratorium bill, it will send a message to future investors in green energy that Connecticut doesn't want their business here. Our policy makers need to encourage investment in green technology, not place further restrictions on it.

The proposed BNE Energy wind project in Prospect CT will create jobs, bring in much needed tax revenue to the town and will preserve open space. This proposal is already going through the lengthy DPUC approval process which is open and allows comment from the public. We shouldn't stop that process in mid-stream because a small group of people disagree with it. If we did that on every occasion, Connecticut wouldn't have any energy infrastructure to speak of.

If you support clean, renewable energy, you must be opposed to this bill. I urge your rejection of HB 6249. Thank you.

Testimony of Ray Wills before the Energy and Technology Committee
On proposed House Bill 6249 *An Act Establishing a Moratorium on the
Siting of Wind Projects Until the Adoption of Regulations*
Thursday, February 3, 2011

Senator Fonfara, Representative Nardello, Senator Witkos, Representative Hoydick and members of the Energy and Technology Committee, my name is Ray Wills and I live on 117 Falls Avenue in Oakville. I am submitting this testimony in opposition to proposed House Bill 6249 *An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations*.

I believe that we need renewable energy in Connecticut. As a voter and a concerned citizen it is troubling to find out that the legislature is considering a Moratorium on wind energy. It was my understanding that the state supported clean energy which is vital to our future. Imposing additional regulations and a moratorium on wind is exactly the wrong approach for the state. While the federal government and state throughout New England are embracing green energy, the Energy Committee in Connecticut is considering imposing a moratorium. Wind energy is one of the best forms of renewable energy available today. We need to move to a green economy and encourage green technologies.

Wind energy will produce clean, renewable energy from the wind, and at the same time it will help to create jobs, stimulate the economy and provide much needed tax revenue to local communities and the state. The legislature should oppose any policies that discourage clean energy. There was a proposal in Watertown by a home owner to put a small windmill in their yard, and it was strongly resisted and eventually killed by the town. As a result of this not in my back yard attitude, today there are no windmills in Watertown which is very unfortunate particularly since there are plenty of locations that are windy and have available land in the town. Now it appears that the state is following the same ill advised, anti-renewable energy policies adopted in Watertown. This is simply wrong. Renewable energy must be promoted in Connecticut, not discouraged, or even worst eliminated in the state. Every day I read about another wind turbine that is being built in Massachusetts and Rhode Island. The time has come for Connecticut to embrace wind for the environment, for our children, for our future.

I strongly urge you to reject H.B. 6249 and to reject a moratorium on clean energy.

Thank you for your consideration.

Ray Wills
117 Falls Avenue
Oakville, CT 06779

**Testimony of
United States Senator Richard Blumenthal
Before the Energy and Technology Committee
February 3, 2011**

I appreciate the opportunity to submit testimony on House Bill 6249, An Act Establishing a Moratorium on the Siting of Wind Projects until the Adoption of Regulations.

House Bill 6249 requires the Connecticut Siting Council to refrain from proceeding any siting of a wind turbine application until it adopts regulations for the siting of wind turbines in consultation with Department of Public Utility Control and the Department of Environmental Protection. Such regulations may include minimum distances from neighboring properties, blade shear, ice throw and light flicker. The regulations should require a public hearing on all wind turbine projects.

I am a strong supporter of federal efforts to promote the use of clean, renewable energy that will protect the environment, reduce our dependence on foreign oil, and support American infrastructure, and Connecticut businesses. I am committed to helping Connecticut make the best possible use of tax incentives, including the Wind Production Tax Credit (PTC), and other grants, loan guarantees, financial assistance, education and training opportunities from the Department of Energy (DOE).

The Connecticut State Legislature is to be commended for taking such a proactive stance and for acting to address some of the issues that arise from wind energy development. There are two wind turbine applications currently pending before the Connecticut Siting Council which, if approved, would allow for the construction of these facilities without any conditions to minimize the environmental and health impacts. House Bill 6249 would require the Council to first set basic conditions that would have to be met before such an application could be approved.

Proper and fair regulations will provide much-needed clear direction for those companies willing to invest in wind power in Connecticut while minimizing the impact of wind turbine facilities on nearby properties.

This type of regulation is not novel or new. In fact, several states and countries have enacted setback distances from residential properties or public roads. It is important that we begin the implementation of renewable energy in Connecticut in a manner that is safe to the citizens who will benefit from the additions of such technologies. The use and expansion of renewable energy -- especially in Connecticut where our electricity costs are among the highest in the nation -- should not come at the expense of Connecticut, either financially or to the health of the people.

I urge favorable consideration of House Bill 6249.



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 Portland, ME
 Boston, MA
 Providence, RI
 Hartford, CT
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 Canada

**TESTIMONY OF ENE (ENVIRONMENT NORTHEAST)
 TO THE ENERGY AND TECHNOLOGY COMMITTEE
H.B. 6249 (RAISED)
AN ACT ESTABLISHING A MORATORIUM ON THE SITING
 OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS**

February 3, 2011

Good afternoon Senator Fonfara, Representative Nardello, and members of the Committee. My name is Jessie Stratton, and I am Director of Government Relations for ENE (Environment Northeast), a non-profit research and advocacy organization that focuses on energy, air quality and climate change solutions for New England and Eastern Canada. ENE appreciates the opportunity to provide testimony to the Energy and Technology Committee on H.B. 6249 (Raised) An Act Establishing a Moratorium on the Siting of Wind Projects Until the Adoption of Regulations.

While ENE recognizes the need for the Siting Council's careful consideration of a host of specific issues—some of which may have potentially negative impacts—related to the siting of wind turbines, we believe that a Best Practices approach is more appropriate and in keeping with current procedures at the Siting Council. In addition, we are concerned that a moratorium on any wind projects until such regulations might be adopted sends a very negative message to developers of renewable projects about our clean energy goals. Connecticut wants and needs to attract these developers if it is to meet its ambitious goals regarding renewable energy initiatives and green jobs, and although Connecticut is not likely to see large scale wind development, projects like these have an immediate positive economic impact and do not entail the high costs associated with building transmission to bring wind from Maine or elsewhere.

Reasonable wind siting criteria have been established in several states, and organizations such as the National Wind Coordinating Collaborative have worked with stakeholders in examining the technical considerations of wind siting and a wide array of issues and impacts including land use, wildlife, water, public health, noise, vistas and cultural and paleontological resources. The organization's Best Practices Manual carefully delineates a host of issues and recommended approaches to avoiding or mitigating potential negative impacts that the Siting Council—as well as project developers and host communities—should use to evaluate whether a particular project should proceed.

PA 04-246 required the Siting Council to use such a Best Practices approach in response to concerns about the potentially negative impacts of high voltage transmission line electromagnetic fields. ENE believes that the use of such a Best Practices approach provides a framework for appropriate review while also providing developers the kind of early guidance and relative certainty of what the rules will be, which is so essential to attracting desired renewable energy projects to the State.

Unfortunately, the impact of this proposed moratorium, as well as other proposed actions that would undermine or alter Connecticut's RPS, have already raised concerns about whether Connecticut is a feasible and receptive state for developing renewable energy. We urge the Committee to quickly act to allay those concerns by redrafting HB 6249 to direct the Siting Council to utilize commonly accepted Best Practices in evaluating wind energy projects. Below I have included relevant language from Sec. 10 of PA 04-246 as an approach the Committee might want to consider as it proceeds.

(c) The council shall adopt, and revise as the council deems necessary, standards for best management practices for electric and magnetic fields for electric transmission lines. Such standards shall be based on the latest completed and ongoing scientific and medical research on electromagnetic fields and shall require individual, project-specific assessments of electromagnetic fields, taking into consideration design techniques including, but not limited to, compact spacing, optimum phasing of conductors, and applicable and appropriate new field management technologies. Such standards shall not be regulations for purposes of chapter 54.



CONNECTICUT AFL-CIO

56 Town Line Road, Rocky Hill, CT 06067

860-571-6191

fax 860-571-6190

Testimony of Lori Pelletier

Secretary-Treasurer of the Connecticut AFL-CIO

Before the Energy and Technology Committee

February 3, 2011

Senator Fonfara and Representative Nardello and members of the Energy and Technology Committee, I am Lori Pelletier and I serve as the Secretary-Treasurer of the Connecticut AFL-CIO, and I'm here to testify on behalf of the 900 affiliated local unions who represent 220,000 working women and men from every city and town in our great state.

I am here to testify regarding H.B. No. 6249 (RAISED) AN ACT ESTABLISHING A MORATORIUM ON THE SITING OF WIND PROJECTS UNTIL THE ADOPTION OF REGULATIONS. The Connecticut AFL-CIO has some concerns regarding this proposed legislation. First we are concerned about the impact this legislation will have on jobs. Green energy manufacturing is a bright spot in our gloomy manufacturing sector. Green manufactures tend to be located near their customers and this moratorium would place an undue burden on this piece of the green energy puzzle. Secondly, many of my affiliates represent workers who have an economic interest in these products, namely they are employed in the energy industry. Holding off on new projects is asking these workers to take a personal hit in their wallets and that is not good for Connecticut either.

The focus on green energy is exciting. Connecticut is in the lead when it comes to fuel cell technology as well. Today Connecticut has 13% of the world wide workforce in fuel cells and is home to three of the lead manufacturers of fuel cell technology. At Hamilton Sundstrand workers have made props and propellers for nearly a century and wind turbine is a natural step for these workers to take. Let's not throw the baby out with the bathwater. Let's look at green energy, all forms of green energy as the future for our manufacturing workers. We have a terrific opportunity here and we look forward to working with the Energy and Technology Committee and the entire General Assembly to keep Connecticut at the front of the green energy parade.

Thank you for holding this public hearing and I will be glad to answer any questions you may have.

PRESIDENT

John W Olsen

SECRETARY-TREASURER

Lori J Pelletier

EXECUTIVE VICE PRESIDENT

Salvatore Luciano

GENERAL VICE PRESIDENT

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Michael Petosa

Ronald Petronella

Roberta Price

Robert Proto

Peter Reilly

Carmen Reyes

David Roche

Edward Sasso

Valerie Stewart

William Shortell

Ray Soucy

James R. Wallace, Jr

Paul Wallace

Kurt Westby

Anthony Zona



900 Chapel St. | NEW HAVEN, CT 06510 |
 TEL: 860-635-5600 | FAX: 203-782-7755 | www.ctlodging.org



To: Honorable Senator John Fonfara
 Honorable Representative Vickie Orsini Nardello
 Energy and Technology Committee

From: Chuck Moran, Legislative Chair for the Connecticut Lodging Association

Date: February 3, 2011

Subject: Testimony for Public Hearing: Support of Raised Bill No. 6249

Thank you for the opportunity to present this testimony concerning Raised Bill No. 6249, An Act Establishing a Moratorium on the Siting of Wind Projects until the Adoption of Regulations.

The Connecticut Lodging Association strongly supports Raised Bill No. 6249, An Act Establishing a Moratorium on the Siting of Wind Projects until the Adoption of Regulations.

Given the nature of the lodging industry, the siting of wind turbines could have a significant negative effect on hotels, motels, inns and B&Bs. Leisure travelers select their destinations and accommodations for many reasons, particularly the location's ambience. Without thoughtful guidelines, wind turbines could be placed in locations that would adversely affect the tourism industry. While the classic windmills of the Netherlands add charm to the landscape and enhance the visitor experience, inappropriately placed wind turbines could make Connecticut less attractive as a destination. Regulations must be implemented to avoid the placement of wind turbines in areas that advance tourism. The state's natural beauty is one of the many assets that draws visitors, and residents, to the area. Before wind turbines are placed, the impact on the environment including all businesses and homes must be carefully considered.

Hoteliers share many of the placement concerns of homeowners in residential neighborhoods. The installation of a wind turbine in close proximity to their property potentially could result in reduced occupancy. As many in the lodging industry are small businesses, any further decrease in occupancy in this already struggling market could result in increased unemployment and foreclosures. The ripple effect would also impact local restaurants, retailers and other ancillary services.

Certainly, the Connecticut Lodging Association recognizes the need to implement clean energy solutions. It is imperative that guidelines are established to insure minimal disruption for lodging institutions and their guests. This bill would provide the time necessary to develop guidelines that would protect the environment, as well as the visitor experience.



Connecticut Trust for Historic Preservation
940 Whitney Ave
Hamden, CT 06517
T: 203-562-6312

February 3, 2011

Senator John Fonfara, Co-Chairman
Representative Vickie Nardello, Co-Chairman
Energy & Technology Committee

RE: HB No. 6249: An Act Establishing and Moratorium on the Siting of Wind Projects Until
the Adoption of Regulations
HB No. 6250: An Act Concerning the Siting Council

As the statewide nonprofit historic preservation organization, the Connecticut Trust for Historic Preservation (SA 75-93) submits the following testimony.

The improvement of CT's energy supply and the development of sustainable and renewable sources are worthy and essential goals in the 21st century. But in order to generate jobs and tourism, remain competitive and maintain the quality of life in CT, the state and its agencies must also work to preserve Connecticut's character-defining buildings and communities.

In considering new applications, the Siting Council and associated agencies should make a special effort to avoid, minimize or mitigate any potential adverse effect on historic properties, sites and landscapes. Adverse effects may be either or indirect, cumulative or immediate, but would have the net effect of undermining the preservation and continued use of buildings, sites or structures with a high degree of historical or architectural significance.

In regard to historic buildings and sites that are listed on or eligible for listing on the State or National Register of Historic Places, new construction of any type should

- a) maintain the scale and density of surrounding historic resources
- b) not be a dominant or intrusive element in the context of the surrounding landscape
- c) not interfere with significant historic viewsheds
- d) not introduce a level of noise, odors, vibration, dust or traffic that would interfere with the continued enjoyment and use of existing historic resources.

The Connecticut Trust for Historic Preservation encourages the Siting Council and other agencies to work closely with the State Historic Preservation Office and the residents of the

respective communities to preserve the irreplaceable character of historic buildings and places while encouraging appropriate development of alternative energy sources.

The bills under consideration would place a moratorium on new projects until appropriate regulations are developed. The moratorium and related consultation would make the Federal Section 106 review process work more smoothly and effectively in Connecticut. The bills would help to create a clear and more transparent review process that encourages wide participation and results in more successful cooperation.

The Connecticut Trust for Historic Preservation respectfully encourages your support of HB No. 6249 and HB No. 6250.

Sincerely,



Helen Higgins
Executive Director

line 11, page 8

Testimony of Joyce Hemingson, President of
FairWindCT, Inc.
Before the Committee on Energy and Technology

Thursday, February 3, 2011

My name is Joyce Hemingson and I've lived in Connecticut most of my life. I grew up in Suffield and have lived in Colebrook for the past 39 years. Last November, my husband and I were surprised to find out that two wind farms with six 492-foot, utility-scale turbines were being proposed for our neighborhood. Colebrook schedules town meetings twice a year, and not one meeting in the last two years has had wind farms on the agenda, as a way to inform or to educate townspeople.

We did know about the Zoning Enforcement Officer's controversial approval of a met tower in November 2008, which was upheld by the Zoning Board of Appeals in February, 2009, and had heard that the company who owns the met tower bought out a dissenting neighbor. The Colebrook Selectmen's minutes from 2008 through 2010 do not mention wind turbines or the company proposing them. I looked up the minutes of the Connecticut Clean Energy Fund (CCEF) and discovered our First Selectman had in fact sent a letter in December, 2008 supporting the met tower and that letter was the basis for continued support with public funds.

CCEF Projects Committee minutes for October 15, 2009 state:

"In response to a question about opposition to the projects, Mr. Hedman indicated that staff has copies of written letters from the town officials supporting the projects. The Committee members requested that staff encourage the developers to obtain as much support for the projects and alleviate potential opposition sooner rather than later in the process."

CCEF Projects Committee minutes for November 12, 2009 state:

"Mr. Hedman mentioned that some concern was expressed with obtaining support from the two communities prior to funding, and CCEF was provided with letters of support from the Mayor of Prospect and first Selectman of Colebrook.Mr. Hennessy raised questions about public relations and outreach. Mr. Hedman stated that the developer has been focusing on obtaining the data needed to move to Phase 2 and understanding the markets for the turbines. He noted that the activities for outreach and public relations will begin in the near future and before filing with the Siting Council."

It was almost a year later, in November, 2010, that we found out about the project for the road we live on, Rock Hall Road. One of the first things I did was help found FairWindCT, a grassroots organization with initial support from residents of Colebrook, Winchester and Norfolk, who called for a moratorium, public hearings, and regulations about siting wind farms. We educated

ourselves very quickly about wind energy, turbines, and the Connecticut Siting Council and declaratory rulings, hired legal representation, created a web site, and mailed flyers to the entire town. For most residents, our mailing was their first notice of the projects.

At the end of December 2010, as President of FairWindCT, I wrote the following letter to the Connecticut Siting Council, and sent copies to many state and local leaders:

“Before rolling out large numbers of wind turbines on hills and ridgelines, the State of Connecticut has the unique opportunity to learn from wind farms in other states and do its best to ensure the health and safety of its citizens. The State of Connecticut and many of its towns, including Colebrook, do not have regulations for wind farms in residential areas. The State and towns need time to plan for this substantial change in our mix of energy resources. We ask that the Connecticut Siting Council (CSC) call for a moratorium on commercial wind energy applications and initiate regulation-making proceedings on the subject.

“Essential questions need answers – what are the appropriate setbacks from homes, occupied buildings, property lines, wetlands, and local and state roads? Noise, shadow flicker, ice throws, mechanical failure, fire safety, environmental effects, decommissioning, bonding, tax assessments, and the size and weight of trucks and cranes used to install and repair huge turbines are just some of the other issues that every wind farm and every town will need to address and live with for many years.

“The public and its elected representatives deserve to be heard on the issues, before acres of forestland are cleared, gravel roads built, and wetlands destroyed to accommodate wind farms in residential areas. In addition to a moratorium and the initiation of regulation-making proceedings, we urge the CSC to hold public hearings locally on all applications.”

Well, a lot has happened in the past month: Our group and Save Prospect, as similar grassroots organization from Prospect, met with Attorney General Richard Blumenthal, who supports careful regulations for siting wind turbines. The Connecticut Siting Council agreed to hold public hearings on the applications before them, and today, your committee (the Energy and Technology Committee) is holding a hearing on a moratorium and regulations concerning the siting of wind farms. However, there is still much to do to make sense of the situation we are in.

One of the first questions I researched was “What is Connecticut’s public policy on wind energy?” I eventually found a report online called: “Final Results of the New England Wind Integration Study (NEWIS) PAC Meeting, 11/16/10 ISO New England.” It has several scenarios for wind energy in Connecticut, all but one indicating zero onshore and offshore wind generation. However, the scenario on page 23 shows 20 onshore wind sites with a name plate total of 2.642 GW of and a capacity factor of 24%. Does this mean that Connecticut’s goal could be to install more than 1,500 utility-scale wind turbines in our towns? If so, we need state regulations to protect the health and safety of citizens.

I grew up in a time when the Marlboro Man rode across TV screens and the pages of magazine ads. The tobacco industry denied smoking had any effect on health and even suppressed studies that showed it did. But we've come a long way in 60 years. Product recalls due to safety concerns are routine, and last year the president of Toyota, a major automotive company, apologized to customers for not making quality its first priority. The wind industry is a new industry and, quite frankly, needs to get out in front of concerns about health and safety. As the use of wind energy expands across the globe, health and safety issues continue to be reported in the U.S. and other countries, from Australia to Europe and Canada. These issues should not be dismissed out of hand by the State of Connecticut, because if not properly sited, any wind farms here will suffer from the same controversy.

For example, regulations are needed for appropriate setbacks. While ice throws and equipment failure are concerns, noise and infrasound carry much further. Setbacks should be determined with input from scientists, physicians and acoustical engineers, and by using plain good sense. Wind turbines should not be allowed to use public roads, nearby landowners' property, and wetlands as a fall zone.

A second example where regulations are needed is in the area of tax payments and decommissioning. How can you protect towns from projects that ultimately don't work or that could be abandoned?

As our elected officials, you have the responsibility to see that business is carried out fairly and with standards in the State of Connecticut. We are asking you to create regulations that will site wind turbines appropriately to protect residents' health, neighborhoods and regulations that will guarantee a transparent process and public hearings on all wind farm applications.

In closing, I would like to point out that our small town of Colebrook, with about 900 homes and a population of 1,400, has been not only producing but exporting renewable energy for many years. Colebrook lost the community of Colebrook River in the 1940s so the Goodwin Dam and Colebrook River Dam could be built by the Metropolitan District Commission and the U.S. Army Corps of Engineers. The MDC web site reports that "The Goodwin Facility generates 13,600,000 kilowatt hours of electricity in a typical year, enough to serve 2,000 homes. The Colebrook River Facility generates enough electricity to serve 1,000 homes -- approximately 6,700,000 kilowatt hours annually." There is also a small 600kW hydro dam in the Robertsville section of Colebrook. We do not oppose renewable energy -- we just want it to be subject to reasonable regulations. Let's be sure our State looks at all its options for renewable energy and supports the best long-term, cost-efficient projects for its ratepayers.

Thank you for calling this hearing so quickly. We appreciate your support and urge you to vote in favor of HB 6249.

Joyce Hemingson
Colebrook, CT

Helen Plante
5 Rosewood Drive
Prospect, CT 06712
203-758-4841

February 3, 2011

Energy & Technology Committee
Room 3900
Legislative Office Building
Hartford, CT 06106

Dear Committee Members:

I am from Prospect and I live three miles away from a proposed wind farm site. I am here to express my concern for this type of project and how it will impact my town and neighbors. This is personal to me.

I grew up in the neighborhood that will be directly affected by this proposed wind farm. I have family that still lives in the house I grew up in. I am speaking on the behalf of my 77-year old father who cannot be here today. He will be within 1500-feet of the proposed site. He has owned his property in Prospect since 1955. He has put his life's work into his property.

When he bought his property, he understood he was near Route 69 and there would be some noise associated with the location. What he never imagined, as he dug his foundation by hand, that his retirement years and lifetime investment could be ruined by a proposed wind farm located so close to his home. The impact this proposal could have on his quality of life, personal safety and devaluation of his property is beyond his comprehension and, frankly, mine as well.

This densely populated area is not the proper location for this type of facility. The negative impacts upon the residents will be too great. The residents of the area shouldn't be asked to sacrifice a lifetime of work and investment for a facility that would be better

suites elsewhere in a remote setting as is common around the world. Regulations need to be in place to protect the interests of Connecticut citizens. Please, think of the residents that have put a lifetime of work into their property and the young families that are now faced with a potential burden of the many negative impacts this project will bring. Please don't put them in a position where they will be unable to have a lifetime of peace and security in their own home. Please understand that the value of their properties will be greatly reduced and they will find themselves trapped in their own homes because their neighborhood has been made completely undesirable.

Sincerely,

Helen Plante

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENERGY AND
TECHNOLOGY
PART 9
2578 - 2866**

2011

CBIA

CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION

Testimony of Kevin R. Hennessy
Assistant Counsel
The Connecticut Business & Industry Association
Before the Energy & Technology Committee
March 15, 2011

My name is Kevin Hennessy. I am assistant counsel for the Connecticut Business and Industry Association (CBIA) for energy & technology matters. CBIA represents approximately 10,000 member companies in virtually every industry. They range from large, global corporations to small, family owned businesses. Approximately 90 percent of our member companies have fewer than 50 employees. All of our members are energy consumers and rely on energy for their respective day-to-day operations.

Thank you for the opportunity to comment on the following bill:

- SB-1, AAC Connecticut's Energy Future

Connecticut needs a strategic long-term energy policy to ensure energy-related economic, reliability, economic development and environmental objectives. SB-1, AAC Connecticut's Energy Future, should be the enabling legislation to outline our state's long-term energy policy goals. However, as drafted, SB-1 loses that focus. Instead of outlining the energy policy goals and trying to achieve them with the Department of Energy & Environmental Protection's (DEEP) input and assistance, this bill appears to codify into law the adoption or study of a plethora of energy policies. Moreover, the numerous policies often run counter to the bills' stated priority in Section 1 of reduced rates and costs.

SB1176

HB6249

Sound energy policy requires prioritization. Should Connecticut's energy policy prioritize reduced rates, reduced costs, adequate reliability, increased economic development or increased environmental benefits? For the business community, the choice is clear. Reducing our energy costs has to be Connecticut's paramount energy policy, followed closely by ensuring adequate reliability.

The following analysis and comments on SB-1, AAC Connecticut's Energy Future, are from the business community's perspective regarding how it will create a long-term energy policy with a priority on reducing rates and costs.

(j) (2)

Requires the Electric Distribution Companies (EDCs) to file with DEEP one or more long-term power purchase contracts from Class I renewable energy source projects located in Connecticut at a price that is either 5.5 cents higher than the wholesale market price for generation or 12.5 cents per kilowatt hour.

- This means Connecticut will pay more for this power source and it will increase electric rates.
- Of note, if HB-6249, *AA Requiring the Adoption of Regulations for the Siting of Wind Projects*, is adopted, it is unlikely that any of these power purchase agreements will be for wind resources. That bill, which calls for a moratorium on wind until regulations are adopted, was approved by the Energy & Technology committee on February 15, 2011.

Sections 56-62**Section 56**

Caps the aggregate net annual costs recovered from electric ratepayers for the initiatives in Sections 57-62. From 1/1/12 – 6/30/14 the costs are not to exceed one-half of one percent of the total retail electricity sales revenues of the Electric Distribution Companies (EDCs) (currently estimated at \$15 million). From 7/1/14 – 6/30/16 the costs are not to exceed three-fourths of one percent of total retail electricity sales revenues of the EDCs (currently estimated at \$22.5 million). For each year starting on 7/1/16 the costs are not to exceed one percent of the total retail electricity sales revenues of the EDCs (currently estimated at \$30 million) for the *solar programs* (emphasis added) in Sections 57-62. Nets out the incentives paid by the Clean Energy Fund for solar deployment programs against the aggregate annual costs identified in this section.

- The programs and initiatives listed in Sections 57-62 are admirable, aggressive and expensive. Although caps have been put in place via Section 56, they are soft. Caps are easily adjusted and ratepayers could be subject to increased costs. Regardless, there are real costs associated with the programs as drafted and they will be borne by electric ratepayers.
- See Exhibit B. Although Solar PV is not a new technology, it has been around since at least the early 1970s, it is still very expensive. Rather than create carve-outs for certain technologies, it is better public and energy policy to create programs that are technology neutral and are open for all customers (See feed-in tariff from Section 89).

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Would Representative Jonathan Steinberg of the 136th District come to the dais and lead us in the Pledge of Allegiance.

REP. STEINBERG: (136th):

(Inaudible.)

SPEAKER DONOVAN:

Is there any business on the Clerk's desk?

THE CLERK:

Just today's calendar, Mr. Speaker.

SPEAKER DONOVAN:

Thank you. Mr. Clerk, are there any announcements or introductions? Any announcements or introductions?

There being none, the Clerk will please call Calendar Number 42.

THE CLERK:

On page 36, Calendar 42, Substitute for House Bill Number 6249, AN ACT REQUIRING THE ADOPTION OF REGULATIONS FOR THE SITING OF WIND PROJECTS, favorable report from the Committee on Appropriations.

SPEAKER DONOVAN:

Representative Vickie Nardello.

REP. NARDELLO (89th):

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Good morning, Mr. Speaker. I move acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Will you remark?

REP. NARDELLO (89th):

Yes, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO number 6526. Would the Clerk please call the amendment and may I be allowed to summarize?

SPEAKER DONOVAN:

Will Clerk please call LCO 6526, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 6526, House "A," offered by
Representative Nardello.

SPEAKER DONOVAN:

The Representative seeks leave of the Chamber to summarize. Any objection to summarization?

Hearing none, Representative Nardello, you may proceed.

REP. NARDELLO (89th):

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Mr. Speaker, this amendment changes the effective date of the bill to July 1st, 2011. It adds noise to the criteria and the development of regulations. It makes it clear that regulations apply to applications and petitions and it removes the provision that regulations apply to pending petitions.

I move the amendment.

SPEAKER DONOVAN:

Can you say move adoption?

REP. NARDELLO (89th):

I move adoption of the amendment.

SPEAKER DONOVAN:

The question before the Chamber is on adoption of House Amendment Schedule "A." Will you remark?

Representative Hoydick.

REP. HOYDICK (120th):

Good morning, Mr. Speaker.

SPEAKER DONOVAN:

Good morning, Madam.

REP. HOYDICK (120th):

I have some questions to the proponent of the bill on the amendment.

SPEAKER DONOVAN:

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Please proceed.

REP. HOYDICK (120th):

Representative Nardello, can you tell us a little bit why you proposed this amendment?

REP. NARDELLO (89th):

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Yes. Actually, this addresses some changes that were necessary. First of all, inadvertently in the original draft, noise was left out and noise was one of the criteria that should be looked at for regulations. And in addition to that, in the original draft what we said is it applied to applications and not petitions. And we can't have petitions or an application based on whether or not it comes under a declaratory ruling. And the third is that initially when we were doing this legislation there were two pending projects that were being considered at that time. And the language applied to them in terms of the fact that they would be required to be considered under this regulatory process. This

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is no longer the case so that we have removed that language.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker. And through you, what's the difference between a declaratory ruling and going through the regulation process? And could you just elaborate on that a little further for the Chamber?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. The declaratory ruling is a shorter process based on less -- it's a shorter process that takes time -- less time, okay. The application process actually takes a very long period of time. It actually applies to 65 megawatts and under renewables (inaudible) for declaratory petition as opposed to an application.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you. Thank you, Representative Nardello. Through you, Mr. Speaker, so if I understand this

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correctly, if there are no regulations in place, which is -- I'll get back to when we talk about the bill -- what will happen is a petition will be heard, a finding -- a finding will be realized and then all you're doing with this is saying that after, noise needs to be included as part of the bill that will constitute regulations being written. Is that correct?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, yes. All the underlying language stays. You're adding noise to the criteria and these regulations are what whoever comes in for the petition or application must adhere to, once they're adopted, obviously.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative Nardello. And through you, Mr. Speaker, is there a date -- I didn't -- is this the July 1st date that you'd like this by or is that in the next part of the bill?

SPEAKER DONOVAN:

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Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, it's in the amendment and in the first line it says change the effective date of the Section 1 to July 1st, 2011.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative. And through you, Mr. Speaker, and why did you feel the need to put in July 1st?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, July 1st was added because it was felt that that was the time that we should begin the process upon consultation with all the individuals involved.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative. And through you, Mr. Speaker, is there a time frame it will take for the

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Siting Council to develop recommendations? Through
you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. It can take anywhere
from six to 18 months. It depends a great deal upon
whether or not public hearings are requested. If
they're not, it goes much more quickly. If there's
public hearings, it could take, as I said, generally
it's anywhere from six to 18 months.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative. And, Mr. Speaker, I
support this amendment and encourage my colleagues to
support it as well. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Rigby.

REP. RIGBY (63rd):

Good morning, Mr. Speaker.

SPEAKER DONOVAN:

Good morning, sir.

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REP. RIGBY (63rd):

Mr. Speaker, if I may, a couple of questions to the proponent of the amendment?

SPEAKER DONOVAN:

Please proceed.

REP. RIGBY (63rd):

Mr. Speaker, through you, there was a ruling recently on a proposed project in the town of Prospect. And as part of the ruling the Siting Council made an observation that the visual impact of this project, of these proposed wind turbines, the visual impact was too excessive. Through you, Mr. Speaker, would these regulations have any impact on the Siting Council rendering such a decision on future projects?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. After the date of July 1st, if a petition comes in and they -- once the regulations are formulated, then they must submit to those regulations. So after that date, it would be.

And if you look at the underlying language, it is up to the Siting Council, because they do, of

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course, do the regulations, and they would determine. They have to look at the things that we've told them and then whatever else they think is appropriate.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you. I appreciate that answer.

And through you, Mr. Speaker, when the Siting Council reviews projects such as cell phone towers or nuclear power plants or any -- any -- any generation facility that's submitted to them for consideration, how do they make decisions currently? Do they use regulations that are in statute? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. There are various precedents that have been set and that they use in the cell tower and in the siting of facilities. They are, by the way, when you come in under and application, it's a much more extensive process. There are many, many things they must consider. This

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-- if you come in under a petition, there's only two things they need to consider.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you. I appreciate Representative Nardello's answers and work on this bill and the amendment we're discussing currently.

I'd like to reiterate a point that was already made, that this amendment does not interfere with Siting Council business or consideration, deliberation of a project. All this -- all this seeks to do is make it very clear for a developer that purchases a piece of property and wants to perhaps put up wind turbines on it -- they'll know exactly what they're going to be evaluated on before spending, you know, quite a bit of money. I think in some cases, they can spend up to a million dollars to even make an application to the Siting Council. So this protects the potential developer and it also protects those people that might live in an area near a proposed site.

So everybody can say, "Well, here are the guidelines that we have to follow and here is how the

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project is going to be considered." And I ask everybody to consider this amendment and the underlying bill, and support it. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. A couple of questions to the proponent, through you, please.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

I believe I heard the chairman of the Energy and Technology Committee say that noise was left out in the final copy and this amendment intends to include it.

Can she tell me the reason why that's an important thing to include at this point? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

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Through you, Mr. Speaker. Commercial wind turbines -- one of the most important things in terms of the impact on neighborhoods is the amount of noise it makes. Because generally, it's over long periods of time that you hear the noise. So noise is a very critical factor in determining the siting of commercial wind turbines.

SPEAKER DONOVAN:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. And again, through you, can the gentlelady tell me if other states include noise as one of the considerations in siting?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, yes. Noise and setbacks are the most common things considered by other states.

SPEAKER DONOVAN:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. And regarding other language in this amendment that would prohibit any action until these regulations are adopted, in the event that -- I know in instances, at least, with those areas I'm more familiar with, such as environmental protection, there are a few statutes where we have required the agency to develop regulations or to adopt regulations. And in essence they haven't been over the course of almost up to 20 years. And one example that I can think of -- can the gentlelady tell me is there some sort of response contemplated if the Siting Council just doesn't develop any regulations? Through you, Mr. Speaker.

SPEAKER DONOVAN: .

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. We are statutorily directing them to adopt regulations. So it is incumbent upon us to make sure that they do. And I don't believe that they should be able to ignore the statutes.

SPEAKER DONOVAN:

Representative Chapin.

REP. CHAPIN (67th):

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Thank you, Mr. Speaker, and I thank the gentlelady for her answers.

I guess I certainly stand in support of the amendment. I think it does make the bill better. I do have a concern, however, that if the Siting Council just doesn't act that we may be in essence putting into effect a permanent moratorium. I don't believe that that's the intent of this body, but certainly if that's the effect, I'm sure we can address that in another legislative session. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker, good morning.

SPEAKER DONOVAN:

Good morning, sir.

REP. CANDELORA (86th):

If I may, just a couple questions on the amendment.

SPEAKER DONOVAN:

Please proceed.

REP. CANDELORA (86th):

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Thank you, Mr. Speaker. Just picking up on that last line of questioning, I see we are deleting part of lines 15 and then 16 through 19, which is taking out the moratorium language. But then the amendment adds in lines 13 to insert "not" so that the Siting Council shall not act on any application until regulations are passed. What effect would this bill, if passed as amended, have on any current pending applications? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, The deletion of the lines at the end of the amendment ensure that that does not have an effect on any pending applications.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And as I understand it, the effective date of these -- of this bill would be July 1st? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

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REP. NARDELLO (89th):

Through you, Mr. Speaker, yes, that is correct.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So that if there are any applications that have been submitted prior to July 1st, the Siting Council would be able to act even if that application process -- say they filed on May 1st -- and that application process is still pending before the Siting Council into August, would they still be able to act on those applications? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. As long as it was filed before July 1st.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And then I guess the regulations that the Siting Council would be adopting, as I understand this,

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these are regulations that they internally would be following and they wouldn't necessarily be regulations that each municipality would be adopting? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, yes. The Siting Council adopts regulations through the entire state as an agency. It is not through the individual municipality.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And the regulations, um, once they're proposed, do they go through the same regulatory process as our other agencies, where they need to eventually come before our Regs Review Committee and get approved in order to go into effect? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

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Through you, Mr. Speaker. Yes, they follow the exact same process as any other agency regulations and yes, they do end up at Regs Review in the end.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I thank the good Representative for her answers.

I think that this amendment certainly is an improvement to the underlying bill. I am concerned as -- and I sort of concur with the comments of Representative Chapin that we may be establishing a permanent moratorium if we don't get these regulations moving through the process. So I do have some reservations in that. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Good morning, Mr. Speaker, and if I may, through you, to the proponent.

SPEAKER DONOVAN:

Good morning.

Please proceed.

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REP. HETHERINGTON (125th):

Are there any objective standards that are anticipated in the regulations? For example, if we're regulating -- if we want them to regulate noise would there be a decibel level, anything you could look at and say, "Well, this is obviously too noisy." Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, yes. The industry would -- actually not the industry. The Siting Council would have a consultant. And noise levels are measured according to decibels, and it would be a process by which they would develop these regulations on a scientific basis and determine what the acceptable noise level would be.

SPEAKER DONOVAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

I see. Through you, Mr. Speaker. And I assume that these regulations would be subject to public hearing in the course of their adoption? Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. Yes, they are subject to public hearing and they are no different than the regulatory process for any other agency.

SPEAKER DONOVAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

I see. Thank you. That's all I have for now. Thank you and I thank the proponent and thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the amendment? Would you care to remark further on the amendment?

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

A little earlier one of the speakers indicated a concern about the regulatory process and that there are regulations that -- especially it seems in the Department of Environmental Protection regulations,

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but some others as well, that can take ten and twenty years to come to the committee. And I'm wondering in the present legislation is there some sort of a hammer or something to induce earlier compliance, other than just setting a deadline saying you should get the regulations noticed. But past that point, is there anything else in the legislation that can be used to induce the agency to actually move the regulations along? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. I have personally spoken with the Commissioner of Environmental Protection and he has told me that this will be a priority of his, should we adopt this legislation.

And in addition to that, as Chair of the Energy Committee, I have no intention of putting a moratorium on wind projects for any length of time, since I think it's extremely important that we have renewable resources. So I will personally be looking to moving the Siting Council to producing these regulations as quickly as possible.

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As I said, I think the only thing that sometimes takes a little more time is that we do have a public hearing process and we do want that. So that extends -- as I said, it can be anywhere from six to 18 months. But I may give you my personal commitment that I will be making sure that these regulations come forth as quickly as possible.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker, and I appreciate the notion that perhaps sometimes it's more important to have people committed to doing things than to have a rule or a statute that requires something to be done but no one really makes an issue of it.

Nevertheless, agencies seem to take a long time to generate regulations in this general area of things that have to do with environmental type concerns and public health and even public safety type matters. And what I'm afraid of is that -- and I've seen this happen, we had stream flow regulations that took about five years to get to the committee. We have had regulations on ground water that passed when I was a member of the Pomperaug Valley Water

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Authority and took away the authority of the Authority to regulate. And I was on the Regulations Review Committee 12 years later when the regulations finally -- to finally implement that law finally showed up for consideration.

So I -- I -- I guess I share the concern that this could without any bad intent on anyone's part or failure of anyone to try to do their best, this could take a fairly long time before those regulations get a -- get at least as far as a regulations review committee, which then has to make decisions about whether or not they carry out the intent of the legislation that is before us today. I guess I've seen it done in other cases where there was some kind of an extra effort made, extra pressure put on the agency to produce the regulations. And I just hope that today is not forgotten by the agency or by the Assembly, that we're trying to get these regulations done quickly.

The committee -- the Regulations Review Committee to which these things are going to go and to which ultimately is responsible for them getting them to the final step and is supposed to sort of police it has comparatively limited tools to do that.

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And so, if it does not come from the committee of cognizance or it does not come from the leadership of the Legislature, dealing with an agency that is taking a long time to produce regulation, we could be facing years before these regulations are ultimately before the committee.

And then hopefully they are in a condition so they can be approved with relatively minor tinkering or without much delay at the committee level. But most of the delay with these regulations over the years has been getting them to the point where they are brought to the committee. They can have a hearing and they kind of disappear back into the bureaucracy and then we don't see them again for years. And -- and it doesn't seem like it -- that -- without something more -- and I'm hoping that, uh, uh, an energetic chair of a committee and others can, uh, make this a priority. But, uh, I've seen it happen way too many times that the people who originally passed the legislation have left the Legislature and been replaced twice before the regulations actually get to a point of being acted upon. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

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Thank you, Representative.

Representative Larry Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

I rise in support of the amendment. I think that Planning and Zoning regulations protect property owners, particularly in a residential neighborhood from having a gas station placed next to a residential home or a factory in a residential neighborhood -- uh, residential neighborhood. So I think, you know, a structure, such as a wind turbine, three or four hundred feet tall, I think we have to protect the constituents that live around there. And there's adequate data on the Internet regarding noise and flicker and all sorts of things that these windmills create. So I think it's important that we have regulations, to make sure that these turbines are placed in proper areas and they have no effect on constituents, especially from a safety standpoint. So I support the amendment and encourage everybody else to. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

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Would you care to remark further on the amendment? Would you care to remark further on the amendment?

If not, let me try your minds. All those in favor of the amendment, please signify by saying aye.

REPRESENTATIVES:

Ayè.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Remark further on the bill as amended?

Representative Greene from the 105th.

REP. GREENE (105th):

Thank you, Mr. Speaker. Through you to the proponent of the bill, a few questions, if I may.

SPEAKER DONOVAN:

Please proceed, sir.

REP. GREENE (105th):

Thank you very much.

The Connecticut Siting Council right now. I'm curious right now how they actually currently consider the siting of projects such as wind powered. Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. The Connecticut Siting Council now sites wind projects generally if they're 65 megawatt and under and that's pretty much going to be most wind projects through a declaratory ruling process.

SPEAKER DONOVAN:

Representative Greene.

REP. GREENE (105th):

Thank you, Mr. Speaker. And according to statute with the charges given to the Connecticut Siting Council, do they have to consider specific criteria -- I guess maybe not specific criteria but a more general sense things such as the effect of, say, a wind tower on the public health or the environment in the area? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. On the petition process they only have two things that they have to consider through statute. And that is environmental

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impact and impact on, I believe, it's water quality.
I will double check that. So there are only -- let
me just see -- there are only two criteria through
the petition process since that's an expedited
process.

SPEAKER DONOVAN:

Representative Greene.

REP. GREENE (105th):

Thank you. So essentially there are no specific
charges that the siting council has to ever consider
a project's impact on public health, such as, for
example, transmission lines with electromagnetic
fields or um, um, the output of large scale
generation facilities such as an oil based generation
facility. These are not factors that have to be
considered by the Siting Council?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. They do have to be
considered in the application process, but not in the
petition process.

SPEAKER DONOVAN:

Representative Greene.

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REP. GREENE (105th):

I see. Thank you very much.

The bill before us, how would this differ from other projects such as transmission lines or generation -- other generation facilities? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. If the -- if the gentleman could repeat the question because I don't know if I understand exactly what he's asking.

SPEAKER DONOVAN:

Representative Greene.

REP. GREENE (105th):

Thank you, Mr. Speaker. Well, essentially what I'm trying to drive at is does this -- does this process that we're trying to adopt here, the process of redeveloping specific regulations for wind power, does it differ from the siting of, say, um, a gas fired plant or transmission lines or cell towers, et cetera?

SPEAKER DONOVAN:

Representative Nardello.

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REP. NARDELLO (89th):

Through you, Mr. Speaker. Since most of them come under different statutes, they're covered by different rules regarding them. What happened was when -- the reason this bill is before you is because we determined that there were no specification either in statute or through regulation on the siting specifically of wind towers -- wind turbines that are commercial. And they have specific criteria that we need to look at and specific impacts.

SPEAKER DONOVAN:

Representative Greene.

REP. GREENE (105th):

Thank you, Mr. Speaker. When these regulations are supposedly going to be adopted by the Siting Council, how are they going to determine things like setbacks? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. They will hire a consultant who will -- and it's in the bill, as a matter of -- I mean, it's in the OFA note. They will hire a consultant who will then advise them on what

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proper setbacks should be. And I would hope that they're going to look at other states to see what other states have done.

SPEAKER DONOVAN:

Representative Greene.

REP. GREENE (105th):

Thank you, Mr. Speaker. The, uh -- as I understand it, there are several different manufacturers of wind power or wind towers I should say. Do these manufacturers differ with their recommendations with regard to set backs? Say for example, General Electric may differ with other companies with recommended setbacks for their equipment. Will this be -- will these differences be taken into account by these consultants? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. That's between the consultants and the Siting Council, but I would assume that they would take all of that under consideration to do proper regulations.

SPEAKER DONOVAN:

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Representative Greene.

REP. GREENE (105th):

Thank you, Mr. Speaker.

Actually, Mr. Speaker, you know, I do have some concerns with the underlying bill. You know, the Connecticut Siting Council's been around for a long time, for almost 40 years now. They have done a pretty good job, in my opinion, of siting sometimes very difficult projects, including, as I said before, generation plants, transmission lines, cell towers, et cetera.

And one of the things that struck me during the public hearing process in the Energy Committee was that representatives from the Siting Council warned against limiting our ability to site difficult -- politically difficult, I guess is the best way to put it, projects. You know, a wind tower in somebody's backyard is probably not a great idea, considering the size and the effect it may have on the people living there.

But if we start to adopt specific regulations, specific criteria and don't take into account some of the differences with regard to the location of the towers, et cetera, we may be limiting our ability to

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actually create wind power generation in the state of Connecticut. You know, different areas of the state are different -- the eastern part of the state is different from the western part of the state, the coast is different from the northern part of the state, obviously. And if we want to locate and site wind power, we're going to have to have some flexibility.

The Connecticut Siting Council was created to make those hard decisions. They were created specifically to remove politics from the process. And I think they've done a pretty good job. So I'm somewhat concerned about the effect that this bill will have on our ability to properly site wind power and I will not be supporting it at this time. Thank you very much.

SPEAKER DONOVAN:

Thank you, Representative.

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you, Mr. Speaker. Good morning.

SPEAKER DONOVAN:

Good morning, sir.

REP. LEGEYT (17th):

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Mr. Speaker, I have a couple concerns about the bill and a couple questions for the proponent.

SPEAKER DONOVAN:

Please proceed, sir.

REP. LEGEYT (17th):

I have been listening to the comments that have been made about the lack of a date certain for regulations to be promulgated in the bill itself. And I heard Representative Nardello speak to her intent to make sure that this happens in what I assume she means to be a timely fashion. But, I'm curious, through you, Mr. Speaker, why, uh, the simple process of putting a date certain into the bill was not taken? Thank you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. The reason it was not given as a date certain because there's a wide variance between how long this could take. Again, I consulted with the various agencies and the Siting Council and they gave me the six to 18 month rule. I mean, it can be very quick. It can take up to 18

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months. So it's very difficult to pick a date within that framework.

But again, for those individuals in this Chamber who are concerned about this, I believe we have a Governor who is committed to renewable energy, a legislature that's committed to renewable energy, a commissioner that's committed to renewable energy and a chairman that's committed to renewable energy. So I think if you put all of those things together, we can work on the Siting Council to insure that they undertake this immediately. And I will give you my assurance that once July 1st rolls around, I will be checking in with them very quickly to make sure that they have started this process.

And I would also say that the industry is likely to do that as well because they want to be able to site. And it will give them the regulatory certainty that they need to do that siting. So there will be a number of pressures on the Siting Council in this particular instance to develop these regulations.

SPEAKER DONOVAN:

Representative LeGeyt.

REP. LEGEYT (17th):

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Thank you, Mr. Speaker and I appreciate that answer. I asked the question really for purposes of legislative intent so that at some point there can be some reference to a time frame that was expected. And in that regard, Mr. Speaker, through you, would the Representative agree to suggest what her time frame might be, even if it's not in the bill? Thank you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. I would like to get it completed within nine to 12 months. I think that's a fair assessment of time that we can do it. I don't want it to go to the 18 months, but I think nine to 12 months is fair. I don't know if we can do it in the six, certainly I'm going to try that. But at least the nine to 12.

SPEAKER DONOVAN:

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you, Mr. Speaker. Another question I have. In the body of the bill itself, there's some what appear to be terms of art regarding wind

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turbines, specifically the word "flicker" and the phrase "blade shear." For purposes of legislative intent, I wonder if the Representative could share if those are terms of art particular to wind turbines? And if so, if they are defined somewhere because they're not defined in the bill. And if not, would she share her interpretation of what those terms mean for purposes of legislative intent? Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. Keeping in mind that these commercial wind turbines are approximately 500 feet tall, so that's 49 stories for anybody that's thinking about that. It's the highest building in Hartford, that's where they are. So if you imagine a hundred foot blade and it's spinning at certain times during the day. If you are close enough there will be a flicker effect that can be an impact on certain neighborhoods and certain houses depending on where they are located. It doesn't happen throughout the day, but it occurs at certain times during the day.

In regards to blade shear, that was actually a very interesting thing I learned as we were going through this, we are in New England and we have ice. And so when the wind turbine blades -- will definitely ice up. And there is the potential for the fact that the ice will shear off and could theoretically either hit a neighboring home, a car if it were close enough to the street, a person walking by, for that matter. So blade shear is a concern and does need to be addressed when you're siting wind turbines.

SPEAKER DONOVAN:

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you, Mr. Speaker. And I appreciate those answers. Not to be picky, but the expression of what flicker meant, used the word flicker and so I still can't be sure that I understand what the actual term refers to. And with regard to blade shear, I think there is also a reference to ice throw in there. How is -- uh, uh, what is, uh, what kind of flicker is specifically meant by the term flicker? And how is blade shear different from ice throw? Through you.

SPEAKER DONOVAN:

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Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. Flicker is the -- how do I best explain to you? If you look at the old time movies, you know where they came through and they would run the reel and you'd see that flicker effect. It's similar to that. In other words, it's a creation of the fact that you're seeing light being projected from the blade, like a shadow effect that flickers to the houses, like I said, if they're close enough.

And in terms of blade shear and ice throw, ice throw is the distance by which the -- if the -- if it shears and the ice was thrown, as far as I understand it.

SPEAKER DONOVAN:

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you, Mr. Speaker, and I appreciate those answers. They've clarified the -- those terms somewhat for me and I'm in support of this bill.

Thank you.

SPEAKER DONOVAN:

Thank you.

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Representative Hoydick

REP. HOYDICK (120th):

Thank you, Mr. Speaker. A few questions to the proponent of the bill, through you.

SPEAKER DONOVAN:

Please proceed, Madam.

REP. HOYDICK (120th):

Representative Nardello, would you please explain the Siting Council process after the regulations are written, what happens after they are proposed?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. It would be no different than any other agency. Once the regulations are approved by the Legislative Review -- Legislature -- um -- the Regs Review Committee, they get transferred to the Secretary of State, they're on file and then they become effective.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative. So the Legislature -
- legislative body does not have to vote on this at
all after we pass this portion of the bill? Through
you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, no, they do not.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative Nardello.

Also, about the Siting Council process, through
you, Mr. Speaker, why specifically -- or why
specifically -- or what specific regulations are
already on the books from the Siting Council? If you
could explain that.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. I don't have
knowledge at this point of the specific regulations.
There are procedures in statute that they must follow
based on the various types of projects. There's

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certain things for cell towers, it's certain things for facilities and power plants, there are certain things for transmission lines, so they vary. And they -- and it's done through the process of statute. I'm not -- at this point, do not know if that's done through regulatory, but I know that they exist in statute.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative. And through you, Mr. Speaker, are there any regulations for any other renewables that you know of?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, not that I'm aware of.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative. And through you, Mr. Speaker, is this an area that you think we need further development in? If a renewable is an energy generator would they fall under this particular

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renewable? Would it fall under the siting process currently, the regulations currently, under energy generation or would we be exploring something for renewables specifically? Through you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

No, through you, Mr. Speaker, it would be specific to the siting of commercial wind turbines and again, it's a different process because they get the ability to come in on a declaratory petition which is again, it's a six month process, it's much shorter. The requirements for it are much, um, reduced. They don't have to meet the same kind of criteria that you would do if you come in on an application. And therefore, that's why this is a concern. And again, because wind is very different than, say, siting a biomass plant. First of all, a biomass plant would come in, if it was over 65, under an application process.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

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Thank you and to that point, so you mentioned biomass, which is another Class 1 renewable, wind, which we are addressing here. But other Class 1 renewables or any -- actually any renewables over 65 watts there are no regulations? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. It's the 65 and under that come in under a declaratory petition, that can. They can choose to do that.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

And back to again what we currently have and what we may need, in your opinion, if I may ask that -- or if we were to -- if we -- would you ask the Siting Council or require the Siting Council to develop further regulations for other renewables just like Class 1 geothermal or hydro? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

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REP. NARDELLO (89th):

Through you, Mr. Speaker. I do believe there are different issues in siting those particular technologies. They're not the same as a 500 foot wind turbine. So I don't believe they necessarily have to be considered for the regulatory process. And all I would say to everyone is certainly this came about as an issue that developed that none of us knew about. So what happens in the future I can't speak to, but I can't say that at the current time that there would be regulations necessary since they've already been around. We've sited those things and no one has required regulations or asked for them.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you for that answer. I'm going to reference back to my colleague, Representative Miller, who talked about the protection of home owners and towns and cities. And this kind of -- the Siting Council I think is very responsible in most cases that I've seen. And I'm very pleased with how they've acted about -- on other regulations. And do

we nec -- do we necessarily need to require regulations for the Siting Council on wind and other renewables or other energy generators? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. I can only speak to, again, the issue of wind has come up and because it is specific and different than any other renewable, it requires the writing of regulations. At the current time, those other renewables were in place. There's been no request for regulations and there hasn't been any evidence to the fact that there would need be.

SPEAKER DONOVAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Representative.

My comments, Mr. Speaker, are that I support this legislation and Representative Nardello's intent to protect her constituents. After sitting through the public hearing which was quite lengthy and hearing about people's homes being 800 feet from a

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500 foot wind turbine, I can understand their fear and their concern.

My fear and concern, though, is back to Representative Greene, is we are again -- we have appointed the Siting Council and now we are telling them how to site. And I think we should be a little more comprehensive, especially with the development of Class 1 renewables in the state of Connecticut and the need to increase the population and the use of those renewables through 2014 to 2020.

So though I will be supporting this legislation, Mr. Speaker, I caution us in the future to direct the Siting Council on how to do their job. Thank you very much.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and good morning.

SPEAKER DONOVAN:

Good morning.

REP. WILLIAMS (68th):

Mr. Speaker, ladies and gentleman, in order to understand the bill that we have before us, I think

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it's important for us to at least understand how we got here.

For the last several years, the Energy and Technology Committee has been very supportive of -- and this Legislature as a whole has been very supportive of renewable energy. We have renewable energy standards and a renewable portfolio standard that we are seeking to achieve. We're seeking to achieve 20 percent of our state's electricity from renewable energy. And over the years we've passed a lot of legislation that has created incentives for renewable energy. We have a Clean Energy Fund, we have a Solar Rebate program, we've invited renewable technologies to come here to Connecticut and participate in our electricity market. We want them here and we want them here for good reason. We want them here because we want to wean ourselves off of the very volatile oil and natural gas prices that drive our electricity rates and have driven them to amongst the highest in the country.

We've been very supportive of these things and for a very good reason.

We passed legislation in the last six or seven years that I would argue is historic and the top of

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the heap in terms of what states have done in terms of renewable energy in the last several years. And last year we have a little bit of a fight. We had a little bit of a problem. The Energy Committee worked for a long time, many months, many hours, many nights on an energy bill that ultimately came before us at I think 3:30 in the morning, the last morning of session.

It was an 86 page bill as many of you will recall from sitting here. An 86 page bill we took up at 3:30 or so in the morning. And I remember when we all left here it was sunny out and we were all bleary eyed driving home. And those of you who were not yet elected, I'm sure will remember that, because you were probably waking up to go to work that particular morning and saw, "Oh my god, am I watching a replay of the Energy Committee from last week or for the Legislature from last week? What's this all about?"

And the bill was 86 pages long. And it had more than 40 sections in this bill. It was a major bill. It was big. A lot of ideas in it. And I don't think I'm out of line by saying, you know, when it was dropped on a lot of our desk we looked at it, a lot of us and said, "Oh my god, what is in this?" As I

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recall there was not an OLR bill analysis in the bill and we were being asked to vote on a bill that was very lengthy and very comprehensive and probably had a lot of good ideas in it. A lot of good ideas, but it simply was dropped on our desks at the last minute.

And it was something that -- I suppose this is open to conjecture, but there was not a lot of input from the public. And I remember --

SPEAKER DONOVAN:

Representative, may I remind you to speak on the bill we're talking about, not a previous bill. Thank you so much.

REP. WILLIAMS (68th):

It sort of references this bill -- I appreciate it.

SPEAKER DONOVAN:

Thank you, Representative.

REP. WILLIAMS (68th):

Thank you. So the bill had a memo -- prior to its passage there was a memo circulated around the Energy Committee that -- the energy world -- that said please don't comment on the substance of this

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bill. Please comment on the draft of the bill, do we
put a period -

SPEAKER DONOVAN:

Representative, may I remind you that we're
speaking on the bill before us and not the bill from
a previous, uh, General Assembly.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

Ladies and gentlemen, the bill that we have
before us does something that we probably should do.
We have had proposals in two communities to build
wind turbines. We've had a lot of outcry from
members of the public in those two communities. We
had a lot of people come up and say, you know, we
really support renewable energy, but during the
public hearing we heard a lot of people come to us
and say we need protection. We need you to protect
us. We don't want to have a 49 story wind turbine in
our neighborhood. And we could all appreciate that.

I mean, I've talked to so many of you on both
sides of the aisle who have said, yeah, you know, I
wouldn't want that in my neighborhood. I wouldn't
want to wake up and look at that every day. We
learned new terminology, flicker. We learned about

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the noise that are associated with windmills, wind turbines. It's not all good. It's not all good.

And in our quest to create renewable energy, we forgot, you know, maybe somebody might come and actually try to put a wind turbine in one of our neighborhoods. We didn't think of it. We didn't think of it and it happens.

I mean, we do this all the time. We come to the Legislature, we propose a bill, passed it into law and we say, "Oh my god, geez, I didn't know that was going to happen." And we come back and we fix it. And that's what we're doing here today, folks, we're fixing a problem that we had in the past.

I agree with Representative Greene and many of the comments that were made earlier, that it's very concerning that, you know, we're saying that we want you to come here, we want wind mill technology to come here, we want renewable energy companies to come here. And then we throw up a red flag. It's a little bit concerning.

I'm going to support this bill here today, ladies and gentlemen. I would encourage you all to support this bill as well. But I hope that in the future we can keep in mind -- keep an open mind and

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not shut the door on certain ideas, and maybe we could all learn from each other. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. Through you, a question to the proponent, please.

SPEAKER DONOVAN:

Please proceed, sir.

REP. SHABAN (135th):

Thank you, Mr. Speaker. First of all, really just a comment and then a question, just to preface the question.

A couple of weeks ago we passed a bill in this House, in this Chamber that passed a local energy generation tax that carved out from that tax alternative energy sources. So my concern is that with a potential 18 month essential moratorium on wind farms that the commitment, uh, we spoke about earlier might be a little clouded, i.e. we're committed to alternative energy but we're not going to do it for at least 18 months.

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So with that, my question, through you, Mr. Speaker, is do we have any -- an idea of, uh, of how many potential projects, wind farm projects an 18 month delay could impact? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker, no, I don't have that information. That would depend on the projects and their developers. But do keep in mind that Connecticut has very limited ability to site wind. We are generally not a good wind state.

SPEAKER DONOVAN:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. And -- and a final question.

With the proposed or with the creation of new regulations, is it possible that the Siting Council could, uh, regulate towers or turbines that are below 65 -- I think it was 65 kilowatts was the, uh, the cutoff presently? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

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REP. NARDELLO (89th):

Through you, Mr. Speaker. No, the statutes are such that anything that is above one megawatt is -- is, um, under the Siting Council jurisdiction. Anything below that, which is some of our small -- around other areas of the state is not covered by this and I'm glad we actually got to establish that for the record.

SPEAKER DONOVAN:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. I intend to support the bill. I think it's a good idea. I'm just concerned, uh, about the mixed messages we're sending and I thank the Representative for her responses. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Miner.

REP. MINER (66th):

I have to untangle myself from Representative Williams' microphone there. Good morning, Mr. Speaker.

SPEAKER DONOVAN:

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Good morning, sir.

REP. MINER (66th):

If I might, a few questions for the proponent of the bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

Through you, Mr. Speaker. In Section H, Impact on Natural Resources -- when the amendment was passed I think it kind of moved this from G to H. If the gentlelady could tell me if there is definition for natural resources? Through you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. I was -- I had difficulty hearing. Are you referring to the underlying bill, Representative Miner?

REP. MINER (66th):

Uh, yes. Through you, Mr. Speaker, the underlying bill, even with the amendment, contains the language, "Impact on Natural Resources." One of the areas that would be evaluated during an application or -- I can't remember what the other

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phrase was. So through you, is there a definition for natural resources?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. I believe that is the common terminology that is used throughout Siting Council proceedings.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. Not serving on the Energy and Technology Committee, if the gentlelady could, even if it's just briefly, describe for the Chamber what that definition would be as it pertains to the siting of, uh, wind generating facilities? Through you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. There's nothing in the statute that would liken this to the siting of wind facilities because again, we don't have regulations and this is our first time siting. So

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believe me, everybody was going blind in this trying to figure all of this out. So I don't have the, uh, ability to give you that information. There's nothing in the statute that I'm aware of. That's part of the problem.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I heard the gentlelady, I think I heard her correctly say, that Connecticut is not a good wind generating state. And so I've heard a number of speakers already stand up here and say it is their intention to support this bill. And what I'm trying to find out in supporting this bill what it is that I'm supporting. And if I don't know what the impact on natural resources could be, I'm thinking that I might actually be supporting a moratorium. And the reason why I say that is if an individual could argue that a tree line, a ridge line is a natural resource, is that something that someone could petition the Siting Council not to approve an application and that's why I'm looking for the definition of natural resources.

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So if I could, through you, Mr. Speaker, is that something that could be considered a natural resource, a ridge line? Through you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. As you look at the bill, what it says is they must consider all these things. But they don't necessarily have to adopt regulations on all of these things. It's just for their consideration. So therefore, the ridge lines, of course, if you look at any of the literature and things that other states have done -- and there are ten other states that have adopted wind regulations, by the way. And of those ten other states, they have sited over 6,400 megawatts of wind. So the regulations have not kept them from siting wind. So I would say to you that they would not consider ridge lines as impact on natural resources. But again, this is just a primer. They must consider all these things, but ultimately it will be the Siting Council that will develop, that determines what is the right regulations for the siting of wind. Or shall I say, the best regulations for the siting of wind.

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SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. .And I thank the gentlelady for her answer. I noticed in the language that's currently before us, there's nothing that speaks directly to whether or not these actually function. I know there's some language in there about, uh, uh, what do they call it? Take it down if it has reached its useful life. But I have had some constituents ask me why the regulation, uh, why the language that we're adopting here today doesn't include language that almost requires a developer to certify a certain power output. Not what the turbine is generally capable of producing, but one that would actually make that company certify that if the system functioned over a certain number of days should get that output so that people actually understood the benefit of having these things installed. Through you.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

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Through Mr. Speaker, that's the purpose of the regulatory process. You have a public hearing process with input. And I would hope that your constituent or anyone who had concerns of that nature would go to that public process and ask the Siting Council to consider that. Again, this doesn't limit them to this. They need to look at these things, but they can look at other things. And that's the purpose of having a regulatory process with public hearing and comments.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. So is the gentle lady suggesting, through you, that in addition to these terms set about in the statute, the Siting Council can develop regulations beyond this that are not embedded in this? Through you?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. If you look at line six, it says "shall include, but not be limited to."

SPEAKER DONOVAN:

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Representative Miner.

REP. MINER (66th):

And if I could, through you again, are there some other suggestions that were contemplated that -- I see there are still some amendments left on the system and I'm not sure they include other language that was intended to be called. Are there other ideas that we think are equally as important as these A through, I guess it's H? Through you?

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

Through you, Mr. Speaker. No, these were the most often referenced items and that's why we included them in the bill. And they are the things that tend to be specific again to wind.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, I have a very small piece of property up in the state of Maine. So these are not foreign to me. Every year I've gone back to the state of Maine, I've seen new development in the area that my property is located

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and I don't particularly find them offensive. But I do think, you know, this is all about balance. And we have to balance the value of energy created this way versus the value of energy created some other way, and what it's impact might be both on the environment, on our sight line and so on.

And so while I'm supportive of this bill today, I think this is just the first step, to be quite honest with you. And I do think it's vitally important for the people of the state of Connecticut to know that as much as they may have been following this piece of legislation, it will be equally important for them to follow the regulatory process because that's probably where the action is really going to occur, not here. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Care to remark further on the bill?

Representative Williams?

Care to remark further on the bill as amended?

Remark further on the bill as amended?

If not, staff and guests please come to the well of the House. Members, take their seats. The machine will be open.

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THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House of Representatives is voting by roll call. Members to the Chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board. Make sure your vote has been properly cast. If all the members have voted, the machine will be locked. The Clerk will please take a tally.

Clerk, please announce the tally.

THE CLERK:

House Bill 6249 as amended by House "A."

Total number voting 138

Necessary for passage 70

Those voting yea 132

Those voting nay 6

Those absent and not voting 13.

SPEAKER DONOVAN:

The bill as amended is passed.

Will the Clerk please call Calendar 340.

THE CLERK:

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Motion is for suspension of rules for immediate transmittal, transmittal to the Senate. Any objection? All the bills that need further action are transmitted to the Senate.

Will the Clerk please call Calendar Number 42.

THE CLERK:

On page 46, Calendar 42, substitute for House Bill Number 6249, AN ACT REQUIRING THE ADOPTION OF REGULATIONS FOR THE SITING OF WIND PROJECTS, as amended by House Amendment Schedule "A" and Senate Amendment Schedule "A" which was adopted on June 7th.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

I move acceptance of the -- Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

SPEAKER DONOVAN:

Motion is on acceptance and passage in concurrence with the Senate. Will you remark?

REP. NARDELLO (89th):

Mr. Speaker, the Clerk has an amendment LCO 8598. Would the -- Clerk please call the amendment and I be

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allowed to summarize.

SPEAKER DONOVAN:

Clerk, please call LCO 8518?

REP. NARDELLO (89th):

8598, please.

SPEAKER DONOVAN:

8598, sorry. Clerk, please call. Representative seeks leave to summarize.

THE CLERK:

LCO Number 8598, Senate "A", offered by Senator McKinney and Witkos.

SPEAKER DONOVAN:

Any objection to summarization? Representative, you may proceed.

REP. NARDELLO (89th):

Mr. Speaker, the amendment just changes the date, July 1, 2012 that the regulations have to be adopted by. I move passage of the amendment.

SPEAKER DONOVAN:

The question is on adoption. Remark further? Remark further on the amendment. If not, let me try your minds, all those in favor please signify by saying Aye.

REPRESENTATIVES:

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Aye.

SPEAKER DONOVAN:

Opposed, Nay. The Ayes have it. The amendment
is adopted. Remark further on the bill?

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker. Mr. Speaker, the Clerk
has an amendment, it is LCO 8707. Would you please
ask the Clerk to call it and I be allowed to
summarize.

SPEAKER DONOVAN:

Clerk, please call LCO 8707. Mr. Clerk.

THE CLERK:

LCO 8707, House Bill offered by Representative
Rigby.

SPEAKER DONOVAN:

Representative Rigby -- any objection to
summarization? Representative, you may proceed.

REP. RIGBY (63rd):

Thank you, Mr. Speaker. This amendment makes the
language of the underlying bill retrospective and it
effectively haults the construction of wind turbine
projects until regulations have been promulgated. I
move adoption and ask that when the vote be taken it

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be taken by roll.

SPEAKER DONOVAN:

Question is on a -- question is on adoption.

Question is on a roll call vote. All those in favor of a roll call vote, please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

I believe that 20 percent was not met. When the vote be taken, it will be taken by a -- voice vote.

Would you remark further on the amendment, Representative Nardello?

REP. NARDELLO (89th):

Through you, Mr. Speaker. I urge rejection of the amendment.

SPEAKER DONOVAN:

Question is on rejection of the amendment. Would you remark further on the amendment? Remark further on the amendment? If not, let me try your minds, all those in favor of the amendment please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

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All those opposed, Nay?

REPRESENTATIVES:

No.

SPEAKER DONOVAN:

The Nays have it. The amendment is rejected.

Remark further on the bill? Remark further on the bill.

REP. NARDELLO (89th):

Yes, Mr. Speaker.

SPEAKER DONOVAN:

Representative Nardello.

REP. NARDELLO (89th):

May I ask that this item be placed on Consent?

SPEAKER DONOVAN:

Question is that this bill be place on the Consent Calendar. Any objection? There's no Consent Calendar. Clerk -- staff and guests come to the Well of the House, members take your seats, the machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by roll call. Members to the Chamber.

SPEAKER DONOVAN:

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Have all the members voted? If all the members have voted, please check the roll call board to make sure your vote has been properly cast. If all members have voted, the machine will be locked. Clerk, please take a tally. Clerk, please announce the tally.

THE CLERK:

House Bill Number 6249, as amended by House "A" and Senate "A", in concurrence with the Senate.

Total Number voting	147
Necessary for passage	74
Those voting Yea	131
Those voting Nay	16
Those absent and not voting	4

SPEAKER DONOVAN:

The bill as amended is passed. Will the Clerk please call Calendar 402.

THE CLERK:

On page 14, Calendar 402, substitute for Senate Bill Number 911, AN ACT CONCERNING HOMEMAKER SERVICES AND HOMEMAKER-COMPANION AGENCIES. Favorable report of the Committee on General Law.

SPEAKER DONOVAN:

Representative Taborsak.

REP. TABORSAK (109th):

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Madam President, an additional item to call, to mark go, and to call at this time is on calendar page 20, Calendar 556, House Bill 6249. If the Clerk might call that item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, calling from Calendar 20, calendar page 20, Calendar 556, Substitute for House Bill Number 6249; AN ACT REQUIRING THE ADOPTION OF REGULATIONS FOR THE CITING OF WIND PROJECTS, as amended by House Amendment Schedule "A," LCO Number 6526.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

I move for acceptance of the Joint Committees Favorable Report and passage of the bill.

THE CHAIR:

Approval on the bill. Please proceed sir.

SENATOR FONFARA:

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Madam President, this bill establishes regulations before the citing council for wind projects. I urge adoption.

THE CHAIR:

Will you remark further?

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

The Clerk has in his possession LCO 8598.

Asked to be called and I be allowed to summarize.

THE CHAIR:

Mr. Clerk, please call the amendment.

THE CLERK:

Madam President, the Clerk is in possession of LCO Number 8598, which shall be designated Senate Amendment Schedule "A," introduced by Senator McKinney and Senator Witkos, copies of which have been distributed.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you.

I move adoption.

THE CHAIR:

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Questions on adoption. Will you remark further please?

SENATOR WITKOS:

Thank you, Madam President.

What this does is it replies a deadline to when the citing council should promulgate those regulations as Senator Fonfara spoke about, and I urge the Chambers adoption.

Thank you.

THE CHAIR:

Will you remark? Will you remark?

Senator Fonfara?

SENATOR FONFARA:

Yes, Madam President.

I support the amendment.

THE CHAIR:

Will you remark? Will you remark? If not, let me try your minds. All in favor of the amendment, please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay?

The amendment passes.

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Senator Fonfara.

SENATOR FONFARA:

Madam President.

Unless there is objection, I would move this to
the Consent Calendar.

THE CHAIR:

See no objections, so ordered.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, thank you, Madam President.

There may be one more item to call before we
vote the Consent Calendar, but if we might stand at
ease for just a moment.

THE CHAIR:

Senator, we'll stand at ease.

(Chamber at ease.)

SENATOR LOONEY:

Madam President.

THE CHAIR:

Senator Looney. Senator Looney.

Senate will come back to order please.

Senator Looney.

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From the items previously placed on the Consent Calendar, the first one is on calendar page 12, Calendar 507, Substitute for House Bill Number 6295.

The second is on page 20, Calendar number 556, House Bill 6249.

The next is on calendar page 23, House Bill 569, I mean Calendar 596, House Bill 5816.

Next is on page 25, Calendar 580, House Bill 6250.

The next is on page 44, Calendar 296, Senate Bill 1160.

THE CHAIR:

Will you call for a roll call vote, please?
And the machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Musto, will you join us in a vote please?

Thank you sir.

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If all members have voted. All members have voted. The machine will be closed and Mr. Clerk will you call the tally?

THE CLERK:

Madam President.

Vote on the second Consent Calendar.

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar 2 has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would move all items voted this evening that require additional action in the House of Representatives be immediately transmitted.

THE CHAIR:

See no objections, so ordered sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, since it is midnight I was tempted to make a motion for sine die but I think