



Connecticut Siting Council Overview of Jurisdiction, Process, and History

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Today's Fuel Cell Distinctions



- Fuel cells built out of state with a generating capacity of 10-kW or less are exempt from Council jurisdiction. C.G.S. § 16-50k
- Fuel cells built in state with a generating capacity of 250-kW or less are exempt from Council jurisdiction. C.G.S. § 16-50k
- All other fuel cells require a petition filed with the Council. C.G.S. § 16-50k
- If a fuel cell is to be installed as a backup power source for a cell tower, an Exempt Modification is required. RSCA § 16-50j-72

Fuel Cell Projects



Project	Approved	Size	Manufacturer	Use
South Windsor High School	April 2002	200 kw	UTC	CHP
Water Pollution Control Authority	Oct. 2003	200 kw	UTC	CHP
Nextel, 188 Moody Road, Enfield (Hydrogen Fuel)	April 2005	5 kw		
Pepperidge Farm, Bloomfield				CHP
Phase I	May 2005	250 kw		
Phase II	Feb. 2008	1.2 MW		
Bridgeport Fuel Cell Park	Oct. 2006	14.4 MW	Fuel Cell Energy	Electricity for Grid

Jurisdiction



Connecticut General Statutes § 16-50k (a) states in part that..

Certificates shall not be required for (1) fuel cells built within the state with a generating capacity of two hundred fifty kilowatts or less, or (2) fuel cells built out of state with a generating capacity of ten kilowatts or less. Any facility with respect to which a certificate is required shall thereafter be built, maintained and operated in conformity with such certificate and any terms, limitations or conditions contained therein. Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling (A) the construction of a facility solely for the purpose of generating electricity, other than an electric generating facility that uses nuclear materials or coal as fuel, at a site where an electric generating facility operated prior to July 1, 2004, (B) the construction or location of any fuel cell, unless the council finds a substantial adverse environmental effect, or of any customer-side distributed resources project or facility or grid-side distributed resources project or facility with a capacity of not more than sixty-five megawatts, as long as such project meets air and water quality standards of the Department of Environmental Protection, and (C) the siting of temporary generation solicited by the Department of Public Utility Control pursuant to section 16-19ss.

Filing requirements, fees



- A text description, site plan and a specification sheet for the fuel cell.
- The filing fee for a petition for a declaratory ruling or exempt modification is \$500.

Decision time frame



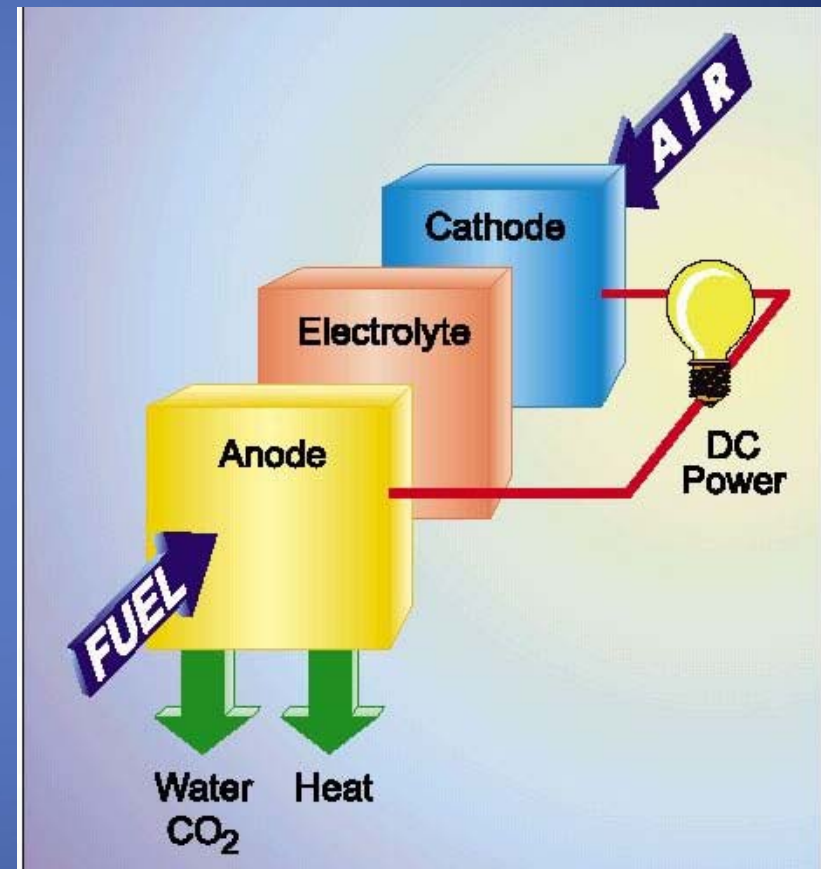
- C.G.S. § 4-176(e) states that “Within sixty days after receipt of a petition for a declaratory ruling, an agency in writing shall: (1) Issue a ruling declaring the validity of a regulation or the applicability of the provision of the general statutes, the regulation, or the final decision in question to the specified circumstances, (2) order the matter set for specified proceedings, (3) agree to issue a declaratory ruling by a specified date, (4) decide not to issue a declaratory ruling and initiate regulation-making proceedings, under section 4-168, on the subject, or (5) decide not to issue a declaratory ruling, stating the reasons for its action.”

Decision time frame



- C.G.S. § 4/176 (c) also states that “Within thirty days after receipt of a petition for a declaratory ruling, an agency shall give notice of the petition to all persons to whom notice is required by any provision of law and to all persons who have requested notice of declaratory ruling petitions on the subject matter of the petition.”
- While the Council does its best to review materials as expediently as possible, we are bound by Statute and the workload of the Council.
- Exempt Modifications are generally turned around within 30 days.

Photos of Fuel Cells



Picture of a Fuel Cell used as a backup power source for a Cell Tower

