



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

August 30, 2023

TO: Service List, dated August 29, 2023

FROM: Melanie Bachman, Executive Director *NAB*

RE: **DOCKET NO. 516** – The United Illuminating Company (UI) application for a Certificate of Environmental Compatibility and Public Need for the Fairfield to Congress Railroad Transmission Line 115-kV Rebuild Project that consists of the relocation and rebuild of its existing 115- kilovolt (kV) electric transmission lines from the railroad catenary structures to new steel monopole structures and related modifications along approximately 7.3 miles of the Connecticut Department of Transportation’s Metro-North Railroad corridor between Structure B648S located east of Sasco Creek in Fairfield and UI’s Congress Street Substation in Bridgeport, and the rebuild of two existing 115-kV transmission lines along 0.23 mile of existing UI right-of-way to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI’s existing Ash Creek, Resco, Pequonnock and Congress Street Substations traversing the municipalities of Bridgeport and Fairfield, Connecticut.

Motions

1. **Sasco Creek Neighborhood Environmental Trust Incorporated, Stephen Ozyck, Andrea Ozyck, Karim Mahfouz, William Danylko, and David Parker Request for Intervenor and CEPA Intervenor Status.**

The request was granted.

2. **Requests for Intervenor and CEPA Intervenor Status and an Additional Evidentiary Hearing from the following entities:**

- 2190 Post Road, LLC
- Invest II
- International Investors
- Pequot Realty, LLC
- 1916 Post Road Associates, LLC
- SF Station Street, LLC
- Maura J. Garych
- Metro Holding Company LLC
- SG Pequot 200, LLC
- 516 Paci Restaurant
- 461 Broad Street, LLC
- Bridgeport 11823 LLC

The requests were granted and pursuant to Connecticut General Statutes §16-50n(c), the Council grouped the 12 entities on the basis of similar interests and common counsel.

3. Fairfield Station Lofts, LLC Request for Intervenor Status and CEPA Intervenor Status and an Additional Evidentiary Hearing.

The requests were granted.

4. Town of Fairfield Request for Party Status and an Additional Evidentiary Hearing.

The requests were granted.

Continuation of Evidentiary Hearing

The Connecticut Siting Council (Council) shall continue the evidentiary hearing for the above-referenced proceeding on **Tuesday, October 17, 2023**, via Zoom conferencing, beginning at **2:00 p.m.** A copy of the Instructions for Public Access to the Continued Evidentiary Hearing is attached.

The hearing shall commence with the continued appearance of the BJ's Wholesale Club (BWC) for cross examination by Sasco Creek Neighborhood Environmental Trust Incorporated (SCNET), the Grouped Intervenor/CEPA Intervenor (LLCs), Fairfield Station Lofts (FSL), and the Town of Fairfield (Town), followed by cross examination on the new BWC exhibits by the Council and United Illuminating Company (UI).

The hearing shall proceed with cross examination of UI by SCNET, the Grouped LLCs, FSL, and the Town, followed by cross examination on the new UI exhibits by the Council and BWC.

Appearances by the new parties and intervenors for cross examination by all parties and intervenors and the Council will commence immediately thereafter in the order by which the requests were granted by the Council during the August 29, 2023 evidentiary hearing session.

UI Late-Filed Exhibits

During the August 29, 2023 evidentiary hearing session, the Council requested UI submit the following information as late-filed exhibits:

1. Referencing UI's response to Council interrogatory 14, in the cost table, Alternative 6 – all underground through streets alternative is 9.14 miles long with transmission costs of approximately \$977M. Docket 508, Findings of Fact Figure 15, Cost Table, Option G, an all-underground through streets alternative had a comparable length of about 9.5 miles, with transmission costs of approximately \$290M. Please explain the discrepancy;
2. Identify any procedure(s) to privately fund portions of a transmission project. Any ISO-NE links to guidelines related to customer or privately funded transmission projects versus pool transmission facility projects could be included;

3. Provide a drawing for Structure P724S that depicts its location, including the locations of the work pads, the aerial easement and the pole installation easement:
 - a. In the application;
 - b. In Configurations 2-1 and 2-2;
 - c. In Configurations 2-3 and 2-4; and
 - d. In relation to the BWC easement.
4. Provide the wetland testing/investigation protocols including but not limited to, hand auger depth(s); and
5. Provide the cost data in a format similar to the Cost Data Table in response to Council interrogatory 14 for the following:
 - a) A double-circuit overhead structure alternative from Structure 648S to Ash Creek; and
 - b) An all-underground alternative from Structure 648S to Ash Creek.

During the August 29, 2023 evidentiary hearing session, the Applicant requested BWC submit the following information as late-filed exhibits:

BJ's Wholesale Club, Inc. (BWC) Late-Filed Exhibits

1. Referencing BWC Pre-Filed Testimony dated August 22, 2023, include the location of the future gas station on Exhibit B (or similar) drawing; and
2. Provide a 90-day truck delivery log for the Fairfield BWC store. A Motion for Protective Order related to confidential/proprietary information may be included if necessary.

The Council requests these late-filed exhibits be submitted to the Council before the close of business on **October 3, 2023**.

To save the time and expense of the parties, intervenors and the public, and to conclude this proceeding in a timely fashion, the Council requests that all parties and intervenors submit interrogatories to the Applicant and other parties and intervenors on or before **September 19, 2023**.

Interrogatory responses and pre-filed testimony, as well as any supplemental information requested of the Applicant and/or other parties and intervenors during the August 29, 2023 hearing, should be submitted to the Council on or before **October 3, 2023**.

Any request for an extension of time to submit pre-filed testimony and responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

If you have any questions about Council procedures, please do not hesitate to contact me at the Council office at 860-827-2935.

Thank you.

MAB/MP/laf

Enclosures: Schedule, dated August 30, 2023
Instructions for Public Access to Docket No. 516 Remote Continued Evidentiary Hearing
Session

c: Council Members
BCT Reporting LLC
Pryme Tyme



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REVISED SCHEDULE

DOCKET NO. 516 – The United Illuminating Company (UI) application for a Certificate of Environmental Compatibility and Public Need for the Fairfield to Congress Railroad Transmission Line 115-kV Rebuild Project that consists of the relocation and rebuild of its existing 115- kilovolt (kV) electric transmission lines from the railroad catenary structures to new steel monopole structures and related modifications along approximately 7.3 miles of the Connecticut Department of Transportation’s Metro-North Railroad corridor between Structure B648S located east of Sasco Creek in Fairfield and UI’s Congress Street Substation in Bridgeport, and the rebuild of two existing 115-kV transmission lines along 0.23 mile of existing UI right-of-way to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI’s existing Ash Creek, Resco, Pequonnock and Congress Street Substations traversing the municipalities of Bridgeport and Fairfield, Connecticut.

Application received	03/17/2023
Completeness review	04/13/2023
Council Interrogatories	
• Set-One Filed	05/10/2023
• Set-One responses due	05/31/2023
Pre-hearing conference via Zoom remote conferencing - 11:00 a.m.	06/28/2023
Council Interrogatories	
• Set-Two Filed	07/11/2023
• Set-Two responses due	07/18/2023
Deadline for Exchange of Interrogatories between Parties and Intervenors	07/11/2023
Deadline for Pre-filed testimony and responses to interrogatories	07/18/2023
Deadline to request Party/Intervenor status	07/18/2023
Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom remote conferencing	07/25/2023
Council Interrogatories	
• Set-Three Filed	08/01/2023
• Set-Three responses due	08/22/2023
Deadline for Exchange of Interrogatories between Parties and Intervenors	08/15/2023
Deadline for Pre-filed testimony, responses to interrogatories and submission of late filed exhibits	08/22/2023
Continued Evidentiary Session 2:00 p.m. via Zoom remote conferencing	08/29/2023
Final Deadline for Exchange of Interrogatories between Parties and Intervenors	09/19/2023
Final Deadline for Pre-filed testimony, responses to interrogatories and submission of late filed exhibits	10/03/2023
Continued Evidentiary Session 2:00 p.m. via Zoom remote conferencing (<i>refer to Hearing Information section on Docket 516 project webpage for Zoom remote conferencing log in/call in</i>)	10/17/2023
Close of Evidentiary Record	10/17/2023

Close of Public Comment Period	11/16/2023
Draft Findings of Fact	12/07/2023
Draft Findings of Fact, Opinion & Decision & Order	12/21/2023
Deadline for Decision	03/17/2024

Siting Analyst: Michael Perrone



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**Instructions for Public Access to Docket No. 516 Remote Continued
Evidentiary Hearing Session – October 17, 2023 – 2 PM**

PLEASE NOTE:

- Interested persons may join the continued evidentiary session to listen, but **no public comments will be received** during the continued evidentiary session. Public comments may be submitted to the Council by email at siting.council@ct.gov or by regular mail.
- Any person may be removed from the remote continued evidentiary session at the discretion of the Council.
- All participants are requested to mute sound notifications on their computer, smartphone or tablet. Telephones are often equipped with a “do not disturb” feature for the dial-in option.

Access to Continued Evidentiary Hearing Session

1. Attendees can join by clicking (or entering) the following link:
<https://us06web.zoom.us/j/88292110950?pwd=UDJvNEVjNzYyKzRFbHJSSE1kWUFHUT09>
from a computer, smartphone, or tablet. No prior software download is required.
Meeting ID: 882 9211 0950 and Passcode: JRiX5x
2. For audio-only participation, attendees can join by dialing in at **1 (929) 205 6099 (not toll free)** and then enter the **Meeting ID 882 9211 0950 and Passcode: 252367** from a telephone.
3. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
4. **No public comments will be received during the continued evidentiary hearing session.**