



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

October 19, 2023

TO: Service List, dated October 17, 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.

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**Motions**

1. **Southport Congregational Church Request for Intervenor and CEPA Intervenor Status, dated October 12, 2023**
2. **Pequot Library Association Request for Intervenor and CEPA Intervenor Status, dated October 12, 2023**
3. **Trinity Episcopal Church Request for Intervenor and CEPA Intervenor Status, dated October 12, 2023**
4. **Sasquanaug Association for Southport Improvement, Inc. Request for Intervenor and CEPA Intervenor Status, dated October 12, 2023**

Requests 1 through 4 were granted; and pursuant to Connecticut General Statutes §16-50n(c), the Connecticut Siting Council (Council) grouped Southport Congregational Church, Pequot Library Association, Trinity Episcopal Church and Sasquanaug Association for Southport Improvement, Inc., and the following existing Grouped LLC Intervenor - 2190 Post Road, LLC, Invest II, and International Investors - with Sasco Creek Neighborhood Environmental Trust, Inc., et al (SCNET Group) on the basis of similar interests and common counsel.

5. **Superior Plating Company Request for Intervenor and CEPA Intervenor Status, dated October 13, 2023**

This request was granted.

6. **Stephen F. Boccarossa Request for Intervenor and CEPA Intervenor Status, dated October 13, 2023**
7. **James Sherwood Bok Request for Intervenor and CEPA Intervenor Status, dated October 13, 2023**

Requests 6 and 7 were granted; and pursuant to Connecticut General Statutes §16-50n(c), the Council grouped Stephen F. Boccarossa and James Sherwood Bok with the Grouped LLC Intervenor on the basis of similar interests and common counsel.

A party and intervenor chart for the proceeding, dated October 18, 2023, is attached for convenience.

8. **Sasco Creek Neighborhood Environmental Trust, Incorporated, et al Motion to Amend Schedule, dated October 13, 2023**
9. **Town of Fairfield Motion to Amend Schedule, dated October 16, 2023**

Requests 8 and 9 were denied on the basis that two prior motions to amend the schedule submitted by the Town and the Grouped LLC Intervenor, dated August 29, 2023 and September 15, 2023, were granted by the Council; the first public hearing on the application was held by the Council on July 25, 2023; the statutory deadline for the Council to render a final decision on the application is March 17, 2024; and in its September 29, 2023 decision to revise the proceeding schedule upon the Town's request, the Council announced that a continued evidentiary hearing would be held on November 16, 2023 and "... further extension requests will not be considered..."

### **Continuation of Evidentiary Hearing**

The Council shall continue the evidentiary hearing for the above-referenced proceeding on **Thursday, November 16, 2023**, via Zoom remote 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 Applicant for cross examination on the **new exhibits** by the parties and intervenors in the order by which the requests were granted by the Council followed by cross examination of the Applicant on the **new exhibits** by the Council.

The hearing shall proceed with the appearances of the parties and intervenors in the order by which the requests were granted by the Council, commencing with the appearance of BJ's Wholesale Club, Inc. (BWC) for cross examination on the **new exhibits** requested by UI during the October 17, 2023 evidentiary hearing session followed by the appearance of SCNET Group, Grouped LLC Intervenor, Fairfield Station Lofts (FSL), Town of Fairfield (Town) and Superior Plating Company (SPC) for cross examination by all parties and intervenors and the Council.

### Applicant Late-Filed Exhibits

During the October 17, 2023 evidentiary hearing session, the Council requested UI submit the following information as late-filed exhibits:

1. Area and/or acreage of backyard easements required for the underground configuration within public roads described on page 9-7 of the Application;
2. Acreage of easements required for the north side of MNRR double-circuit monopole configuration alternative from Late File 2-5(a);
3. Acreage of tree clearing required for the double-circuit monopole configuration alternative from Late File 2-5(a);
4. Acreage of reduced flood plain impact for the double-circuit monopole configuration alternative from Late File 2-5(a);
5. Viewshed analysis for the double-circuit monopole configuration alternative from Late File 2-5(a);
6. Historic resource analysis for the double-circuit monopole configuration alternative from Late File 2-5(a);
7. Referencing Late File 2-2-1, ISO-New England, Inc. (ISO-NE) Schedule 12c, explain the statement, “Local siting requirements for transmission facilities shall not be dispositive of whether or not localized costs exist with respect to any particular transmission upgrade”;
8. Referencing Late File 2-2-1, ISO-NE Schedule 12c, specifically define “localized costs” and how they are allocated;
9. Describe the ISO-NE process, if any, for private funding of a pool transmission facility;
10. Referencing Attachment 2 to the October 3, 2023 Pre-Filed Testimony of Correne Auer, for areas where proposed monopoles on the south side of MNRR are located in flood plains, describe the acreage of easements and tree clearing required to shift those monopoles to the north side of MNRR, the acreage of reduced flood plain impact, viewshed analysis, historic resource analysis and associated structure numbers and estimated costs;
11. Any changes to EMF on the north side of MNRR for the configurations identified in Late File request Nos. 2 through 6 and 10 above; and
12. Provide the estimated costs to rebuild the 1130 Line from Structure 648S to Ash Creek Substation at the end of its useful life.

During the October 17, 2023 evidentiary hearing session, the Applicant requested BWC submit the following information as late-filed exhibits:

### BWC Late-Filed Exhibits

1. Provide a 90-day truck delivery log for the Fairfield BWC store commencing on October 16, 2023 and going back 90 days; and
2. Provide the loading capacity of the areas identified as the proposed construction access route at the BWC property, including, but not limited to, the parking deck truck weight loading capacity.

The Council requests these late-filed exhibits, as well as the **revised, redacted Pre-Filed Testimony of Patrick Natreba** referenced during the October 17, 2023 continued evidentiary hearing, to be submitted to the Council before the close of business on **November 2, 2023**.

Interrogatory responses and pre-filed testimony, as well as any supplemental information requested of the Applicant and BWC during the October 17, 2023 continued evidentiary hearing are also to be submitted to the Council before the close of business on **November 2, 2023**.

Please be advised that the close of business at the Council office is 4:30 PM Monday through Friday.

The final deadline for submission of **pre-filed testimony and responses to interrogatories is November 2, 2023**.

**Direct testimony at the hearings is not permitted.** This applies to all parties and intervenors.

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 September 28, 2023  
                      Instructions for Public Access to Docket No. 516 Remote Continued Evidentiary Hearing  
                      Session  
                      Party and Intervenor Chart, dated October 18, 2023

c:     Council Members  
       A Plus Reporting Services  
       Pryme Tyme Entertainment



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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 <ul style="list-style-type: none"><li>• Set-One Filed</li><li>• Set-One responses due</li></ul>	05/10/2023 05/31/2023
Pre-hearing conference via Zoom remote conferencing - 11:00 a.m.	06/28/2023
Council Interrogatories <ul style="list-style-type: none"><li>• Set-Two Filed</li><li>• Set-Two responses due</li></ul>	07/11/2023 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 <ul style="list-style-type: none"><li>• Set-Three Filed</li><li>• Set-Three responses due</li></ul>	08/01/2023 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

<b>Final Extended Deadline for Exchange of Interrogatories between Parties and Intervenors</b>	<b>10/12/2023</b>
<b>Final Extended Deadline for Pre-filed testimony, responses to interrogatories and submission of late filed exhibits</b>	<b>11/02/2023</b>
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> )	11/16/2023
Close of Evidentiary Record	11/16/2023
Close of Public Comment Period	12/16/2023
Draft Findings of Fact	12/21/2023
Draft Findings of Fact, Opinion & Decision & Order	01/04/2024
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 – November 16, 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](mailto: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/82014851952?pwd=Hf7rL5KTq4VyGVzJkGy25OpPh8z5uf.1>  
from a computer, smartphone, or tablet. No prior software download is required.  
**Meeting ID: 820 1485 1952 and Passcode: ABSP40**
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 820 1485 1952 and Passcode: 241672** 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.**

**Docket 516 Parties and Intervenor, October 18, 2023**

	<b>Name</b>	<b>Status</b>	<b>Attorney</b>	<b>Group</b>	<b>Granted</b>
1	UI	Party/Applicant	McDermott		4/13/2023
2	BJ's Wholesale Club, Inc. (BWC)	Party	Casagrande Mortelliti		7/20/2023
3	Sasco Creek Neighborhood Environmental Trust, Inc., et al (SCNET)	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
4	2190 Post Road, LLC	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
5	Invest II	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
6	International Investors	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
7	Southport Congregational Church	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
8	Trinity Episcopal Church	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
9	Pequot Library Association	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
10	Sasquanaug Association for Southport Improvement	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
11	Pequot Realty, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenor	8/29/2023
12	1916 Post Road Associates, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenor	8/29/2023
13	SF Station Street, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenor	8/29/2023
14	Maura Garych	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenor	8/29/2023



	<b>Name</b>	<b>Status</b>	<b>Attorney</b>	<b>Group</b>	<b>Granted</b>
15	Metro Holding Company, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
16	SG Pequot 200, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
17	516 Paci Restaurant	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
18	461 Broad Street, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
19	Bridgeport 11823, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
20	Stephen F. Boccarossa	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	10/17/2023
21	James Sherwood Bok	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	10/17/2023
22	Fairfield Station Lofts, LLC (FSL)	Intervenor CEPA Intervenor	Schaefer		8/29/2023
23	Town of Fairfield	Party	Herbst		8/29/2023
24	Superior Plating Company	Intervenor CEPA Intervenor	Hoffman		10/17/2023