



STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

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Hearing Program

Docket No. 3B

Thursday, July 28, 2022

2 p.m./6:30 p.m.

Zoom Remote Public Hearing

I. Opening by Council

- A. Statement read by Presiding Officer.
- B. Administrative Notice taken by Council

FEDERAL

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/assets/docs_p_z/results_of_emf_research_emf_questions_and_answers_booklet.pdf
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Proclamation No. 8460 - Critical Infrastructure Protection Month, 2009, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 FED. REG. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, available at <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, available at <http://www.nps.gov/subjects/nationalregister/index.htm>
7. FEDERAL AVIATION ADMINISTRATION, UNITED STATES DEPARTMENT OF TRANSPORTATION, OBSTRUCTION MARKING AND LIGHTING, ADVISORY CIRCULAR AC NO. 70/7460-1L (December 4, 2015), available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf
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11. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, May 31, 2012, available at <http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf>
12. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Annual Energy Outlook 2022*, March 3, 2022, available at <https://www.eia.gov/outlooks/aoe/>
13. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
14. UNITED STATES DEPARTMENT OF AGRICULTURE, Soil Survey Manual, Handbook No. 18, March 2017, available at https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2_054262

REGIONAL

15. ISO-NEW ENGLAND, INC., *2021 Regional System Plan*, November 2, 2021, <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
16. ISO-NEW ENGLAND, INC., *Regional System Plan Project List*, June 2022, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
17. ISO-NEW ENGLAND, INC., *Regional System Plan Asset Conditions List*, June 2022, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
18. ISO-NEW ENGLAND, INC., *2022-2031 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, April 29, 2022, available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt>
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STATE

Connecticut Siting Council

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21. CONNECTICUT SITING COUNCIL, *2017/2018 Forecast of Electric Loads and Resources*, November 8, 2018, available at https://www.ct.gov/csc/lib/csc/pendingproceeds/forecast_2018_2019/f2018/finalreport/f2017-18-cscfinalreport.pdf
22. CONNECTICUT SITING COUNCIL, *White Paper on the Security of Siting Energy Facilities*, October 8, 2009, available at http://www.ct.gov/csc/lib/csc/docket_346/whiteppr_final.pdf
23. CONNECTICUT SITING COUNCIL, *Investigation into the Life-cycle Costs of Electric Transmission Lines*, October 11, 2018, available at https://www.ct.gov/csc/lib/csc/publications/2017-life-cycle_final rpt.pdf
24. **DOCKET NO. 3** - United Illuminating Certificate of Environmental Compatibility and Public Need for replacement of a portion of the existing Derby-Shelton 115 kV transmission line. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Derby
25. **DOCKET NO. 3A** - United Illuminating amendment to a Certificate of Environmental Compatibility and Public Need for replacement of a portion of the existing Derby-Shelton 115 kV transmission line. Record and Final Decision available at <https://portal.ct.gov/CSC/Decisions/DocketLists/Docket-List-Nos1-499>
26. **DOCKET NO. 461A** - Eversource Energy Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 115-kilovolt (kV) bulk substation located at 290 Railroad Avenue, Greenwich, Connecticut, and two 115-kV transmission circuits extending approximately 2.3 miles between the proposed substation and the existing Cos Cob Substation, Greenwich, Connecticut, and related substation improvements. Reopening of this docket based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Greenwich
27. **DOCKET NO. 474** - The Connecticut Light & Power Company d/b/a Eversource Energy Certificate of Environmental Compatibility and Public Need for the Greater Hartford-Central Connecticut Reliability Project that traverses the municipalities of Hartford, West Hartford, and Newington, which consists of (a) construction, maintenance and operation of a new 115-kilovolt (kV) electric transmission line within existing Eversource, Amtrak and public road rights-of-way and associated facilities extending overhead approximately 2.4 miles and underground approximately 1.3 miles between Eversource's existing Newington Substation in the Town of Newington and existing Southwest Hartford Substation in the City of Hartford; (b) modifications to a .01 mile section within existing Eversource right-of-way of the existing overhead 115-kV electric transmission line connection to the Newington

Substation (Newington Tap); and (c) related modifications to Newington Substation and Southwest Hartford Substation. Record and Final Decision *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Newington

28. **DOCKET NO. 508** – The United Illuminating Company (UI) application for a Certificate of Environmental Compatibility and Public Need for the Milvon to West River 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 to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI's existing Milvon, Woodmont, Allings Crossing, Elmwest and West River substations along approximately 9.5 miles of the Connecticut Department of Transportation's Metro-North Railroad corridor traversing the municipalities of Milford, Orange, West Haven and New Haven, Connecticut. Record. https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/4_DocketNos500s/Docket-No-508
29. **PETITION NO. 1293** – Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for all transmission facility asset condition maintenance improvements to comply with the updated National Electric Safety Code clearance requirements. Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1291-1300/Petition-No-1293Eversource

Department of Energy and Environmental Protection

30. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, *Connecticut Guidelines for Soil Erosion and Sediment Control, DEP Bulletin 34*, May 2002, last revised November 2007, *available at* http://www.ct.gov/deep/cwp/view.asp?a=2720&q=325660&depNav_GID=1654
31. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *The Connecticut Stormwater Quality Manual*, 2004, and appendices, *available at* http://www.ct.gov/deep/cwp/view.asp?a=2721&q=325704&depNav_GID=1654
32. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF WATER MANAGEMENT, PLANNING AND STANDARDS DIVISION, *Water Quality Standards, (Surface Water Quality Standards and Ground Water Quality Standards* Effective November 21, 2015, *available at* https://portal.ct.gov/-/media/DEEP/water/water_quality_standards/wqsfinaladopted22511pdf.pdf
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34. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Noise Control Regulations*, Effective June 15, 1978, Regulations of Connecticut State Agencies §§ 22a-69-1, et seq., *available at* https://eregulations.ct.gov/eRegsPortal/Browse/RCSA>Title_22aSubtitle_22a-69/

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36. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *2018 Comprehensive Energy Strategy for Connecticut*, February 8, 2018, available at <https://portal.ct.gov/DEEP/Energy/Comprehensive-Energy-Plan/Comprehensive-Energy-Strategy>
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38. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, *Connecticut's Wildlife Action Plan*, 2015 Revision, available at http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav_GID=1719#Review
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42. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *STORMWATER PROGRAM*, General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. [General Permit for Discharge of Stormwater and \(ct.gov\)](http://ct.gov)
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Department of Public Health

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Department of Transportation

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Other State Agencies

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54. PUBLIC UTILITIES REGULATORY AUTHORITY, 2020 *Connecticut Public Utility Annual Cybersecurity Report*, April 5, 2021, available at <https://portal.ct.gov/-/media/PURA/2020-Connecticut-Public-Utility-Annual-Cybersecurity-Report.pdf>
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TECHNICAL

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MAPS

72. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Cities of Ansonia, Derby and Shelton, and the Town of Seymour*, last updated December 2021, available at <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>

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74. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance*, last updated March 6, 2019, available at https://portal.ct.gov/-/media/DEEP/endangered_species/images/nlebmap.pdf?la=en
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77. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <https://www.audubon.org/important-bird-areas/state/connecticut>
78. Mail-A-Map Street Map, Cities of Ansonia, Derby and Shelton, and Town of Seymour, available at <http://mailamap.com/street-maps>
79. UNITED STATES GEOLOGICAL SURVEY, Interactive Topographical Map Viewer available at <https://ngmdb.usgs.gov/topoview/viewer/#4/39.98/-100.06>
80. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *Connecticut Official State Tourism Map*

C. State Agency comments

1. Department of Energy and Environmental Protection, dated July 21, 2022
- 2.

D. Municipal comments

1. City of Ansonia Comments, dated June 23, 2022
2. City of Derby Comments, dated June 24, 2022
3. City of Shelton Comments, dated June 28, 2022

II. Appearance by Certificate Holder: The United Illuminating Company (UI)

Representative: Bruce McDermott, Esq.
Murtha Cullina LLP

A. Administrative Notice.

B. Exhibits for Identification.

1. Motion to Reopen and Modify the Decision based on changed conditions pursuant to Connecticut General Status §4-181a(b) United Illuminating Company Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of an electric transmission line facility in Ansonia, Derby and Shelton, Connecticut, dated May 13, 2022 with attachments.
2. Certificate Holder's Pre-Filed Testimony of Kevin McMahon, dated July 20, 2022
3. Certificate Holder's Virtual Tour of Project, received July 20, 2022.
4. Certificate Holder's Sign Posting Affidavit, dated July 21, 2022
5. Certificate Holder's Witness Resumes, received July 21, 2022
6. Certificate Holder's Responses to Council Interrogatories, Set One, dated July 21, 2022
7. Certificate Holder's Attachment F Response to Council Interrogatory No. 15, dated July 21, 2022
8. Certificate Holder's Letter from SHPO, dated July 26, 2022

C. Swear Witnesses

1. Todd Berman, Manager, Environmental Programs & Projects, The United Illuminating Company
2. Joe Dietrich, P.E., Senior Project Manager, Permitting Lead, Westwood Professional Services
3. Sathish Konduru, P.E., Principal Transmission Engineer, Westwood Professional Services
4. Benjamin Cotts, Ph.D., P.E., Principal Engineer, Exponent
5. Leslie Downey, Outreach Specialist, Public Outreach Projects, The United Illuminating Company
6. David R. George, M.A., R.P.A., Principal Investigator, Heritage Consultants, LLC
7. Michael Libertine, LEP, Vice President, All-Points Technology Corporation
8. Kevin McMahon, Senior Project Manager, The United Illuminating Company
9. Annette Potasz, Real Estate Projects, The United Illuminating Company
10. Edward Roedel, Principal Engineer, Strategic Planning, The United Illuminating Company
11. MeeNa Sazanowicz, Transmission Line Standards, The United Illuminating Company
12. Jasun Van Horn, Environmental Permitting and Compliance Specialist, The United Illuminating Company
13. Josh Wilson, Senior Wetland Ecologist, Biohabitats, Inc.

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council

III. Closing or Continuation by Connecticut Siting Council.