

March 5, 2020

**VIA ELECTRONIC MAIL AND HAND DELIVERY**

Attorney Melanie Bachman  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

Re: PETITION NO. 1310A – Quinebaug Solar, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on approximately 561 acres comprised of 29 separate and abutting privately-owned parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut

Dear Attorney Bachman:

In connection with the above-referenced Petition No. 1310A, enclosed please find an original plus fifteen (15) copies of the Post-Hearing Brief of The Connecticut Light and Power Company Doing Business As Eversource Energy.

Very truly yours,

  
Marianne Barbino Dubuque

MBD/mkw  
Enclosures

cc: Service List dated January 15, 2020 attached (with enclosure)

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
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<b>Party (Approved 1/2/20)</b>	<input checked="" type="checkbox"/> E-mail	The Connecticut Light and Power Company d/b/a Eversource Energy	<p>Marianne Barbino Dubuque, Esq. Carmody Torrance Sandak Hennessey LLP 50 Leavenworth Street P.O. Box 1110 Waterbury, CT 06702 Phone: (203) 578-4218 <a href="mailto:MDubuque@carmodylaw.com">MDubuque@carmodylaw.com</a></p> <p>Kathleen M. Shanley Manager-Transmission Siting Eversource Energy P.O. Box 270 Hartford, CT 06141-0270 Phone: (860) 728-4527 <a href="mailto:Kathleen.shanley@eversource.com">Kathleen.shanley@eversource.com</a></p>

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**CONNECTICUT SITING COUNCIL**

<p><b>PETITION NO. 1310A – Quinebaug Solar, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on approximately 561 acres comprised of 29 separate and abutting privately-owned parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut</b></p>	<p style="text-align: center;"><b>PETITION NO. 1310A</b></p> <p style="text-align: center;"><b>March 5, 2020</b></p>
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**POST-HEARING BRIEF OF  
THE CONNECTICUT LIGHT AND POWER COMPANY  
DOING BUSINESS AS EVERSOURCE ENERGY**

**I. INTRODUCTION**

In this proceeding, Quinebaug Solar, LLC (“Quinebaug Solar”) filed a petition with the Connecticut Siting Council (the “Council”) for a declaratory ruling in connection with the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility to be located on parcels of land in Canterbury and in Brooklyn, Connecticut (the “Project”). On December 23, 2019, The Connecticut Light and Power Company doing business as Eversource Energy (“Eversource”) filed a Motion for Party Status. In its Motion, Eversource stated that the Project would be served by and interconnected with its existing 1607 transmission line (115 kV) located in Canterbury. Eversource Exh. 1, pp. 1-2. Eversource also explained that consideration by the Council of its planned facilities necessitated by the Project would promote efficiency and economy of the Council’s resources as part of the

Record in this proceeding, in lieu of an additional filing by Eversource after a decision is rendered, if the Project were to be approved. *Id.* The Council granted Eversource's Motion for Party Status on January 4, 2020.

If the Council approves the petition for the Project, Eversource's proposed facilities would include the construction of a new 115-kV switching station in Canterbury, to be designated as the Canterbury Switching Station (the "Switching Station") with two (2) new 115-kV transmission line tap sections and associated line support structures (located adjacent to the Switching Station), to create a line loop in and out of the Switching Station and separation of an approximately 0.75-mile segment of double-circuit transmission line in Norwich. Additionally, Eversource would own portions of collection line segments that cross a public right-of-way, which Quinebaug Solar would construct and lease such line portions back from Eversource. Eversource Exh. 1, p. 2. All of Eversource's proposed facilities are hereinafter referred to as the "Proposed Facilities".

Significantly, the construction and operation of the Proposed Facilities would not have any substantial adverse effects on the environment. Wherever possible, Eversource has incorporated measures into its construction process to protect the environment.

## **II. DISCUSSION**

### **A. BACKGROUND**

Pursuant to the terms of a large Generator Interconnection procedure that is included in Schedule 22 of the Independent System Operator of New England's ("ISO-NE") Tariff, Eversource is required to facilitate installation of the necessary transmission systems and transmission system upgrades and equipment for power generator entities that request to

interconnect to the Eversource transmission system.<sup>1</sup> Accordingly, Quinebaug Solar entered into a Large Generator Interconnection Agreement with ISO-NE and Eversource on February 4, 2019.

**B. THE PROPOSED FACILITIES WOULD NOT CAUSE ADVERSE ENVIRONMENTAL EFFECTS OR POSE AN UNDUE HAZARD (Conn. Gen. Stats. § 16-50p(a)(3)(B), (C) & (E))**

As explained below, the nature of the effects of the Proposed Facilities will not conflict with the policies of the State of Connecticut that the Public Utility Environmental Standards Act (“PUESA”) protects concerning “the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish, aquaculture and wildlife”. (*Conn. Gen. Stats. § 16-50p(a)(3)(B)*) Therefore, Eversource respectfully requests that the Council find that the Proposed Facilities would not have a substantial adverse environmental effect and pursuant to Conn. Gen. Stats. § 16-50k would not require a Certificate of Environmental Compatibility and Public Need.

Based on information provided by Quinebaug Solar<sup>2</sup> and Eversource’s evaluation<sup>3</sup> of the proposed Switching Station site and tap structure locations, construction and operation of the Switching Station and the tap structures at this site would have no substantial adverse environmental effects, as follows:

- No tree or vegetation removal would be required for the Switching Station. In the area of the transmission line tap (1607/1505 Lines right-of-way or “ROW”), limited vegetation removal would be required where vegetation has been allowed to grow within the Eversource maintained ROW to facilitate the use of existing access roads by large construction equipment.

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<sup>1</sup> As stated in the Record, Eversource does not take any position as to the merits of the Project. Eversource Exh. 2, p. 3.

<sup>2</sup> Quinebaug Solar would be responsible for civil construction work at the Switching Station site prior to Eversource’s installation of the Switching Station. As such, Quinebaug Solar performed all of the associated environmental studies. Eversource Exh. 3, Q-CSC-002.

<sup>3</sup> Eversource conducted site reconnaissance, reviewed publicly-available environmental information sources and the environmental documentation from Quinebaug Solar. Eversource Exh. 3, Q-CSC-002.

- The introduction of the Switching Station and transmission line tap structures should not result in a significant visual effect on the surrounding area. The new structures would be set back approximately 1,000 feet from the road and would be approximately the same height as the existing 94 feet tall transmission line structure. The closest residence is approximately 1,000 feet from the proposed Switching Station and tap structures.
- No equipment would be installed by Eversource that would increase noise levels at the property boundaries of the Switching Station.

Eversource Exh. 2, pp. 8-9; Eversource Exh. 3, Q-CSC-013.

Based on Eversource's studies and evaluations of the work area for the double-circuit line separation in Norwich (the "Line Separation Area"), construction and operation of the new facilities would have no substantial adverse environmental effects, as follows:

- The Line Separation Area is not located within a National Diversity Data Base ("NDDB") Polygon. The nearest NDDB polygon is located approximately 1.9 miles to the northeast. One federally-listed (under the federal Endangered Species Act) threatened species is known to occur near the ROW; northern long-eared bat ("NLEB"; *Myotis septentrionalis*). The NLEB's range encompasses the entire State of Connecticut. As a result of this preliminary finding, Eversource's consultant, All-Points Technology Corporation, P.C. performed an evaluation to determine if Eversource's proposed activities would be likely to result in an adverse impact to NLEB. The transmission line work would not be performed near any known maternity roost trees, nor is it within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource is located in North Branford, approximately 35 miles to the southwest. Therefore, Eversource's proposed activities would not be likely to adversely affect NLEB.
- There are no scenic resources proximate to the ROW. The nearest public resource, the Yantic River Water Access, is located approximately 0.15 mile north of proposed structures 6804 and 6804A.
- Heritage Consultants, LLC ("Heritage") conducted a Phase 1A/1B Cultural Resource Reconnaissance Survey of the Line Separation Area with no significant artifacts or cultural resource locations found.
- No wetlands or watercourses were identified within the proposed work pad areas or the majority of the proposed access road. One wetland is located at the southwest limit of this work area, where Eversource would access the ROW. Eversource would utilize a temporary crossing of this wetland to gain access into the ROW for the proposed work activities, resulting in approximately 563 square feet of temporary wetland impact, limited to construction matting. Work would be conducted in accordance with Eversource's Best Management Practices Manual for Massachusetts and Connecticut (Construction and Maintenance Environmental Requirements), September 2016 to avoid unnecessary impacts to wetland resources.

- This Line Separation Area is not located within or proximate to FEMA 100-year flood zones.
- None of the new monopoles would be located within the 500-year flood zone.
- There are no vernal pools located within or proximate to the Line Separation Area.
- There are no surface, or groundwater resources or public drinking water supply/private wells located within or proximate to the Line Separation Area. The nearest public drinking water supply (a water tank/tower) is located approximately 175 feet to the northwest of proposed Structure 6801A work pad.
- Upon completion of construction and during operation, the proposed line separation would have no effect on air quality.
- Upon completion of construction and during operation, the proposed line separation would have no effect on noise or sound pressure levels. Construction noise is exempted under the Connecticut regulations for the control of noise, RCSA 22a-69-1.8(g).
- In general, year-round and seasonal visibility of the new monopoles would be consistent with existing conditions. The existing structure heights range between 74.5 - 92.5 feet; the proposed structure heights would range between 84 - 93.5 feet. The minor structure height increase is not significant and even with the addition of new structures and vegetation management activities necessary for construction, the ROW would retain sufficient tree cover and distances to receptors such that there would be no substantive increase of visibility to the surrounding area. The nearest residence, located approximately 300 feet to the southeast, is set at an elevation that is substantially lower than the ROW.
- To accommodate the Project work and the new structures, the existing vegetation management corridor would need to be widened by 35 to 55 feet to a width of approximately 105 feet. However, vegetation within the remainder of the 250 feet wide ROW would remain in place.

Eversource Exh. 2, pp. 13-17; Eversource Exh. 3, Q-CSC-009.

## **C. ELECTRIC AND MAGNETIC FIELDS**

### **1. Proposed Canterbury Switching Station and Transmission Line Tap Sections**

The primary source of electric and magnetic fields at the proposed Switching Station would be the transmission lines and any distribution lines. The electric and magnetic fields in the vicinity of the Switching Station would increase in the area beneath where the lines enter and interconnect to the station, which is on the west side of the existing transmission line corridor and the east side of the Switching Station. Away from the point of the

interconnection, the changes to the fields would be negligible. Eversource Exh. 2, p. 26; Eversource Exh. 3, Q-CSC-012.

**2. Circuit Separation in Norwich**

Both the electric and magnetic fields directly beneath the existing transmission line would be slightly reduced as a result of Eversource’s work. Changes in the field levels at the edge of the ROW would be negligible. Eversource Exh. 2, p. 27.

**3. International Guidelines**

The calculated fields from the Proposed Facilities are well below the recommended maximum permissible exposure limits as recommended by the International Council on Non-Ionizing Radiation Protection (“ICNIRP”) and the International Committee on Electromagnetic Safety (“ICES”). These limits are summarized in the table below:

	Magnetic Field (mG)	Electric Field (kV/m)
ICNIRP	2000	4.2
ICES	9040	5 (in General)
		10 (on ROW)

Eversource Exh. 2, p. 29.

**D. EVERSOURCE’S WORK WOULD BE CONDUCTED AND ITS FACILITIES WOULD BE OPERATED IN A MANNER THAT PROTECTS PUBLIC SAFETY**

**1. Eversource’s Work**

All work would be designed, constructed and operated in accordance with sound engineering practices and in full compliance with Eversource’s standards, the National Electrical Safety Code and good utility practices. Eversource Exh. 2, p. 24.

**2. Security Features**

The Proposed Facilities include security measures that would protect the Canterbury Switching Station. In particular, security cameras and a card reading entry system

would be installed at the Switching Station. The camera views would be transmitted to a remote monitoring facility. Eversource Exh. 2, p. 7.

**E. THE NORWICH LINE SEPARATION WOULD BE NECESSARY TO AVOID A POTENTIAL OVERLOAD ARISING FROM THE PROJECT AND IS THE LEAST COST ALTERNATIVE**

ISO-NE concluded that the Project's connection to the Eversource transmission system would result in the potential for an unacceptable risk of thermal overload if a simultaneous interruption of both the 1000 and 1080 circuits occurred and that separating these lines would mitigate the possibility of thermal overloads on the transmission system. Eversource Exh. 2, p. 11. At the hearing on February 4, 2020, Steven A. Marien, P.E., Eversource's Lead Engineer, Transmission Line and Civil Engineering, testified that this line separation is the least cost alternative for Eversource. Mr. Marien explained that the alternative to the line separation would have been a significantly more expensive and much longer project, including new lines, new structures and insulators. Thus, ISO-NE directed Eversource to implement the line separation. (Transcript 3, pp. 130-131)

**III. CONCLUSION**

The overriding purpose of PUESA is to balance proposed utility facilities with the protection of environmental resources. Eversource's Proposed Facilities achieve this purpose.

The Record reflects that the construction would avoid permanent environmental effects. Localized, short term environmental effects during construction can and would be mitigated.

Eversource has demonstrated that its Proposed Facilities would comply with all governing statutes and regulations, as well as the requirements and standards of the Council. Therefore, Eversource respectfully asks that the Council find that the Proposed Facilities would

not have a substantial adverse environmental effect and pursuant to Conn. Gen. Stats. § 16-50k would not require a Certificate of Environmental Compatibility and Public Need.

Respectfully submitted,

THE CONNECTICUT LIGHT AND  
POWER COMPANY DOING BUSINESS  
AS EVERSOURCE ENERGY

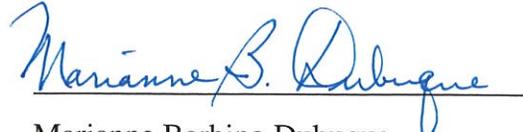
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## NOTICE OF SERVICE

I hereby affirm that a copy of this Post-Hearing Brief of The Connecticut Light and Power Company doing business as Eversource Energy was sent to each Party on the service list dated January 15, 2020, with method of service to each party listed via e-mail.

Dated: March 5, 2020

  
Marianne Barbino Dubuque