



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 & CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

October 14, 2022

Robin Kipnis, Esq.
General Counsel
Connecticut Municipal Electric Energy Cooperative
30 Stott Avenue
Norwich, CT 06360
rkipnis@cmeeec.org

RE: **PETITION NO. 1534** - Groton Utilities petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed modifications to its existing Buddington Substation located at the intersection of Buddington Road and Gold Star Highway in Groton, Connecticut, and related electric transmission line structure improvements.

Dear Attorney Kipnis:

At a public meeting held on October 13, 2022, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need, with the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. An environmental monitor shall oversee construction in sensitive resource areas;
3. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
4. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
5. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Groton;
6. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;

7. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
8. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferee is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
9. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated July 29, 2022, and additional information dated September 27, 2022.

Enclosed for your information is a copy of the staff report on this project.

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/laf

Enclosure: Staff Report dated October 13, 2022

- c: The Honorable Juan Melendez, Jr., Mayor, Town of Groton (jmelendez@groton-ct.gov)
John Burt, Town Manager, Town of Groton (jburt@groton-ct.gov)
The Honorable Keith Hedrick, Mayor, City of Groton (mayor@cityofgroton-ct.gov)



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

**Petition No. 1534
Groton Utilities
Buddington Substation
1090 Buddington Road, Groton, CT**

**Staff Report
October 13, 2022**

Introduction

On August 2, 2022, the Connecticut Siting Council (Council) received a petition from Groton Utilities (GU) for a declaratory ruling pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k, for the proposed modifications to Buddington Substation located at 1090 Buddington Road in Groton, Connecticut (Petition or Project).

Buddington Substation is a 69-kV to 115-kV substation owned by GU located at the corner of Buddington Road and Gold Star Highway in Groton. GU is a member of the Connecticut Municipal Electric Energy Cooperative (CMEEC).

On July 27, 2022, in compliance with Regulations of Connecticut State Agencies (RCSA) §16-50j-40, GU provided notice of the proposed Project to the Town of Groton (Town), which is also the only abutting property owner. No comments from the Town were received.

On August 3, 2022, the Council sent correspondence to the Town and copied the City of Groton (a subdivision of the Town) stating that the Council has received the Petition and invited the Town to contact the Council with any questions or comments by September 1, 2022. No comments from the Town were received.

The Council submitted interrogatories to GU on September 13, 2022. GU submitted responses to the interrogatories and supplemental Project information on September 27, 2022.

On August 25, 2022, the Council on Environmental Quality submitted comments on the Project regarding GUs' Best Management Practices (BMPs) Manual, the Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) and excavated soils at the site.¹ Under CGS §16-50x, the Council retains exclusive jurisdiction over the existing substation facility. The Council cannot delegate its statutory authority to any other entity and it is not required to abide by comments from state agencies.²

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act, an administrative agency is required to take action on a petition within 60 days of receipt. On September 29, 2022, pursuant to CGS §4-176(e), the Council voted to set the date by which to render a decision on the Petition as no later than January 29, 2023, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

¹ Under RCSA §16-50j-40, neither GU nor the Council is required to provide notice to the state agencies listed in CGS §16-50j(g) when a petition for a declaratory ruling for modifications to an *existing facility* is submitted to the Council.

² *Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007)

The purpose of the Project is to improve system reliability by upgrading the 400 Line terminals within the substation from 69-kV to 115-kV in order to operate the 400 Line at 115-kV. Conversion of the 400 Line to 115-kV was approved by the Council on February 26, 2021 in GU Petition 1436. It operates at 69-kV but will operate at 115-kV once the proposed Project is completed.³

The Project would enhance reliability by allowing for automated switching to recover lines taken out of service by weather or system issues, options for switching necessary for maintenance and testing at the 33-kV level in the Buddington Substation, options for delivery to other parts of the Eversource transmission system through the addition of tie breakers on the 400 Line 115-kV terminal, and the installation of modern circuit breakers and protection and controls equipment.

Municipal and Abutter Notice

Prior to the filing of the Petition with the Council, GU contacted the Groton Town Manger to discuss the Project. On July 27, 2022, GU mailed letters describing the Project to the Town, which is the only abutting property owner. No comments from the Town were received.

Existing Project Area

Buddington Substation is a 69-kV to 115-kV substation on property owned by GU located at the corner of Buddington Road and Gold Star Highway (Route 184) in Groton. The parcel is zoned commercial and abuts other commercial properties. The nearest residential property is located approximately 167 feet to the northeast, across Route 184.

The substation was constructed in 1950 and is enclosed by a six-foot tall chain link fence. Three transmission lines terminate at the substation; the 400 Line (currently operates at 69-kV), the 1280 Line (115-kV), and the 1410 line (115-kV).

Proposed Project

The project is being proposed to implement part of a solution determined by ISO New England, Inc. (ISO-NE) to address low and high voltage criteria violations in the Mystic to Kent County, Rhode Island transmission line corridor identified by the 2027 Eastern Connecticut Reliability Needs Assessment and the Eastern Connecticut 2029 Solutions Study. To facilitate operation of the 400 Line at 115-kV, GU would convert the 400 Line terminal equipment at the substation from 69-kV operation to 115-kV operation. Once the work is complete, the 400 Line would be redesignated as the 1911 Line from the Eversource/CMEEC operational boundary (Ledyard-Groton town line) to Buddington Substation. The 400 Line designation would remain in Eversource's operational territory.

The Project is identified in the June 2022 ISO-NE Regional System Plan Project List.

All work will occur within the existing substation footprint. No expansion of the substation footprint is necessary. No reconductoring or transmission structure work is required on the 400 Line outside of the substation. The Petition 1436 project, which includes upgrades to the 400 Line, is under construction with anticipated completion in November 2022.

³ Conversion of the 400 Line to 115-kV at Eversource's Gales Ferry Substation was approved by the Council on May 13, 2022 in Petition 1484.

The following equipment modifications are proposed:

- a) Partially demolish and rebuild the existing 400 Line terminal to operate at 115-kV;
- b) Install a new 115-kV bus;
- c) Install a new 115-kV circuit breaker;
- d) Relocate the existing 400 Line transformer within the substation on a new concrete pad;
- e) Reconnection of the high voltage tap on the 1X transformer from 67-kV to 110-kV; and
- f) Re-termination of the 400 Line to the new 115-kV bus.

The total estimated cost of the Project is approximately \$5.8M. The Project is a Pool Transmission Facility (PTF)⁴ for which the entire cost is eligible for regionalization.

Project Construction and Work Procedures

GU would utilize the existing substation access drive extending from Buddington Road. GU would stage materials on the substation property. Equipment, components and hardware would be delivered to the substation using flatbed trucks. New substation components would be either pre-assembled or assembled on-site prior to installation. All construction and site grading to establish new foundations would occur within the existing fenced area.

Environmental Effects and Mitigation Measures

Construction would conform to the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* and GU's Best Management Practices. Erosion and sediment control (E&S control) measures include hay bales/silt fencing around the perimeter of the fenced substation area. A gravel anti-tracking mat would be installed at the entrance to the substation. Any soil disturbed by the Project would be seeded for permanent stabilization prior to removal of E&S controls. Temporary E&S control measures would remain in place until Project work is complete and all disturbed areas have been stabilized.

All work would be within the existing substation fence. No tree clearing is required.

There are no wetlands or 100-year flood zones within 100 feet of the existing substation fence.

The Project is not located within a DEEP-designated Aquifer Protection Area.

Soil cores were collected in areas of foundation installation. Excavated soils will be backfilled. Any excess soil would be temporarily stockpiled and sampled for contaminants. Soil that is reusable will be stored on site for use as fill in future projects. Soils that area characterized as hazardous will be removed and disposed of in accordance with applicable regulations.

The substation is within a DEEP NDDDB area for the spotted turtle. Habitat for the turtle consists of small streams and associated forested wetlands. DEEP issued a NDDDB determination for the Petition 1436 Project on August 20, 2020 which included the Buddington Substation area. DEEP provided notice to GU on June 9, 2022 stating that an updated NDDDB determination is not required. All work would occur within a fenced substation and no adverse effect to the turtle is expected.

The substation is within a New England Cottontail (NEC) Focus Area. All work would be within the substation fence and no impact to NEC habitat is expected.

⁴ ISO-NE defines Pool Transmission Facility as facilities rated 69-kV or above owned by the participating transmission owners over which ISO-NE has operating authority in accordance with the terms set forth in the Transmission Operating Agreements.

A Phase 1A Cultural Resources Assessment of previously recorded archaeological and historical resources was completed as part of Petition 1436 included the Buddington Substation area. No National or State Register of Historic Places properties/districts are within 500 feet of the substation.

The visual impact of the project would be minimal as the site has been used as a substation since 1950. The new equipment within the substation is similar in appearance to existing substation equipment that will be replaced. The tallest new structure within the substation is 85 feet above ground level, the same height as adjacent, existing A-frame structures within the substation.

Public Safety

Noise levels associated with construction would be temporary and typical of construction activities. Noise associated with construction activities is exempt from DEEP Noise Control Regulations.

Electric and magnetic fields levels at boundaries of the substation property would not change as a result of the Project.

Construction Schedule

Construction would begin in late 2022 with completion by July 2023. Normal work hours would be Monday through Saturday from 7:00 AM to 7:00 PM. Sunday work hours may be necessary to maintain the construction schedule or to perform work during scheduled outages.

Conclusion

If approved, staff recommends the following condition:

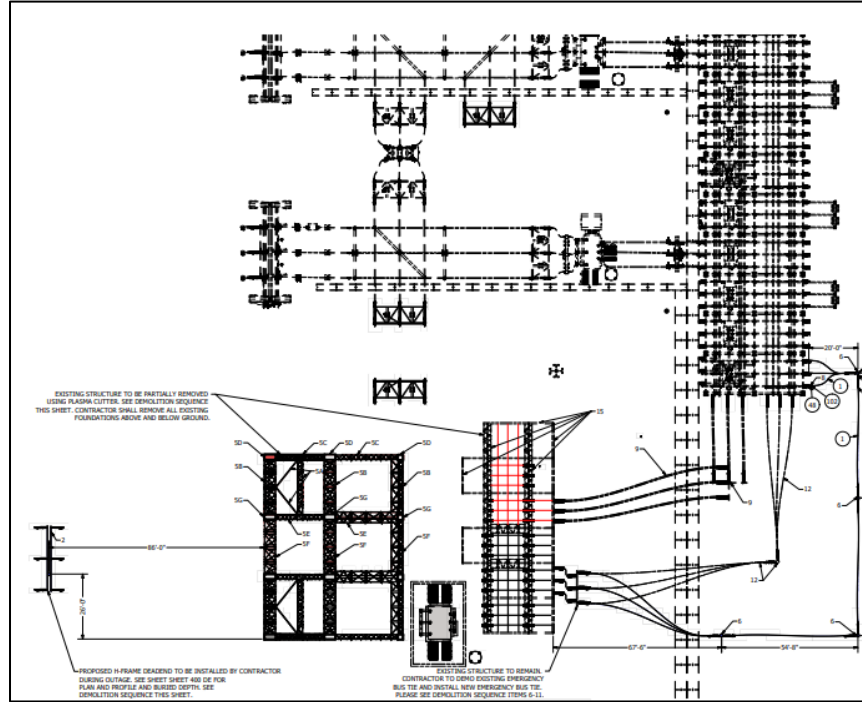
1. Approval of any project changes be delegated to Council staff.

Site Location

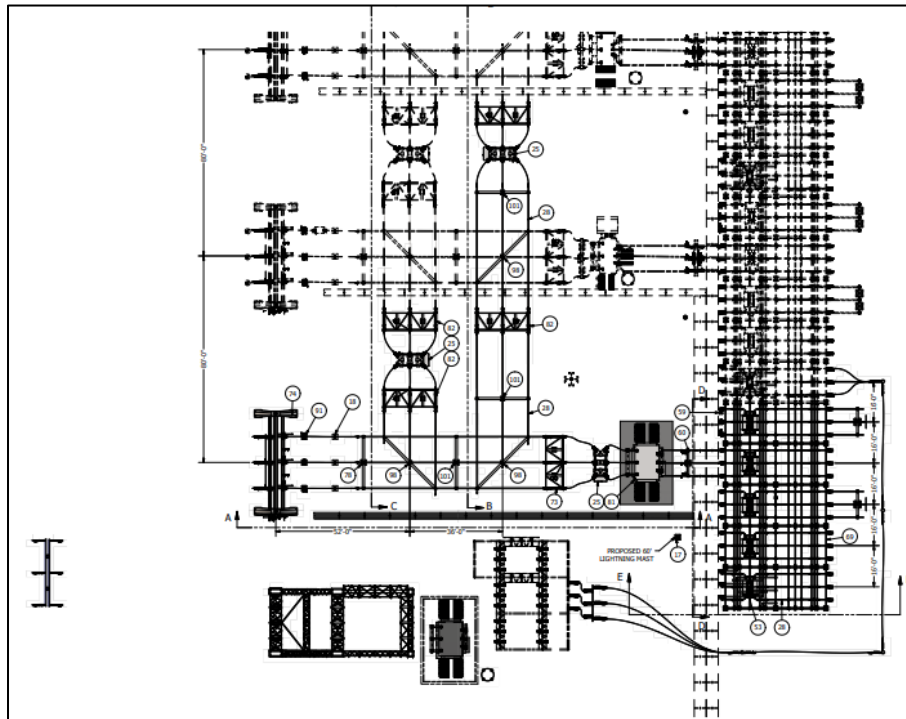


* Work is within the substation permitter only. Transmission structures #144 and #7453 are associated with Petition 1436.

Existing Configuration



Proposed Configuration



STATE OF CONNECTICUT)

: ss. Southington, Connecticut

October 14, 2022

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Decision and Staff Report in Petition No. 1534 issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



Melanie A. Bachman
Executive Director
Connecticut Siting Council

STATE OF CONNECTICUT)

: ss. New Britain, Connecticut

October 14, 2022

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1534 has been forwarded by Certified First Class Return Receipt Requested mail, on October 14, 2022, to all parties and intervenors of record as listed on the attached service list, dated August 3, 2022.

ATTEST:



Lisa Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Petitioner	<input checked="" type="checkbox"/> E-mail	Groton Utilities	Robin Kipnis, Esq. General Counsel Connecticut Municipal Electric Energy Cooperative 30 Stott Avenue Norwich, CT 06360 Phone (860) 383-1042 rkipnis@cmeec.org