

Meeting Minutes
Meeting of April 8, 2010

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, April 8, 2010, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 2:16 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Colin C. Tait
Vice Chairman
Brian Golembiewski
(designee for Commissioner Marrella)

Philip T. Ashton
Edward S. Wilensky
Barbara Currier Bell
James J. Murphy, Jr.
Larry P. Levesque
(designee for Commissioner DelGobbo)
Daniel P. Lynch, Jr.

Staff Members Present:

S. Derek Phelps
Executive Director
Robert L. Marconi
Assistant Attorney General
Fred Cunliffe
Siting Analyst Supervisor
Melanie Bachman
Staff Attorney

Christina Walsh
Siting Analyst
Robert Mercier
Siting Analyst
David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of March 26, 2010

Mr. Wilensky moved to approve the minutes of March 26, 2010, seconded by Mr. Murphy. The motion passed with Mr. Lynch abstaining.

DOCKET NO. F-2010 - Connecticut Siting Council Review of the Ten-Year Forecast of Connecticut Electric Loads and Resources. Request for Party/Intervenor Status.

Mr. Wilensky moved to grant party status to The Connecticut Light and Power Company, seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 366 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 52 Stadley Rough Road in Danbury, Connecticut. Final Approval of Amended Development and Management Plan.

Mr. Marconi advised the Council that the Court has approved the Stipulation agreement and that the Development and Management Plan the Council approved on December 18, 2009, is in effect. Mr. Marconi suggested that the Council staff should notify all parties and intervenors in writing as a confirmation.

Prior to Mr. Marconi's departure, he updated the Council on pending litigation, including, but not limited to, court decisions and appeals.

DOCKET NO. 384 – Phoenix Partnership, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 50 Devine Street, North Haven, Connecticut. Development and Management Plan.

Mr. Murphy moved to approve the Development and Management Plan, seconded by Dr. Bell. The motion passed with Mr. Levesque abstaining.

DOCKET NOS. 395A and 395B - New Cingular Wireless PCS, LLC applications for Certificates of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off of Haywardville Road and a telecommunications facility off of Ed Williams Road, both in the Town of East Haddam, Connecticut. Continuation of Hearing.

Mr. Golembiewski moved to close the record on this proceeding, seconded by Mr. Ashton. The motion passed with Mr. Levesque abstaining. The Council will have a 30-day period within which it will receive comments on this proceeding.

PETITION NO. 863 - Examination of whether statutory changes should be made to clarify jurisdiction to renewable and/or alternative sources of energy (wind, solar, hydro, tidal, wave, geothermal, biofuel, biomass, etc). Application Guides and Generator Filing Table.

Mr. Phelps updated the Council on the status of this proceeding. The Council will be receiving Application Guides, as well as a draft opinion, to be reviewed and acted upon at the next meeting.

PETITION NO. 934 - Yankee Gas Services Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a 60-foot wooden pole and associated radio communications equipment located at Howe Avenue, Shelton, Connecticut. Decision.

Dr. Bell moved to approve this petition, seconded by Mr. Tait. The motion passed unanimously.

PETITION NO. 935 - The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed switchyard control house expansion to UI's existing Devon Tie Switch Yard located at 732 Naugatuck Avenue, Milford, Connecticut. Decision.

Mr. Ashton moved to approve this petition, seconded by Mr. Murphy. The motion passed with Dr. Bell abstaining.

PETITION NO. 936 - The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed transmission structure relocation work in connection with the Department of Transportation Moses Wheeler Bridge that carries I-95 over the Housatonic River between Milford and Stratford, Connecticut. Decision.

Mr. Ashton moved to approve this petition, seconded by Mr. Wilensky. The motion passed with Dr. Bell abstaining.

TS-CLEARWIRE-015-100311 – Clear Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 2 Kaechele Place, Bridgeport, Connecticut.

Mr. Ashton moved to approve this request for tower sharing with the following conditions:

- The proposed dishes at 106 feet centerline height shall be raised to at least 107 feet; and
- Not more than 45 days after completion of construction, an updated structural analysis sealed by a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the tower and foundation do not exceed 100 percent of their respective post-construction structural ratings taking into account the corrected dish locations.

The motion was seconded by Dr. Bell. The motion passed unanimously.

TS-METROPCS-161-091030 – MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 128 Mather Street, Wilton, Connecticut. Revision.

Mr. Ashton moved to approve the revision to this tower sharing request, seconded by Mr. Tait. The motion passed unanimously.

CL&P Statement of Intent to Acquire Real Property in Lebanon.

Mr. Ashton moved to approve CL&P's acquisition of real property in Lebanon, seconded by Mr. Wilensky. It was noted by Attorney Bachman that this was in no way a taking of property by CL&P. The motion passed unanimously.

Administrative Matters.

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Thursday, May 6, 2010, at 2:00 p.m. Other calendar dates were also discussed.

Mr. Phelps discussed with the Council the possible dates for the Sabre Warehouse tour that will likely fall between the second and third week of May.

Mr. Phelps also announced he would be away on vacation for the next two weeks.

Adjournment.

Mr. Lynch moved to adjourn the meeting, seconded by Mr. Golembiewski. The motion passed unanimously.

The meeting adjourned at 2:53 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm