

Meeting Minutes
Meeting of June 17, 2010

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, June 17, 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 2:02 p.m.

Council Members Present:

Judge Daniel F. Caruso

Chairman

Colin C. Tait

Vice Chairman

Brian Golembiewski

(designee for Commissioner Marrella)

Edward S. Wilensky

Daniel P. Lynch, Jr.

Barbara Currier Bell

James J. Murphy, Jr.

Philip T. Ashton

Council Members Absent

Larry Levesque

(designee for Commissioner DelGobbo)

Staff Members Present:

S. Derek Phelps

Executive Director

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 May 18, 2010.

Mr. Murphy moved to table this item, seconded by Dr. Bell. The motion passed unanimously.

Minutes of May 27, 2010.

Mr. Murphy moved to approve the minutes of May 27, 2010, seconded by Dr. Bell. The motion passed unanimously.

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

Mr. Murphy moved to adopt the schedule, as amended, seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 373A - New Cingular Wireless PCS, LLC (AT&T) Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at the St. Matthew Lutheran Church, 224 Lovely Street, Avon, Connecticut. Request for Party/Intervenor Status.

Mr. Tait moved to approve party status for William and Patricia Panetta, seconded by Mr. Wilensky. The motion passed unanimously.

DOCKET NO. 383 - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 316 Perkins Road, Southbury, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Lynch, Mr. Ashton, and Chairman Caruso in favor of granting a Certificate for a 120' expandable telecommunications facility located at 316 Perkins Road, Southbury, Connecticut, with Mr. Golembiewski voting no.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order, for the proposed telecommunication facility, to be reviewed at the next meeting.

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. Draft Findings of Fact, Opinion, and Decision and Order.

After reviewing the draft Findings of Fact, draft Opinion, and draft Decision and Order, Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order, as amended, for a telecommunications facility located off of Haywardville Road, East Haddam Connecticut (Docket No. 395A), seconded by Dr. Bell. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Golembiewski, Mr. Ashton, and Chairman Caruso in favor of granting a Certificate for the telecommunications facility located off of Haywardville Road, East Haddam, Connecticut (Docket No. 395A).

After reviewing the draft Findings of Fact, draft Opinion, and draft Decision and Order, Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order, as amended, for a

telecommunications facility located off of Ed Williams Road, East Haddam Connecticut (Docket No. 395B), seconded by Dr. Bell. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Golembiewski, Mr. Ashton, and Chairman Caruso in favor of granting a Certificate for the telecommunications facility located off of Ed Williams Road, East Haddam, Connecticut (Docket No. 395B).

DOCKET NO. 398 - Northeast Utilities Service Company, on behalf of The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of the Sherwood Substation located at 6 New Creek Road, Westport, Connecticut. Development and Management Plan.

Mr. Ashton moved to approve the development and management plan, with the condition that the petitioner install plantings consistent with Alternative 3 as presented in the D&M Plan. The motion was seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 399 - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 166 Pawcatuck Avenue, Stonington, Connecticut. Draft Findings of Fact.

Mr. Tait moved to table this item, seconded by Mr. Lynch. The motion passed unanimously.

DOCKET NO. 402 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and management of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut. Request for Party/Intervenor Status.

Mr. Tait moved to approve intervenor status for the Town of Cornwall, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for Frederic I. Thaler and Kathleen Mooney, seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 937 - The Connecticut Municipal Electric Energy Cooperative (CMEEC) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of two 2.5 MW electric generators and associated equipment at two existing substation locations, 15 Old Colony Road and 130 Thorpe Avenue, Wallingford, Connecticut. Decision.

Mr. Wilensky moved to table this item, seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 942 - The Clear Wireless LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility located at 82 Lovely Street, Farmington, Connecticut. Decision.

Mr. Wilensky moved to remove this item from the table, seconded by Mr. Ashton. The motion passed unanimously.

Mr. Tait moved to hold a public hearing on this petition, seconded by Mr. Golembiewski. The motion passed unanimously.

PETITION NO. 947 - Iroquois Gas Transmission System, L.P. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the planned addition of an Odorant System to the Iroquois pipeline located at 840 Oronoque Road, Milford, Connecticut. Decision.

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

PETITION NO. 948 - UTC Power Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a 400 kW Fuel Cell to be located at 360 State Street, New Haven, Connecticut. Decision.

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

PETITION NO. 950 - The Connecticut Light and Power Company (CL&P) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the existing CL&P Cos Cob substation, located at Sound Shore Drive, Greenwich, Connecticut. Decision.

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

PETITION NO. 951 - The Connecticut Light and Power Company (CL&P) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the existing CL&P Southington substation, located at 315 Belleview Avenue, Southington, Connecticut. Decision.

Mr. Wilensky moved to approve this petition, seconded by Mr. Murphy. The motion passed unanimously.

TS-CLEARWIRE-034-100430 -Clear Wireless, LLC request for an order to approve tower sharing at an approved telecommunications facility located at 52 Stadley Rough Road, Danbury, Connecticut.

Mr. Lynch moved to approve this tower sharing request, with the following conditions:

- The proposed coax shall be installed inside the monopole's shaft; and
- Not more than 45 days after completion of construction, the Council shall be notified in writing that the coax was installed as specified.

The motion was seconded by Mr. Ashton. The motion passed unanimously.

Administrative Matters.

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Thursday, July 15, 2010, at 2:00 p.m. Other calendar dates were also discussed.

Mr. Marconi joined the meeting and updated the Council on pending litigation matters.

Mr. Ashton moved for the Chairman to give Mr. Marconi permission to file Amicus Briefs on the Council's behalf, seconded by Dr. Bell. The motion passed unanimously.

Mr. Phelps introduced Nicholas Cicale, the Council's legal intern for the summer.

The Council wished Mr. Tait a Happy Birthday.

Mr. Phelps announced that it was Ms. Lisa Fontaine's 10 year anniversary with the Council.

Mr. Phelps announced that he had resigned his position with the Council and will be leaving as of August 18, 2010. The Council gave Mr. Phelps a standing ovation.

Adjournment.

The meeting adjourned at 4:21 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm