

Meeting Minutes
Meeting of October 21, 2010

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, October 21, 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 2:07 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Brian Golembiewski
(designee for Commissioner Marrella)
Larry Levesque
(designee for Commissioner DelGobbo)

Colin C. Tait
Vice Chairman
Barbara Currier Bell
Philip T. Ashton
James J. Murphy, Jr.
Edward S. Wilensky

Council Members Absent

Daniel P. Lynch, Jr.

Staff Members Present:

Linda Roberts
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 October 7, 2010.

Dr. Bell moved to approve the Minutes of October 7, 2010, seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NT-2010 - Reopening of final decisions pursuant to C.G.S. §4-181a(b) for jurisdictional natural gas-fired electric generating facilities under C.G.S. §16-50i(a)(3) and C.G.S. §16-50k(a) limited to Council consideration of changed conditions and the attachment of conditions to the certificates and declaratory rulings consistent with the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel and the findings and recommendations in the Executive Report issued by the Thomas Commission. Motion to Reopen. Schedule.

Mr. Wilensky moved to reopen the final decisions pursuant to C.G.S. §4-181a(b) of the following proceedings for the limited purpose of applying the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel, and the findings and recommendations in the Executive Report issued by the Thomas Commission:

1. **DOCKET NOS. 54 and 54A**– O’Brien Energy Systems, Inc., Hartford.
2. **DOCKET NO. 59** – Capitol District Energy Center Cogeneration Associates, Hartford.
3. **DOCKET NOS. 60 and 60A** – Flag Energy Development Corporation, Hartford.
4. **DOCKET NOS. 64, 64A and 64B**– Dexter Corporation, Windsor Locks.
5. **DOCKET NO. 189** - Lake Road Generating Company, Killingly.
6. **DOCKET NO. 192** - Towantic Energy, LLC, Oxford.
7. **PETITION NO. 352** – CL&P, Milford.
8. **PETITION NO. 451** - PPL Wallingford Energy LLC, Wallingford.
9. **PETITION NO. 482** - HEC, Inc., Middletown.
10. **PETITION NOS. 546 and 902**- Pratt & Whitney, East Hartford.
11. **PETITION NO. 553** - Town of South Windsor, South Windsor High School.
12. **PETITION NO. 563** - The Torrington Company, 59 Field Street, Torrington.
13. **PETITION NO. 598** - Yale University, New Haven.
14. **PETITION NO. 619** - Select Energy Services, Inc., Hartford.
15. **PETITION NO. 647** - Nxegen, Inc., New Haven.
16. **PETITION NO. 696** - Johnson Controls, Inc., Fairfield.
17. **PETITION NO. 711** -PPL Energy Services Holding, Bloomfield.
18. **PETITION NO. 778** - CMEEC, Wallingford.
19. **PETITION NOS. 785 and 957** - Bridgeport Fuel Cell Park, Hancock Street, Bridgeport.
20. **PETITION NO. 805** - Ansonia Generation LLC, 75 Liberty Street, Ansonia.
21. **PETITION NO. 810** - City of Middletown, Middletown High School.
22. **PETITION NO. 813** - Kimberly-Clark Corporation, New Milford.
23. **PETITION NO. 828** – DFC-ERG Milford, LLC, 775 Oronoque Road, Milford.
24. **PETITION NO. 831** – Waterbury Generation LLC, 725 Bank Street, Waterbury.
25. **PETITION NO. 841** – The Bridgeport Energy II, LLC 10 Atlantic Street, Bridgeport.
26. **PETITION NO. 843** – The NRG Energy, Inc., Milford.
27. **PETITION NO. 847** – Pepperidge Farm, Inc., Bloomfield
28. **PETITION NO. 870** – The Hartford Steam Company, Hartford.
29. **PETITION NO. 875** - GenConn Energy LLC, Middletown.
30. **PETITION NO. 921** - DFC-ERG CT, LLC, Bloomfield.
31. **PETITION NO. 922** - DFC-ERG CT, LLC, Glastonbury.
32. **PETITION NO. 923** - Fuel Cell Energy, Inc., Torrington.
33. **PETITION NO. 925** - PSEG Power Connecticut LLC, New Haven.
34. **PETITION NO. 943** - UTC Power Corporation, Torrington.
35. **PETITION NO. 948** - UTC Power Corporation, New Haven
36. **PETITION NO. 949** - UTC Power Corporation, 835 Washington Street, Middletown.
37. **PETITION NO. 953** - UTC Power Corporation, 1 Aircraft Road, Middletown.
38. **PETITION NO. 961** - UTC Power Corporation, New Haven.

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

Mr. Ashton moved to approve the proposed hearing schedule, seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 370 - The Connecticut Light & Power Company application for Certificate of Environmental Compatibility and Public Need for the Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, terminating at the North Bloomfield Substation. Development and Management Plan.

Mr. Murphy moved to approve the GSRP portion of the Development and Management Plan with the following conditions:

- a) CL&P immediately notify the Council in any case when an environmental permit is issued to CL&P by a federal and/or state regulatory agency that contains a provision inconsistent with the record in Docket No. 370.
- b) CL&P provide written notice to the Council and adjacent landowners a minimum of two weeks prior to the commencement of clearing or construction.
- c) CL&P provide written notification to the Chief Elected Officials of Bloomfield, East Granby, and Suffield a minimum of two weeks prior to the commencement of clearing or construction of the GSRP, and again at such time when construction is complete.
- d) CL&P provide the Council with a final report containing all agreements with abutters or other property owners regarding special maintenance precautions; significant changes to the D&M Plan that have been approved by the Council; locations of special planting and seeding; and the actual construction cost of the project.
- e) CL&P provide the Council a post-construction magnetic field monitoring plan for approval prior to the commencement of operation.
- f) CL&P notify the Council upon receipt of Federal and Connecticut regulatory permits and provide a copy to the Council.
- g) CL&P establish a project hotline and dedicated email address for communications with residents during construction.
- h) CL&P brief landowners and other stakeholders to provide updates on construction progress.
- i) CL&P representatives contact adjacent landowners to discuss construction activities and any questions or concerns during construction.

The motion was seconded by Dr. Bell. Mr. Ashton amended the motion to include that CL&P submit a revised Invasive Species Management Plan, within 90 days, for Council approval, seconded by Mr. Golembiewski. The motion passed unanimously.

Mr. Ashton moved to approve the North Bloomfield Substation Development and Management Plan with the following conditions:

- a) CL&P immediately notify the Council in any case when an environmental permit is issued to CL&P by a federal and/or state regulatory agency that contains a provision inconsistent with the record in Docket 370.
- b) CL&P provide written notice to the Council and adjacent landowners a minimum of two weeks prior to the commencement of clearing or construction.
- c) CL&P provide written notification to the Chief Elected Official of Bloomfield a minimum of two weeks prior to the commencement of clearing or construction and again at such time when construction is complete.
- d) CL&P provide the Council with a final report containing all agreements with abutters or other property owners regarding special maintenance precautions; significant changes to the D&M Plan that have been approved by the Council; locations of special planting and seeding; and actual construction cost of the project.
- e) CL&P provide the Council a copy of the Materials Handling Guidelines and/or Soil Management Plan.
- f) CL&P provide the Council a post-construction magnetic field monitoring plan for approval prior to the commencement of operation.
- g) CL&P notify the Council upon receipt of federal and state regulatory permits.
- h) CL&P shall establish a project hotline and dedicated email address for communications with residents during construction.
- i) CL&P shall brief landowners and other stakeholders to provide updates on construction progress.
- j) CL&P representatives shall contact adjacent landowners to discuss construction activities and any questions or concerns during construction.
- k) CL&P provide a revised Invasive Species Management Plan for Council approval within 90 days.

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

DOCKET NO. 385 T-Mobile Northeast, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 23 Stonybrook Road, Stratford, Connecticut. Development and Management Plan.

Mr. Wilensky moved to remove this item from the table, seconded by Mr. Golembiewski. The motion passed with Mr. Levesque abstaining.

Mr. Ashton moved to approve the Development and Management Plan with the exception of the utility connection and with the condition that the landscape area be extended a few feet to the north to accommodate one additional planting. The motion was seconded by Mr. Murphy. The motion passed with Mr. Levesque abstaining.

DOCKET NO. 395B - 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 off of Ed Williams Road in the Town of East Haddam, 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 NO. 396 - SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Mr. Ashton moved to close the evidentiary record, seconded by Mr. Wilensky. The motion passed with Mr. Levesque abstaining.

Mr. Ashton moved to remove the Draft Findings of Fact, Opinion, and Decision and Order from the table, seconded by Dr. Bell. The motion passed with Mr. Levesque abstaining.

Mr. Ashton moved to approve the Draft Findings of Fact, Opinion, and Decision and Order and to deny the application without prejudice, seconded by Dr. Bell. The motion passed with Mr. Levesque abstaining.

Mr. Tait moved to reopen the proceedings on changed conditions according to C.G.S. § 4-181a(b), seconded by Mr. Ashton. The motion passed with Mr. Levesque abstaining.

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 operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut. Draft Findings of Fact, Opinion, Decision and Order.

Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Golembiewski. The motion passed unanimously.

DOCKET NO. 407 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 77-145 Pleasant Point Road, Branford, Connecticut. Completeness Review.

Mr. Tait moved that this application was complete, seconded by Mr. Ashton. The motion passed unanimously.

TS-CLEARWIRE-164-100809 - Clearwire Corporation notice of intent to modify an existing telecommunications facility located at 419 Broad Street, Windsor, Connecticut.

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

TS-CLEARWIRE-164-100813 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 340 Bloomfield Avenue, Windsor, Connecticut.

Mr. Murphy moved to approve this request for tower sharing, seconded by Mr. Ashton. The motion passed unanimously.

TS-CLEARWIRE-164-100816 - Clearwire Corporation notice of intent to modify an existing telecommunications facility located at 1170 Matianuck Avenue, Windsor, Connecticut.

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

- Prior to the antenna/dish installation, the existing tower be modified in accordance with the modification design drawings included in Appendix F of the structural analysis report prepared by GPD Associates dated August 23, 2010 and stamped by David Granger; and
- The tower and foundation shall not exceed 100 percent of the post-construction structural rating; and
- Prior to the antenna/dish installation, a signed letter from a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the necessary modifications have been properly completed and the tower and foundation do not exceed 100 percent of the post-construction structural rating.
- The tower is to be maintained as a monopine, dish/antenna must conform to the towers stealth design.
- Once antenna/dish has been installed on tower, photos are to be sent to the Council to ensure compliance with stealth design.

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

TS-CLEARWIRE-132-100916 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 300 Governors Highway, South Windsor, Connecticut.

Mr. Ashton moved to approve this tower sharing request, seconded by Dr. Bell. The motion passed unanimously.

TS-METROPCS-059-100913 - MetroPCS Massachusetts, LLC d/b/a MetroPCS notice of intent to modify an existing telecommunications facility located at 237 Sandy Hollow Road, Groton, Connecticut.

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

TS-CLEARWIRE-152-100929 - Clear Wireless LLC notice of intent to modify an existing telecommunications facility located at 45 Fargo Road, Waterford, Connecticut.

Dr. Bell moved to approve this request for tower sharing with the following conditions:

- Prior to dish/antenna installation, the existing tower be modified in accordance with the recommendations made in the structural analysis report prepared by FDH Engineering dated August 18, 2010 and stamped by Christopher Murphy P.E.; and
- The tower and foundation shall not exceed 100 percent of the post-construction structural rating; and
- Prior to dish/antenna installation, a signed letter from a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the necessary modifications have been properly completed and the tower and foundation do not exceed 100 percent of the post-construction structural rating.

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

Administrative Matters.

An updated budget summary for 2012– 2013 will be mailed this week. Ms. Roberts asked the members to please review it as Council approval will be needed at the November 5th meeting in order to meet the timeframe for submission to the industry and ultimately the General Assembly for their consideration.

Ms. Roberts announced that the next energy/telecommunications meeting is scheduled for Friday November 5, 2010. Ms. Roberts announced the following upcoming Council activity:

Tuesday, November 16, 2010
DO 406 (UI/Orange) Public Hearing
2:00 p.m. field review/3/7:00 p.m.

Thursday, November 18, 2010
Energy/telecommunications Meeting
2:00 p.m. Hearing Room One

Tuesday, November 23, 2010
404 (Cingular/Redding) Public Hearing
2:00 p.m. field review/3/7:00 p.m.

Tuesday, November 30, 2010
DO 405 (Verizon/Voluntown) Public Hearing
1:45 p.m. field review-2 sites/3/7:00 p.m.

Adjournment.

Chairman Caruso adjourned the meeting at 3:50 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm