

Connecticut Siting Council

Robert Stein, Chairman

Linda Roberts, Executive Director

Established: 1971

Statutory Authority: Chapter 277a, Chapter 445,

Chapter 446d, and Chapter 446e

Ten Franklin Square, New Britain, CT 06051

Number of Employees: 10

Recurring Operating Expenses: \$2,342,993.37

Energy, Telecommunications, and Hazardous Waste

Organizational Structure

The Connecticut Siting Council (Council) is an autonomous agency residing within the newly merged Department of Energy and Environmental Protection (DEEP) for administrative purposes only. The Council does not receive its operating revenues from the State's General Fund. Its funding is generated from two sources: fees and costs attributable to applications received and annual assessments charged to electric utilities, hazardous waste generators, and telecommunications providers in Connecticut.

The Council makeup includes five members appointed by the Governor, one by the President Pro Tempore of the Senate and one by the Speaker of the House. Depending on the venue, commissioners from selected agencies and other stakeholders join this group and participate in hearings. The current members and agency representatives are as follows: Chairman, Robert Stein, Stamford; Philip T. Ashton, Meriden; James J. Murphy, Jr., Stonington; Colin C. Tait, Esq., Norfolk; Edward S. Wilensky, Wolcott; Daniel P. Lynch, Enfield; Barbara Currier Bell, Milford; Daniel Esty, Commissioner, Dept. of Energy and Environmental Protection; Arthur House, Chairman, Public Utilities Regulatory Authority; Jewel Mullen, Commissioner, Department of Public Health; and Reuben F. Branford, Commissioner, Department of Public Safety. Its chief administrative officer is an executive director who reports to the Chairman.

Agency Mission

The Council objectively balances the statewide public need for adequate and reliable services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the state as it relates to the construction and operation of facilities including electric and fuel transmission lines; electric substations and switchyards; electric generating or storage facilities; community antenna television towers including head-end structures, most telecommunications and cellular towers and all hazardous waste facilities.

Statutory Authority

The Council operates under the Public Utility Environmental Standards Act (PUSA) and the Uniform Administrative Procedures Act (UAPA). Although the Council has exclusive authority to regulate the siting of telecommunication and other facilities under its jurisdiction, municipal land use boards and commissions may regulate and restrict the location of electric substations and generating facilities. However, the Council may affirm, modify or revoke such orders by a vote of six members. Municipalities may also regulate and restrict the location of hazardous waste facilities; however, their decisions may be affirmed, modified or revoked by a vote of eight Council members.

In addition to siting facilities, the Council must investigate and determine life cycle costs in certain electric transmission lines every five years and make these findings available to the public. On an annual basis, the Council compiles and publishes a report of electrical loads and resources covering a ten year forecast period. The Council also serves as a conduit for arbitration and negotiation relative to ash residue disposal areas and provides dispute resolution for real property condemnation for energy facilities.

Public Service

To provide effective information to the public and stakeholders, the Council continues to increase the content of its website [<http://ct.gov/csc>]. The Council posts several databases and other information relative to telecommunications facilities. In addition, agency publications, standard administrative documents and agency filing procedures and forms are available for downloading.

This year the Council's GIS capabilities were expanded to include new software (Cellular Expert) that will work with its current GIS program to display the potential area of coverage from cellular antenna locations. The shared data will allow technical staff to thoroughly analyze existing and proposed cellular telecommunication locations and help serve municipalities within the state in their planning for the development of wireless telecommunications networks.

The agency continually measures its efficiency and effectiveness through public statements, memoranda of law and informal comments received from its own staff, other agencies and the public at large. The Council refines its service through recommendations by the State Auditors of Public Accounts and legislative committees. In addition, the Council reviews and compares different processes and procedures used by other state agencies throughout the country.

Improvements/Achievements 2011-2012

In fiscal year 2011-2012, the Council received 7 new applications for Certificates of Environmental Compatibility and Public Need and held 28 public hearing sessions to develop evidentiary records and hear public concerns regarding facilities proposed for construction within their communities. The Council also held 23 energy and telecommunications meetings at which the Council considered and decided the matters before it.

The Council ruled on 47 petitions for declaratory rulings for electric generators, electric substations, electric and fuel transmission lines, and telecommunications facilities. The Council issued certificates for twelve new cellular telephone facilities, reviewed and acted upon 441 modifications of existing telecommunications facilities and approved 18 requests for tower sharing at existing facilities.

During the fiscal year ending June 2011, the Council processed three petitions for the siting of wind turbines. These petitions created a considerable amount of controversy that resulted in new legislation (Public Act 11-245) requiring the Council to adopt regulations specifically for the siting of future wind projects. As directed, the Council has initiated the regulation-making proceedings under the UAPA. Prior to drafting regulations, the Council held a public forum on October 13, 2011 to receive public comment and direction. Subsequently, draft regulations have been written and a public hearing is scheduled for July 24, 2012.

Staff is also in the final stages of an extensive update of the Council's existing regulations which will include electronic filing and service requirements and provisions for minor energy facility filings through an exempt modification process.

On June 14, 2011, the Council held its annual hearing on the 2011 Ten-year Forecast of Loads and Resources of Electric Utilities. This forecast proceeding was held to assess the overall status of loads and resources in the state. The proceeding also analyzed historical trends, the projected outlook of load and demand, and the effectiveness of conservation and load management programs. A detailed report of this forecast was issued in September 2011 and is available via the Council's website.

Conn. Gen. Statutes Sec. 16-50r (b) requires that the Council undertake an effort to update its investigation into the life-cycle costs of electric transmission lines every five years. During this fiscal year, the Council held two public hearings on this proceeding and is currently preparing the final report for approval.

On December 23, 2011 the Council received an application from The Connecticut Light and Power Company (CL&P) for the Connecticut portion of the Interstate Reliability Project (Interstate). The Connecticut portion of Interstate consists of the construction of a new overhead 345-kV electric transmission line over approximately 37 miles between Card Street Substation in Lebanon, Lake Road Switching Station in Killingly and the

Connecticut/Rhode Island border. The project consists of related modifications and improvements to existing facilities and will affect 11 towns including Lebanon, Columbia, Coventry, Mansfield, Chaplin, Hampton, Brooklyn, Pomfret, Killingly, Putnam, Thompson and Windham. To date, six public hearings have been held on this application and several more are scheduled.

The Council continuously researches and reviews the latest technological advancements throughout the fields it regulates, in order to assure the welfare and protection of the people of the state. The Council also seeks new opportunities to educate itself and its staff in such advancements and developments so as to anticipate and address the ever-changing needs and demands of the public.

Reduce Waste

In order to reduce paper waste and postage, the Council continues to implement a document service program whereas participants in proceedings can elect to receive all paperwork associated with a project via e-mail, rather than traditional U.S. mail.

The Council continues its practice of posting the complete record of every contested case proceeding on its website. In addition to greater transparency of Council proceedings, this practice provides greater efficiency to all interested parties, reduction of costs and convenient access to information.

Effective, July 1, 2011 the Council was placed under the new Department of Energy and Environmental Protection (DEEP) for administrative purposes. This arrangement serves to standardize the human resources, affirmative action, payroll and business office functions saving considerable time and money. In conjunction with DEEP, the Council has volunteered to take part in a LEAN initiative, which will be held in the fall of 2012. This initiative should further streamline operations and allow more efficient use of staff time and current resources.

Information Reported as Required by State Statute

All certification proceedings are conducted pursuant to the UAPA and PUESA, and include public hearings inviting full participation by all members of the public, parties and intervenors, and ensuring due process for all.

In compliance with Conn. Gen. Statutes Sec. 46a-60-68, the Council has updated the Affirmative Action Policy. The Council has also updated a Policy on Anti-Harassment, Policy on Sexual Harassment, Code of Ethics, and American with Disabilities Act Policy.

Respectfully submitted August 8, 2012

Linda Roberts, Executive Director