

Connecticut Siting Council

At a Glance

ROBERT STEIN, *Chairman*

Linda Roberts, *Executive Director (August 27, 2010 – May 1, 2013)*

Melanie Bachman, *Acting Executive Director (May 2, 2013 – present)*

Established - 1971

Statutory Authority: Chapter 277a, Chapter 445, Chapter 446d, and Chapter 446e

Central office - Ten Franklin Square,

New Britain, CT 06051

Number of Employees: 10

Recurring Operating Expenses: \$2,463,871.00

Energy, Telecommunications, and Hazardous Waste

Organizational Structure

The Connecticut Siting Council (Council) is an administrative agency within the 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. (*retired as of May 31, 2013-position currently vacant*), 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. Bradford, 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, telecommunications towers and hazardous waste facilities.

Statutory Authority

The Council operates under the Public Utility Environmental Standards Act (PUESA) and the Uniform Administrative Procedures Act (UAPA). Although the Council has exclusive authority to regulate the siting electric generating and substation facilities under its jurisdiction, municipal land use boards and commissions may issue regulate and restrict orders regarding location. 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 of 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 area, and provides dispute resolution for real property condemnation for energy facilities and for sharing telecommunications towers.

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.

The agency continually measures its efficiency and effectiveness through public statements, memoranda of law and informal comments received from its own staff, other state agencies, non-profit environmental groups 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 2012-2013

In fiscal year 2012-2013, the Council received 12 new applications for Certificates of Environmental Compatibility and Public Need and held 31 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 38 petitions for declaratory rulings for electric generators, electric substations, electric and fuel transmission lines, and telecommunications facilities. The Council issued certificates for four new cellular telephone facilities, reviewed and acted upon 946 modifications of existing telecommunications facilities and approved 23 requests for tower sharing at existing facilities.

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. The Council held ten public hearings and rendered a final decision on January 2, 2013. Construction plans will be submitted to the Council for approval by the end of the year.

The Council completed their extensive regulations update which includes electronic filing and service requirements and stream-line provisions for acknowledging minor energy facility filings through an exempt modification process. The Council's updated regulations were approved by the Regulations Review Committee and effective as of September 7, 2012.

Pursuant to Conn. Gen. Statutes Sec. 16-50kk, the Council, in consultation with the Department of Energy and Environmental Protection and the Public Utilities Regulatory Authority, drafted wind regulations for the siting of future wind projects 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 were developed and a public hearing was held on July 24, 2012. Wind projects are subject to a development moratorium until regulations are approved by the Legislative Regulations Review Committee. The proposed wind regulations have been denied without prejudice by the Legislative Regulations Review Committee on December 28, 2012 and again on May 28, 2013 for further revisions. Another draft will be resubmitted on September 3, 2013.

In response to Public Act 12-148, An Act Enhancing Emergency Preparedness and Response, the Council, in consultation and coordination with the Department of Energy and

Environmental Protection, the Department of Emergency Services and Public Protection and the Public Utilities Regulatory Authority, opened docket no. 432 and held a public hearing on December 4, 2012 in accordance with the provisions of the PUESA and the UAPA. The purpose and intent of Public Act 12-148 is to study the feasibility of backup power requirements for telecommunications towers and antennas in the state to ensure continuous and reliable provision of wireless telecommunications services during times of emergency and natural disaster. The Feasibility Study was finalized on January 24, 2013. This Act also requires each provider of mobile radio service (“CMRS provider”) to submit an annual report to the Connecticut Siting Council (“Council”) and the Department of Emergency Services and Public Protection (“DESPP”) concerning each provider’s ability to provide backup power and each provider’s plans concerning backup power.

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

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. This practice is widely-used and appreciated by participants in the Council proceedings.

During the week of September 24, 2012, the Council took part in a LEAN initiative with a main objective to reduce paper and postage costs. Starting in October 2012 with a new docket filing, the Council initiated the transmission of documents electronically unless participants opted for U.S. mailing of hard copy documents. In the past, documents were sent hard copy unless e-mail service was requested. All docket documents produced by our agency were reviewed, revised, or discarded depending upon their value to the proceedings. New streamlined procedures were developed. The Council continues to implement immediate to long-range goals associated with the LEAN initiative. In the next few years, the Council hopes to begin an electronic filing system, which would allow for filers to apply directly through the website, eliminating the need for hard copy documents. As procedures continue to evolve, records retention schedules and filing guides will need to be reviewed and revised.

Information Reported as Required by State Statute

All certification proceedings are conducted pursuant to the UAPA and PUESA, and include public hearings held in the host municipality for the convenience of the public. The Council invites full participation by members of the public, state and local representatives, parties and intervenors, to ensure due process.

On June 18, 2013, the Council held its annual hearing on the 2012/13 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. An interim report was issued and posted on the Council's website on December 27, 2012, with a full report to be available by the end of 2013.

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. The Council completed this update and the final report was issued and posted to the Council's website on November 15, 2012.

Conn. Gen. Statutes Sec. 16-50ll requires each provider of mobile radio service to submit a report to the Council and DESPP concerning each provider's ability to provide backup power during an electric service outage for telecommunications towers and antennas. The Council has requested the submission of backup power reports on or before October 1, 2013.

The Council is currently updating its statewide telecommunications plan pursuant to Conn. Gen. Statutes Sec. 16-50ee. The plan assesses population growth in the state and an analysis of existing and projected demands for telecommunications coverage. A draft is expected to be completed for the fall, and a final version adopted by the end of the year.

The Council updated a Policy on Violence in the Workplace Prevention Policy.

Respectfully submitted August 13, 2013

Melanie Bachman, Acting Executive Director