



OCC Files Appellate Court Brief in Siting Council Appeal

On December 29, 2014, the Office of Consumer Counsel (OCC) filed its [Brief](#) with the Connecticut Appellate Court in [Richard Civie, et al. v. Connecticut Siting Council, et al.](#) In addition to the Connecticut Siting Council, the OCC and the Connecticut Light and Power Company (CL&P) are intervening defendants. The appeal is from a judgment dismissing an administrative appeal to the Superior Court from a Connecticut Siting Council decision approving the Connecticut portion of the Interstate Reliability Project (Project), which includes new overhead 345-kV electric transmission lines extending approximately 36.8 miles from Lebanon to Thompson. The Plaintiffs, Richard Civie and Victor Civie, own property in Mansfield which is crossed by an easement in favor of CL&P for existing 345-kV transmission lines and on which the Project's new transmission line would be constructed. On appeal, the Plaintiffs contend that the Superior Court erred in finding that they had not established a colorable claim of direct, cognizable loss sufficient to show aggrievement in their claimed loss of their ability to continue to use their 300 foot right of way to harvest timber in the easement area.

In its Brief, the OCC submits that the Superior Court properly determined that the Plaintiffs were not aggrieved by the Siting Council decision, or in other words do not have standing, given that the Plaintiffs failed to prove harm that is not speculative. The briefs of the Siting Council and CL&P also support the Superior Court's finding. Although not relevant to the discrete issue of aggrievement on appeal, the Plaintiffs' brief argues that the Siting Council should have approved an underground variation for the Project on their property which the Siting Council rejected because it would add an excess cost of \$59.6 million above the overhead configuration, among other factors. The considerable additional costs of an underground configuration would likely be borne by all Connecticut ratepayers.

Connecticut electric customers have an interest in the rates that they will be charged for the capital and operating costs of the Project, which interest is directly affected by this appeal. Furthermore, Connecticut electric customers have an interest in the maintenance of reliable electric service throughout the State, which interest is also directly affected by this appeal. OCC will continue to advocate for the interests of Connecticut ratepayers in this appeal.