



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Hearing Program
Docket No. 508
Tuesday, May 24, 2022
2:00 p.m.
Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer.

B. Motions

1. City of Milford Motion for Additional Evidentiary Hearing, dated May 20, 2022

C. Administrative Notice taken by Council.

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1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/assets/docs_p_z/results_of_emf_research_emf_questions_answers_booklet.pdf
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Proclamation No. 8460 - Critical Infrastructure Protection Month, 2009, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 FED. REG. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, available at <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, available at <http://www.nps.gov/subjects/nationalregister/index.htm>
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14. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review Second Installment: Transforming the Nation's Electricity System*, January 2017, available at <https://www.energy.gov/policy/downloads/quadrennial-energy-review-second-installment>
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16. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Levelized Cost of New Generation Resources in the Annual Energy Outlook 2021*, February 2021, available at https://www.eia.gov/outlooks/aeo/pdf/electricity_generation.pdf
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29. ISO-NEW ENGLAND, INC., *State of the Grid: 2020, Presentation by Gordon van Welie*, March 6, 2020, *available at* https://www.iso-ne.com/static-assets/documents/2020/03/20200306_stateofthegrid2020.pdf

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36. Letter from Robert Carberry, Project Manager, NEEWS Siting and Permitting, Connecticut Light & Power Company to Melanie Bachman, Acting Executive Director, Connecticut Siting Council regarding underground reconstruction of distribution line segments at transmission line road crossings, dated May 17, 2013.
37. **DOCKET NO. 141** - Connecticut Light and Power Company and United Illuminating Company Certificate of Environmental Compatibility and Public Need for the construction of a 115 kV electric transmission line and related telecommunications equipment between the United Illuminating Company's Pequonnock Substation in Bridgeport and the Connecticut Light and Power Company's Ely Avenue Junction in Norwalk, Connecticut. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Norwalk
38. **DOCKET NO. 461A** - Eversource Energy Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 115-kilovolt (kV) bulk substation located at 290 Railroad Avenue, Greenwich, Connecticut, and two 115-kV transmission circuits extending approximately 2.3 miles between the proposed substation and the existing Cos Cob Substation, Greenwich, Connecticut, and related substation improvements. Reopening of this docket based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Greenwich

39. **DOCKET NO. 474** - The Connecticut Light & Power Company d/b/a Eversource Energy Certificate of Environmental Compatibility and Public Need for the Greater Hartford-Central Connecticut Reliability Project that traverses the municipalities of Hartford, West Hartford, and Newington, which consists of (a) construction, maintenance and operation of a new 115-kilovolt (kV) electric transmission line within existing Eversource, Amtrak and public road rights-of-way and associated facilities extending overhead approximately 2.4 miles and underground approximately 1.3 miles between Eversource's existing Newington Substation in the Town of Newington and existing Southwest Hartford Substation in the City of Hartford; (b) modifications to a .01 mile section within existing Eversource right-of-way of the existing overhead 115-kV electric transmission line connection to the Newington Substation (Newington Tap); and (c) related modifications to Newington Substation and Southwest Hartford Substation. Record and Final Decision *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Newington
40. **PETITION NO. 926** - United Illuminating declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to UI's existing East Shore Substation and West River Switching Station, New Haven, Connecticut. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---New-Haven
41. **PETITION NO. 940** - The United Illuminating Company (UI) declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed transmission structure relocation work in connection with the Department of Transportation West Haven Railroad Station project located in West Haven, Connecticut, Record and Final Decision, available at <https://portal.ct.gov/CSC/Decisions/PETITION-LISTS/Petition-List-500-999#950>
42. **PETITION NO. 958** - United Illuminating declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the replacement of a pressurization plant to UI's West River Switching Station located at 255 Ella T. Grasso Boulevard (State Route 10) Overpass, New Haven, Connecticut. Record and Acknowledgment *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---New-Haven
43. **PETITION NO. 1094** - The United Illuminating Company declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed upgrades to the Elmwest Substation located at 335 Elm Street, West Haven, Connecticut. Record and Acknowledgment *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---West-Haven
44. **PETITION NO. 1110** - The United Illuminating Company declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed Milford 115-kV transmission line upgrade project consisting of the northern and southern sections of 115-kV lines. Record and Final Decision *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Milford

45. **PETITION NO. 1151** – The United Illuminating Company declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed removal and replacement of the existing 115-kV transmission line structures in the Connecticut Department of Transportation right-of-way outside of Milvon substation located at 772 Bridgeport Avenue, Milford, Connecticut. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Milford
46. **PETITION NO. 1293** – Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for all transmission facility asset condition maintenance improvements to comply with the updated National Electric Safety Code clearance requirements. Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1291-1300/Petition-No-1293Eversource
47. **EM-UI-084-160606e** - The United Illuminating Company notice of intent to modify an existing energy facility located at 324 Woodmont Road, Milford, Connecticut. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Milford
48. **EM-UI-156a-200402e** - The United Illuminating Company (UI) notice of intent to modify an existing energy facility located at 260 Frontage Road, West Haven, Connecticut. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---West-Haven
49. **EM-UI-156b-200402e** - The United Illuminating Company (UI) notice of intent to modify an existing energy facility located 335 Elm Street, West Haven, Connecticut. Record and Final Decision available at https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---West-Haven

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MAPS

102. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Cities of New Haven, West Haven and Milford and the Town of Orange*, last updated December 2021, available at <http://www.depdata.ct.gov/naturalresources/angeredspecies/nddbpdfs.asp>
103. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Aquifer Protection Area Map for the State of Connecticut*, last updated December 23, 2021, available at <https://portal.ct.gov/DEEP/Aquifer-Protection-and-Groundwater/Aquifer-Protection/Aquifer-Protection-Area-Maps>
104. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance*, last updated March 6, 2019, available at https://portal.ct.gov/-/media/DEEP/angered_species/images/nlebmappdf.pdf?la=en
105. UNIVERSITY OF CONNECTICUT, CONNECTICUT ENVIRONMENTAL CONDITIONS ONLINE, *Connecticut Critical Habitats and Open Space*, last updated November 28, 2012, available at <http://cteco.maps.arcgis.com/home/item.html?id=a1bf59798c5b45a98aeab97dafd60b9>

106. CONNECTICUT FOREST & PARK ASSOCIATION, BLUE-BLAZED HIKING TRAILS INTERACTIVE MAP, available at <https://www.ctwoodlands.org/blue-blazed-hiking-trails/blue-blazed-hiking-trails-interactive-map>
107. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <https://www.audubon.org/important-bird-areas/state/connecticut>
108. Mail-A-Map Street Map, Cities of New Haven, West Haven and Milford and Town of Orange, available at <http://mailamap.com/street-maps>
109. UNITED STATES GEOLOGICAL SURVEY, Interactive Topographical Map available at http://magic.lib.uconn.edu/topographic_maps.html
110. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *Connecticut Official State Tourism Map*

D. State Agency comments

1. Department of Energy and Environmental Protection Comments, dated April 21, 2022

E. Public Official comments

1. Milford Legislative Delegation Comments, dated May 23, 2022

F. Municipal comments

1. City of West Haven Department of Planning and Development Comments, received May 13, 2022

II. Appearance by Applicant: The United Illuminating Company (UI)

Representative: Bruce McDermott, Esq.
Murtha Cullina LLP

A. Administrative Notice.

- 1.

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by The United Illuminating Company, received February 28, 2022, and attachments and bulk file exhibits including:

Bulk Filing (1):

- a. City of Milford
 - 1) Zoning Regulations including the 2019-2020 Zoning Regulation Amendments;

- 2) Zoning Map;
 - 3) 2012 Plan of Conservation and Development;
 - 4) Inland Wetlands and Water Courses Regulations; and
 - 5) Connecticut Inland Wetlands Soils Map.
- b. Town of Orange:
- 1) Zoning Regulations;
 - 2) Zoning Map;
 - 3) 2015 Plan of Conservation and Development;
 - 4) Inland Wetlands and Water Courses Regulations; and
 - 5) Connecticut Inland Wetlands Soils Map.
- c. City of West Haven:
- 1) Zoning Regulations;
 - 2) Zoning Map;
 - 3) 2017 Plan of Conservation and Development;
 - 4) Inland Wetland and Water Course Regulations; and
 - 5) Connecticut Inland Wetlands Soils Map.
- d. City of New Haven:
- 1) Zoning Ordinance;
 - 2) Zoning Map;
 - 3) 2015 Plan of Conservation and Development;
 - 4) Inland Wetlands and Watercourses Regulations; and
 - 5) Connecticut Inland Wetlands Soils Map.
- e. Conservation and Development Policies: The Plan for Connecticut 2018-2023 (Revised Draft).
- f. South Central Region: Plan of Conservation and Development 2018-2028

Bulk Filing (2)

- a. The October 2021 Municipal Consultation Filing (October 2021 MCF) submitted to the Chief Elected Officials of the Municipalities on October 28, 2021;
 - b. An outreach log listing communications between UI and representatives from the Municipalities and a summary of the Company's municipal outreach;
 - c. A list of UI initiatives to inform the public about the project;
 - d. UI's presentations for the meetings with Milford, Orange and West Haven held after submission of the October 2021 MCF;
 - e. UI's presentation for the February 28, 2022 virtual Public Information Meeting and a copy of the letter sent to abutting property owners informing them of the public meeting;
 - f. A postcard inviting the public to a Virtual Open House; and
 - g. Copies of the web content of UI's project page, which can be accessed at www.UIRailroadTLineUpgrades.com (the website includes Open House and Project Overview videos).
2. Applicant's Letter to the Council Regarding Life Cycle Costs, dated March 7, 2022
 3. Applicant's Responses to City of Milford's Recommendations, dated April 11, 2022
 4. Applicant's Sign-Posting Affidavit, dated April 19, 2022
 5. Applicant's Responses to Council Interrogatories, Set One, dated April 21, 2022
 6. Applicant's Virtual Tour of Project, received April 21, 2022
 7. Applicant's Pre-filed testimony of Shawn Crosbie, dated April 21, 2022
 8. Applicant's Witness Resumes, received April 21, 2022

9. Applicant's Revised Response to Council Set One Interrogatory No. 16, dated May 13, 2022
10. Applicant's Additional Witness Resumes, received May 17, 2022
11. Applicant's Late-Filed Exhibits, dated May 17, 2022
12. Applicant's Responses to City of Milford's Interrogatories, Set One, dated May 17, 2022
13. Applicant's Responses to City of Milford's Interrogatories, Set Two, dated May 17, 2022
14. Applicant's Revised Response to City of Milford's Set Two Interrogatory No. 6, dated May 18, 2022
15. Applicant's Revised Response to City of Milford's Set Two Interrogatory No. 7, dated May 24, 2022

C. Swear Witnesses

1. Correne Auer, Environmental Permitting & Compliance Specialist, UI
2. Todd Berman, Manager, Environmental Programs & Projects, UI
3. Aziz Chouhdery, P.E., Lead Engineer, Project Unit HV Lines, UI
4. Benjamin Cotts, Ph.D., P.E., Principal Engineer, Exponent
5. Shawn Crosbie, Senior Project Manager, UI
6. Michael Libertine, LEP, Vice President, All-Points Technology Corporation, P.C.
7. Samantha Marone, Manager, Outreach and Engagement, Planning and Coordination, UI
8. Annette Potasz, Real Estate Projects, UI
9. MeeNa Sazanowicz, Transmission Line Standards, UI
10. David R. George, M.A., R.P.A, Principal Investigator, Heritage Consultants, LLC
11. Matthew Parkhurst, P.E., Transmission Engineering Supervisor, Westwood Professional Services
12. Edward Roedel, Principal Engineer, Strategic Planning, UI

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. City of Milford

III. Appearance by Party:

City of Milford (City)

Representative:

John W. Knuff, Esq.
Sara A. Sharp, Esq.
Hurwitz, Sagarin, Slossberg & Knuff, LLC

A. Administrative Notice.

1. SHPO Electronic Database for State Register of Historic Places, *available at* https://portal.ct.gov/DECD/Content/Historic-Preservation/03_Technical_Assistance_Research/Research/Historic-Property-Database
2. Historic Preservation Council, Meeting Minutes dated July 11, 2018, *available at* <https://portal.ct.gov/-/media/DECD/Historic->

[Preservation/HistoricPresCouncil_AgendasMinutes/2018/HPCMMinutesApproved7112018.pdf](https://portal.ct.gov/-/media/DECD/Historic-Preservation/HistoricPresCouncil_AgendasMinutes/2018/HPCMMinutesApproved7112018.pdf)

3. Historic Preservation Council, Meeting Minutes dated August 1, 2018, *available at* https://portal.ct.gov/-/media/DECD/Historic-Preservation/HistoricPresCouncil_AgendasMinutes/2018/HPCMMinutesApproved812018.pdf
4. State Register Nomination for the Milford Green, Broad Street, Milford, dated July 11, 2018, *available at* https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/1_MEDIA_DO500_600/DO508/MilfordSubmissions/DO508-20220517_CitySubmission-adminnoticeitems.pdf

B. Exhibits for Identification.

1. City's Notice of Intent to be a Party, dated March 31, 2022
2. City's Pre-filed Testimony of Marguerite Carnell, dated May 17, 2022
3. City's Pre-filed Testimony of Bill Silver, dated May 17, 2022

C. Swear Witnesses

1. Marguerite Carnell, Archaeological and Historical Services, Inc.
2. Bill Silver, Silver Petrucelli & Associates

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicant

IV. Continuation by Connecticut Siting Council.