

**CONNECTICUT SITING COUNCIL**

RE: : DOCKET NO. 516  
:  
Application submitted by the United :  
Illuminating Company for a Certificate of :  
Environmental Compatibility and Public Need :  
for the Fairfield to Congress Railroad :  
Transmission Line 115-kV Rebuild Project that :  
consists of the relocation and rebuild of its :  
existing 115- kilovolt (kV) electric transmission :  
lines from the railroad catenary structures to :  
new steel monopole structures and related :  
modifications along approximately 7.3 :  
miles of the Connecticut Department of :  
Transportation’s Metro-North Railroad :  
corridor between Structure B648S located :  
east of Sasco Creek in Fairfield and UI’s :  
Congress Street Substation in Bridgeport, :  
and the rebuild of two existing 115-kV :  
transmission lines along 0.23 mile of existing :  
UI right-of-way to facilitate interconnection :  
of the rebuilt 115-kV electric transmission :  
lines at UI’s existing Ash Creek, Resco, :  
Pequonnock and Congress Street Substations :  
traversing the municipalities of Bridgeport :  
and Fairfield : NOVEMBER 2, 2023

**BJ’S WHOLESALE CLUB, INC.’S PRE-FILED TESTIMONY OF  
PATRICK NETREBA**

***Q. Please provide a summation of BWC’s second 90-day truck delivery log that is being filed as a late-filed exhibit.***

A. During the October 17, 2023 evidentiary hearing session, the Connecticut Siting Council (the “Council”) requested that BWC submit a 90-day truck delivery log for BWC’s wholesale club in Fairfield, Connecticut between July 18, 2023 and October 16, 2023. The log data, in conjunction with BWC’s previous testimony, current pre-filed testimony and exhibits illustrates the adverse impact that the “Proposed Temporary Work/Pulling Construction Area” and the “Proposed Temporary Equipment Access Path” will have on BWC’s business operations.

The log data further shows that BWC’s property truly does have a very active load dock operation that would face significant disruption should the United Illuminating

Company (“UI”) be allowed to establish a new permanent maintenance easement as proposed.

As illustrated through the log data, BJ’s has a significant quantity of trucks that utilize the loading dock on a daily basis, and as-needed basis, based on customer demand. Due to the existing site configuration, these trucks need to use the entire loading area and are substantially, if not completely, within the easement areas illustrated in UI’s late-filed exhibit titled “LFE-2-3-1 (A, B, and C).” With respect to the truck deliveries captured in the 90-day log, BWC provides the Council with an overlay of the truck movements for each of the proposed alternatives from LFE-2-3-1. See Figures 1, 2, and 3 attached to this pre-filed testimony.

We believe the Siting Council should consider these pertinent, site-specific factors and adverse business impacts to BWC when evaluating BWC’s application.

**Q. Please describe the available square footage at BWC’s loading dock area utilized by the delivery trucks identified in the 90-day log in comparison to the available square footage at the adjacent Feroletto Steel Co. property.**

A. The below graphic illustrates that the paved area on the Feroletto Steel property (shaded in red) is approximately 70’x160’ (11,000 SF, over ¼ acre), while the paved area on BWC’s property is only 5,000 square feet. Given the available area and interruptions to BWC’s truck delivery operations, UI’s temporary construction easements could be located on the perimeter of the Feroletto Steel property with little, if any, known impacts to vehicular circulation at the property and little if any impact to UI’s construction process.



**Q. Please describe the anticipated conflicts between BWC's trucking operations referenced in the 90-day log and UI's proposed activities as articulated in Late-Filed Exhibit 2-3-1.**

A. BWC's trucking operations, as identified in the 90-day log, will be impeded by the Proposed Temporary Equipment Access Path that is referenced in Late-Filed Exhibit 2-3-1. Note 2 in Late-Filed Exhibit 2-3-1 states that "[e]quipment will not occupy this area for any significant duration." However, there is no testimony or evidence in the record that defines "significant duration." Moreover, BWC has provided evidence and testimony that UI's proposed activities in BWC's loading dock area will cause significant disruption to BWC's trucking operations and business collectively. Note 2 in Late-Filed Exhibit 2-3-1 further states that "access routes through the property will be discussed and coordinated with the property owner during easement negotiations." BWC submits that access routes and easement terms should be negotiated before the Siting Council's proceedings conclude in order for BWC to determine the extent to which the trucking operations referenced in the 90-day log may be impacted.

**Q. Please describe the anticipated conflicts between BWC's trucking operations referenced in the 90-day log and the Proposed Temporary Construction Area identified in Late-Filed Exhibit 2-3-1.**

A. The Proposed Temporary Construction Area presents numerous concerns with BWC's daily truck deliveries as identified in the 90-day log. Note 3 in Late-Filed Exhibit 2-3-1 states that "[t]he work area is sized to accommodate vehicular turning radii and movement. Equipment will not take up the entire area at any one time." These representations are inconsistent with BWC's prior exhibits and testimony, which illustrate that BWC utilizes nearly 100% of the paved loading dock area for truck maneuvers. In fact, BWC's engineering overlays on Late-Filed Exhibit 2-3-1, which are attached to this pre-filed testimony, illustrate that the trucks regularly jump the pavement curb even in the absence of equipment in the loading dock area. Therefore, the presence of UI equipment in the loading dock area cannot accommodate vehicular turning for BWC's trucks, and consequently BWC's loading dock will be rendered unusable for the trucks identified in the 90-day log and any deliveries that need to be made during the proposed UI construction process.

Note 3 also provides that site preparation, foundation drilling and concrete pouring, pole installation OPGW and 115kV conductor installation and ground installation/restoration will take nineteen (19) days to complete.<sup>1</sup> Even if BWC were to select the "slowest" consecutive 19 days from the 90-day log (██████████), UI's work in the Proposed Temporary Construction Area would impact

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<sup>1</sup> It is possible that UI's work may exceed 19 days due to unanticipated developments such as construction issues, delays and weather patterns. Any such delays would exacerbate the adverse impacts to BWC's trucking operations.

nearly [REDACTED] of BWC's deliveries and lead to [REDACTED] in lost sales. If UI's work in the Proposed Temporary Construction Area occurred during an average or above-average 19-day period, BWC's losses would be markedly higher.

Note 3 also states that where the surface area "is not pavement or gravel, the contractor will utilize timber or composite matting laid upon the existing ground surface to limit earth disturbance and support the construction equipment." This detail underscores BWC's position that locating P724S on the Feroletto Steel Co. property, which offers a fully paved surface, should be pursued as a feasible and prudent alternative because it eliminates the cost and complexity of utilizing timber or composite matting and does not impede the commercial trucking operations illustrated through BWC's 90-day log.

**Q. Please describe the anticipated conflicts between BWC's trucking operations referenced in the 90-day log and the Proposed Temporary Bonnet Removal Work Pad Area identified in Late-Filed Exhibit 2-3-1.**

A. The Proposed Temporary Bonnet Removal Work Pad Area, discussed in Note 4 of Late-Filed Exhibit 2-3-1, interferes with BWC's trucking operations illustrated in the 90-day log. First, Note 4 does not provide a detailed description of timing, duration or equipment to be used. Note 4 states that UI's contractor will be using "the existing pavement areas to stage their equipment." Such activities are problematic because BWC's trucks must be able to execute certain maneuvers (see BWC Exhibit B). Any UI work that impedes BWC's ability to circulate the trucks referenced in the 90-day log will essentially halt the loading dock operations.

**Q. Please provide a brief summation of the weight/loading capacity on the proposed construction access route, specifically BWC's parking deck.**

A. Historically, it has been BWC's experience in operating its property that commercial trucks cannot pass over the parking deck. Although the primary drive aisles of BWC's parking deck were originally designed for HS-20 loads, the parking deck's interior aisles and spaces were not designed for such loads. BWC's position with respect to the parking deck's weight capacity and limitations is further illustrated through the placement of "goal posts" on the parking deck, which limit the ability of trucks to traverse the deck, as well as specific clearance heights. If UI maintains that the parking deck is a necessary access route, UI must perform a complete and thorough structural analysis to demonstrate that the parking deck can sustain UI equipment and vehicles. Additionally, if UI utilizes the parking deck, UI must indemnify and hold BWC harmless from any damages, losses, harm or injuries that may be sustained by the parking deck or sustained by customers on the parking deck as a result of UI's activities. To the best of my knowledge, commercial trucks have never driven over the parking deck, and in addition, this

proposed route will allow trucks to travel directly in front of the entrance to BWC's store where customers with children are regularly entering and exiting on an hourly basis. It is a policy of BWC and frankly, just good common sense never to allow construction vehicles to cross the pedestrian travel ways that link our primary parking field and our main entrance. Quite clearly, that is exactly what would happen here if UI's trucks were allowed to traverse the front drive aisle on the parking deck.

BWC strongly urges the Siting Council to reject the proposed construction access route over our parking deck for the reasons outlined herein.

**Q: *Does this conclude your pre-filed testimony with respect to the above-referenced late-filed exhibits?***

**A:** Yes.