

SENT VIA EMAIL (melanie.bachman@ct.gov)
AND VIA HAND DELIVERY

Melanie A. Bachman, Esq.
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

October 12, 2023

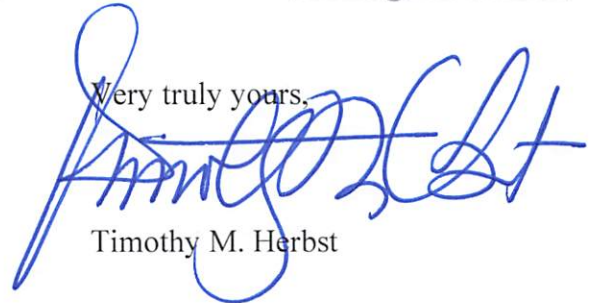
Re: Interrogatories and Request for Production

Dear Attorney Bachman:

Attached please find Interrogatories and Requests For Production Directed to the UNITED ILLUMINATING COMPANY on behalf of THE TOWN OF FAIRFIELD. An original and fifteen (15) copies of the attached document are being hand-delivered for filing at the Connecticut Siting Council office.

Please do not hesitate to contact me at (203) 864-4611 or via email at therbst@mzslaw.com if you have any questions. Thank you.

Very truly yours,



Timothy M. Herbst

CONNECTICUT SITING COUNCIL

PETITION OF UNITED	:	
ILLUMINATING COMPANY	:	DOCKET NO. 516
CERTIFICATE OF ENVIRONMENTAL	:	
COMPATABILITY AND PUBLIC NEED	:	
FOR THE FAIRFIELD TO CONGRESS	:	
RAILROAD TRANSMISSION LINE	:	
115-KV REBUILD PROJECT	:	
THAT EXTENDS	:	
FROM FAIRFIELD TO BRIDGEPORT,	:	
CONNECTICUT	:	OCTOBER 12, 2023

TOWN OF FAIRFIELD’S INTERROGATORIES AND REQUESTS FOR PRODUCTION (SET ONE) DIRECTED TO THE UNITED ILLUMINATING COMPANY

The Intervenor, THE TOWN OF FAIRFIELD, (the “Intervenor” or the “Town”), hereby respectfully serves the following first set of interrogatories and requests for production upon United Illuminating Company (“UI”), in connection with the above referenced matter.

1. Please identify by name, position or title, address, any person answering or assisting in the answering of these interrogatories and requests for production on behalf of UI.
2. Please provide copies of all National Electrical Safety Codes (NESC) which substantiate UI’s position that the 115-kV transmission lines must be rebuilt on new monopoles.
3. Please identify all Eversource transmission lines located within one mile of UI’s proposed project.
4. Please describe the steps taken by UI to identify properties and structures located within the proposed right-of-way (“ROW”) which are either eligible for state and/or federal-historic designation, locally designated, or which otherwise contribute architecturally, historically or culturally to Southport, the Town of Fairfield and the City of Bridgeport.

5. Please list all properties identified in UI's application which are not listed on the National Register of Historic Places but are either eligible for state and/or federal designation, are locally designated, or otherwise contribute architecturally, historically or culturally to Southport, the Town of Fairfield or the City of Bridgeport.

6. If the answer to interrogatory 5 is "none," please explain why such resources were omitted in the original application.

7. For any property or structure identified in response to Interrogatory No. 5, please respond to the following:

- a. Please qualify with specificity the potential impact of UI's proposed project on said property or structure and identify the nearest proposed monopole.
- b. Please identify any alternative configurations or designs, including entirely underground or entirely on rebuilt catenary structures or a combination of both, that would minimize the impact of UI's proposed project on said property or structure.
- c. Please provide a cost comparison for any alternative configuration or design identified in response to Interrogatory 7(b). In providing a comparison in any cost increases, use consistent general assumptions.

8. Please identify all privately owned land by owner, address, lot and block, that UI proposes to locate structures on as part of the project.

9. For each privately owned land identified in your answer to Interrogatory 8, state whether UI intends to acquire an easement from that property's owner.

10. For each private property owner that UI proposes to acquire a new easement from, did UI assess whether a new easement will render that property a non-conforming lot under applicable local zoning regulations.

11. How many of the private properties that UI proposes to acquire a new easement on will be rendered a non-conforming lot under applicable local zoning regulations because of a new easement acquired by UI.

12. Please produce a copy of UI “standard permanent easements” as referenced in footnote 16 of UI’s Application for a Certificate of Environmental Compatibility and Public Need to the Connecticut Siting Council for Fairfield to Congress Railroad Transmission Line 115-kv Rebuild Project Volume 1: Description of Proposed Project.

13. On how many of the properties that UI proposes to obtain an easement on will the private property owner have to remove an existing structure in order to accommodate the construction of the project?

14. Please describe in greater detail any and all future land uses within the new easements that will be restricted and/or prohibited in order for the property subject to the new easement to be compatible with overhead transmission line operations.

15. Please describe in greater detail all construction prohibitions under UI standard permanent easements.

16. Of the estimated cost for the project, how much money has been estimated and/or allocated for UI’s acquisition of new easements?

17. Please identify the name, position or title, and address of all persons who participated or were involved with evaluating the estimated cost to acquire the new easements?

18. Please produce all documents UI relied upon to arrive at the estimated cost for acquiring the new easements.

19. Did UI research the effect new easements will have on each property's fair market value and valuation by the Town for purposes of its Grand List?

20. If your answer to Interrogatory 19 is yes, then please describe UI's research and produce all documents relating to that research.

21. In estimating the cost for the project, did UI include the loss of value the easements will cause to each property and to the Town's Grand List?

22. If your answer to Interrogatory 21 is yes, then please produce all documents relied upon by UI for estimating the loss of value the easements will cause to each property and to the Town's Grand List.

23. Has UI consulted with any appraiser on the estimated cost for acquiring the proposed new easements?

24. If your answer to Interrogatory 23 is yes, please identify the name and address of all appraisers UI has consulted with and produce all communications by and between each appraiser identified in your answer.

Respectfully submitted,
INTERVENOR,
THE TOWN OF FAIRFIELD

By: 

Timothy M. Herbst, Esq.
Marino, Zabel & Schellenberg, PLLC
657 Orange Center Road
Orange, CT 06477
P: (203) 864-4611
Email: therbst@mzslaw.com

CERTIFICATE OF SERVICE

This is to certify that on the above date a true copy of the foregoing has been sent via electronic mail and U.S. Mail, first-class, postage pre-paid, to the following parties of record:

Melanie Bachman, Esq., Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051
Email: Melanie.Bachman@ct.gov

Bruce McDermott, Esq.
Murtha Cullina
One Century Tower
265 Church Street
9th Floor
New Haven, CT 06510
Email: bmcdermott@murthalaw.com

Mario F Coppola, Esq.
Berchem Moses, P.C.
1221 Post Road East
Westport, CT 06880
Email: mcoppola@berchemmoses.com

Michael P. Burdo, Esq.
Milazzo & Associates, LLC
1100 Kings Highway E, Suite 3C
Fairfield, CT 06824
Email: MBurdo@milazzoburdolaw.com

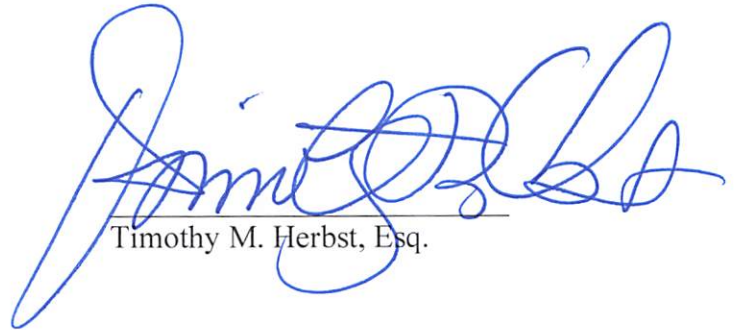
Christopher Russo, Esq.
Russo & Rizio, LLC
10 Sasco Hill Road
Fairfield, CT 06824
Email: Chris@russorizio.com

James T. Baldwin, Town Attorney
Coles, Baldwin, Kaiser & Creager LLC
Attorneys and Counselors at Law
1 Eliot Place, 3rd Floor
Fairfield, Connecticut 06824
Email: jbaldwin@cbklaw.net

Daniel E. Casagrande, Esq.

Joseph P. Mortelliti, Esq.
Cramer & Anderson LLP
30 Main Street, Suite 204
Danbury, CT 06810
Email: dcasagrande@crameranderson.com
jmortelliti@crameranderson.com

Jonathan H. Schaefer, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
Email: jschaefer@rc.com



Timothy M. Herbst, Esq.