

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL
3

4 DOCKET NO. 516

5 An Application from The United Illuminating
6 Company (UI) for a Certificate of Environmental
7 Compatibility and Public Need for the Fairfield to
8 Congress Railroad Transmission Line 115-kV Rebuild
9 Project that consists of the relocation and
10 rebuild of its existing 115-kilovolt (kV) electric
11 transmission lines from the railroad catenary
12 structures to new steel monopole structures and
13 related modifications along approximately 7.3
14 miles of the Connecticut Department of
15 Transportation's Metro-North Railroad corridor
16 between Structure B648S located east of Sasco
17 Creek in Fairfield and UI's Congress Street
18 Substation in Bridgeport, and the rebuild of two
19 existing 115-kV transmission lines along 0.23 mile
20 of existing UI right-of-way to facilitate
21 interconnection of the rebuilt 115-kV electric
22 transmission lines at UI's existing Ash Creek,
23 Resco, Pequonnock and Congress Street Substations
24 traversing the municipalities of Bridgeport and
25 Fairfield, Connecticut

VIA ZOOM AND TELECONFERENCE

Continued Public Hearing held on Tuesday,
November 28, 2023, beginning at 2 p.m.,
via remote access.

H e l d B e f o r e:
JOHN MORISSETTE, Presiding Officer

Reporter: Lisa L. Warner, CSR #061

1 **A p p e a r a n c e s :**

2 **Council Members:**

3 **BRIAN GOLEMBIEWSKI, Designee for**
4 **Commissioner Katie Dykes, Department of**
 Energy and Environmental Protection

5 **QUAT NGUYEN, Designee for**
6 **Commissioner Katie Dykes, Department**
 of Energy and Environmental Protection

7 **ROBERT SILVESTRI**

8
9 **Council Staff:**

10 **MELANIE BACHMAN, ESQ.**
11 **Executive Director and Staff Attorney**

12 **MICHAEL PERRONE**
13 **Siting Analyst**

14 **LISA FONTAINE**
15 **Fiscal Administrative Officer**

16 **For Applicant The United Illuminating**
17 **Company:**

18 **MURTHA CULLINA LLP**
19 **265 Church Street**
20 **New Haven, Connecticut 06510**
21 **Phone: 203.772.7787**
22 **BY: BRUCE L. McDERMOTT, ESQ.**
23 **bmcdermott@murthalaw.com**

24 **For Party BJ's Wholesale Club, Inc:**

25 **CRAMER & ANDERSON LLP**
 30 Main Street, Suite 204
 Danbury, Connecticut 06810
 Phone: 203.744.1234
 BY: DANIEL E. CASAGRANDE, ESQ.
 dcasagrande@crameranderson.com
 JOSEPH P. MORTELLITI, ESQ.
 jmortelliti@crameranderson.com

1 **A p p e a r a n c e s: (Cont'd)**

2
3 **For Sasco Creek Environmental Trust Inc.,**
4 **Stephen Ozyck, Andrea Ozyck, Karim Mahfouz,**
5 **William Danylko and David Parker; 2190 Post**
6 **Road, LLC; Invest II; International**
7 **Investors; Southport Congregational Church,**
8 **Pequot Library Association, Trinity Episcopal**
9 **Church and Sasquanaug Association for**
10 **Southport Improvement, Inc.:**

11 **BERCHEM, MOSES & DEVLIN, PC**
12 **1221 Post Road East**
13 **Westport, Connecticut 06880**
14 **Phone: 203.227.9545**

15 **BY: MARIO F. COPPOLA, ESQ.**
16 **mcoppola@berchemmoses.com**
17 **MATTHEW L. STUDER, ESQ.**
18 **mstuder@berchemmoses.com**

19
20 **Additional representative for Southport**
21 **Congregational Church:**

22 **DAY PITNEY LLP**
23 **Goodwin Square**
24 **225 Asylum Street**
25 **Hartford, Connecticut 06103**
26 **Phone: 860.275.0187**

27 **BY: DAVID W. BOGAN, ESQ.**
28 **dbogan@daypitney.com**

29
30 **For Pequot Realty, LLC; 1916 Post Road**
31 **Associates, LLC; SF Station Street, LLC;**
32 **Maura J. Garych; Metro Holding Company LLC;**
33 **SG Pequot 200, LLC; 516 Paci Restaurant; 461**
34 **Bridgeport 11823 LLC; Stephen F. Boccarossa;**
35 **James Sherwood Bok; Jacquelyn Thunfors; Sean**
36 **Cowan; and The National Trust for Historic**
37 **Preservation:**

38 **RUSSO & RIZIO, LLC**
39 **10 Sasco Hill Road**
40 **Fairfield, Connecticut 06824**
41 **Phone: 203.254.7579**

42 **BY: CHRISTOPHER B. RUSSO, ESQ.**
43 **Chris@russorizio.com**

1 **A p p e a r a n c e s: (Cont'd)**

2
3 **For Fairfield Station Lofts, LLC:**
4 ROBINSON & COLE LLP
5 280 Trumbull Street
6 Hartford, Connecticut 06103-3597
7 Phone: 860.275.8349
8 BY: JONATHAN H. SCHAEFER, ESQ.
9 jschaefer@rc.com

10 **For the Town of Fairfield:**
11 COHEN AND WOLF, P.C.
12 1115 Broad Street
13 Bridgeport, Connecticut 06604
14 Phone: 203.368.0211
15 BY: DAVID A. BALL, ESQ.
16 dball@cohenandwolf.com

17 **For Superior Plating Company and the City of**
18 **Bridgeport:**
19 PULLMAN & COMLEY
20 90 State Street
21 Hartford, Connecticut 06103-3702
22 Phone: 860.424.4315
23 BY: LEE D. HOFFMAN, ESQ.
24 lhoffman@pullcom.com
25 JEAN PERRY PHILLIPS, ESQ.

Zoom co-host: Aaron Demarest

1 MR. MORISSETTE: This continued
2 evidentiary hearing session is called to order
3 this Tuesday, November 28, 2023, at 2 p.m. My
4 name is John Morissette, member and presiding
5 officer of the Connecticut Siting Council. If you
6 haven't done so already, I ask that everyone
7 please mute their computer audio and/or telephones
8 now. Thank you.

9 A copy of the prepared agenda is
10 available on the Council's Docket 516 webpage,
11 along with the record of this matter, the public
12 hearing notice, instructions for public access to
13 this remote public hearing, and the Citizens Guide
14 to Siting Council procedures.

15 Other members of the Council are Mr.
16 Silvestri, Mr. Nguyen and Mr. Golembiewski.

17 Members of the staff are Executive
18 Director Melanie Bachman, Siting Analyst Michael
19 Perrone and Fiscal Administrative Officer Lisa
20 Fontaine.

21 This evidentiary session is a
22 continuation of the public hearing held on July
23 25th, August 29th, October 17th and November 16,
24 2023. It is held pursuant to the provisions of
25 Title 16 of the Connecticut General Statutes and

1 of the Uniform Administrative Procedure Act upon
2 an application from the United Illuminating
3 Company for a Certificate of Environmental
4 Compatibility and Public Need for the Fairfield to
5 Congress Railroad Transmission Line 115-kV Rebuild
6 Project that consists of the relocation and
7 rebuild of its existing 115-kilovolt electric
8 transmission lines from the railroad catenary
9 structures to new steel monopole structures and
10 related modifications along approximately 7.3
11 miles of the Connecticut Department of
12 Transportation's Metro-North Railroad corridor
13 between structures B648S located east of Sasco
14 Creek in Fairfield and UI's Congress Street
15 Substation in Bridgeport, and the rebuild of two
16 existing 115-kV transmission lines along the 0.23
17 mile of existing UI right-of-way to facilitate
18 interconnection of the rebuilt 115-kV electric
19 transmission lines at UI's existing Ash Creek,
20 Resco, Pequonnock and Congress Street Substations
21 traversing the municipalities of Bridgeport and
22 Fairfield, Connecticut.

23 A verbatim transcript will be made
24 available of this hearing and deposited in the
25 Bridgeport City Clerk's Office and the Fairfield

1 Town Clerk's Office for the convenience of the
2 public.

3 The Council will take a 10 to 15 minute
4 break at a convenient juncture around 3:30 p.m.

5 We have five motions to take up this
6 afternoon. Motion Number 1 is United
7 Illuminating's request for an additional witness,
8 dated November 20, 2023. Attorney Bachman may
9 wish to comment.

10 Attorney Bachman.

11 MS. BACHMAN: Thank you, Mr.
12 Morissette. UI withdrew its request for an
13 additional witness on November 27, 2023, so it is
14 no longer pending. Thank you.

15 MR. MORISSETTE: Thank you, Attorney
16 Bachman.

17 Motion Number 2, Sasco Creek
18 Neighborhood Environmental Trust, Inc. Motion to
19 Preclude Witness, dated November 21, 2023.
20 Attorney Bachman may wish to comment.

21 Attorney Bachman.

22 MS. BACHMAN: Thank you, Mr.
23 Morissette. UI's withdrawal of its November 20,
24 2023 request for an additional witness renders
25 SCNET's motion to preclude UI's additional witness

1 moot.

2 MR. MORISSETTE: Thank you, Attorney
3 Bachman.

4 Motion Number 3, City of Bridgeport's
5 request for party and CEPA intervenor status,
6 dated November 22, 2023. Attorney Bachman may
7 wish to comment.

8 Attorney Bachman.

9 MS. BACHMAN: Thank you, Mr.
10 Morissette. Staff recommends the City of
11 Bridgeport's request for party and CEPA intervenor
12 status be granted.

13 MR. MORISSETTE: Thank you, Attorney
14 Bachman.

15 Is there a motion?

16 MR. SILVESTRI: Mr. Morissette, I'll
17 move to approve the request.

18 MR. MORISSETTE: Thank you, Mr.
19 Silvestri. Is there a second?

20 MR. NGUYEN: Quat Nguyen. Second.

21 MR. MORISSETTE: Thank you, Mr. Nguyen.
22 We have a motion by Mr. Silvestri to approve the
23 City of Bridgeport's request for party and CEPA
24 intervenor status, and we have a second by Mr.
25 Nguyen. We'll now move to discussion.

1 Mr. Silvestri, any discussion?

2 MR. SILVESTRI: No discussion. Thank
3 you.

4 MR. MORISSETTE: Thank you. Mr.
5 Nguyen, any discussion?

6 MR. NGUYEN: I have no discussion.
7 Thank you.

8 MR. MORISSETTE: Thank you. Mr.
9 Golembiewski, any discussion?

10 MR. GOLEMBIEWSKI: I have no
11 discussion. Thank you.

12 MR. MORISSETTE: Thank you. And I have
13 no discussion. We'll now move to the vote.

14 Mr. Silvestri, how do you vote?

15 MR. SILVESTRI: I vote to approve.
16 Thank you.

17 MR. MORISSETTE: Thank you. Mr.
18 Nguyen?

19 MR. NGUYEN: Vote to approve. Thank
20 you.

21 MR. MORISSETTE: Thank you. Mr.
22 Golembiewski?

23 (No response.)

24 MR. MORISSETTE: Mr. Golembiewski, how
25 do you vote?

1 (No response.)

2 MR. MORISSETTE: Mr. Golembiewski, how
3 do you vote.

4 (No response.)

5 MR. MORISSETTE: Mr. Golembiewski, how
6 do you vote?

7 MR. GOLEMBIEWSKI: I vote to approve.

8 MR. MORISSETTE: Thank you. And I also
9 vote to approve. We have a unanimous decision.
10 The motion to grant Bridgeport's request for party
11 and CEPA intervenor status is approved.

12 Moving on to Motion Number 4, Attorney
13 Bachman.

14 MS. BACHMAN: Thank you, Mr.
15 Morissette. Motion Number 4 is SCNET's motion for
16 reconsideration of the Council's denial of its
17 motion to compel from the last evidentiary hearing
18 held on November 16th. SCNET's motion seeks a
19 redo of the Council's vote to deny its November
20 14th motion to compel UI to identify persons and
21 produce documents requested in interrogatories.
22 In support of its position, SCNET again references
23 the rules of Superior Court to educate the Council
24 on how it should adjudicate the objections to the
25 interrogatories.

1 However, this administrative proceeding
2 is governed by the Uniform Administrative
3 Procedure Act and the Council's Rules of Practice.
4 The Council makes the final determination as to
5 relevance in its proceedings. Under Section
6 4-178a of the Uniform Administrative Procedure Act
7 it states the Council shall, as a matter of
8 policy, provide for the exclusion of irrelevant,
9 immaterial and unduly repetitious evidence.

10 Under Section 16-50j-25 of the Rules of
11 Practice, it states the purpose of a hearing is to
12 provide all parties and intervenors with an
13 opportunity to present evidence and cross-examine
14 such issues as the Council permits.

15 Under Section 16-50j-28 of the
16 Council's Rules of Practice, the Council may
17 exclude evidence that is not probative or
18 material. The motion cites to General Statute
19 Section 4-177c of the Uniform Administrative
20 Procedure Act where each party and the agency
21 conducting a proceeding may request documents that
22 are not in the record of a proceeding except as
23 provided by federal law or any other provision of
24 the general statutes.

25 Proprietary and critical energy

1 infrastructure information requested by SCNET as
2 defined by federal law exempt from disclosure
3 under state law, not required to be submitted in
4 the record by any other provision of the statutes
5 and has already been determined by the Council to
6 be beyond what is necessary for it to render a
7 decision on this application.

8 The motion also cites the Council's
9 decision in Docket 461A which was an Eversource
10 Energy application for a new electric transmission
11 line facility. It was a reliability project.
12 This is a UI application for relocation of an
13 existing electric transmission line facility, and
14 it is the third phase of an asset condition
15 project that is the subject of an overarching
16 publicly accessible asset condition study of all
17 three phases of the project and is in the record
18 of this proceeding and the proceedings in Dockets
19 3B and 508. Additionally, the information SCNET
20 requested in this proceeding was not necessary for
21 the Council to render its final decisions in
22 Dockets 3B and 508. Therefore, staff recommends
23 the motion for the reconsideration be denied.
24 Thank you.

25 MR. MORISSETTE: Thank you, Attorney

1 Bachman. Is there a motion?

2 MR. GOLEMBIEWSKI: I'll make a motion
3 to deny the request.

4 MR. MORISSETTE: Thank you, Mr.
5 Golembiewski. Is there a second?

6 MR. SILVESTRI: I'll second, Mr.
7 Morissette.

8 MR. MORISSETTE: Thank you, Mr.
9 Silvestri. We have a motion by Mr. Golembiewski
10 to deny Sasco Creek Neighborhood Environmental
11 Trust's motion for reconsideration, dated November
12 27, 2023, and we have a second by Mr. Silvestri.
13 We'll now move to discussion.

14 Mr. Silvestri, any discussion?

15 MR. SILVESTRI: Thank you, Mr.
16 Morissette. I had my comments already lined up
17 for discussion; however, Attorney Bachman summed
18 up what I was going to say, so I have nothing
19 further. Thank you.

20 MR. MORISSETTE: Thank you, Mr.
21 Silvestri.

22 Mr. Nguyen, any discussion?

23 MR. NGUYEN: I have no discussion, Mr.
24 Morissette. Thank you.

25 MR. MORISSETTE: Thank you. Mr.

1 Golembiewski, any discussion?

2 MR. GOLEMBIEWSKI: I have no
3 discussion. Thank you.

4 MR. MORISSETTE: Thank you. And I have
5 no discussion. We'll now move to the vote.

6 Mr. Silvestri, how do you vote?

7 MR. SILVESTRI: Mr. Morissette, I vote
8 to approve the motion to deny. Thank you.

9 MR. MORISSETTE: Thank you, Mr.
10 Silvestri.

11 Mr. Nguyen, how do you vote?

12 MR. NGUYEN: I vote to deny. Thank
13 you.

14 MR. MORISSETTE: Thank you, Mr. Nguyen.

15 Mr. Golembiewski, how do you vote?

16 MR. GOLEMBIEWSKI: I vote to approve
17 the motion to deny.

18 MR. MORISSETTE: Thank you, Mr.
19 Golembiewski. And I vote to approve the denial of
20 the motion. So therefore we have three to deny
21 and one to approve the motion -- one to approve
22 the denial, the reconsideration, so therefore we
23 have a 3 to 1 vote. The motion to deny Sasco
24 Creek Neighborhood Environmental Trust's motion to
25 reconsider is denied.

1 Moving on to Motion Number 5, Attorney
2 Bachman.

3 MS. BACHMAN: Thank you, Mr.
4 Morissette. Motion Number 5 is the Grouped LLC
5 Intervenors' Motion to Dismiss. The motion
6 requests the Council to dismiss or stay the
7 proceedings on the basis that the Council's
8 current membership includes only one member with
9 experience in ecology while the statute requires
10 at least two members with experience in ecology.
11 This issue has arisen in our proceedings held on
12 Docket Number 509 in New Canaan. The Council's
13 final decision in that matter was appealed, and it
14 is the case of Bushman versus CSC that is
15 currently pending with the court.

16 Given the late filing of the motion,
17 staff recommends the Council defer ruling on the
18 motion until after the other parties and
19 intervenors in this proceeding have an opportunity
20 to comment on it in their post-hearing briefs.
21 Thank you.

22 MR. MORISSETTE: Thank you, Attorney
23 Bachman. Is there a motion?

24 MR. GOLEMBIEWSKI: I'll make a motion
25 to defer a decision as advised by counsel.

1 MR. MORISSETTE: Thank you, Mr.
2 Golembiewski. Is there a second?

3 MR. SILVESTRI: I'll second, Mr.
4 Morissette.

5 MR. MORISSETTE: Thank you, Mr.
6 Silvestri. We have a motion by Mr. Golembiewski
7 to defer the motion until such time that comments
8 are provided by the other parties in their
9 post-hearing briefs, and we have a second by Mr.
10 Silvestri. We'll now move to discussion.

11 Mr. Silvestri, any discussion?

12 MR. SILVESTRI: No discussion. Thank
13 you, Mr. Morissette.

14 MR. MORISSETTE: Thank you. Mr.
15 Nguyen, any discussion?

16 MR. NGUYEN: I have no discussion.
17 Thank you.

18 MR. MORISSETTE: Thank you. Mr.
19 Golembiewski, any discussion?

20 MR. GOLEMBIEWSKI: I have no
21 discussion. Thank you.

22 MR. MORISSETTE: Thank you. And I have
23 no discussion. We'll now move to the vote.

24 Mr. Silvestri, how do you vote?

25 MR. SILVESTRI: I vote to approve.

1 Thank you.

2 MR. MORISSETTE: Thank you. Mr.
3 Nguyen, how do you vote?

4 MR. NGUYEN: Vote to approve. Thank
5 you.

6 MR. MORISSETTE: Thank you. Mr.
7 Golembiewski, how do you vote?

8 MR. GOLEMBIEWSKI: Vote to approve.
9 Thank you.

10 MR. MORISSETTE: Thank you. And I vote
11 to approve. We have a unanimous decision. The
12 motion is deferred until such time where the other
13 parties may comment in their post-hearing briefs.
14 Thank you.

15 Moving on, we will now continue with
16 the appearance by the applicant. In accordance
17 with the Council's November 17, 2023 continued
18 evidentiary hearing memo, we will continue with
19 the appearance of the applicant, The United
20 Illuminating Company. We will then begin with
21 cross-examination of the applicant by the Grouped
22 LLC Intervenors on the new exhibits.

23 Attorney Russo, good afternoon.

24 MR. RUSSO: Good afternoon, Chair,
25 members of the Council. Chair, I would first have

1 to object to the Council proceeding on this
2 cross-examination due to the fact that the Council
3 is not properly constituted at this time as it
4 lacks two public members experienced in the field
5 of ecology as required under Section 16-50j(b).

6 MR. MORISSETTE: Thank you, Attorney
7 Russo. We just ruled on this matter. I will ask
8 Attorney Bachman if she has any comments to add.

9 Attorney Bachman?

10 MS. BACHMAN: Thank you, Mr.
11 Morissette. I believe Mr. Russo's objection has
12 been noted, and we can proceed. Thank you.

13 MR. MORISSETTE: Thank you, Attorney
14 Bachman, and thank you, Attorney Russo. Please
15 continue.

16 MR. RUSSO: Thank you, Chair. Chair, I
17 also just wanted to clarify before getting into
18 the cross because I know this was a question at
19 the last hearing regarding representation of
20 Mr. Mayes and the National Trust for Historic
21 Preservation. And so I have subsequently talked
22 since the last hearing with Mr. Mayes, and they
23 have asked me to represent them in this matter and
24 conduct cross for them. So I'll be doing it both
25 for the Grouped LLC Intervenors and also Mr. Mayes

1 who I think has been added into this group as
2 well. So I just wanted to make the clarification.

3 MR. MORISSETTE: Thank you, Attorney
4 Russo, for providing that, noting that for the
5 record. Thank you. Please continue.

6 C O R R E N E A U E R,
7 T O D D B E R M A N,
8 A Z I Z C H O U H D E R Y,
9 S H A W N C R O S B I E,
10 B E N J A M I N C O T T S,
11 L E S L I E D O W N E Y,
12 B R I A N G A U D E T,
13 D A V I D R. G E O R G E,
14 Z A C H A R Y L O G A N,
15 M A T T H E W P A R K H U R S T,
16 A N N E T T E P O T A S Z,
17 M E E N A S A Z A N O W I C Z,
18 D A V I D E. L E S L I E,
19 M A T T H E W S C U L L Y,

20 having been previously duly sworn by Attorney
21 Bachman, continued to testify on their
22 oaths as follows:

23 CROSS-EXAMINATION

24 MR. RUSSO: Thank you. Good afternoon,
25 everyone. First to start, in relation to Exhibit

1 22 to the applicant, it is your testimony in
2 response that the project is fully consistent with
3 FERC guidelines, correct?

4 MR. McDERMOTT: Sorry, Attorney Russo,
5 I know you're only one question into it, but what
6 is the reference to 22? If I may, Mr. Morissette.

7 MR. RUSSO: To Exhibit 22 that this
8 project is fully consistent with FERC guidelines,
9 that your client has worked to minimize the impact
10 to existing land uses.

11 MR. MORISSETTE: Is that Exhibit 22
12 part of the hearing program, Attorney Russo?

13 MR. RUSSO: It was the new filed
14 exhibits, response to interrogatories, that was
15 submitted by the Grouped LLC Intervenors.

16 MR. MORISSETTE: So it's Late-File 22?

17 MR. McDERMOTT: It's the company's
18 responses to the Grouped LLC Intervenors
19 interrogatories.

20 MR. RUSSO: Correct.

21 MR. MORISSETTE: Very good. Thank you.

22 MR. McDERMOTT: And specifically may I
23 ask what interrogatory?

24 MR. RUSSO: The interrogatory with
25 regards to the applicant's attempt to work with

1 property owners in trying to minimize impact to
2 existing land uses.

3 MR. McDERMOTT: Mr. Morissette, I'm
4 really not trying to be difficult. I'm just
5 trying to get my witnesses to the right
6 interrogatory. So there's 20-plus
7 interrogatories. And if we could identify which
8 interrogatory the question is about, that would be
9 very helpful.

10 MR. MORISSETTE: Yes. Thank you,
11 Attorney McDermott. I'm having difficulty finding
12 it myself. So this is the November 2, 2023 filing
13 by United Illuminating, is that correct, Attorney
14 Russo?

15 MR. RUSSO: Yes, in response to the
16 Grouped LLC Intervenors.

17 MR. MORISSETTE: Which response was it,
18 22 you said?

19 MR. RUSSO: No, the response was --
20 give me a second here, sorry, Chair -- A-GLI-11.

21 MR. MORISSETTE: 11, okay. A-GLI-11.
22 I think everybody is on the same page now,
23 Attorney McDermott?

24 MR. McDERMOTT: Thank you very much.

25 MR. MORISSETTE: Thank you. Okay.

1 MR. RUSSO: So again, it's your
2 testimony in response that the project is fully
3 consistent with FERC guidelines, correct?

4 MR. McDERMOTT: Sorry, Attorney Russo.
5 I am very sorry to keep interrupting, Mr.
6 Morissette. Where in GLI-11 are FERC guidelines
7 referenced? The question deals with the proposed
8 work pad in proximity to the following properties.
9 I don't see any reference to FERC in this answer.

10 MR. RUSSO: Well, FERC guidelines
11 prioritize and advocate for protecting and
12 minimizing impacts to existing land uses. And
13 this question relates to the impact to existing
14 land uses for these properties. So I'm asking the
15 Applicant in testimony, which they've already
16 provided before in previous testimony, that the
17 project is fully consistent with FERC guidelines.

18 MR. McDERMOTT: Mr. Morissette, I
19 appreciate that, but he's referenced us to GLI-11.
20 GLI-11 deals with work pads. It doesn't reference
21 FERC and it doesn't reference any of the testimony
22 just provided by Attorney Russo. All I'm asking
23 is what interrogatory are we talking about or if
24 he can refer to me where in response 11 we discuss
25 FERC, that would be very helpful.

1 MR. MORISSETTE: If you could further
2 clarify, Attorney Russo, that would be helpful.

3 MR. RUSSO: Well, at the end of
4 Interrogatory 11, again, the applicant states that
5 UI will coordinate with the property owners to
6 minimize impacts to the operation of their
7 businesses. So I'm ensuring that what they are
8 attempting to do is minimize the impact to these
9 property owners.

10 MR. McDERMOTT: Mr. Morissette, we are
11 happy to answer the question will UI work with the
12 property owners to minimize the impact to business
13 operations without referencing FERC. Mr. Crosbie.

14 THE WITNESS (Crosbie): This is Shawn
15 Crosbie with UI. Yes, Attorney Russo, we are.

16 MR. RUSSO: Prior to the filing of this
17 application or since its filing, UI did not have
18 direct verbal communication with any of the
19 property owners identified in these proceedings as
20 the Grouped LLC Intervenors to discuss the
21 existing land uses on their properties, correct?

22 THE WITNESS (Crosbie): Attorney Russo,
23 this is Shawn Crosbie again. You're asking prior
24 to the filing of the application did we have any
25 communication with any of the Grouped LLC

1 Intervenor; is that correct?

2 MR. RUSSO: And since its filing.

3 THE WITNESS (Crosbie): And since its
4 filing? Give me one minute. (Pause) Attorney
5 Russo, this is Shawn Crosbie with UI again. Yes,
6 we have had forms of communication with those
7 property owners listed, some of the property
8 owners listed on the Grouped LLC Intervenor prior
9 to the submission of the application and post
10 submission.

11 MR. RUSSO: The question was direct
12 verbal communication. Have you had direct verbal
13 communication with them?

14 THE WITNESS (Crosbie): Post submission
15 of the application I can say yes to that.

16 MR. RUSSO: To every property owner?

17 THE WITNESS (Crosbie): Not every one.

18 MR. RUSSO: Speaking to these affected
19 property owners could have provided, the ones that
20 you weren't able to have direct verbal
21 communication with, speaking to these affected
22 property owners could have provided information
23 to understand how UI could avoid or minimize
24 impact to the existing land uses on those
25 properties, correct?

1 THE WITNESS (Crosbie): A conversation
2 could have occurred where that may have been
3 beneficial to a landowner. However, at the time
4 and currently we do not have an approved project
5 that would be substantiated with clear defined
6 details that property owners may be wondering, but
7 we have had communication with them in recent days
8 we've reached out.

9 MR. RUSSO: UI could have spoken to all
10 these property owners prior to the application
11 filing and since its filing, correct?

12 THE WITNESS (Crosbie): UI could have,
13 yes.

14 MR. RUSSO: That seems to contrast with
15 FERC guidelines, doesn't it?

16 MR. McDERMOTT: Objection. Again,
17 Attorney Russo, Mr. Morissette, I need to
18 understand what guidelines. He's laid no
19 foundation for FERC guidelines. I'm not sure what
20 he's referring to.

21 MR. MORISSETTE: I agree, Attorney
22 McDermott. FERC guidelines is very broad and
23 could encompass a lot of things, so it's not clear
24 to me what FERC guidelines are being referenced in
25 these questions. So Attorney Russo, if you could

1 clarify that, that would be helpful.

2 MR. RUSSO: The guideline to minimize
3 the impact to existing land uses. And so in
4 speaking with these property owners, the applicant
5 could have better minimized the impact to existing
6 land uses.

7 MR. McDERMOTT: Mr. Morissette, I'm not
8 sure that's particularly helpful. I could suggest
9 that the company answer the question again without
10 regard and reference to the FERC guidelines
11 which -- or Attorney Russo could refer us to what
12 part of whatever guideline he's referring to so we
13 can review before we answer that question.

14 MR. MORISSETTE: I agree. Thank you,
15 Attorney McDermott. Please continue and have your
16 witness answer the question without reference to
17 FERC guidelines.

18 MR. RUSSO: Thank you, Chair. I think
19 this question is directed to Ms. Potasz, if I'm
20 saying her name correctly. I apologize if not.
21 You reviewed the Fairfield zoning regulations in
22 preparing this application, correct?

23 THE WITNESS (Potasz): I did not
24 personally review the zoning guidelines myself,
25 no.

1 MR. RUSSO: Did anybody on the panel
2 review or for the applicant review the Fairfield
3 zoning regulations in preparation of this
4 application?

5 MR. McDERMOTT: Mr. Morissette, I'm
6 going to object. Fairfield, as you know,
7 16-50x(d) provides that the Siting Council's
8 jurisdiction is exclusive when it comes to matters
9 of siting of electric transmission lines. The
10 various town zoning ordinances and regulations are
11 not applicable in regard to the preparation of an
12 application, so the panel would have had no reason
13 to review the zoning regulations.

14 MR. MORISSETTE: I'm going to let the
15 witness answer the question because there should
16 be some understanding, although, Attorney
17 McDermott, you are correct in that the Siting
18 Council does have exclusive jurisdiction over this
19 matter and that local code does not apply, but
20 some knowledge of the guidelines should be
21 undertaken, in my opinion, but I will let the
22 questions continue.

23 Attorney Russo.

24 MR. RUSSO: So I don't know if there
25 was an answer to the question there which was did

1 anyone for the applicant review the zoning
2 regulations in preparing this application?

3 THE WITNESS (Potasz): This is Annette
4 Potasz, and I can speak to that in some regard.
5 During the initial review of the project and as
6 part of our design, we do assemble a line list of
7 our abutting property owners, and we do take a
8 look at what those uses are. We're particularly
9 looking for anything that would be blatantly
10 noncompliant or some -- I don't want to use the
11 word compliant, sorry -- that would blatantly be a
12 problem for us during the construction or during
13 the permitting phase. So we do take a look at the
14 line and we pay attention to the uses along the
15 corridor. So I'm not sure if that answers your
16 question, but we do certainly consider what's
17 going on.

18 MR. RUSSO: So you did review the
19 regulations in light of the impact your project
20 would have on the existing properties and land
21 uses where you propose the transmission lines?

22 THE WITNESS (Potasz): So I'm not going
23 to answer -- I'm not able to answer with
24 specificity to each installation. I have to say
25 at the beginning of the project when we lay it out

1 as a whole design we do review the corridor for
2 uses that may be more sensitive in nature to what
3 we're planning, but we do not review all of the
4 statutory guidelines for each parcel as an
5 individual. Does that answer your question?

6 MR. RUSSO: So in Late-File Exhibit 23,
7 Answer Fairfield 10 regarding nonconformities that
8 would be created due to the application, you
9 reviewed those properties' zoning regulations to
10 determine that they would be made nonconforming?

11 THE WITNESS (Potasz): Yes, we did. So
12 at that juncture during the application process
13 and during some of the meetings that we had, it
14 did come to our attention that Fairfield zoning
15 has some more specific requirements relating to
16 electric easements and utility easements. So then
17 at that point we did go through the zoning
18 requirements. I did not personally, but a team
19 member did go through the zoning requirements for
20 each of the parcels to determine which may be
21 noncompliant by virtue of our easements.

22 MR. RUSSO: So that means you are
23 familiar that the Fairfield zoning regulations
24 institute a minimum lot area standard for a
25 property in each zone?

1 THE WITNESS (Potasz): Yes, I am aware
2 of that.

3 MR. RUSSO: And you are familiar with
4 the specific section of the regulations that
5 defines how lot area is measured under the
6 Fairfield zoning regulations, correct?

7 THE WITNESS (Potasz): I would not say
8 that I'm familiar enough to recite it or repeat
9 it, but I do understand at a high level what
10 minimum lot size requirements mean.

11 MR. RUSSO: So then are you therefore
12 familiar and this is how the -- are you therefore
13 familiar that calculation of lot area does not
14 permit any area subject to an easement for
15 above-ground public utilities to be included in
16 the calculation of lot area?

17 THE WITNESS (Potasz): So if you're
18 asking me if the easement would exclude that area
19 from the lot area, I am. And that is what the
20 conversation that we've been reviewing for
21 noncompliance, we're looking at the lots where the
22 easement would come out of the minimum lot area
23 and deem that lot noncompliant.

24 MR. RUSSO: So therefore the proposed
25 easement areas by UI will reduce the lot area of

1 those properties subjected to them by the area of
2 the proposed easement under the Fairfield zoning
3 regulations, correct?

4 THE WITNESS (Potasz): Correct.

5 MR. RUSSO: And under that same
6 definition of lot area under the Fairfield zoning
7 regulations, an area of a lot that was subject to
8 a below ground, not above ground, a below ground
9 public utility would be included in the lot area
10 for that property?

11 THE WITNESS (Potasz): I was not
12 personally aware of that, no.

13 MR. RUSSO: So if UI constructed these
14 transmission lines underground, any underground
15 easement UI may propose would not affect the lot
16 areas of these properties under the Fairfield
17 zoning regulations, correct?

18 THE WITNESS (Potasz): I'm not looking
19 at it, so I can't say I'm the expert on that, but
20 if that's what the regulations read, then I would
21 have to assume that's correct.

22 MR. RUSSO: Okay. Thank you. The
23 Fairfield zoning regulations also contain
24 standards regarding maximum building lot coverage
25 and maximum floor area ratio, correct?

1 THE WITNESS (Potasz): I believe so,
2 yes.

3 MR. RUSSO: And those standards are
4 measured as a percentage of the lot area as
5 defined under the Fairfield zoning regulations,
6 correct?

7 THE WITNESS (Potasz): I believe that's
8 land equity, yes, the build zone as compared to
9 non-build.

10 MR. RUSSO: So the reduction of the lot
11 area by the proposed UI easements also results in
12 reduction of the potential building lot coverage
13 and floor area permitted on these lots under the
14 Fairfield zoning regulations, correct?

15 THE WITNESS (Potasz): Sounds like it's
16 correct, yes.

17 MR. RUSSO: Did UI analyze how much
18 potential building lot coverage would be lost in
19 the Town of Fairfield due to the proposed
20 easements under the Fairfield zoning regulations?

21 THE WITNESS (Potasz): No, that was not
22 examined.

23 MR. RUSSO: So no amount as far as
24 square footage was determined as to what the Town
25 of Fairfield would lose in building lot coverage?

1 THE WITNESS (Potasz): That was not
2 looked at, no.

3 MR. RUSSO: Did UI analyze how much
4 potential floor area would be lost in the Town of
5 Fairfield due to the proposed easements under the
6 Fairfield zoning regulations?

7 THE WITNESS (Potasz): We did not.

8 MR. RUSSO: So this loss of -- sorry,
9 one second, let me retract that, Chair.

10 So if these easements, as you stated
11 that there were some properties that were created
12 nonconforming, so if these easements either make a
13 conforming property become nonconforming as to lot
14 area or increase the nonconformity of the lot area
15 for those properties in their respective zone
16 under the Fairfield zoning regulations, that would
17 require a variance from the zoning board of
18 appeals, correct?

19 THE WITNESS (Potasz): That's correct.

20 MR. RUSSO: Are you familiar with
21 Section 48-24 of the Connecticut General Statutes?

22 THE WITNESS (Potasz): I am not
23 personally familiar, no.

24 MR. RUSSO: So Section 48-24 of the
25 Connecticut General Statutes states that if a

1 condemning authority acquires less than a single
2 unit of contiguous property, it shall, if the
3 remaining portion of such property does not
4 conform to the lot area requirements of existing
5 zoning regulations, obtain a zoning variance for
6 such remaining portion of property from the local
7 zoning board of appeals. Does that sound
8 accurate?

9 MR. McDERMOTT: I'm going to object.
10 She's already, Mr. Morissette, Ms. Potasz has
11 already indicated she has no familiarity with that
12 section.

13 MR. MORISSETTE: Yes. Thank you,
14 Attorney McDermott. And Attorney Russo, as we
15 stated up front, the local ordinances do not apply
16 to the Siting Council procedures, and the Siting
17 Council has exclusive jurisdiction. I think
18 you've made your point associated with the
19 nonconforming properties, so if you could move on
20 it would be greatly appreciated. Thank you.

21 MR. RUSSO: Well, but Chair, the
22 applicant just stated that if there was a
23 nonconformity created as to lot area that they are
24 required to seek a variance from the zoning board
25 of appeals which is in accordance with state

1 statute.

2 MR. MORISSETTE: And that is part of
3 the record.

4 MR. RUSSO: So in some sense we are
5 subject to zoning regulations.

6 MR. MORISSETTE: The Siting Council has
7 exclusive jurisdiction over the project. It does
8 not have jurisdiction over local zoning
9 requirements.

10 MR. RUSSO: Okay. But just to clarify.
11 From the applicant, if UI's proposed easement
12 creates a nonconforming on a property as to lot
13 area or increases an existing nonconformity on a
14 property with respect to lot area under the
15 Fairfield zoning regulations, a variance will be
16 needed to be obtained under the Connecticut
17 General Statutes?

18 MR. MORISSETTE: That's been asked and
19 answered. Thank you.

20 MR. RUSSO: That requirement to obtain
21 a variance for nonconforming lot area would be
22 required even if the property owner and UI were to
23 agree on the proposed easement, correct?

24 MR. McDERMOTT: Sorry. Mr. Morissette,
25 are we continuing on the zoning line of

1 questioning? I thought you had just asked --

2 MR. MORISSETTE: Yes, I did just shut
3 it down, and Attorney Russo is continuing.

4 Attorney Russo, please change the
5 subject matter. Please continue.

6 MR. RUSSO: But Chair, the need to
7 obtain a variance for lot area from the Zoning
8 Board of Appeals will have a direct relation to,
9 and can have an impact, on the estimate that the
10 applicant has provided for the acquisition of
11 easements which makes up UI's argument that this
12 is the most cost effective plan.

13 MR. MORISSETTE: Well, that's a
14 different topic, and what you're heading down now
15 is cost versus zoning. So if you're asking
16 questions about whether the cost is going to
17 change because of the variance, you can continue
18 with those questions.

19 MR. RUSSO: Because Chair, my next
20 question was what would be the procedure if UI did
21 not obtain the necessary variance as to lot area.

22 MR. McDERMOTT: Mr. Morissette, I'm
23 just going to jump in. I don't know that there's
24 been testimony that UI is obtaining variances,
25 first off, but also, I'm not sure how Attorney

1 Russo's last statement relates to your suggestion
2 that cost might be an appropriate avenue of
3 inquiry rather than the zoning inquiry.

4 MR. RUSSO: Chair, the procedure for --
5 first of all, the applicant in Exhibit 23 in its
6 response to the Town of Fairfield stated that
7 there was properties that were nonconforming. So
8 they established that they were nonconforming.
9 And they said here in their testimony today that
10 it would require a variance from the zoning board
11 of appeals. And under state statute, if they do
12 not obtain the variance, then they would be
13 required to compensate the property owner for the
14 full value of the property and take title to the
15 property. That absolutely has an impact on the
16 cost of acquisition for the easements where they
17 propose to place them.

18 MR. MORISSETTE: Okay. Are you
19 testifying or are you asking a question, Attorney
20 Russo?

21 MR. RUSSO: I'm just stating as to the
22 relevance of it.

23 MR. MORISSETTE: Well, ask the question
24 relating to the cost associated with the variance
25 and we can continue. Keep in mind, the witness is

1 not an attorney and she's not familiar with the
2 general statutes and the law.

3 MR. RUSSO: Will UI be forced to
4 reimburse the owner of the value of the entire
5 property, of a property that's either made
6 nonconforming or its nonconforming is increased,
7 and will UI have to take title to that property
8 from the current owner if UI is able to construct
9 the transmission lines as currently proposed?

10 MR. McDERMOTT: Mr. Morissette, if we
11 can just break that question down into two pieces.
12 Ms. Potasz, did you follow the first question?

13 THE WITNESS (Potasz): So, if I could,
14 this is Annette Potasz, of course. If I could
15 make an attempt to answer what might be the
16 question. We are not required to take title to
17 the whole property or a portion of in fee. Our
18 project is an easement, so the ownership of the
19 land would not change. We take an easement over a
20 portion. And while I understand that that does
21 take away some of the land equity and create a
22 noncompliance, UI has stated that it will help
23 facilitate correcting the noncompliance that we
24 cause, and we stated that for the record.

25 So I think I can reiterate that for you

1 that if UI's easement creates a noncompliance, we
2 are prepared to work with the individual property
3 owners and the Town of Fairfield Planning and
4 Zoning or appropriate parties to correct that
5 compliance issue that is caused solely by our
6 easement. So that might help one part of your
7 question. Does that answer part of the question?

8 MR. RUSSO: Again, Chair, how can that
9 statement be made? And the question I was asking
10 was what happens if the zoning board of appeals
11 does not approve the variance.

12 THE WITNESS (Potasz): So I can't
13 answer that in my --

14 MR. RUSSO: Does UI have anybody who's
15 been involved in the preparation of this
16 application who can answer that question?

17 THE WITNESS (Potasz): I can take one
18 more step and tell you that so far in the previous
19 projects along this program we have not had any
20 compliance issues previously. It's limited to
21 Fairfield. So right now live this is what we're
22 working on as we all speak is what will be that
23 process and what can the company do to facilitate
24 the process.

25 MR. RUSSO: So I gather that UI has not

1 factored into its cost analysis for easement
2 acquisition the scenario where they would have to
3 pay for the full value of a property due to being
4 unable to obtain a variance from the zoning board
5 of appeals.

6 THE WITNESS (Potasz): So during the
7 course of our estimate that we've been working
8 with for this project, which of course is based on
9 the initial design, we do contemplate many
10 scenarios that could happen. We did not directly
11 speak to the zoning issue because we were not
12 aware of it at that point. But it's good practice
13 to have enough money during that negotiation to
14 facilitate an acceptable resolution both for the
15 company and the property owner should there be a
16 situation where there's no other resolution, but a
17 customer who says please purchase my property, we
18 can't take any of that off the table at this
19 point.

20 MR. RUSSO: And what about a situation
21 where you're forced to take the property because
22 you were unable to obtain the variance even if you
23 were in agreement between the applicant and the
24 property owner?

25 THE WITNESS (Potasz): I'm not aware of

1 the situation of being forced to take title for a
2 variance.

3 MR. RUSSO: Okay. Focusing on --
4 turning to, I'm sorry, specific locations, I'm
5 going to start in the west in Fairfield and then
6 move east. So starting with SAS-1571, which is
7 also known as 275 Center Street, according to your
8 mapping and the Fairfield zoning map, this
9 property is located in the R3 zone, correct?

10 MR. MORISSETTE: Which number are you
11 referring to?

12 MR. RUSSO: Which map number?

13 MR. MORISSETTE: Map sheet, yes.

14 MR. RUSSO: Sure. One second, Chair.
15 I apologize, I thought I had written it down for
16 that one. This is Sheet 2 of 29.

17 MR. MORISSETTE: And the property
18 again?

19 MR. RUSSO: It is listed as SAS-1571
20 which is also known as 275 Center Street.

21 MR. MORISSETTE: Thank you.

22 MR. RUSSO: Sorry. The question again
23 was that this property is located in the R3 zone,
24 correct?

25 THE WITNESS (Potasz): I guess I'm

1 looking for a question. Are you asking me if it's
2 an R3 zone or are we looking at a map and we see
3 that?

4 MR. RUSSO: Yes, I'm asking is this
5 property located in the R3 zone?

6 THE WITNESS (Potasz): Yes, it is.

7 MR. RUSSO: Under the Fairfield zoning
8 regulations the R3 zone requires a minimum lot
9 area of 20,000 square feet, correct?

10 MR. McDERMOTT: I'm going to object to
11 the question, Mr. Morissette. Again, Attorney
12 Potasz has indicated she has passing familiarity
13 with the zoning regulations. I'm not sure that
14 she can recite chapter and verse what each of the
15 town's various zones allow and don't allow and
16 what the characteristics of each are.

17 MR. RUSSO: But Chair, the applicant in
18 Exhibit 23, Late-File Exhibit 23, A Fairfield 10,
19 makes a statement that their project only -- it
20 creates a nonconformity for four properties. So
21 somebody had to have done an analysis as to the
22 zoning regulations and their conformity. So if
23 that person is not present now, the person who
24 answered that question who had that knowledge
25 should be here to answer these questions.

1 MR. MORISSETTE: Ms. Potasz, do you
2 have information related to that?

3 THE WITNESS (Potasz): So I guess one
4 statement I will make and then I'll have to kick
5 it over, what we did not look at was the
6 compliance of the properties as they are now, as
7 they are today. I'm not sure if that assists your
8 question, but UI did not look across the board at
9 each of those properties to determine their
10 compliance at this moment in time. What we looked
11 at was what the project would do to the
12 compliance. So I'd have to defer that to
13 Mr. McDermott whose office did the research. But
14 if the property is noncompliant as of now, that is
15 not something that we would have picked up in our
16 review.

17 MR. RUSSO: But if it was compliant as
18 of now, that was a part of your review, right?

19 THE WITNESS (Potasz): So if it was
20 compliant and we created a noncompliance, yes.

21 MR. RUSSO: So then somebody should
22 understand that the R3 zone requires a minimum lot
23 area of 20,000 square feet, correct?

24 THE WITNESS (Potasz): That's not
25 something that I can speak to.

1 MR. RUSSO: Was the lot area of
2 SAS-1571 compliant as to lot area? I'm sorry, is
3 the lot area of SAS-1571 compliant as to lot area?

4 THE WITNESS (Crosbie): Attorney Russo,
5 this is Shawn Crosbie. So what we understand
6 based on the records at the Town Hall in the Town
7 of Fairfield the current lot size for SAS-1571 is
8 20,908 square feet.

9 MR. RUSSO: Thank you.

10 THE WITNESS (Crosbie): You're welcome.

11 MR. RUSSO: So this means SAS-1571 is
12 conforming under the Fairfield zoning regulations
13 as to lot area, correct?

14 THE WITNESS (Crosbie): That is
15 correct.

16 MR. RUSSO: And UI proposes a permanent
17 easement on SAS-1571, correct?

18 THE WITNESS (Crosbie): We are
19 proposing a permanent easement on that lot, yes.

20 MR. RUSSO: What is the area of the
21 easement UI proposes on SAS-1571?

22 THE WITNESS (Crosbie): Currently we're
23 estimating approximately 3,000 square feet.

24 MR. RUSSO: That proposed easement will
25 create a nonconformity as to lot area under the

1 Fairfield zoning regulations, correct?

2 THE WITNESS (Crosbie): You are
3 correct, yes.

4 MR. RUSSO: That means that UI will be
5 required to obtain a variance from the Fairfield
6 Zoning Board of Appeals for a variance as to lot
7 area, correct?

8 THE WITNESS (Crosbie): Yes, that would
9 be correct.

10 MR. McDERMOTT: Attorney Russo, one
11 second, please.

12 (Pause.)

13 MR. RUSSO: Chair, I mean, we're in the
14 middle of cross-examination and the applicant is
15 muting and conferring with each other. I mean,
16 this should all be on the record.

17 MR. McDERMOTT: Okay. Very well. Mr.
18 Morissette, I was asking Ms. Potasz if she should
19 be responding to the question instead of Mr.
20 Crosbie. So we can have that discussion on the
21 record.

22 THE WITNESS (Potasz): So I believe the
23 question was would UI be required -- and I just
24 want to make sure I'm hearing the question
25 correct -- required to go for a zoning variance?

1 MR. RUSSO: Correct.

2 THE WITNESS (Potasz): Okay. So it is
3 my understanding that the zoning variation or the
4 compliance that UI is going to undertake is by
5 choice to assist our customers so to not leave
6 them with a noncompliance, and that's a decision
7 the company has made to facilitate. So I want to,
8 you know, I am not an attorney, but I just want to
9 make sure that we understand the requirement, if
10 it's a word with a capital "R," I do not believe
11 UI is required to go ahead and proceed with that
12 nonconformance cure. This is something that the
13 company chooses to do to help acquire the
14 easements and have good faith negotiations and not
15 leave the property owner with a noncompliance that
16 they would then have to work to cure.

17 MR. RUSSO: I'm sorry, Mr. Crosbie
18 stated that the lot area of SAS-1571 is 20,908
19 square feet and that the proposed easement is
20 roughly 3,000 square feet which would make it
21 nonconforming as to lot area. And your previous
22 statement was that, in this testimony, was that if
23 you do create a nonconformity that you are
24 required to obtain a variance from the zoning
25 board of appeals is what I'm asking --

1 THE WITNESS (Potasz): I don't believe
2 -- I have to state I do not believe I used the
3 word require, that UI would be required. I did
4 not mean the word "require" as in compliance with
5 the law. And again, I'm not an attorney so I'm
6 just trying to answer the questions here. I do
7 not believe UI is required to bring the zoning
8 into compliance by law. My statement to you is
9 that UI is saying that we will work to get that
10 noncompliance because, again, we want to build the
11 project, negotiate with those property owners,
12 have the easement granted through negotiations.
13 And if part of that is additional funds to create
14 that compliance, that's what the company is
15 prepared to do.

16 MR. MORISSETTE: Again, Attorney Russo,
17 the witness is not an attorney and you're
18 discussing land rights laws that are beyond her
19 scope of expertise. So I would ask you to move
20 on. You have made your point in regards to making
21 properties noncompliant which the company has
22 testified that they will be making some properties
23 noncompliant and, in particular, SAS-1571 will be
24 noncompliant. So we understand the issue. The
25 Council understands the point you're trying to

1 make, and we don't have to go through every
2 property to understand what the impact is. So
3 please move on. Thank you.

4 MR. RUSSO: Did the estimate for the
5 acquisition of these easements include an analysis
6 of the impact to the value of these properties
7 subject to these easements with regard to the
8 impact to their building lot coverage?

9 THE WITNESS (Potasz): This is Annette
10 Potasz. I'll answer that. So again restating
11 that prior to the process of the application
12 hearings and testimony, prior to that we did not
13 consider building coverage in any of the financial
14 considerations. However, during the course of
15 negotiations for the individual easements, when
16 individual appraisal values are given to the
17 property, UI will be considering that building
18 coverage question.

19 MR. RUSSO: So the estimate for \$30
20 million did not include a consideration of the
21 impact to building lot coverage?

22 THE WITNESS (Potasz): Again, it did
23 not have the specificity to discuss lot by lot
24 what the value would be with building coverage,
25 no.

1 MR. RUSSO: And this estimate did not
2 consider the impact of the proposed easements on
3 these properties would have to the permitted floor
4 area on these properties and how it would affect
5 their value? So this is with regards to floor
6 area.

7 THE WITNESS (Potasz): No, the estimate
8 of compensation to be paid for easements did not
9 consider any specifics with zoning and compliance.

10 MR. RUSSO: The reduction of permitted
11 lot coverage -- sorry, the reduction of permitted
12 building lot coverage and permitted floor area due
13 to the proposed easements will negatively impact
14 the value of these properties, correct?

15 THE WITNESS (Potasz): So I would say
16 that as we move forward once we have an approved
17 project and we do have a licensed appraiser give
18 us a value of each parcel and the impact by the
19 easement, all of those particulars will come to
20 light of what the easement is worth based on that
21 particular property. So again, during our initial
22 estimate based on the high level budget that was
23 going to be required in its entirety, it did not
24 get into the specifics of zoning. However, when
25 the project is approved and we reach out to those

1 property owners, we will have had a licensed
2 appraiser take a look at the impact to that
3 property in particular.

4 MR. RUSSO: But given the testimony
5 that's been given regarding the impact to building
6 lot coverage and floor area and the lot area and
7 the fact that that number was not considered for
8 the 30 million, it is therefore likely that those
9 impacts will increase the cost of acquiring those
10 easements, correct?

11 MR. McDERMOTT: Mr. Morissette, I'm
12 going to object to the question. It just calls
13 for speculation beyond I think this witness's
14 knowledge base at this point. The \$30 million is,
15 as I think it's indicated in the interrogatory
16 response, is an estimate.

17 MR. RUSSO: An estimate that doesn't
18 consider impacts to building lot coverage and
19 floor area.

20 MR. MORISSETTE: Yes, the witness just
21 testified that it doesn't consider it. Does
22 anybody on the panel have a feel for what the
23 additional cost would be?

24 THE WITNESS (Potasz): So I can restate
25 what I've said is that the estimate is meant to be

1 all inclusive of possibilities that we can run
2 into. We have, I think, approximately expected
3 towards 200 acquisitions. So along the way, a
4 multitude of things can happen during the
5 negotiations, and what we've tried to do, taking
6 into account past history, is have money into that
7 budget that is a fair estimate of what we might
8 see during the acquisitions. The floor coverage
9 and zoning noncompliance is another nuance that
10 the company will deal with during the negotiation.
11 So it's not, in my mind, based on previous
12 experience, there's no number that you can put on
13 that until we get into the negotiation. And
14 again, estimate, there's probably a bandwidth of
15 fairness with estimate based on what the budget
16 is, what a tolerance for change is.

17 MR. RUSSO: Can you clarify the term
18 "all inclusive" that you just stated?

19 THE WITNESS (Potasz): So, for example,
20 if we're going to obtain a construction easement
21 for temporary rights and we're going to obtain a
22 permanent easement, that's two very high level
23 examples of what the things are. If we're going
24 to work on a customer's property that has a fence
25 that has to be relocated, the cost of relocating

1 the fence would be included. So you would have
2 the compensation for your easements, the cost of
3 fence moves. If there is damage to an asphalt
4 parking lot or striping on a parking lot that
5 needs to be done as part of our work, or restored,
6 we include that. So that budget estimate is meant
7 to include all of the nuances that come about when
8 you obtain land rights from the abutting property
9 owners.

10 MR. RUSSO: Did UI consider to locate
11 the transmission lines on the opposite side of the
12 railroad tracks from SAS-1571 to minimize the
13 impact on the existing land use and locate them
14 away from residential properties which are located
15 on the south side of the tracks but not on the
16 north side of the tracks?

17 THE WITNESS (Potasz): I think I'm
18 going to defer you to another project team member.
19 Thank you.

20 MR. MORISSETTE: Attorney Russo, I'm
21 going to remind you that cross-examination today
22 is related to the information that was filed for
23 the November 16th hearing and we're limited to
24 that. I'll allow some leeway, but please don't
25 get too far.

1 MR. RUSSO: Thank you, Chair.

2 THE WITNESS (Sazanowicz): Attorney
3 Russo, this is MeeNa Sazanowicz. Relocations
4 specifically just for the single circuit that's
5 being currently rebuilt to put that on the north
6 side of the tracks around property 1571 was not
7 evaluated. However, as part of some of the
8 Late-Files that were submitted by UI, rebuild all
9 of the north circuit entirely, an estimate was
10 provided for that.

11 MR. RUSSO: I'm sorry, so it was
12 considered?

13 THE WITNESS (Sazanowicz): Rebuilding
14 the south circuit just crossing the tracks at 1571
15 from south to north and then continuing on east,
16 that was not by itself estimated or reviewed, no.

17 MR. RUSSO: Okay. Thank you. Moving
18 east to SAS-1574 which is on sheet -- one
19 second -- Sheet 3 of 29. Two work pads are
20 proposed in the area of SAS-1574 in a building
21 that doesn't have its own property classification
22 here in these documents but is known as 96 Station
23 Street in Southport, Connecticut. So again, the
24 question is there are two work pads proposed in
25 this area, correct?

1 THE WITNESS (Sazanowicz): Yes.

2 MR. RUSSO: Are those work pads
3 proposed to be utilized at the same time?

4 MR. McDERMOTT: Excuse me, Attorney
5 Russo, I'm sorry to interrupt. Can you identify
6 where the two work pads are next to 1574?

7 MR. RUSSO: Well, it's two buildings.
8 It's 1574 and then the property that's a little
9 bit further east which is, it doesn't have an
10 identification on the mapping but it's 96 Station
11 Street which has a triangle over it. It says
12 "Historic NR." And there's two work pads.
13 There's one directly to the north of SAS-1574 and
14 then there's one that's directly to the north of
15 SAS-1586.

16 THE WITNESS (Crosbie): Attorney Russo,
17 this is Shawn Crosbie. It looks to me like
18 there's only one work pad just north of 1574. Do
19 you want our answer to be combined with SAS-1574
20 and 1586?

21 MR. RUSSO: Yes, please.

22 THE WITNESS (Crosbie): Okay. And I
23 believe your question was do those two work pads,
24 will those two work pads be installed or used at
25 the same time?

1 MR. RUSSO: Correct.

2 THE WITNESS (Crosbie): So they could
3 be, but they could not be. Based on discussions
4 with the property owners during the course of
5 construction, UI would work to minimize any
6 impacts to the businesses, and that includes
7 traversing through roadways or parking lots or
8 working around their hours of operation of those
9 businesses that are in that area. So, you know,
10 if at night when both businesses are shut down and
11 we choose to work with the property owners to
12 define our work activity in the evening, they
13 could be at night. If during the discussions of
14 the easement, as Ms. Potasz pointed out, we work
15 with our property owners to have the least impact
16 possible. We install one work pad, complete the
17 activity, which at P659S that's a removal, that's
18 not an installation of a structure, then that
19 might be done during the day where the one just
20 north of 1586 might not be done until the evening
21 hours.

22 MR. RUSSO: I appreciate the thorough
23 answer. The question though, if those work pads
24 are utilized at the same time, will it eliminate
25 through traffic to this area?

1 THE WITNESS (Crosbie): So UI would
2 work to not impact through traffic in that area,
3 Attorney Russo.

4 MR. RUSSO: Okay. Great. Thank you.
5 Moving to SAS-1596 which is on Sheet 4 of 29. Per
6 Late-File Exhibit 22, UI conducted an in-person
7 field visit in the vicinity of SAS-1596, correct?

8 THE WITNESS (Crosbie): Attorney Russo,
9 this is Shawn Crosbie again. Can you just state
10 the initial part of your question? I missed that.

11 MR. RUSSO: Sorry. UI conducted an
12 in-person field visit in the vicinity of SAS-1596,
13 correct?

14 THE WITNESS (Crosbie): Attorney Russo,
15 this is Shawn Crosbie again. Is that related to
16 an interrogatory somewhere or --

17 MR. RUSSO: Yes. Exhibit 22, the
18 applicant responded that they had conducted field
19 visits in the area of this property.

20 MR. McDERMOTT: Does anyone know what
21 interrogatory?

22 Attorney Russo, we're having trouble
23 identifying which interrogatory. I'm sure it's
24 within the GLIs, but can you help us pinpoint it?

25 MR. MORISSETTE: I believe it's number

1 22 with the attachment GLI-1-1. Is that correct,
2 Attorney Russo?

3 MR. RUSSO: Yes. And the question was
4 A-GLI-1.

5 MR. McDERMOTT: Thank you.

6 MR. RUSSO: The answer, I'm sorry, the
7 answer was A-GLI-1.

8 THE WITNESS (Parkhurst): Hi,
9 Mr. Russo. This is Matthew Parkhurst. Yes, we
10 have conducted site visits in that area of
11 SAS-1596.

12 MR. RUSSO: So you are familiar that
13 SAS-1596 has a single access to its parking due to
14 the slope, correct?

15 THE WITNESS (Parkhurst): Yes, we're
16 aware of that.

17 MR. RUSSO: And the proposed work pad
18 on SAS-1596 stands at the bottom of that access
19 point. It would prevent access to the entire
20 parking area, correct?

21 THE WITNESS (Sazanowicz): Mr. Russo,
22 I'd like to clarify. This is MeeNa Sazanowicz
23 again. Those are listed as work pads on the map.
24 Those are more generally work areas. Because most
25 of the parking area in the work area on the map is

1 paved, we do not anticipate installing any
2 physical installations there that may prohibit
3 traffic movement in or out. Again, this is also a
4 work area so that is just, you know, the location
5 where we may have setup. It doesn't mean the
6 entire area during the one construction period
7 would be completely utilized and completely block
8 off everything within that gray box.

9 MR. RUSSO: Sorry, just for
10 clarification, would the proposed work pad block
11 access to the parking area at any time?

12 THE WITNESS (Crosbie): Attorney Russo,
13 this is Shawn Crosbie. The way it's depicted in
14 the application, yes, it would look as if it would
15 block access. The idea of those work pads are
16 proposed estimated in size based on the
17 constructability review. However, as we get
18 closer in terms of discussion with the property
19 owners for easement purposes or during
20 construction, as we get closer to our 90 percent,
21 those work pad sizes can be adjusted and will be
22 adjusted to conform with more constructible safe
23 work pads, constraints that property owners may
24 feel to limit them to access in and out of their
25 facilities. These are proposed work pads that

1 we've worked with our construction team on, but
2 those sizes can be rearranged and shrunk or
3 arranged in different manners.

4 MR. RUSSO: So could UI analyze to
5 reconfigure that proposed work pad to ensure that
6 access to the parking area would be available at
7 all times?

8 THE WITNESS (Crosbie): Yes, we could.

9 MR. RUSSO: Okay. Now, turning to,
10 which is on the same map, SAS-1598. And again, as
11 indicated in Exhibit 22, this property is located
12 in the R-C residential district, correct?

13 THE WITNESS (Crosbie): Attorney Russo,
14 this is Shawn Crosbie. I'm not sure of what
15 district it is in as I don't have that
16 information. When we did our assessment based on
17 the Town of Fairfield's records, we had it in Zone
18 C, I guess, if that's what you're asking.

19 MR. RUSSO: Yes, a Residential C
20 district which is listed on the attachment
21 GLI-1-1. And as indicated in said exhibit, you
22 are familiar that SAS-1598 contains a two-family
23 dwelling?

24 THE WITNESS (Crosbie): If that's what
25 you are saying, then yes I would believe it.

1 MR. RUSSO: Under the Fairfield zoning
2 regulations a property containing a two-family
3 dwelling in the R-C district requires a minimum
4 lot area of 7,500 square feet, correct?

5 MR. McDERMOTT: Mr. Morissette, I'm
6 going to kind of renew my objection to the zoning
7 line of questioning with these non-zoning experts.

8 MR. RUSSO: Again, Chair, the applicant
9 stated that there was four nonconforming
10 properties that were made nonconforming. They
11 didn't list which of those properties they were.
12 So I'm trying to ascertain whether this property
13 is one of the properties that was made
14 nonconforming which is clearly analysis that they
15 must have conducted to make that determination.

16 MR. McDERMOTT: Mr. Morissette, if the
17 question is which of the four nonconforming lots,
18 I believe the witness could answer. And there's
19 an interrogatory response that identifies the fact
20 that four properties were nonconforming. So I
21 believe that we could just provide the four
22 addresses of the nonconforming properties. It
23 would be maybe a little quicker chase, if that
24 would be --

25 MR. MORISSETTE: Yes, if we could do

1 that, that would be helpful.

2 Attorney Russo, would that be
3 satisfactory?

4 MR. RUSSO: Yes, that would be great.
5 Thank you, Chair.

6 MR. MORISSETTE: Thank you. And thank
7 you, Attorney McDermott, for your suggestion.
8 Please continue.

9 THE WITNESS (Crosbie): Thank you.
10 This is Shawn Crosbie with UI again. So the four
11 nonconforming lots based on the records that we
12 assessed at the Town of Fairfield and the zoned
13 area by the Town of Fairfield regulations, the
14 first lot that we caused to be nonconforming is
15 SAS-1571 which is located at 275 Center Street as
16 we covered that earlier.

17 The second lot that we make
18 nonconforming is SAS-1765 which is 1028 Post Road.

19 The third lot we estimate that we make
20 nonconforming is SAS-1770 which is 17 Eliot
21 Street.

22 And the fourth lot that we believe we
23 make nonconforming is SAS-1906 which is located at
24 75 Ardmore Street.

25 MR. RUSSO: Mr. Crosbie, I'm sorry, can

1 you just repeat the second one? I think it was
2 SAS-1765.

3 THE WITNESS (Crosbie): Yes, sir, give
4 me one second. SAS-1765, 1028 Post Road.

5 MR. RUSSO: Thank you, Mr. Crosbie.

6 So Chair, I would like to continue the
7 questioning on this specific property as it is not
8 listed as one of the properties that the applicant
9 is making nonconforming.

10 MR. MORISSETTE: Please continue, but
11 keep in mind that the witnesses are not zoning
12 experts or attorneys.

13 MR. RUSSO: Thank you, Chair. So
14 again, under the Fairfield zoning regulations a
15 property containing a two-family dwelling in the
16 R-C district requires a minimum lot area of 7,500
17 square feet, correct?

18 MR. MORISSETTE: Attorney Russo, we
19 just established that they're not zoning experts.

20 MR. RUSSO: But Chair, I'm having this
21 issue that they had somebody who clearly knew
22 enough of the regulations to determine which
23 properties were nonconforming, and I can't
24 question that person as to whether they actually
25 got all the properties that are nonconforming and

1 review a specific site to determine that.

2 MR. MORISSETTE: Well, the witnesses
3 have stated so far that they found four
4 nonconforming properties, so therefore anything
5 beyond the four they haven't discovered yet. So
6 with that, unless somebody else on the witness
7 panel has that answer, which I don't, you know,
8 I'll offer it up, but is anybody on the witness
9 panel able to answer the zoning question that
10 Attorney Russo just inquired about?

11 (No response.)

12 MR. MORISSETTE: So with that, they
13 don't have an answer, so you'll have to brief it.

14 MR. RUSSO: I think the witness should
15 be compelled to bring forward the expert who is
16 able to make this determination as to
17 nonconforming because I believe there's an error
18 as to how many properties they are stating are
19 nonconforming.

20 MR. MORISSETTE: Well, unfortunately
21 the witness panel has been in place for four
22 hearings now, and this is the fifth, and they
23 don't have a panel, a witness panel person that
24 could answer this question. So with that, we're
25 going to have to let it go and we'll have to move

1 on.

2 MR. RUSSO: Would it be safe to say
3 that your response in the interrogatories, Exhibit
4 23, that the -- would it be safe to say that the
5 answer given in Exhibit 23 with regards to the
6 number of properties that are nonconforming needs
7 to be further explored?

8 THE WITNESS (Crosbie): Attorney Russo,
9 this is Shawn Crosbie with UI. We will continue
10 to evaluate that list to make sure that any lot
11 that we see going into a nonconformance state
12 caused by the UI project would be addressed by UI.

13 MR. RUSSO: Did the applicant review
14 the site at SAS-1702 to determine its conformity
15 with the Fairfield zoning regulation?

16 THE WITNESS (Crosbie): Attorney Russo,
17 this is Shawn Crosbie. Yes.

18 MR. RUSSO: And your determination is
19 that this application does not create a
20 nonconformity as to lot area on property SAS-1702?

21 MR. McDERMOTT: Mr. Morissette, I'm
22 sorry, but I think you just ruled that the company
23 has made its four -- determination about four
24 properties. Mr. Crosbie has just indicated that
25 it will be an ongoing exercise to continue to

1 analyze the conformity or nonconformity of all the
2 projects, and now we're circling back to exactly
3 what I think you asked that we not do which is
4 continue to inquire about the conformity of
5 various properties with the town's zoning
6 regulations.

7 MR. MORISSETTE: Yes. Thank you,
8 Attorney McDermott. I did just rule on that, and
9 we're continuing to go down this path. The fact
10 that the properties are conforming or
11 nonconforming is not going to be a portion of our
12 decision. It will be a piece of evidence, but we
13 don't need to go into every single property given,
14 again, that the company has already stated that
15 they have identified four nonconforming properties
16 and you can assume that the others are conforming
17 until they are further analyzed as identified by
18 the witness. So Attorney Russo, if we could
19 please move on. Thank you.

20 MR. RUSSO: Chair, I think it's
21 important for the record to note if there's a
22 dispute about properties that are considered
23 nonconforming beyond what the applicant said
24 because, again, it goes to the question of is the
25 estimate by UI for \$30 million for acquisition of

1 easements is an accurate number.

2 MR. MORISSETTE: I'm requesting that
3 you move on. We have enough information on the
4 record. And if you feel compelled, you can brief
5 it.

6 MR. RUSSO: Okay. Moving to property
7 SAS-1729 which is 1916 Post Road. I'm at Sheet 7
8 of 29. I'll give you a second to get to that map.
9 So regarding that site, if you're ready, UI
10 proposes a single work pad that extends over two
11 parking areas that are physically separated,
12 correct?

13 THE WITNESS (Sazanowicz): Yes, that is
14 correct.

15 MR. RUSSO: The sole purpose of this
16 work pad is to remove existing bonnets that are
17 roughly on opposite corners of the property,
18 correct?

19 THE WITNESS (Sazanowicz): Yes, that's
20 correct.

21 MR. RUSSO: Could UI separate this work
22 pad into two separate work pads that would be
23 associated with removing the nearest bonnet to
24 each work pad and stagger when those work pads
25 would be utilized to minimize the disturbance to

1 the existing parking areas?

2 THE WITNESS (Crosbie): Attorney Russo,
3 this is Shawn Crosbie. Yes, we could do that. As
4 I mentioned before, we're flexible in adjusting
5 the size of our work pad, how it's oriented from
6 what is shown on our application drawings.

7 MR. RUSSO: Moving to SAS-1734 which is
8 Sheet 8 of 29. I'll give you a second to get
9 there. It's 1828 Post Road. If you're there, the
10 question is when evaluating the proposed plan and
11 alternatives, did UI take into consideration the
12 lack of depth along the Post Road commercial
13 corridor in Fairfield, particularly on a property
14 like SAS-1734 and the percentage of the lot a
15 proposed easement would occupy?

16 THE WITNESS (Sazanowicz): Mr. Russo,
17 this is MeeNa Sazanowicz. When alternatives were
18 analyzed as part of the solution study,
19 approximate acreage for easements was included
20 within the project estimate for locations along
21 the railroad, yes.

22 MR. RUSSO: Did UI take into
23 consideration that certain properties due to their
24 lack of depth on the proposed easement would cover
25 a substantial portion of the site?

1 THE WITNESS (Sazanowicz): Mr. Russo,
2 this is MeeNa Sazanowicz. UI reviewed applicable
3 locations for where poles could be spotted and
4 acreage of easement that would be needed across
5 the project.

6 MR. RUSSO: Did UI take into
7 consideration the setbacks required in each
8 particular zone of a property in combination with
9 the proposal easement to evaluate what the
10 proposal would do to a permitted building envelope
11 on a property?

12 THE WITNESS (Sazanowicz): Mr. Russo,
13 during the conceptual analysis, no, we did not
14 look at setbacks.

15 MR. RUSSO: Just concluding with
16 Fairfield, does the applicant know what the square
17 footage number of proposed easements on private
18 properties is in the Town of Fairfield? Just to
19 clarify, the square footage of proposed easements
20 in Fairfield on private property.

21 THE WITNESS (Sazanowicz): One moment,
22 Mr. Russo. We're collecting the information.

23 (Pause.)

24 MR. MORISSETTE: Attorney McDermott, if
25 that's not readily available, we can get that

1 answer and we'll move on.

2 Attorney Russo, could you continue?

3 MR. McDERMOTT: Thank you. We will
4 crunch the numbers and do that as a Read-In.
5 Thank you, Mr. Morissette.

6 MR. MORISSETTE: Thank you. Attorney
7 Russo.

8 MR. RUSSO: Chair, if it would help,
9 you know, the substantive question was going to be
10 if they had broken it down to residential, between
11 residential square footage and commercial, so what
12 percentage of the square foot -- or how much
13 square footage is proposed on residential
14 properties in Fairfield and how much is proposed
15 in commercial. So in gathering that information
16 if they also could look at that or if they had
17 that, it would be appreciated.

18 MR. MORISSETTE: Very good. Thank you,
19 Attorney Russo.

20 THE WITNESS (Crosbie): Just a quick
21 clarification. You want just Fairfield or
22 Fairfield with the inclusion of Southport?

23 MR. RUSSO: Fairfield with the
24 inclusion of Southport.

25 THE WITNESS (Crosbie): Thank you.

1 MR. RUSSO: Thank you. So moving
2 considerably east now into Bridgeport for property
3 identified as ARN-1829 which is Sheet 20 of 29,
4 that is the property located at 1900 Fairfield
5 Avenue. I'll give you a second to get to that
6 map. The question is from the span from Structure
7 P737N to P745N, did UI consider locating these
8 structures to the south side of the railroad?

9 THE WITNESS (Parkhurst): Hi, Mr.
10 Russo. This is Matthew Parkhurst. In that
11 specific location, no, we did not look at that
12 specifically going south in that area mainly due
13 to the existing buildings once you get to the east
14 side of ARS-2118 and the west side of ARS-2119.
15 We tried to take advantage of the vacant land,
16 particularly to ARN-1830 on eastward, and that's
17 why we went to the north side in that area.

18 MR. RUSSO: Okay. So in choosing
19 structure locations, UI aimed to avoid land that
20 had been developed over land that had yet to be
21 developed?

22 THE WITNESS (Sazanowicz): I'm sorry.
23 Can you repeat your question, Mr. Russo?

24 MR. RUSSO: So in choosing the
25 structure location in this area, UI aimed to avoid

1 land that had been developed over land that was
2 yet to be developed?

3 THE WITNESS (Parkhurst): Yes, in this
4 area that's what we did.

5 MR. RUSSO: So the south side of
6 Railroad Avenue is one way heading eastbound,
7 correct?

8 THE WITNESS (Sazanowicz): I believe
9 that is correct.

10 MR. RUSSO: Did UI contact the City of
11 Bridgeport to determine if Railroad Avenue
12 contained excess width as a one-way street that
13 could be utilized for the placement of its
14 structures?

15 THE WITNESS (Parkhurst): No, we did
16 not.

17 MR. RUSSO: Regarding specifically on
18 the site ARN-1829, does the proposed work pad
19 protrude into the bypass lane for the
20 drive-through?

21 THE WITNESS (Parkhurst): Mr. Russo,
22 the size of the existing work pad on the Map Sheet
23 20 of 29 there would still be room for one lane in
24 the drive-through.

25 MR. RUSSO: No, I'm sorry, the bypass

1 lane, not the drive-through lane, the bypass lane.

2 THE WITNESS (Crosbie): Attorney Russo,
3 this is Shawn Crosbie with UI again. Again, our
4 work pads that we have reflected in our
5 application are flexible to be moved based on
6 property owner constraints such as drive paths,
7 parking areas. We achieve to have the least
8 amount of impact as possible to our property
9 owners. So again, this is an estimated work area,
10 but I just want to make sure we're clarifying that
11 so that we have that -- we're all on the same
12 page.

13 MR. RUSSO: So could the work pad be
14 revised to avoid the bypass lane?

15 THE WITNESS (Crosbie): And when you
16 say the "bypass lane," are you referring to the
17 hashed checkered spot coming off Commerce Drive
18 what would be heading south and then banking
19 almost a 90-degree to the east, is that what
20 you're referring to?

21 MR. RUSSO: It's the area just to the
22 north of the proposed work pad on ARN-1829. That
23 lane, there's the lane that's in gray which is
24 the -- the light gray, I should say. It's the
25 drive-through lane. The bypass lane would be the

1 gray area, the dark gray area in between the
2 drive-through lane and the parking spaces.

3 THE WITNESS (Crosbie): Yes, we could
4 do that. We could work with the property owner to
5 achieve that goal.

6 MR. RUSSO: Okay. And then finally
7 moving further east to RPS-1943 to 1945 which is
8 Sheet 20 of 29.

9 THE WITNESS (Crosbie): This is Shawn
10 Crosbie. Can you just say those property IDs
11 again, please?

12 MR. RUSSO: Sure. RPS-1943 to 1945.
13 It's sheet 20 of 29.

14 THE WITNESS (Crosbie): Thank you.

15 MR. RUSSO: Or actually, I'm sorry, you
16 know what, I apologize, I'm wrong. It's not Sheet
17 20, I apologize. It's sheet 26.

18 THE WITNESS (Crosbie): Thank you.

19 MR. RUSSO: In this area did UI
20 consider relocating the line to the northern side
21 of the railroad tracks where there is a fully used
22 parking area and fully developed building that's
23 the amphitheater?

24 THE WITNESS (Sazanowicz): Mr. Russo,
25 this is MeeNa Sazanowicz. As part of this project

1 we are interconnecting into an existing overhead
2 structure that is on the south side of the
3 railroad tracks, and that's why these lines come
4 back south to connect to the double circuit to
5 that tower which eventually goes to the new
6 Pequonnock Substation.

7 MR. RUSSO: Could the line be relocated
8 to the north side of the railroad tracks and then
9 cross the tracks to the substation that's to the
10 south side?

11 THE WITNESS (Sazanowicz): Give me a
12 moment. I'm just looking at the maps for a
13 second. (Pause) So Mr. Russo, as part of the
14 design the project is utilizing existing monopoles
15 for the crossing at I-95 which separates the
16 circuits, one on the north side, one on the south
17 side, all the way to Lafayette Street where we
18 would then cross back over. So in order to have
19 the structures, the circuits on the north side,
20 we'd have to cross the south side circuit at some
21 point to the north side to then cross it back over
22 to the south side. So physically it could be
23 done. But since you already have the circuit on
24 the south side and we are connecting both circuits
25 to a double circuit structure that's on the south

1 side of the tracks, that's why the plan is
2 proposed as it is.

3 MR. RUSSO: Thank you. My next
4 question I think David George would be the person to
5 respond to these set of questions.

6 Mr. George, if you are available, have
7 historic resources been identified that are
8 potentially eligible for the National Register of
9 Historic Places but not previously listed or under
10 consideration for listing?

11 MR. MORISSETTE: If I could interrupt
12 at this point. We're going to take a quick
13 10-minute break. So we'll be back here at 3:50.
14 It will be a 13-minute break. I think everybody
15 needs to take a quick, take a breather. And so we
16 will reconvene at 3:50. Thank you, everyone.

17 MR. RUSSO: Thank you, Chair.

18 (Whereupon, a recess was taken from
19 3:37 p.m. until 3:50 p.m.)

20 MR. MORISSETTE: So we're back on the
21 record. Attorney Russo, please continue with your
22 cross-examination.

23 MR. RUSSO: Thank you, Chair.

24 MR. McDERMOTT: Mr. Morissette, if I
25 could just jump in. We can do this later, but Mr.

1 Parkhurst has the number of the square footage for
2 all the easements in Fairfield if we want to cover
3 that now or we can hold that.

4 MR. MORISSETTE: If we could, why don't
5 we get that off the table. Please continue.

6 MR. McDERMOTT: Thank you.

7 THE WITNESS (Parkhurst): Hi, Mr.
8 Morissette and Mr. Russo. So in the Town of
9 Fairfield UI is estimating a total easement
10 acreage of 8.73 acres. 0.97 acres are considered
11 residential and 7.76 acres would be considered
12 commercial.

13 MR. RUSSO: Sorry, Mr. Parkhurst, could
14 you just repeat the commercial number again? It
15 was 7.76?

16 THE WITNESS (Parkhurst): 7.76 acres.

17 MR. RUSSO: Thank you, Mr. Parkhurst.

18 MR. MORISSETTE: Thank you,
19 Mr. Parkhurst, and thank you, Attorney McDermott.

20 Attorney Russo, please continue.

21 MR. RUSSO: Yes, Chair. And just so
22 you know, I only have a few questions left. I
23 believe Mr. George would be the appropriate person
24 to respond to them.

25 First question, have historic resources

1 been identified that are potentially eligible for
2 the National Register of Historic Places but not
3 previously listed or under consideration for
4 listing?

5 THE WITNESS (George): Hi, Mr. Russo.
6 David George here. As I testified in the last
7 round of testimony, the work that was completed by
8 Heritage Consultants was aimed at providing an
9 inventory of resources that are listed on the
10 state or national register of historic places as
11 well as in local historic districts so that the
12 SHPO may make a determination of effect for the
13 project. They did not ask for us to review any
14 properties that might be considered eligible in
15 that initial work.

16 MR. RUSSO: Thank you. Was any
17 on-the-ground research done or were all the
18 historic resources identified by documentary
19 searches?

20 THE WITNESS (George): Again, as I
21 stated before, the Phase 1A work consists of a
22 thorough file research at the SHPO on available
23 websites, information provided by the town
24 historic commissions and the like. The
25 on-the-ground work you're talking about would be

1 what's considered a Phase 1B survey which the SHPO
2 did not ask for.

3 MR. RUSSO: Under historic preservation
4 review standards is on-the-ground research
5 considered necessary to identify historic
6 resources?

7 THE WITNESS (George): Again, in the
8 Phase 1A level of identification it is not
9 required.

10 MR. RUSSO: So the potentially eligible
11 resources have not been considered?

12 THE WITNESS (George): Potentially
13 eligible resources have not been considered at
14 this early date.

15 MR. RUSSO: Would you agree with the
16 SHPO's determination in its November 17, 2023
17 letter that the scope of work as proposed will
18 have an adverse effect to historic resources?

19 THE WITNESS (George): I agree as does
20 the project team.

21 MR. RUSSO: Does the SHPO's November
22 17, 2023 letter make any reference whatsoever to
23 direct versus indirect adverse effects?

24 THE WITNESS (George): I don't have
25 that letter in front of me. I'm sorry, I can't

1 specifically answer that right at this moment. I
2 mean, I know that the adverse effects for the
3 project are indirect.

4 MR. RUSSO: Are you aware of the
5 guidance issued by the Advisory Council on
6 Historic Preservation that the term direct adverse
7 effect should be determined by causation rather
8 than being limited to physical damage so that
9 adverse visual and auditory effects caused
10 directly by the project itself are considered
11 direct adverse effects?

12 THE WITNESS (George): While that may
13 be the case, the current project is being reviewed
14 under Siting Council standards, not the ACHP
15 standards.

16 MR. RUSSO: Okay. Thank you.

17 And Chair, that concludes my
18 cross-examination. Thank you for your time.

19 MR. MORISSETTE: Thank you, Attorney
20 Russo. Very good. We will now continue with
21 cross-examination of the applicant by Fairfield
22 Station Lofts, LLC on the new exhibits, Attorney
23 Schaefer.

24 MR. SCHAEFER: No questions at this
25 time.

1 MR. MORISSETTE: Thank you, Attorney
2 Schaefer. We will continue with cross-examination
3 of the applicant by the Town of Fairfield on the
4 new exhibits, Attorney Ball or Attorney Dobin.

5 MR. BALL: Thank you, Chairman
6 Morissette. David Ball for the Town of Fairfield.
7 Delighted to be joining this proceeding.

8 MR. MORISSETTE: Good afternoon,
9 Attorney Ball.

10 CROSS-EXAMINATION

11 MR. BALL: All right. I have some
12 questions of the UI panel, if I could. A number
13 of interrogatories, and I'm not sure which witness
14 should answer so I'll just ask this in general but
15 I assume it's Ms. Sazanowicz, there were a number
16 of interrogatories that were propounded. And in
17 SCNET 1-28 the question was asked as to whether
18 UI -- to identify any alternative designs
19 considered, studied or analyzed by UI in
20 connection with the proposed repair and/or
21 replacement of the existing 115 kV line and
22 associated infrastructure located between catenary
23 Structure B648S and UI's Congress Street
24 Substation. Do you see that response?

25 THE WITNESS (Sazanowicz): Attorney

1 Ball, yes, I do.

2 MR. BALL: And your response, Ms.
3 Sazanowicz, was please refer to Section 9 of the
4 application.

5 THE WITNESS (Sazanowicz): Yes.

6 MR. BALL: Okay. Now, Section 9 of the
7 application consists of various alternatives that
8 UI studied and rejected; is that right?

9 THE WITNESS (Sazanowicz): Yes, that is
10 Correct.

11 MR. BALL: And in analyzing those
12 options, you took into account various pros and
13 cons of the alternatives that you looked at; is
14 that correct?

15 THE WITNESS (Sazanowicz): Yes, that is
16 correct.

17 MR. BALL: Okay. Now, included in at
18 least one of the considerations was an underground
19 115-kV line within public road right-of-ways,
20 correct?

21 THE WITNESS (Sazanowicz): Yes, that is
22 correct.

23 MR. BALL: Now, as a general matter, do
24 you agree that there are benefits to burying
25 transmission lines under public roads?

1 THE WITNESS (Sazanowicz): In general,
2 yes, there are some pros to underground
3 transmission.

4 MR. BALL: Okay. So with overhead
5 lines you have a risk of outages caused by weather
6 conditions, right, but not with underground lines?

7 THE WITNESS (Sazanowicz): I wouldn't
8 say that is entirely true. Underground lines are
9 connected to infrastructure that is above ground,
10 so they are susceptible to potential weather
11 events, yes.

12 MR. BALL: Well, you would agree that
13 the susceptibility of overhead lines to ice is
14 more acute than it is with underground lines.
15 Wouldn't you agree with that?

16 THE WITNESS (Sazanowicz): Yes, that is
17 correct.

18 MR. BALL: And similarly with wind
19 overhead lines are more susceptible to wind
20 loading than underground lines, right?

21 THE WITNESS (Sazanowicz): Yes.

22 MR. BALL: And if you have an overhead
23 structure and the wires break and there's a
24 collapse, you have a risk of fire that you don't
25 have with an underground line, isn't that right,

1 in general?

2 THE WITNESS (Sazanowicz): Mr. Ball, in
3 general I suppose there is the risk; however, the
4 overhead transmission lines are designed in a
5 manner to trip the line out so that there aren't
6 such incidences in milliseconds.

7 MR. BALL: Okay. But to the extent
8 there is some risk, and there is some risk, it is
9 greater with an overhead line than there is with
10 an underground line, you would agree with that?

11 THE WITNESS (Sazanowicz): Sure, yes.

12 MR. BALL: Okay. And also, you would
13 agree that underground lines have lower fault
14 rates than overhead lines; isn't that true?

15 THE WITNESS (Sazanowicz): I'm sorry,
16 Mr. Ball, say that again.

17 MR. BALL: Underground lines have lower
18 fault rates than overhead lines, right?

19 THE WITNESS (Sazanowicz): I am not --
20 I don't know.

21 MR. BALL: Okay. Do you agree that
22 because public roads are already environmentally
23 disturbed, there's less environmental impact when
24 you bury a line under a road than when it's
25 overhead?

1 THE WITNESS (Berman): Attorney Ball,
2 this is Todd Berman. I don't think we can really
3 conclude that because you don't know the
4 conditions of the environmental media under the
5 road. It's too simple a question. Without any
6 additional information, it's impossible to
7 conclude.

8 MR. BALL: Impossible to say that a
9 road that's already environmentally disturbed when
10 you bury a line under it there's less impact than
11 if you build it overhead, you can't answer that?

12 MR. McDERMOTT: Mr. Morissette, I'm
13 going to just jump in here. There are probably a
14 handful of ways that you could build an overhead
15 transmission line. You could build it -- so I
16 don't know, it's hard, I think, for the witness
17 panel to make the statement that Attorney Ball is
18 asking without further clarification like
19 Mr. Berman just asked for.

20 MR. BALL: I was hoping the panel would
21 answer instead of Attorney McDermott but --

22 MR. McDERMOTT: Well, Attorney Ball,
23 that was an objection so I will just say, Mr.
24 Morissette, I object since Attorney Ball has
25 failed to clarify with specificity the information

1 that would lead to an answer that is more than
2 Mr. Berman just provided so --

3 MR. MORISSETTE: Well, I would say that
4 Mr. Berman answered the question to the best of
5 his ability, and we're going to leave it at that
6 and move on.

7 MR. BALL: Okay. Hopefully this is not
8 controversial. Do you agree that when you bury a
9 line underground there's less of a visibility
10 impact than when it's overhead?

11 THE WITNESS (Sazanowicz): Yes.

12 MR. BALL: Excellent. Do you agree
13 that when you bury a line underground you don't
14 have to clear trees if you bury it under a road?

15 THE WITNESS (Sazanowicz): If you're
16 speaking specifically in the public right-of-way,
17 there are generally no trees. But if we have to
18 be on private property and there are trees in the
19 area, then yes those trees would have to be
20 removed.

21 MR. BALL: Right. I appreciate that
22 clarification. The preface of my question was
23 comparing an underground line under public roads
24 which you say is what you considered as an
25 alternative in Section 9 of the application, so

1 I'm asking about that. If you bury a line under a
2 public road you don't remove trees, right?

3 THE WITNESS (Sazanowicz): If we're
4 talking about the conceptual design that's in the
5 application, then there are permanent easements
6 that are required to get from full 648S at Sasco
7 Creek out to public streets. So yes, we would
8 have permanent easements. We would have tree
9 clearing. I also would like to add that we have
10 not done any underground surveys so there is
11 potential, depending on the route, that either the
12 duct bank or the splice chambers may also need to
13 be located on private property which would mean
14 tree removal.

15 MR. BALL: Well, in the underground
16 line that you considered you would agree that
17 there is far less tree removal than with what
18 you're proposing with your overhead line, would
19 you agree with that?

20 THE WITNESS (Sazanowicz): Based on the
21 currently proposed transmission configuration
22 that's in the application overhead compared to the
23 high level conceptual plan, yes. However, we have
24 not fully reviewed the route for the underground
25 to understand how much tree clearing would be

1 needed.

2 MR. BALL: Okay. Do you agree it is
3 cheaper to operate and maintain an underground
4 line than an overhead line?

5 THE WITNESS (Sazanowicz): I do not
6 know.

7 MR. BALL: Okay. So in one of the
8 interrogatories that's the subject of this hearing
9 which is SCNET 2-35, you were asked about those
10 costs and you referred to the Connecticut Siting
11 Council Life Cycle Report addressing those costs.
12 You're familiar with that?

13 THE WITNESS (Sazanowicz): Yes, I am.

14 MR. BALL: Okay. Do you have the Life
15 Cycle Report in front of you?

16 THE WITNESS (Sazanowicz): Yes, I do.

17 MR. BALL: Okay. And if you look at
18 page 12 of the Life Cycle Report, is it accurate
19 that the cost from operation and maintenance of an
20 underground circuit mile is \$22,937 per circuit
21 mile?

22 THE WITNESS (Sazanowicz): Yes, I see
23 that on the top of page 12.

24 MR. BALL: And do you see on page 7
25 that for the operation and maintenance of an

1 overhead circuit mile the cost is 29,636, do you
2 see that?

3 THE WITNESS (Sazanowicz): Yes, I see
4 that.

5 MR. BALL: So it's fair to say that it
6 is more expensive to operate and maintain an
7 overhead circuit mile than an underground circuit
8 mile, right?

9 THE WITNESS (Sazanowicz): On average,
10 yes.

11 MR. BALL: Do you agree that there are
12 EMF concerns with overhead lines that don't exist
13 with underground lines?

14 THE WITNESS (Cotts): Mr. Ball, this is
15 Ben Cotts with Exponent. I'm not sure that I
16 would say "concerns" is the right word. If you
17 would be more specific or maybe I can help you
18 with that, I would say that an underground line
19 does not have an electric field above ground
20 that's associated with it whereas an overhead line
21 would have an electric field associated with it,
22 but both of them would have magnetic fields.

23 MR. BALL: Okay. So "concerns" is the
24 word I think, Mr. Cotts, that was bothering you
25 there. It's fair to say that there are EMF

1 measurements overhead that don't exist
2 underground, is that better stated?

3 THE WITNESS (Cotts): I think that's a
4 fair consideration.

5 MR. BALL: Thank you. All right. Now,
6 looking at the specifics of the proposed overhead
7 line here, and again, I want to kind of compare to
8 what would happen if it were underground, in the
9 overhead proposal you're proposing that you would
10 have a need to acquire 19 acres plus of private
11 property. Is that accurate?

12 THE WITNESS (Parkhurst): Mr. Ball,
13 this is Matthew Parkhurst. Yes, that's accurate.

14 MR. BALL: And you would not have that
15 need to acquire permanent easements if you went
16 underground based on the route that you looked at;
17 isn't that right?

18 THE WITNESS (Sazanowicz): No, that is
19 not correct. There are many easements that are
20 needed as part of the underground design.

21 MR. BALL: Are 19 acres of easements on
22 private property needed for the underground
23 proposed route?

24 THE WITNESS (Sazanowicz): I do not
25 have a total estimate at this time for the amount

1 of permanent easements needed because we have not
2 done the detailed design for the underground
3 route.

4 MR. BALL: Is it one acre, do you know
5 if it's even that much?

6 THE WITNESS (Sazanowicz): Again, we
7 have not done the engineering due diligence to
8 understand what the acreage for the permanent
9 easements would be for the underground acreage.

10 MR. BALL: Okay. Now, one of the
11 issues obviously in this docket is that -- is the
12 concern of the impact of the overhead line on the
13 Southport Historic District. You would agree that
14 if you bury the line under a public road those
15 concerns go away?

16 THE WITNESS (Crosbie): Attorney Ball,
17 this is Shawn Crosbie. Can you repeat the
18 question one more time, please?

19 MR. BALL: Let me rephrase it. You
20 would agree that if you bury the line, there would
21 be no impact on the Southport Historic District?

22 THE WITNESS (Crosbie): Versus an
23 overhead configuration, is that what you're
24 asking?

25 MR. BALL: Yes. Thank you.

1 THE WITNESS (Crosbie): So for poles in
2 that area of the Southport Historic District those
3 wouldn't be there anymore obviously, the
4 underground infrastructure would be in the road,
5 but there would be transition structures needed at
6 Structure 648, we believe, but further analysis to
7 interconnect with the existing transmission
8 infrastructure along the rail to the west owned by
9 Eversource would need to be studied.

10 MR. BALL: Okay. You are aware that
11 there is currently a vegetation barrier between
12 the railroad and the Southport Historic District,
13 right?

14 THE WITNESS (Crosbie): Can you tell me
15 what you're referring to as a vegetation barrier?

16 MR. BALL: There's trees, there's
17 vegetation that creates a barrier in the Southport
18 Historic District and the Metro-North Railroad,
19 isn't that accurate, as we sit here today?

20 THE WITNESS (Crosbie): I would agree
21 that there's some trees sporadically along the
22 rail line there, yes.

23 MR. BALL: Okay. And you agree that
24 those sporadic trees would be removed if you go
25 forward with your plan to construct an overhead

1 transmission line as proposed?

2 THE WITNESS (Crosbie): We would need
3 to remove certain trees for construction purposes
4 and for long-term operational purposes to
5 construct an overhead line, yes.

6 MR. BALL: Okay. Now, is it accurate
7 that when you construct an overhead line in the
8 Metro-North Railroad right-of-way that there are
9 certain limitations when you're doing the
10 construction by virtue of the right-of-way; isn't
11 that true? And this is not a trick question, so
12 let me just focus you on the answer to Siting
13 Council Interrogatory 27 because I think you
14 identified those limitations, if I could.

15 THE WITNESS (Crosbie): Mr. Ball, this
16 is Shawn Crosbie. Okay. Let me get there.

17 MR. BALL: Of course.

18 THE WITNESS (Crosbie): Attorney Ball,
19 I'm there now. So yes, our answer is still
20 accurate for CSC Interrogatory 27.

21 MR. BALL: And just to, a couple of the
22 points, you would need a flagger for any work
23 provided by Metro-North, CT DOT would require
24 that, right?

25 THE WITNESS (Crosbie): So we would, if

1 we were to work on the right-of-way for our
2 construction activities, yes, we would need
3 flaggers to comply with Metro-North's policy.

4 MR. BALL: And if you work within 10
5 feet of a Metro-North signal and feeder wires, it
6 would require an outage on the utilities; isn't
7 that right? I'm looking at your second bullet
8 response.

9 THE WITNESS (Scully): Good afternoon,
10 Mr. Ball. This is Matthew Scully with UI.
11 Typically that is correct.

12 MR. BALL: Okay. Just to wrap this
13 part up, any work that you'd have to do that would
14 require any foul on the tracks, which I guess is
15 defined as 4 feet of the tracks, would require a
16 track outage when you're working in that
17 right-of-way, right?

18 THE WITNESS (Scully): Fouling a track
19 and taking a track outage are two different
20 things. We can do work within 4 feet of a track
21 it and foul it for short time period of take. To
22 take a track outage that would be for a longer
23 duration where no trains would travel on that
24 specific track.

25 MR. BALL: Fair enough. So those

1 limitations on constructing an overhead line
2 within the Metro-North Railroad right-of-way
3 simply do not exist if you were to go underneath a
4 public road along, let's say, the route that you
5 looked at, right?

6 THE WITNESS (Crosbie): Attorney Ball,
7 this is Shawn Crosbie. Certain of those
8 limitations or constraints do exist, yes, but some
9 of them still do exist. We have existing
10 infrastructure and facilities on top of
11 catenaries, so we would still need to remove those
12 existing facilities on top of the catenaries.
13 Whether we need to remove and interconnect with
14 our east and west bookends, we'll call it, at
15 Southport and Bridgeport, there might be
16 circumstances where we have to work with
17 Metro-North --

18 MR. BALL: Fair enough. My apologies,
19 I didn't mean to speak over you.

20 THE WITNESS (Crosbie): That's okay.

21 MR. BALL: Fair to say though that in
22 constructing the new line these issues relating to
23 the work within the Metro-North Railroad
24 right-of-way would not apply if you bury it
25 because after all you're not burying the line

1 within the Metro-North Railroad right-of-way under
2 the route you looked at?

3 THE WITNESS (Crosbie): Attorney Ball,
4 this is Shawn Crosbie again. I think, yes, some
5 of those constraints and challenges wouldn't be
6 there, but seeing we have not studied the full
7 complexity and design of the underground solution
8 outside of conceptualizing a route, you know, yes,
9 the amount of interaction with overhead between
10 underground and the streets would be in theory
11 less, but in order to study that to understand
12 what the estimate would be in terms of man hours,
13 interaction with Metro-North, we would need to
14 look at that further.

15 MR. BALL: Okay.

16 THE WITNESS (Sazanowicz): Mr. Ball, if
17 I could also add. While we may not have
18 interaction with Metro-North, per se, as we're
19 going in the streets for an underground route, we
20 would certainly have the need for police
21 protection during the entire time for
22 construction, road closures in order to construct
23 the path underground in public streets.

24 MR. BALL: I'm sure there's plenty of
25 variables in constructing overhead and

1 underground. I was simply asking about the
2 Metro-North Railroad right-of-way, but thank you
3 for that.

4 When you do overhead construction, if
5 you do it in the Metro-North Railroad
6 right-of-way, isn't it true you'd have to shut
7 down the circuit on the catenary structures while
8 you're doing the construction?

9 THE WITNESS (Scully): Mr. Ball, this
10 is Matthew Scully. That would depend on the
11 proximity of the construction to the circuit. If
12 the construction is far enough way, no, we do not
13 have to.

14 THE WITNESS (Crosbie): Attorney Ball,
15 could I just ask a clarification? Are you talking
16 about the circuit that Metro-North runs their
17 trains off of or are you talking about the
18 circuit --

19 MR. BALL: The UI circuit.

20 THE WITNESS (Crosbie): Okay. Thank
21 you.

22 MR. BALL: I apologize. The UI
23 circuit. Wouldn't it have to be shut down?

24 THE WITNESS (Scully): It depends on
25 the proximity of the construction to the UI

1 circuit. So again, there are working clearances
2 we have to maintain. If we're inside that working
3 clearance zone, yes; if we're outside of it, no.

4 MR. BALL: Those considerations don't
5 apply when you're burying the line, right, under a
6 public road the way you looked at it? In other
7 words, you could --

8 THE WITNESS (Scully): That's correct.

9 MR. BALL: I'm sorry, I didn't mean --
10 please answer.

11 THE WITNESS (Scully): You're correct.

12 MR. BALL: Okay. And then just to
13 finish up this line of questioning. In your
14 application, Figure 2-1, if you could just take a
15 quick look at that. I really only have one
16 question about it. That's the graphic depiction
17 of the proposed overhead construction do you see
18 that?

19 THE WITNESS (Crosbie): Attorney Ball,
20 yes, we see it.

21 MR. BALL: Is it accurate -- I'm
22 looking at running left to right, right in the
23 middle, is that a depiction of the railroad track?

24 THE WITNESS (Scully): It appears to be
25 so.

1 MR. BALL: Okay. And by my math, you
2 have five different areas of an overhead crossing
3 across the Metro-North Railroad track, right, as
4 you propose it?

5 THE WITNESS (Crosbie): Attorney Ball,
6 yes, this is Shawn Crosbie, yes, that's what's
7 depicted on the figure.

8 MR. BALL: And you agree that two of
9 those five crossings are double circuits, right?

10 THE WITNESS (Crosbie): Attorney Ball,
11 this is Shawn Crosbie. Yes, that's correct.

12 MR. BALL: So if there was, God forbid,
13 a train derailment, wouldn't those circuits have
14 to be shut down if it was in that area?

15 THE WITNESS (Crosbie): Attorney Ball,
16 this is Shawn Crosbie. I'm not sure I understand
17 the focus of your question as the lines that are
18 above the tracks would be well within height of
19 clearances of trains. If a derailment, are you
20 saying if it takes out a structure?

21 MR. BALL: Yes.

22 THE WITNESS (Crosbie): I mean, yes, if
23 God forbid, a train hits one of the structures,
24 there could be the catastrophe of it hits it and
25 the line comes down, yes.

1 MR. BALL: Right. You would agree that
2 if you bury the line under public roads, you don't
3 have that concern, right?

4 THE WITNESS (Sazanowicz): Mr. Ball,
5 this is MeeNa Sazanowicz. We do also still
6 connect to lines that are going to be along the
7 railroad. So if you're speaking in that specific
8 area of the double circuit crossing where the
9 lines would be underground, then no, but we do
10 still connect to transmission lines that are
11 within the rail corridor, the underground portion
12 does.

13 MR. BALL: But obviously there are
14 overhead crossings where you don't have -- that
15 would be susceptible to that kind of a catastrophe
16 that you wouldn't have elsewhere in the
17 underground route, isn't that accurate?

18 THE WITNESS (Crosbie): Attorney Ball,
19 this is Shawn Crosbie. Yes.

20 MR. BALL: Okay. Thank you. Now --

21 MR. McDERMOTT: Attorney Ball, Mr.
22 Crosbie would like to clarify a response to one of
23 your previous questions, if you don't mind.

24 MR. BALL: Okay.

25 THE WITNESS (Crosbie): Attorney Ball,

1 you were asking the question about outages needed
2 to be taken on the circuits that UI owns for
3 construction of the overhead line versus if we did
4 need to take an outage for construction of the
5 underground line. So regardless if we had to take
6 an outage or not, no customers would be affected
7 in terms of supplying electricity for the purposes
8 of an outage as we would work with our operations
9 folks and Convex to address the outages and the
10 continued supply of electricity to our customers.

11 MR. BALL: Fair enough. But you would
12 not have to engage in any kind of mitigation
13 efforts if you were able to construct an
14 underground line and at all times have that
15 overhead line that currently exists operating,
16 right?

17 THE WITNESS (Crosbie): I'm not sure I
18 understand your question, Attorney Ball. Could
19 you ask it a different way?

20 MR. BALL: Yeah. I mean, the benefit
21 of constructing underground beneath a road as you
22 proposed is that you are able to continue the
23 operation of the existing overhead lines on the
24 catenary structures while you're doing the
25 construction of the underground line, right?

1 THE WITNESS (Crosbie): Yes, but that
2 has no impact to how we supply electricity to our
3 customers.

4 MR. BALL: But there's an added cost to
5 the contingency that you just identified, right?

6 THE WITNESS (Crosbie): I don't
7 understand how the added cost would be applicable,
8 but if you want to expand on that, I'd be happy to
9 evaluate the answer.

10 MR. BALL: I wasn't asking you your
11 opinion of relevancy. I was asking you whether
12 I'm right. Is there an added cost?

13 THE WITNESS (Crosbie): For taking an
14 outage? I mean, you're assuming outages on
15 underground lines in certain areas. It depends on
16 the constructability of the lines versus the
17 overhead lines that you're asking. So to fully
18 understand and answer that question, we have to
19 look into it further.

20 MR. BALL: All right. Very helpful.
21 Thank you. Now, let's just take a look at the
22 underground route that you looked at which is in
23 Section 9 of your application.

24 And as a starting point, you looked at
25 115-kV XLPE cables, right?

1 THE WITNESS (Sazanowicz): Yes, that is
2 correct.

3 MR. BALL: And at this point there's no
4 question that is a reliable technology for
5 underground transmission lines, correct?

6 THE WITNESS (Sazanowicz): Yes, that is
7 correct.

8 MR. BALL: And in fact, as you know, we
9 have 345-kV underground XLPE cables that was
10 approved in the Norwalk to Middletown line, Docket
11 272, right?

12 THE WITNESS (Sazanowicz): That's
13 correct.

14 MR. BALL: Under the Post Road --

15 THE WITNESS (Sazanowicz): Yes.

16 MR. McDERMOTT: Mr. Morissette -- I'm
17 sorry, Attorney Ball -- Mr. Morissette, if I could
18 just interrupt. I occasionally think that
19 Attorney Ball is going to refer to some of the
20 interrogatories that were admitted into evidence
21 at the last hearing which is the topic of today's
22 hearing. I think we have on more than one
23 occasion gone well beyond what was in those
24 interrogatories. So if I could object to this
25 line of questioning that is referencing the

1 application which would have been part of the I'd
2 say the first three of the Siting Council
3 hearings, and I guess that's the basis of the
4 objection if we could get back to the
5 interrogatories and the Late-File exhibits that
6 were the source of today's hearing.

7 MR. MORISSETTE: Thank you, Attorney
8 McDermott. Go ahead, Attorney Ball, your
9 response.

10 MR. BALL: Thank you, Chairman
11 Morissette. I don't want there to be any concern
12 by Attorney McDermott about the scope of the
13 hearing because his client answered in response to
14 SCNET 1-28, which is the subject of this hearing,
15 when asked about alternative designs referred us
16 to Section 9 of the application, so I thought I'd
17 be able to ask about Section 9 of the application
18 which is what I'm doing. I think it fits neatly
19 into the scope of this hearing.

20 MR. MORISSETTE: Well, I'll let you
21 complete your line of questioning, but we are
22 beyond the scope of the questioning for the
23 information that was filed for the November 16th
24 hearing. So please limit your questions to the
25 information that was filed for that hearing,

1 Attorney Ball, complete your question that you
2 have here.

3 MR. BALL: Yeah, I think I want to
4 understand, if I may, and I'm directing this to
5 the UI panel, the assumptions that went into their
6 underground -- the analysis of the route that they
7 claimed to have looked at underground. Now, it's
8 my understanding that UI has taken the position
9 that electrical load and demand are not a basis
10 for this project; is that accurate?

11 THE WITNESS (Sazanowicz): That is
12 correct, yes.

13 MR. BALL: And you actually responded
14 to an interrogatory that you don't anticipate a
15 significant increase in demand for electrical load
16 in Connecticut or the region in the next ten
17 years, that's true also, right?

18 THE WITNESS (Sazanowicz): That is
19 correct, yes.

20 MR. BALL: Okay. Now, your underground
21 analysis of the 115-kV line under public roads
22 assumes two conductors per phase. Let me stop
23 right there. Is that an accurate statement?

24 THE WITNESS (Sazanowicz): That is
25 correct.

1 MR. BALL: Okay. And your testimony,
2 Ms. Sazanowicz, was that two conductors per phase
3 are needed to meet the ampacity requirements so
4 that the underground cable does not limit the line
5 so that would meet the 1590 overhead wire
6 ampacity. Do you recall that testimony?

7 THE WITNESS (Sazanowicz): Yes.

8 MR. BALL: All right. So this isn't
9 about increased need, increased capacity, this is
10 just about asset condition, right?

11 THE WITNESS (Sazanowicz): This
12 project, yes.

13 MR. BALL: And the overhead 1590 ACSR
14 cable that you are -- or overhead line that you're
15 going to be removing carries 1,354 amperes, that's
16 the ampacity, right?

17 MR. McDERMOTT: Mr. Morissette, could I
18 just have one second with the panel?

19 MR. MORISSETTE: Certainly.

20 (Pause.)

21 MR. McDERMOTT: Mr. Morissette, thank
22 you. The delay was caused by Ms. Sazanowicz
23 eyeballing me that that information is CEII, and
24 we aren't able to discuss it in this forum.

25 MR. BALL: Okay. Well, I'm trying to

1 understand the assumptions that went into your
2 underground alternatives, and Ms. Sazanowicz has
3 testified that the underground cables, that you
4 need two underground cables to meet the overhead
5 wire ampacity.

6 MR. MORISSETTE: Attorney Ball, maybe I
7 could suggest that you ask the question in a
8 different manner similar to what you just stated.

9 MR. BALL: Okay. Thank you. Thank
10 you, Chairman Morissette, I will.

11 Isn't it fair to say that if you have a
12 single cable 3,500 kcmil conductor underground and
13 that's what you analyzed, isn't that right, as
14 your potential, or you actually looked at two
15 3,500 kcmil conductors underground?

16 THE WITNESS (Sazanowicz): That is
17 correct.

18 MR. BALL: Okay. If you just looked at
19 a single kcmil conductor, isn't it true that that
20 single underground cable would have more ampacity
21 than the current overhead line, the current ACSR
22 overhead line? I'm not asking about figures.
23 This is a just general statement.

24 THE WITNESS (Sazanowicz): Mr. Ball,
25 attached to the overhead lines, transmission lines

1 that the underground is going to attach to are
2 1590 ACSS, not ACSR. So in order to match that
3 ampacity, we did a preliminary ampacity
4 calculation that did define the number of cables
5 per phase and the preliminary duct bank cross
6 section which my estimate is based on.

7 MR. BALL: Okay. And none of that is
8 in the record, right?

9 THE WITNESS (Sazanowicz): None of the
10 details of the line-by-line cost estimates, no,
11 are not in the record. That is proprietary
12 information and would impact potential future bids
13 as all of our projects are bid, and the
14 line-by-line cost estimate is based on recent
15 underground projects' costs.

16 MR. BALL: Okay. So if I'm to
17 understand your testimony, I think what you're
18 saying is that there is -- you are proposing an
19 upgrade to your overhead cables from ACSR to ACSS.
20 Let's start with that. That's a fair statement?

21 THE WITNESS (Sazanowicz): Yes, the
22 overhead lines are going to be 1590 ACSS.

23 MR. BALL: What's the difference
24 between ACSR and ACSS? And I apologize if this
25 was asked before. I don't mean to be redundant,

1 but I do want to try to understand the difference.

2 THE WITNESS (Sazanowicz): The
3 mechanical properties are different in both the
4 conductors. ACSS you can run at a higher
5 temperature than you can ACSR.

6 MR. BALL: Okay. And because you can
7 run ACSS at a higher temperature, you would agree
8 without question there is more ampacity with an
9 ACSS conductor than the existing ACSR conductor,
10 right, without getting into figures?

11 THE WITNESS (Sazanowicz): Yes, that is
12 correct.

13 MR. BALL: Okay. So you are making a
14 proposed application not based on need, not based
15 on electrical load, but you are proposing a
16 different technology that carries more ampacity in
17 your proposed overhead line, right?

18 THE WITNESS (Sazanowicz): Again, it's
19 best engineering judgment when designing an
20 underground line to not limit your overhead
21 connections. That is why the underground is
22 designed the way it is.

23 MR. BALL: Okay. I'm sorry, if I was
24 unclear, my apologies. I'll try and be even more
25 clear this time. The ACSR overhead line that you

1 currently have, this whole project is not about
2 load, it's not been increasing ampacity, but as a
3 matter of fact what you are proposing is an
4 increase in ampacity because you are switching to
5 overhead ACSS cables; isn't that true?

6 THE WITNESS (Logan): Attorney Ball,
7 this is Zach Logan with the UI panel. Yes, that
8 is true, but the reason for that is where we're a
9 interconnected system in the ISO New England and
10 we interface with New York to the south, if we
11 were not to do that, we would become the limiting
12 factor in that interface and we would inhibit load
13 to be shared amongst New England and New York's
14 region.

15 MR. BALL: Thank you, Mr. Logan. I'm
16 terribly confused because I could have sworn your
17 panel just testified this is not about load, it is
18 not about transmission. If you were --

19 THE WITNESS (Logan): It is not --

20 MR. BALL: Let me just ask my question,
21 please.

22 THE WITNESS (Logan): Yes.

23 MR. BALL: If you were going to replace
24 the exact level of ampacity that currently exists
25 on the overhead ACSR cables, isn't it true that a

1 single underground 3,500 kcmil cable would not
2 only meet the current ampacity but exceed it;
3 isn't that true?

4 THE WITNESS (Logan): Yes, that is
5 true.

6 MR. BALL: Thank you. Is it also true,
7 because I understand you rejected the concept of
8 building a 115-kV line underground in public
9 roads, is it also true that you did not model a
10 proposed underground route that uses one cable per
11 phase, you never modeled that?

12 THE WITNESS (Logan): I'm not the
13 witness to answer that, sir.

14 MR. BALL: I'm asking the panel.

15 THE WITNESS (Sazanowicz): Mr. Ball,
16 this is MeeNa Sazanowicz. Again, I will say that
17 our estimate is conceptual grade. It does have a
18 bandwidth of plus 200 minus 50. And why we did
19 not estimate specifically one cable per phase, we
20 do feel that it would fit in that bandwidth.

21 MR. BALL: I'm sorry, I thought it was
22 a yes or no question. Let me try again. Is it
23 accurate that you did not model an underground
24 line with a single cable per phase?

25 THE WITNESS (Sazanowicz): Yes, we did

1 not model a single cable per phase.

2 MR. BALL: Is it also true that if you
3 modeled it with a single cable per phase, your
4 cost estimate would have been less than the one
5 billion dollars that you have said it will cost
6 for this 9 mile line?

7 THE WITNESS (Sazanowicz): Yes, the
8 material and labor cost for the cable would have
9 been less.

10 MR. BALL: And do you agree it would
11 also take a little less time to construct than the
12 ten-year horizon that you testified to if you had
13 a single cable?

14 MR. McDERMOTT: Mr. Morissette, I will
15 just note that I'm not sure we've testified and
16 the panel has testified that it's going to take
17 ten years to construct the underground project.
18 But regardless, Ms. Sazanowicz, do you have an
19 answer to the first part of that question?

20 MR. BALL: Well, if that was an
21 objection and not testimony -- actually, it is in
22 Ms. Sazanowicz's testimony --

23 MR. McDERMOTT: Okay.

24 MR. BALL: -- Attorney McDermott. She
25 wrote it is anticipated construction for this

1 alternative that you rejected will extend into
2 2034 or beyond. That's where I was coming from.

3 MR. McDERMOTT: Okay. Excuse me,
4 Attorney Ball, where does it say that it's going
5 to be a 10-year construction period?

6 MR. BALL: Well, it's 2024 and it says
7 2034 or beyond. By my limited math skills, that's
8 where I got ten years. They didn't teach it in
9 law school.

10 MR. McDERMOTT: Just to include you,
11 I'll say that I guess Mr. Ball is working on the
12 assumption that we're going to start construction
13 next year. Regardless, I think the question can
14 be answered without --

15 MR. BALL: Why don't I simplify. Would
16 it be quicker if you were only building an
17 underground line with one cable instead of two,
18 wouldn't it be faster?

19 THE WITNESS (Sazanowicz): One cable
20 per phase versus two, yes.

21 MR. BALL: And if the speed with which
22 you do the construction is faster, you would agree
23 that your AFUDC cost estimate would be lower?

24 THE WITNESS (Sazanowicz): Yes, based
25 on the less amount of time, yes.

1 MR. BALL: And that, in fact, was the
2 highest single line component, line item of your
3 cost estimate on the underground line, right,
4 AFUDC?

5 MR. McDERMOTT: Sorry, Attorney Ball,
6 what are you referring to so we can get that in
7 front of us?

8 MR. BALL: Yes. In Ms. Sazanowicz's
9 testimony, October 3, 2023, there's a cost
10 estimate of the proposed underground line that you
11 rejected, and on page 3 there in that laundry list
12 that adds up to a billion dollars there's a cost
13 estimate for AFUDC of 288 million. Do you recall
14 that, Ms. Sazanowicz?

15 MR. McDERMOTT: Before you answer, Ms.
16 Sazanowicz, Mr. Morissette, I will object. It's
17 clear Attorney Ball is now in prefile testimony
18 dated October 3rd. Yes, I acknowledge that in
19 SCNET 1-28 we referred the SCNET to the
20 application, Section 9, which concerned project
21 alternatives. The question was please identify
22 any alternative design considered, studied or
23 analyzed, and then we just referred SCNET to
24 application Section 9 for the design alternatives.
25 We're now into Ms. Sazanowicz's prefile testimony,

1 and I really think we could stand to get back to
2 the scope of today's hearing. The Town of
3 Fairfield had an opportunity to cross-examine on
4 these issues at prior hearings and it decided to
5 pass, and I think Attorney Ball is now trying to
6 recapture some of the lost time. So I will object
7 to the questions.

8 MR. MORISSETTE: Thank you, Attorney
9 McDermott. I agree, let's move on. The
10 information on the AFUDC was filed and is part of
11 the record so the information stands as it is.
12 Thank you.

13 MR. BALL: Okay. Thank you. I'll move
14 on to this further consideration of this
15 underground line that you rejected. And I did
16 have a question about -- you referred us in your
17 interrogatory response, you referred the parties
18 to Section 9 of the application. And there was --
19 if you could turn to page 9-7 of the application,
20 I did want to ask you a question about the Post
21 Road. And tell me when you get to that page.

22 You see the first, I apologize, the
23 second to last paragraph that begins with the
24 words "In the general project area"?

25 THE WITNESS (Sazanowicz): Yes.

1 MR. BALL: Okay. And you wrote, "UI
2 concluded none of the roads along the 345 cable
3 route are wide enough to allow required separation
4 between the transmission lines. As a result, the
5 115 cables would have to be located outside the
6 right-of-ways on private property." So is it fair
7 to say you did not even consider the Post Road as
8 a potential route for your underground
9 alternative?

10 THE WITNESS (Sazanowicz): Based on
11 what's here and our knowledge of the the 345-kV
12 and distribution lines in that area, yes.

13 MR. BALL: Okay. Did you do a thermal
14 analysis to come to that conclusion?

15 THE WITNESS (Sazanowicz): I used a
16 basic rule of thumb to understand what the
17 potential separation from the 345-kV lines might
18 be.

19 MR. BALL: Rule of thumb, is that where
20 you reference the need to be separated by 10 to 12
21 feet from the existing 345-kV line?

22 THE WITNESS (Sazanowicz): Yes. Yes.

23 MR. BALL: Okay. Thank you. I didn't
24 hear the response. There is no regulation to that
25 effect, you would agree, there's no 10 to 12 foot

1 regulation?

2 THE WITNESS (Sazanowicz): No. A
3 formal ampacity study with all of the mutual
4 heating underground infrastructure would have to
5 be commenced to understand what the separation
6 will be.

7 MR. BALL: Exactly, exactly what I
8 thought. And it's fair to say you have not done
9 that analysis?

10 THE WITNESS (Sazanowicz): We have not
11 done a thorough ampacity analysis of a route with
12 all those different cross sections, no.

13 MR. BALL: So without having done any
14 studies, you eliminated the Post Road as a
15 potential option based on the potential for mutual
16 heating without doing any of those studies,
17 correct?

18 THE WITNESS (Sazanowicz): Correct. We
19 also considered the congestion within the Route 1
20 corridor for being able to install a 115-kV duct
21 bank of the anticipated size down Route 1.

22 MR. BALL: I understand that concern.
23 Isn't it true that in cities like, say, New York
24 ConEdison has to operate multiple underground
25 circuits far closer than 10 to 12 feet apart and

1 they figure out how to do it? Do you know?

2 THE WITNESS (Sazanowicz): I do not
3 know the layout of the underground transmission in
4 New York City.

5 MR. BALL: Okay. But you are aware
6 that in cities throughout the United States there
7 are lines well closer than 10 to 12 feet apart and
8 the heating issues are dealt with, right?

9 THE WITNESS (Sazanowicz): I do not
10 know the separation in other cities. I cannot
11 speak for the ampacity needs that are needed in
12 those underground transmission lines, so I don't
13 know.

14 MR. BALL: Okay. In Section 9, I just
15 want to, if I could, point you to Figure 9-1 which
16 is I believe the route that you looked at. It's
17 on page 9-9, Figure 9-1.

18 THE WITNESS (Sazanowicz): Okay.

19 MR. BALL: The blue line that I'm
20 looking at on this chart is the proposed
21 underground route that you considered and
22 rejected, right?

23 THE WITNESS (Sazanowicz): That is
24 correct.

25 MR. BALL: It's accurate, is it not,

1 that there are two water crossings on the route
2 that you looked, one at Southport Harbor and the
3 other heading into the Ash Creek Substation?

4 THE WITNESS (Sazanowicz): Yes, that is
5 correct.

6 MR. BALL: And because there would be
7 water crossings along that route, you would have
8 to use horizontal directional drilling if you were
9 to build an underground cable there, right?

10 THE WITNESS (Sazanowicz): Yes, that is
11 correct.

12 MR. BALL: If you were to look at a
13 route that included the Post Road, it would be
14 possible to avoid the crossing of Southport
15 Harbor; would it not?

16 THE WITNESS (Sazanowicz): Route 1
17 crosses Southport Harbor so, no, you would still
18 need to cross Southport Harbor.

19 MR. BALL: But you would not need to do
20 horizontal directional drilling?

21 THE WITNESS (Sazanowicz): I can't say
22 if we could or couldn't. It's all dependent on if
23 we would be able to attach, we'd be allowed to
24 attach to the bridge to make the water crossing or
25 not.

1 MR. BALL: Okay. And that is not
2 something you analyzed?

3 THE WITNESS (Sazanowicz): That is not
4 something we looked at, no.

5 MR. BALL: Okay. I'd like to switch
6 topics, if I could, to some overhead
7 considerations, alternatives that you looked at.
8 On page 9-3 of your application I think you
9 identified various overhead lines that you
10 considered and rejected, right?

11 THE WITNESS (Sazanowicz): Yes.

12 MR. BALL: One alternative that you
13 rejected would have been to acquire an entirely
14 new right-of-way, do you see that on page 9-3?

15 THE WITNESS (Sazanowicz): Yes.

16 MR. BALL: And of course that would not
17 have been preferred because you would have had to
18 take so many easements, acquire so many easements
19 to do so, among other reasons, do you agree with
20 that?

21 THE WITNESS (Sazanowicz): Yes.

22 MR. BALL: But how many acres, did you
23 do that analysis, or you didn't get that far?

24 THE WITNESS (Sazanowicz): No, we did
25 not estimate the total number of acres for going

1 overhead in an entire new right-of-way as we are
2 using an existing corridor, the CT DOT
3 right-of-way, and all of our substations that we
4 need to connect to also abut the CT DOT corridor.

5 MR. BALL: Okay. But even with the
6 route that you have chosen, you agree there's
7 still the need to acquire 19 acres of new
8 permanent easements?

9 THE WITNESS (Sazanowicz): Based on the
10 varying width of the CT DOT corridor, yes, where
11 it gets very narrow, we would need to acquire
12 additional easements for overhead assets.

13 MR. BALL: Okay. What I'd like to
14 explore with you, if I could, is the extent to
15 which you may have analyzed variables that could
16 have limited the extent of the easements that you
17 say you need to acquire going overhead. Now I'm
18 just talking about an overhead line, all right?

19 As a general matter, if I have two
20 overhead poles and a wire in between, there is
21 sag, is that -- have I said that right, the wire
22 sag?

23 THE WITNESS (Sazanowicz): Yes.

24 MR. BALL: Okay. And am I correct that
25 when you construct an overhead line there is a

1 minimum distance between the ground and the bottom
2 wire at maximum sag that you have to maintain, you
3 have to maintain a minimum clearance, right?

4 THE WITNESS (Sazanowicz): Yes, that is
5 correct.

6 MR. BALL: Is that 30 feet by NESC
7 standards, if you know?

8 THE WITNESS (Sazanowicz): I believe
9 it's 23.

10 MR. BALL: Okay. Is it accurate that
11 the more sag you have, the higher your poles have
12 to be to make sure the lowest wire is sufficiently
13 above ground taking into account maximum sag?

14 THE WITNESS (Sazanowicz): Yes.

15 MR. BALL: And you would agree that the
16 more load on a conductor the greater the sag. Is
17 that a fair general statement?

18 MR. McDERMOTT: Mr. Morissette, I'm
19 sorry, I'm going to object again to the fact that
20 Attorney Ball's questions exceed the scope of
21 today's hearing.

22 MR. MORISSETTE: Yes, they do, they do,
23 Attorney Ball. And if you could kindly get to the
24 point of your questioning and we can move on.
25 Going into the details of design is not helpful.

1 MR. BALL: Well, actually I think it's
2 extremely helpful, if I may, Chairman Morissette,
3 and the reason is because this question that is
4 the subject of this hearing, SCNET 1-32, which
5 asked for designs that they considered and SCNET
6 28 asked for the designs that they considered, we
7 are deeply concerned that there were structural
8 alternatives that can and should have been
9 discovered that would have greatly limited the
10 easements that they are saying they need to take.
11 So I would ask for just a bit of leeway because by
12 establishing load as the metric it will help me
13 get into the direct questioning as to
14 alternatives.

15 MR. MORISSETTE: Attorney Ball, I've
16 been giving you leeway all afternoon. Get to your
17 point and ask your question. Let's move on.

18 MR. BALL: Okay. So with the
19 understanding that -- well, okay. Is it fair that
20 the weight of a conductor, the wire, the
21 conductor, that weight causes greater sag, so can
22 we agree with that?

23 THE WITNESS (Sazanowicz): Yes.

24 MR. BALL: And do you agree that the
25 fatter the conductor, the wider the diameter there

1 is also going to be more sag because of ice load
2 and wind load?

3 MR. McDERMOTT: Mr. Morissette, I'm
4 going to object as the questions are exceeding the
5 scope of today's hearing.

6 MR. MORISSETTE: Attorney Ball, please
7 get to the point of your question so we can move
8 on.

9 MR. BALL: I was two questions in. I
10 will. I'm just trying to get to that
11 understanding as I get to the point. Do you agree
12 with my last question?

13 THE WITNESS (Sazanowicz): Yes.

14 MR. BALL: Okay. Now, I understand you
15 have testified that your proposal is to use ACSS
16 conductors overhead, and you have come up with a
17 proposal for an overhead line that takes 19 acres
18 or would require you to acquire 19 easement acres.
19 Isn't it true that there are other conductors that
20 are lighter than the ACSS conductor that carry
21 every bit as much ampacity as that conductor that
22 you could have used?

23 MR. McDERMOTT: Mr. Morissette, I'm
24 going to object to the questions exceeding the
25 scope of today's hearing. These should have been

1 asked during the hearing in which the town decided
2 not to ask any questions.

3 MR. MORISSETTE: Yes, they should have.
4 The application was filed. We went through
5 interrogatories. We went through Late-Filed
6 exhibits, and now we have Late-File exhibits
7 again. And we are way beyond going back to the
8 original application and asking questions like
9 this. So again, Attorney Ball, get to your
10 question. Let's move on.

11 MR. BALL: Respectfully, I appreciate
12 that. There are new interrogatories that were
13 just put into the record asking for this precise
14 information, and the answer was look at our
15 application. So I'm simply trying to explore
16 whether a few other alternatives were considered
17 that might avoid a catastrophe in Fairfield which
18 is the taking of 19 acres of property. I think it
19 will be direct, and I think that there are options
20 that could be evaluated.

21 MR. MORISSETTE: Finish your
22 questioning and let's move on.

23 MR. BALL: Thank you. Isn't it true
24 that there are smaller conductors, lighter
25 conductors with the same ampacity as the ACSS

1 conductors you are proposing?

2 THE WITNESS (Sazanowicz): If you are
3 referring to high temperature low sag conductors,
4 yes, those are not typically used, and they are
5 three to four times more expensive than your
6 traditional wire types.

7 MR. BALL: I appreciate there may be
8 cost concerns. I'm just asking a simple yes or no
9 question. There are alternative conductors that
10 you could have looked at that have the same
11 ampacity that are lighter, right?

12 THE WITNESS (Sazanowicz): We could
13 have looked at them, yes, but it's the prudence of
14 the company to select an alternative that solves
15 the solution that is the most cost effective for
16 the ratepayers.

17 MR. BALL: Thank you. Thank you. I
18 don't know that the ratepayers would necessarily
19 agree with you.

20 MR. McDERMOTT: Objection,
21 argumentative.

22 MR. MORISSETTE: Sustained.

23 MR. BALL: Are you objecting to the
24 testimony?

25 MR. McDERMOTT: I'm objecting to your

1 statement.

2 MR. BALL: Withdrawn.

3 MR. McDERMOTT: Thank you.

4 MR. BALL: Okay. Withdrawn. There are
5 also conductors with less diameter with the same
6 ampacity that could be used, isn't that true, that
7 could have been used on the overhead line that
8 would have had less sag?

9 MR. McDERMOTT: Mr. Morissette, I'm
10 going to object to the questions exceeding the
11 scope. He should have asked these questions
12 during the hearing in which the town decided to
13 pass.

14 MR. MORISSETTE: Yes. And I think the
15 witness has already responded that there are other
16 options available, but they used their design
17 criteria that UI uses in their design, and that's
18 what they put forward. So her testimony stands.

19 MR. BALL: Then I'll ask this question.
20 There is a specific interrogatory that I think
21 even Attorney McDermott will acknowledge is the
22 subject of this hearing that is SCNET 1-29. If I
23 could ask the witness to take a look at that
24 interrogatory.

25 THE WITNESS (Sazanowicz): Yes, I have

1 it.

2 MR. BALL: The question was whether
3 UI -- first of all, what are trapezoidal wires, if
4 I may, just for the record?

5 THE WITNESS (Sazanowicz): It's a
6 specific design configuration of the conductors.

7 MR. BALL: Do you agree that
8 trapezoidal wires are an example of wires that
9 have smaller diameter and greater ampacity than
10 what's been proposed?

11 THE WITNESS (Sazanowicz): So I did
12 take a look at trapezoidal wires. There really
13 was no appreciable savings in cross-sectional
14 diameter for the ampacity that we need for the
15 lines, so there really would not be a significant
16 or any design change.

17 MR. BALL: Okay. So did you perform a
18 study on that, may I ask you that?

19 THE WITNESS (Sazanowicz): I reviewed
20 the cut sheets which provide ratings for the
21 overhead wires.

22 MR. BALL: Okay. Your answer is that
23 you did not consider that alternative design at
24 the time that you answered the interrogatory, so
25 are you modifying that response now?

1 THE WITNESS (Sazanowicz): Yes.

2 MR. BALL: Okay. If you had considered
3 lighter wires, thinner diameter, isn't it possible
4 that you would be able to use lower poles because
5 there would be reduced sag and therefore smaller
6 foundations and less taking of land?

7 MR. McDERMOTT: Mr. Morissette, I'm
8 going to object to the questions exceeding today's
9 hearing scope.

10 MR. MORISSETTE: It is beyond the scope
11 of this hearing and beyond the scope of the
12 information in the record, so please move on.

13 MR. BALL: Well, then I'll ask it
14 slightly differently. Were any studies done, if I
15 may ask that, were any studies done considering
16 lighter conductors, thinner conductors that would
17 result in less sag, smaller foundations, smaller
18 easements?

19 MR. McDERMOTT: Mr. Morissette, I'll
20 object to the question as exceeding today's scope.

21 MR. MORISSETTE: I'll let the witness
22 answer that question and then move on. And I
23 think she's answered it several times already, so
24 let's get it one more time for the record and
25 close this out and move on.

1 MR. BALL: Fair enough. Thank you.

2 THE WITNESS (Sazanowicz): No, the
3 company did not look at high temp, low sag
4 conductors. I also want to state that we would
5 really have to take a look and analyze to
6 determine what the impacts or the differences
7 would be between the high temp low sag conductors
8 and the traditional ACSS. I would also like to
9 add that again the cost implications of the
10 additional three to five times the cost of your
11 traditional overhead wires was one of the reasons
12 why this was also not considered.

13 MR. BALL: Okay. And I'm going to wrap
14 up, which I'm sure will make the Chairman happy, I
15 will wrap up with one other point that I'd like to
16 just make sure the record is clear on. You've
17 testified that the ACSS overhead cables that you
18 you are proposing have more ampacity than the
19 existing ACSR cables, overhead lines, right?

20 THE WITNESS (Sazanowicz): Yes.

21 MR. BALL: But your poles, the
22 structures that you're building are actually built
23 to accommodate an even greater ampacity by virtue
24 of the Bluebird ACSS conductors; isn't that true?

25 THE WITNESS (Sazanowicz): Yes, we've

1 designed the structures to hold 2156.

2 MR. BALL: And those Bluebird
3 conductors have more ampacity and more weight, do
4 they not, than the ACSS conductors you're
5 currently, the Lapwing conductors you're currently
6 proposing?

7 THE WITNESS (Sazanowicz): Yes, they
8 do -- I'm sorry, can you repeat your question?

9 MR. BALL: Yes, of course. The
10 Bluebird conductors for which you've designed the
11 poles in fact are heavier and have more ampacity
12 than the Lapwing ACSS conductors?

13 THE WITNESS (Sazanowicz): Yes, that is
14 correct. It is best engineering judgment and
15 prudent to build a solution that is capable of
16 including additional capacity based on green
17 energy resources and other interconnections that
18 are potential in the future rather than having to
19 come back and redesign, reconstruct reinstall
20 different structures in the future.

21 MR. BALL: But you agree this project
22 is not about projected increase in load, right?

23 THE WITNESS (Sazanowicz): There is no
24 current increased capacity as the planning studies
25 sit today. However, those are, as you know,

1 continually updated. And I think, you know, based
2 on the environment of the electric grid, I think
3 we've all seen it with the additional
4 interconnections of generation that we do
5 anticipate capacity at some point is going to go
6 up.

7 MR. BALL: Well, I don't believe that's
8 consistent, if I may, with your testimony that
9 there is no projected increased load over the next
10 decade.

11 THE WITNESS (Sazanowicz): The current
12 planning studies do not show that. However, those
13 again are continually updated for additional
14 things that -- additional generation and other
15 connections that could come online.

16 MR. BALL: If you built the poles that
17 you are proposing not to meet some unknown need
18 that may never come about but based on your
19 current projections because you wouldn't need to
20 build them for the Bluebird conductors, couldn't
21 they be made smaller and have less of an impact on
22 property, smaller foundations, less easements?

23 THE WITNESS (Parkhurst): Mr. Ball,
24 this is Matthew Parkhurst. So the difference in
25 sag between the, let's say, 1590 and the 2156

1 Bluebird is very marginal, about a few feet. It
2 really depends on your tensions. That's a bigger
3 proponent -- part of the sag of the wire or
4 tension, not necessarily the type of wire. And
5 this project, in particular, we have to meet
6 clearances due to the catenary structures, and the
7 new poles in certain areas are completely adjacent
8 to the catenary. So the sag does not play a
9 factor in the height of the poles. It's mainly
10 more just the --

11 MR. BALL: Thank you for that
12 clarification. And my final question, I think --
13 oh, I'm sorry.

14 MR. McDERMOTT: One second, I'm not
15 sure Mr. Parkhurst was finished.

16 MR. BALL: I apologize. Please
17 continue.

18 THE WITNESS (Parkhurst): If I can
19 finish my answer. I think you cut me off.

20 MR. BALL: I didn't mean to.

21 THE WITNESS (Parkhurst): So in most
22 cases, even if we use a smaller conductor, you
23 will not see a decrease in overall pole height.

24 MR. BALL: Okay.

25 THE WITNESS (Crosbie): Attorney Ball,

1 this is Shawn Crosbie with UI again. I just want
2 to clarify something. So as you've seen in the
3 review of all the documents within this
4 proceeding, this is part of a larger program from
5 New Haven to Fairfield for UI along the rail
6 corridor. And the other segments for projects
7 that we've done along the rail corridor we've also
8 used the 1590 ACSS. So to use that as a prudent
9 design practice for engineering purposes that was
10 one of the other reasons that that was chosen.

11 Along with that to provide some clarity
12 and clarification to some of your questions, some
13 of the pole heights that you're asking questions
14 on and related to the sag of the conductor are
15 related to clearance requirements relative to the
16 built environment that are along the project area
17 between Bridgeport to Fairfield. So that relates
18 some of the heights that we wanted to just clarify
19 for you.

20 MR. BALL: Thank you. I'll really
21 simplify this. Is it accurate that you have not
22 done any study other than assuming the Bluebird
23 ACSS 2156 kcmil conductors, you have not done a
24 study to analyze exactly how low the poles could
25 go with a different conductor, not based on --

1 that's actually based on current need, you have no
2 study, right?

3 THE WITNESS (Crosbie): We have not
4 done a study to your question and point, no.

5 MR. BALL: Thank you. Chairman
6 Morissette, thank you. I appreciate your
7 indulgence with my late entry into the docket.
8 And I have no further questions at this time.

9 MR. MORISSETTE: Thank you, Attorney
10 Ball. We are going to keep going. I'm going to
11 try to get Mr. Hoffman in for his
12 cross-examination and possibly the Council. So if
13 everybody could bear with us, I know people are
14 getting tired, but we've been going at this for,
15 this is our fifth hearing and I would like to make
16 some progress today.

17 So with that, we will continue with
18 cross-examination of the applicant by the City of
19 Bridgeport on the new exhibits. And I believe
20 Attorney Hoffman will be asking questions this
21 afternoon.

22 MR. HOFFMAN: Yes, Mr. Morissette.
23 Thank you. And the advantage of being last in
24 line is that Mr. Russo and Mr. Ball took much of
25 my cross, so I will endeavor to be brief.

1 MR. MORISSETTE: Thank you, Attorney
2 Hoffman.

3 CROSS-EXAMINATION

4 MR. HOFFMAN: I'm getting rid of cross
5 as we speak. We talked before about zoning codes,
6 and I'm just wondering who at UI did the review of
7 Bridgeport's zoning codes, plan of conservation
8 and development and inland and wetland and
9 watercourses regulations.

10 MR. McDERMOTT: Attorney Hoffman, I'm
11 sorry, what are you referring to in the responses
12 just so we have it in front of us?

13 MR. HOFFMAN: I'm not referring to
14 anything in the responses. I'm just saying that
15 in previous testimony UI talked about the review
16 that they did on Fairfield's zoning codes and
17 other things. And so I'm just asking who did the
18 similar review for the City of Bridgeport's?

19 THE WITNESS (Crosbie): Attorney
20 Hoffman, this is Shawn Crosbie. Just to clarify,
21 earlier today I don't think there was any
22 reference to local wetland regulations within the
23 Town of Fairfield if you're referring to the
24 zoning regs. Anything that we've done in terms of
25 evaluation of the local zoning regulations for

1 municipalities in the project area would have been
2 post-application submittal --

3 MR. HOFFMAN: Okay --

4 THE WITNESS (Crosbie): Go ahead.

5 Sorry.

6 MR. HOFFMAN: No, no. I cut you off.

7 My apologies.

8 THE WITNESS (Crosbie): We evaluated
9 with some of our legal firm, team members, no one
10 on the witness panel here, in terms of the local
11 regulations in Fairfield relative to our
12 construction activities.

13 MR. HOFFMAN: Fairfield or Bridgeport,
14 sir?

15 THE WITNESS (Crosbie): I believe we
16 did Fairfield and Bridgeport.

17 MR. HOFFMAN: Very good. So UI did the
18 review?

19 THE WITNESS (Crosbie): Yes, UI and
20 made up of its team, correct.

21 MR. HOFFMAN: Very good. And did UI
22 determine that the proposed project would be
23 compliant with Bridgeport zoning codes?

24 MR. McDERMOTT: Mr. Morissette, I'm
25 just going to ask for clarification from Attorney

1 Hoffman. As I've stated before, the Siting
2 Council has exclusive jurisdiction, and I'm not
3 sure -- so the full analysis of all aspects of
4 Bridgeport zoning code obviously were not
5 considered by the company because the Siting
6 Council's jurisdiction would trump the local
7 zoning regulations. So to the extent that -- a
8 global review of the Bridgeport zoning regulations
9 was not undertaken by the company for that
10 purpose.

11 MR. HOFFMAN: I'm just as conversant
12 with Section 16-50x of the general statutes as
13 Attorney McDermott is. What I'm asking is whether
14 or not the company made a determination that there
15 would be instances of noncompliance with
16 Bridgeport zoning codes. The Council requires
17 with every application for a certificate that the
18 zoning codes and regulations be put into evidence,
19 and the Council certainly considers that as part
20 of its determination. So my question is fair
21 game. I recognize what the Siting Council's
22 jurisdiction is and where it trumps the city's.

23 MR. McDERMOTT: Mr. Morissette, I will
24 also just point out that previously in response to
25 questions from Attorney Russo you indicated that

1 nonconformance with the zoning regulations, quote,
2 would not be part of our decision. So I think
3 we've -- I thought we had moved on from the
4 discussion of nonconforming in zoning
5 considerations. So at least I was -- I hope my
6 notes were accurate, but I again think that we've
7 decided not to go down this route but --

8 MR. HOFFMAN: But yet, Mr. Morissette,
9 unless I was in a different hearing for the first
10 70 minutes, there was a lot of Q and A about this
11 very issue for the Town of Fairfield. I'm only
12 asking that they answer the same question for the
13 City of Bridgeport, and I promise that I will be
14 quicker than the previous cross-examination on
15 this issue.

16 MR. MORISSETTE: Thank you, Attorney
17 Hoffman. I'm going to let the question stand.
18 Please continue and the witness panel respond. I
19 think it's a very simple question that could be
20 answered quickly. Thank you.

21 MR. McDERMOTT: Attorney Hoffman, I'm
22 sure I've interrupted the flow enough that the
23 witness panel would like you to repeat the
24 question, if you don't mind.

25 MR. HOFFMAN: Undoubtedly. Thank you,

1 Mr. McDermott.

2 Did UI determine that the proposed
3 project would be compliant with the City of
4 Bridgeport's zoning codes and regulations in all
5 instances?

6 THE WITNESS (Crosbie): Attorney
7 Hoffman, this is Shawn Crosbie. Yes.

8 MR. HOFFMAN: And what was your
9 determination?

10 THE WITNESS (Crosbie): Our analysis
11 was that we would comply with the local -- that
12 our project complies with those.

13 MR. HOFFMAN: As it's currently
14 presented before the Siting Council?

15 THE WITNESS (Crosbie): Yes.

16 MR. HOFFMAN: Thank you. The colloquy
17 between the lawyers took longer than the actual
18 answer.

19 MR. McDERMOTT: Duly noted.

20 MR. HOFFMAN: Did United Illuminating
21 consider siting the project in areas that were not
22 in coastal boundaries?

23 THE WITNESS (Sazanowicz): Mr. Ball --
24 or Mr. Hoffman, I apologize, the project is a
25 rebuild of an existing 115-kV asset. So we are

1 staying within or as close to the CT DOT
2 right-of-way where the existing assets are. And
3 again, the existing substations are abutting the
4 CT DOT corridor, so that is the purpose or reason
5 why the project is sited and being built where it
6 is.

7 MR. HOFFMAN: I understand that. What
8 I'm asking is did you consider an alternative
9 route that wouldn't have been in coastal
10 boundaries?

11 THE WITNESS (Sazanowicz): No, we did
12 not.

13 MR. HOFFMAN: Thank you. Very briefly,
14 what is the "sliver by the river"?

15 THE WITNESS (Sazanowicz): Attorney
16 Hoffman, I'm familiar with the sliver by the
17 river. It's the little sliver of land that's just
18 south of the railroad right-of-way or south of the
19 DOT right-of-way roughly adjacent to the
20 Bridgeport train station.

21 MR. HOFFMAN: Thank you, Mr. Berman.
22 Did UI have any discussions with the city
23 regarding its proposed uses for this parcel?

24 THE WITNESS (Berman): Yes, we've had
25 at least two discussions. I've been on site with

1 the city at at least two different occasions to
2 discuss this with them.

3 MR. HOFFMAN: Well, thank you, Mr. --

4 THE WITNESS (Berman): But to clarify,
5 to clarify, we attended the meetings that were
6 arranged by the city as an important stakeholder
7 in that conversation. The meetings were not
8 specifically geared toward our project. We were
9 one of many stakeholders in attendance at both of
10 those meetings. However, we did have very good
11 productive discussions with Bridgeport about both
12 the existing constraints and the fact that the
13 design that we think that we have presented we
14 believe is very compatible with the city's
15 intentions in the sliver, and we communicated that
16 to the city on multiple occasions.

17 MR. HOFFMAN: So communicate that to us
18 today, Mr. Berman. How is your proposed project
19 protective of the sliver by the river and the
20 city's proposed plans for it?

21 THE WITNESS (Berman): How is it
22 protective? I'm not sure I --

23 MR. HOFFMAN: Well, how is it
24 compatible then?

25 THE WITNESS (Berman): Well, there's

1 two things to talk about when we talk about
2 compatibility with the sliver by the river. One
3 is that there's an existing 345-kilovolt
4 underground line there, and we have presented that
5 and discussed that with the city as an existing
6 constraint but not a barrier to their intentions.
7 Likewise, we have communicated with them that both
8 through the placement of the poles and the height
9 of the reveal on the foundations that they would
10 likely be compatible with whatever kind of future
11 park or, you know, multi-use area they have been
12 considering.

13 MR. HOFFMAN: And how did you make
14 these determinations, Mr. Berman?

15 THE WITNESS (Berman): I have a good
16 understanding of what or, you know, as you know,
17 the intentions by the sliver by the river are
18 still kind of an evolving thing. We have -- you
19 know, we've not seen any kind of final design, but
20 in conversations with City of Bridgeport officials
21 we have definitely discussed that the pole
22 placements could be compatible with the intentions
23 with the City of Bridgeport for the sliver by the
24 river.

25 MR. HOFFMAN: And what did you

1 understand those intentions to be?

2 THE WITNESS (Berman): Well, the two
3 times I've been there with city officials it's
4 been sort of a multi-use park, you know, I haven't
5 seen any -- I think it has an intention to be sort
6 of a sea level rise flood mitigation area, but it
7 also would be part of a, you know, community
8 access multi-use park.

9 MR. HOFFMAN: We talked a great deal
10 about undergrounding earlier, and I do not want to
11 revisit that except for just the barest minute.
12 We talked about the undergrounding option through
13 Fairfield. Was undergrounding of this project
14 considered for Bridgeport?

15 THE WITNESS (Sazanowicz): Mr. Hoffman,
16 this is MeeNa Sazanowicz. Yes, as part of one of
17 the alternatives we did an underground route from
18 the beginning of the project, 648S, all the way
19 through Congress Street Substation which would
20 include Bridgeport.

21 MR. HOFFMAN: Right. That's the
22 all-underground option, and that was rejected,
23 correct?

24 THE WITNESS (Sazanowicz): Yes, that is
25 correct.

1 MR. HOFFMAN: Did you consider an
2 option that would be underground for Bridgeport
3 only?

4 THE WITNESS (Sazanowicz): For the
5 entire City of Bridgeport, no, we did not.

6 MR. HOFFMAN: And the narrowest
7 railroad right-of-way is in Bridgeport, correct?

8 THE WITNESS (Sazanowicz): I'm sorry,
9 can you repeat the question?

10 MR. HOFFMAN: The narrowest railroad
11 right-of-way along this stretch between Fairfield
12 and Bridgeport is located in the City of
13 Bridgeport, correct?

14 THE WITNESS (Sazanowicz): Yes, that is
15 correct.

16 MR. HOFFMAN: And this is one of the
17 reasons why UI has to go outside the railroad
18 right-of-way in the City of Bridgeport, correct?

19 THE WITNESS (Sazanowicz): Yes, that is
20 correct. The CT DOT right-of-way consists of a
21 raised track which is on a retaining wall with
22 city streets directly adjacent. So yes, that's
23 why we are outside of the border. We cannot build
24 on that retaining wall.

25 MR. HOFFMAN: And have you built

1 outside the railroad right-of-way elsewhere in
2 Bridgeport?

3 THE WITNESS (Sazanowicz): Yes, we
4 have.

5 MR. HOFFMAN: And do you know whether
6 or not you put monopoles located in sidewalks when
7 you constructed that project?

8 THE WITNESS (Sazanowicz): Yes, we
9 have.

10 MR. HOFFMAN: And would you be putting
11 monopoles in sidewalks in Bridgeport with this
12 project?

13 THE WITNESS (Sazanowicz): No, we would
14 not.

15 MR. HOFFMAN: Why didn't you consider
16 undergrounding in Bridgeport only since that's
17 where the right-of-way for the railroad is the
18 narrowest?

19 THE WITNESS (Sazanowicz): The
20 undergrounding was not considered based on the
21 extensive cost over the preferred solution which
22 it would be borne by the ratepayers of
23 Connecticut. I don't know if any other team
24 members would like to add anything additional, but
25 that was one of the primary reasons.

1 MR. HOFFMAN: In the interest of time,
2 can I assume that the entire back and forth on
3 line diameters and sag and all of that that the
4 Town of Fairfield's counsel went through, Attorney
5 Ball, would also apply to the City of Bridgeport?

6 THE WITNESS (Crosbie): Attorney
7 Hoffman, this is Shawn Crosbie. Yes.

8 MR. HOFFMAN: Great. That just killed
9 half an hour worth of cross. Thank you, Mr.
10 Crosbie.

11 United Illuminating has underground
12 lines running throughout the City of Bridgeport,
13 correct?

14 THE WITNESS (Sazanowicz): For
15 transmission lines we have a 115-kV and we have
16 two 345-kV underground lines.

17 MR. HOFFMAN: Okay. So just sticking
18 with that and not worrying about the smaller
19 distribution lines, for the 345-kV lines and the
20 115-kV lines do you have a sense as to what the
21 percentage is of underground versus above ground
22 for United Illuminating lines in the City of
23 Bridgeport?

24 THE WITNESS (Sazanowicz): I do not
25 have a -- overhead is, I would estimate we have

1 more overhead than underground, but I would have
2 to look at that and calculate it.

3 MR. HOFFMAN: That's good enough for
4 me. Don't bother with the calculations.

5 Is the witness panel aware that the
6 City of Bridgeport qualifies as an environmental
7 justice community pursuant to Connecticut General
8 Statute 22a-20a?

9 THE WITNESS (Berman): This is Todd
10 Berman, and the answer is yes we are.

11 MR. HOFFMAN: And what if anything did
12 UI do in response to the City of Bridgeport being
13 an environmental justice community when it was
14 developing this project?

15 MR. McDERMOTT: Hold on one second, Mr.
16 Berman.

17 Attorney Hoffman and Mr. Morissette, I
18 just want to be clear that even in the city's
19 motion to intervene it should be noted for the
20 record that the proposed project is not an
21 affecting facility defined by Section 22a-20a. So
22 we can answer these questions, but I don't want
23 there to be a suggestion in the record that there
24 was some obligation pursuant to the statute for UI
25 to undertake the environmental justice analysis

1 that I think Attorney Hoffman is referring to.

2 MR. MORISSETTE: So noted. Thank you.

3 MR. McDERMOTT: Mr. Berman.

4 THE WITNESS (Berman): So, let's see,
5 we did our standard outreach, and recently we've
6 met with people from the Freeman House and
7 other -- the Farm Museum, other environmental --
8 I'm sorry, and environmental justice advocates.

9 MR. HOFFMAN: Do you recall any of the
10 other environmental justice advocates that you met
11 with, Mr. Berman?

12 THE WITNESS (Berman): I can get you
13 those names. Not right off the top of my head.

14 MR. HOFFMAN: That's fine. If you
15 don't remember, I'm not going to force you to.
16 We're trying to move things along.

17 In your meetings with the city, did the
18 city ever request that this line be placed
19 underground?

20 THE WITNESS (Berman): I was in many of
21 the meetings with the city, and I cannot recall an
22 instance where they made that request, no.

23 MR. HOFFMAN: And do you recall if the
24 city ever asked you to keep the project on the
25 railroad right-of-way?

1 THE WITNESS (Berman): We had, like I
2 said, we had several meetings with the city. If
3 they had expressed that, it's likely the
4 conversation, you know, turned to that the
5 railroad is elevated and keeping it on -- keeping
6 it on the right-of-way is sort of a physical
7 impossibility.

8 MR. HOFFMAN: I recognize that that's
9 UI's contention, Mr. Berman. That wasn't my
10 question though. With respect, my question was
11 whether or not the city asked you whether or not
12 it could be done.

13 THE WITNESS (Berman): I can't recall
14 exactly if that was ever asked.

15 MR. HOFFMAN: Thank you. Mr.
16 Morissette, that completes my cross.

17 MR. MORISSETTE: Thank you, Attorney
18 Hoffman.

19 MR. BOGAN: Chairman Morissette, I
20 apologize, it's David Bogan on behalf of the
21 Southport Congregational Church. Mr. Coppola did
22 ask questions on behalf of the grouped intervenors
23 at the last hearing. If the Chair would allow, I
24 do have just very few questions specific to
25 Southport, and I assure you that, if you allow it,

1 I will channel my internal Lee Hoffman from the
2 last hearing and take less than ten minutes.

3 MR. MORISSETTE: Well, Attorney Bogan,
4 your fellow attorney took three and a half hours
5 of our hearing the other day and consumed a lot of
6 time. I will allow it, but please do not stretch
7 it.

8 MR. BOGAN: I appreciate that, and I
9 assure you I will not. If I could --

10 MR. McDERMOTT: Mr. Morissette --

11 MR. BOGAN: I'm sorry.

12 MR. McDERMOTT: Attorney Bogan, sorry.
13 I agree with Mr. Morissette. On October 20th
14 Attorney Bogan, I think it was October 20th, asked
15 that he enter an appearance that was in addition
16 to Attorney Coppola and Attorney Studer. So it
17 was my understanding that the cross-examination by
18 Attorney Coppola last week would cover the
19 Southport Congregation Church. Having said that,
20 if we have ten minutes to spare, I'm willing to
21 yield it to Attorney Bogan who I'm sure can do it
22 and get us out of here a little on time.

23 MR. BOGAN: Thank you.

24 MR. MORISSETTE: Thank you, Attorney
25 McDermott. I appreciate the comment.

1 So there you go, Attorney Bogan.

2 CROSS-EXAMINATION

3 MR. BOGAN: Thank you, Mr. Chairman.

4 I'd like to refer the panel to SCNET 2-31. And
5 I'll paraphrase. There you were asked whether the
6 proposed easement in Southport could be reduced in
7 size or scope, and the answer, again paraphrasing,
8 was no.

9 With regard to the church, which I
10 believe is denoted as SAS-1573 on page 57 of
11 volume 2, can you describe the extent of the
12 permanent easement, the project pad and resulting
13 development?

14 THE WITNESS (Crosbie): Attorney Bogan,
15 this is Shawn Crosbie with UI. I apologize, could
16 you repeat the question one more time? Are you
17 referring to a page or a location? I have the
18 interrogatory up, but it took me a moment to get
19 that up. If you could refer --

20 MR. BOGAN: Not a problem, Mr. Crosbie.
21 Actually, the question really relates more to the
22 map that's on page 57 of Volume 2. There you seem
23 to show the easement as it relates to certain
24 properties and in this respect specifically
25 SAS-1573, which I believe is the church's

1 property; is that correct?

2 THE WITNESS (Crosbie): Attorney Bogan
3 give me one second. SAS-1573, Attorney Bogan,
4 yes, is Southport Congregational Church, that is
5 correct.

6 MR. BOGAN: Okay. So the question is,
7 it's hard to tell from the map, can you describe
8 the size and scope of the permanent easement, the
9 proposed work pad and the resulting development in
10 as much as it relates to that property?

11 THE WITNESS (Crosbie): Attorney Bogan,
12 this is Shawn Crosbie again. Yes, I can start
13 out, but some of my panel members and witnesses
14 here will be valuable to help you understand that.

15 So where we have the gray rectangular
16 lines that cross between, excuse me, that are on
17 1573, that's a work pad. As testified previously,
18 these are proposed estimated size work pads for
19 the activity of what looks to be, there is a gray
20 X there north of that work pad, is a removal of
21 our facilities on top of the catenary. Again,
22 that work pad can be reduced in size, channeled
23 closer to the right-of-way, you know, as long as
24 it is a safe work pad in regards to the area that
25 our construction crews would need to remove that

1 and cut those trees. So that is the temporary
2 component.

3 Along with that temporary work area, I
4 would presume our access to that would be off of
5 Pequot Avenue, that hashed line, that would be a
6 form of easement in the discussion with our
7 easement -- excuse me, our ELM with our land
8 management team.

9 As it relates to the permanent
10 easement, which is referred to by the orange more
11 45-degree angle hashed area, that relates to we
12 have the structures which we identify as the
13 points of reference P657S and P659. And you have
14 the two structures that go vertical, the poles,
15 and then there is the conductor that sits on those
16 poles, and that easement accounts for the sag and
17 the sway of the lines at certain wind and ice
18 loading conditions. And that's where the easement
19 that you see, it's hashed and it goes like halfway
20 between the gray temporary construction easement
21 rectangle, that would be the extent of that
22 permanent easement.

23 MR. BOGAN: Thank you. If you could
24 simplify, can you give me a sense as to the extent
25 to which the easement will encroach on the parking

1 lot?

2 THE WITNESS (Crosbie): Are you looking
3 for a square footage number, sir?

4 MR. BOGAN: Rough justice, yes.

5 THE WITNESS (Crosbie): Okay. We
6 estimate our permanent easement to be right around
7 6,800 square feet.

8 MR. BOGAN: I'm sorry, were you
9 finished with your answer? I apologize.

10 THE WITNESS (Crosbie): Yes, I was.
11 Thank you.

12 MR. BOGAN: Okay. Did you consider
13 less intrusive alternatives?

14 THE WITNESS (Crosbie): So in terms of
15 less intrusive alternatives for removal, is that
16 what you're asking?

17 MR. BOGAN: Well, in terms of the
18 encroachment, I guess. I'm not going to get to
19 the removals yet.

20 THE WITNESS (Parkhurst): Can you just
21 repeat the question one more time? Sorry, Mr.
22 Bogan.

23 MR. BOGAN: Yeah. Did you consider
24 less intrusive alternatives with regard to the
25 permanent easement?

1 THE WITNESS (Parkhurst): So Mr. Bogan,
2 this is Matthew Parkhurst. The permanent easement
3 that is on the need to ensure the entire conductor
4 at up to 100 -- up to a blowout condition of
5 130-mile-per-hour winds is kept within that
6 easement. And that based on the two existing pole
7 locations, we looked at Pole 659. That is as far
8 north as you can go. North of that is a wall that
9 the railroad sits up on at the Southport Train
10 Station or there's also a sidewalk there. And 657
11 is also as far north as you can go without getting
12 entangled with the existing Metro-North
13 infrastructure and below-grade conflicts.

14 In turn, we chose, due to the nature of
15 the Southport Train Station, the parking area,
16 this is one location where we spanned out. So we,
17 instead of using 300-foot spans, we're using
18 longer 600-foot spans which would have a larger
19 blowout and a bit larger easement than to
20 accommodate that blowout. However, that reduces
21 the number of poles required, so in this case it
22 would reduce. That's why there's no pole in the
23 back of, in the rear of the SAS-1573 property.

24 MR. BOGAN: Thank you. Now, in an
25 effort to move things forward quickly, and I only

1 have a few more questions, I understand the
2 testimony earlier today that you did not speak
3 with property owners prior to the proposal. Is
4 that a fair characterization?

5 THE WITNESS (Crosbie): Attorney Bogan,
6 if you're referring to us speaking to them
7 directly face to face, yes, that's correct, but --

8 MR. BOGAN: Okay.

9 THE WITNESS (Crosbie): -- as
10 previously -- go ahead.

11 MR. BOGAN: Okay. So you did not talk
12 to the church about what the building known as the
13 facilities barn is used for?

14 THE WITNESS (Crosbie): Attorney Bogan,
15 this is Shawn Crosbie. No, I do believe so.

16 (AUDIO INTERRUPTION)

17 THE WITNESS (Crosbie): Hold on,
18 Attorney Bogan. One of the members of the panel
19 is going to add some clarification to that.

20 MR. BOGAN: Sure.

21 THE WITNESS (Downey): We met with --
22 I'm sorry, Leslie Downey, outreach. We met
23 with North -- I'm sorry, that was the library, not
24 the church.

25 MR. BOGAN: Okay. So no one at the

1 church?

2 THE WITNESS (Downey): No one at the
3 church.

4 MR. BOGAN: Now, just a couple more.
5 Table 5-9 -- I lost my page on the computer, but
6 that's okay -- I believe it noted that the
7 preschool is one of the closest community
8 facilities to the project, if not the closest.
9 What other alternatives were considered with
10 regard to the preschool?

11 THE WITNESS (Crosbie): Attorney Bogan,
12 this is Shawn Crosbie. What table are you
13 referring to just so we can get to the right one,
14 sir?

15 MR. BOGAN: Again, my computer went to
16 sleep. It's 5-9 of the application.

17 THE WITNESS (Crosbie): Some of the
18 alternatives -- Attorney Bogan, this is Shawn
19 Crosbie again, sorry. Some of the alternatives
20 that we looked at to not have any effect on
21 preschool activities during the day obviously is
22 off standard work hours, working at night, which
23 would all be discussed when we go in for those
24 levels of discussions for easement purposes.

25 MR. BOGAN: I apologize, Mr. Crosbie,

1 but with regard to the end result project, you did
2 not consider any alternatives that would be less
3 intrusive vis-a-vis their proximity to the
4 preschool?

5 THE WITNESS (Crosbie): If you're
6 referring to alternatives such as going on the
7 north side of the tracks, Attorney Bogan?

8 MR. BOGAN: Any alternative, frankly.

9 THE WITNESS (Crosbie): No, we have
10 not.

11 MR. BOGAN: Okay. And then finally, as
12 I understand the proposal, there's going to be
13 some tree clearing. We can agree that that tree
14 clearing is going to have an adverse effect on the
15 visual barrier that currently exists; can we not?

16 THE WITNESS (Gaudet): Attorney Bogan,
17 this is Brian Gaudet with All-Points. I'll point
18 you to UI's responses to SCNET interrogatories,
19 Set Two, and the first attachment there is 2-23-1.
20 And this is the, it shows the existing conditions,
21 if you look at photo 3, as well as the proposed.
22 Let me know when you're there and I'll talk you
23 through it.

24 MR. BOGAN: You can go ahead.

25 THE WITNESS (Gaudet): So the first

1 photo of the existing conditions you can see
2 there's pretty scarce tree cover there as-is today
3 looking back directly through the parking lot.
4 You can see the existing 1130 pole to the north of
5 the tracks, and then in the foreground, I'll call
6 it the foreground of the tracks, you can see the
7 catenary bonnet structure. Going to the proposed
8 photo 3, first photo there, that would be the
9 worst-case scenario as far as tree clearing. So
10 again, if you kind of flip back and forth through
11 the two of them, I think you can see that it's a
12 pretty minimal impact since the vegetation there
13 currently today is relatively scarce.

14 MR. BOGAN: You used the word
15 "minimal," so that suggests that there would be
16 some adverse effect?

17 THE WITNESS (Gaudet): I would agree
18 that there will be certainly in the short term an
19 increased view of the existing infrastructure that
20 is there today, that being the catenary structure.
21 It opens up a little bit of a view again from the
22 static location to where the 1130 line pole is.
23 But yes, I think minimal is a key word there.

24 MR. BOGAN: Okay. Very good. I thank
25 you, Chairman Morissette. That concludes my

1 questions.

2 MR. MORISSETTE: Thank you for moving
3 it along, Attorney Bogan.

4 Okay. We're going to keep going. We
5 will continue with cross-examination of the
6 applicant by the Council on the new exhibits
7 starting with Mr. Perrone followed by Mr.
8 Silvestri.

9 Mr. Perrone.

10 CROSS-EXAMINATION

11 MR. PERRONE: Thank you, Mr.
12 Morissette. To follow up on a few of the earlier
13 questions, there was discussion about potential
14 train derailment and how that could affect
15 transmission. My question is, could a train
16 derailment knock out an existing line as it exists
17 today?

18 THE WITNESS (Crosbie): Mr. Perrone,
19 this is Shawn Crosbie with UI. Yes, it could.

20 MR. PERRONE: And that would be true
21 whether it's on a monopole or on a bonnet?

22 THE WITNESS (Crosbie): Yes, that's
23 correct.

24 MR. PERRONE: Also, Mr. Crosbie, I
25 believe you had mentioned that in the case of an

1 underground alternative Eversource would need to
2 perform a study if UI's underground would connect
3 adjacent to their system; is that correct?

4 THE WITNESS (Crosbie): Mr. Perrone,
5 I'm not sure I indicated a study, sir.

6 MR. PERRONE: Okay.

7 THE WITNESS (Crosbie): I think I did
8 indicate that if we were requested and the
9 solution was an underground alternative, we would
10 need to have transition stations at the
11 interconnection point at 647 which is owned by
12 Eversource Energy.

13 MR. PERRONE: Also with regard to
14 undergrounding, are Routes 1 and Routes 130 both
15 state roads?

16 THE WITNESS (Crosbie): This is Shawn
17 Crosbie. Yes.

18 MR. PERRONE: What would DOT require
19 for installation within the state road
20 right-of-way?

21 THE WITNESS (Sazanowicz): Mr. Perrone,
22 this is MeeNa Sazanowicz. In state road
23 right-of-ways splice chambers are not allowed
24 within the boundaries of the right-of-way, so at
25 minimum the splice chambers would need to be

1 installed on adjacent private properties.

2 MR. PERRONE: And what type of
3 permitting would you need from DOT in that
4 scenario?

5 THE WITNESS (Auer): Mr. Perrone, this
6 is Correne Auer. We need encroachment permits
7 from the DOT along with the associated traffic
8 control plans.

9 MR. PERRONE: Moving on to EMF, in the
10 Late-File Exhibit 3-11-1 there's an EMF analysis
11 for the double circuit configuration on the north
12 side of the tracks. And in that double circuit
13 configuration page 7 of the report notes that
14 there'd be a large decrease in magnetic fields on
15 the south side of the tracks and a small decrease
16 on the north side of the tracks. My question is
17 what is the dominant factor driving the magnetic
18 field reduction?

19 THE WITNESS (Cotts): Mr. Perrone, this
20 is Ben Cotts with Exponent. The dominant factor
21 in driving a reduction is putting the two circuits
22 together onto a single monopole as well as the
23 ability by the company to construct that with
24 optimal phasing so that the magnetic fields
25 generated by one of the transmission lines more

1 effectively cancels out the magnetic fields from
2 the other transmission line.

3 I will say the other factor that's
4 important to note here is the location of the
5 monopole. As it says in the report, the current
6 assumption is that the double circuit monopoles
7 would be placed in line with the existing
8 monopoles. My understanding is that there are
9 some areas where that may not be possible. And so
10 if the monopoles had to be shifted further north
11 from the existing centerline, that would push the
12 magnetic fields from that area further north as
13 well. So I just wanted to make sure that that was
14 clear as well.

15 MR. PERRONE: Also relative to the
16 double circuit alternative north side of the
17 tracks, how would the heights of those structures
18 compare to the proposed structures?

19 THE WITNESS (Cotts): I will defer to,
20 I believe, Mr. Parkhurst on that question.

21 THE WITNESS (Parkhurst): Hi, Mr.
22 Perrone, this is Matthew Parkhurst. So based on a
23 very conceptual analysis, we expect that the new
24 monopoles in the double circuit configuration
25 would be approximately 20 to 25 feet taller than

1 the existing monopoles.

2 MR. PERRONE: And back to EMF. Does
3 that additional height also impact the EMF
4 reduction?

5 THE WITNESS (Cotts): In this
6 particular case we made the conservative
7 assumption that regardless of actual pole height
8 that we would do all the modeling assuming a
9 minimum ground clearance of 34 feet for the
10 proposed configuration, and that was for either
11 the originally proposed single circuit
12 configuration as well as the double circuit
13 configuration. Certainly any location where the
14 conductor height was greater, both the single
15 circuit and double circuit magnetic field levels
16 would reduce compared to what was conservatively
17 provided in the reports.

18 MR. PERRONE: Thank you. I'm set on
19 EMF, just some other questions. Could UI avoid
20 the parking deck for access to BJ's property?

21 THE WITNESS (Crosbie): Mr. Perrone,
22 this is Shawn Crosbie. I'm assuming that your
23 question relates to access driving in and out of
24 the parking deck.

25 MR. PERRONE: Yes.

1 THE WITNESS (Crosbie): I believe we
2 could avoid the parking deck for access purposes.

3 MR. PERRONE: Okay. And this is
4 getting into civil work. Were any soil borings
5 performed in the vicinity of monopoles 655S to
6 659S?

7 THE WITNESS (Parkhurst): Hi, Mr.
8 Perrone, this is Matthew Parkhurst. We did
9 conduct soil borings at P659S and P657S as well.
10 We did not perform soil borings at P655S and P656S
11 due to the nature of the raised railroad bed and
12 the geometry of the CT DOT railroad corridor. We
13 wanted -- we only were allowed to perform these on
14 the -- within the CT DOT railroad corridor.

15 MR. PERRONE: I understand collectively
16 there's 122 planned soil borings. What is the
17 current status of the 122 in terms of how many
18 have been performed?

19 THE WITNESS (Auer): Hi, Mr. Perrone.
20 This is Correne Auer again. I believe we are at
21 approximately 70 completed soil borings.

22 MR. PERRONE: Okay. This is a general
23 question. What is the duration of a temporary
24 work space area?

25 THE WITNESS (Scully): So Mr. Perrone,

1 this is Matthew Scully with United Illuminating.
2 The duration of a work area will depend on the
3 operation that has to take place there. If we're
4 constructing a new facility, it will be, the
5 overall duration will be several months, but that
6 will be broken up into much smaller time frames.
7 We would go in and do clearing for a day or two,
8 then we would go in and drill the foundation for
9 approximately three to five days. We would move
10 away from that site between each operation, then
11 we would come back a couple of weeks later
12 possibly and set the pole, that's one to two days,
13 and again come back later, string in new
14 conductors, clip them in. Again, these shorter
15 operations as we get further along in the process
16 are one to two day operations. So that's how we
17 derive the several month process. If we're just
18 doing removals, it's a couple of days.

19 MR. PERRONE: This next question
20 relates to Sheet 4 of 29. On 4 of 29, the
21 property is SAS-1702. For the property 1702 does
22 the proposed easement extend over a portion of the
23 existing residence?

24 THE WITNESS (Crosbie): Mr. Perrone,
25 this is Shawn Crosbie with UI. Give us one moment

1 to get to that sheet, please.

2 THE WITNESS (Parkhurst): Hi, Mr.
3 Perrone. This is Matthew Parkhurst. Yes, the
4 easement does cross over a part of that residence.

5 MR. PERRONE: Moving on to easement
6 costs, the 30 million estimate.

7 THE WITNESS (Crosbie): Mr. Perrone,
8 this is Shawn Crosbie with UI. The last part of
9 your question got cut off on the easement.

10 MR. PERRONE: Okay. Regarding easement
11 costs, are there easement costs only for
12 compensation for the property owners or does it
13 also include legal and appraisal services?

14 THE WITNESS (Potasz): Mr. Perrone,
15 this is Annette Potasz. The basis for the
16 estimate is for the compensation and impacts to
17 the customers' property. So legal and appraisal
18 is, I believe, separate from that.

19 MR. PERRONE: Does UI agree or disagree
20 with the projection that an underground
21 alternative could be constructed in about three
22 years?

23 THE WITNESS (Sazanowicz): Mr. Perrone,
24 this is MeeNa Sazanowicz. If we are talking about
25 the entire route between 648S and Congress Street

1 Substation, we believe it would be longer than the
2 three-year period.

3 MR. PERRONE: Okay. And I just have a
4 couple of cost-related questions. Does UI agree
5 or disagree with projections that a 7.4 mile
6 single circuit configuration could be constructed
7 for 172 million?

8 THE WITNESS (Sazanowicz): Mr. Perrone,
9 this is MeeNa Sazanowicz. We disagree that an
10 underground single circuit could be constructed
11 for 172 million.

12 MR. PERRONE: Okay. And I have a
13 similar question. Could a single circuit
14 alternative underground, could that be constructed
15 for -- does UI agree with the projection of 157
16 million for that configuration?

17 THE WITNESS (Sazanowicz): Mr. Perrone,
18 we disagree with that figure for the cost
19 estimate.

20 MR. PERRONE: Okay. And could you
21 explain why UI disagrees with those figures in
22 that range?

23 THE WITNESS (Sazanowicz): UI has used
24 for its underground cost estimate recent prices
25 from recent underground projects as well as the

1 overall configuration which would be to not limit
2 the ampacity between the overhead conductor
3 section that the underground transmission line
4 would connect to. And based on our preliminary
5 calculations, that would mean two cables per phase
6 would be needed for the underground configuration
7 which would increase the cost of that single
8 circuit underground estimate that you have pointed
9 out.

10 MR. PERRONE: Okay. And my last cost
11 question. UI alternative 6 of approximately a
12 billion dollars or about 109 and a half million
13 per mile, the Life Cycle Report has a first cost
14 for single circuit XLPE of 20.8 million. Could
15 you explain this discrepancy?

16 THE WITNESS (Sazanowicz): Yes, Mr.
17 Perrone. This is MeeNa Sazanowicz again. In the
18 Life Cycle Cost Report that is based on a typical
19 single circuit one cable per phase underground
20 115-kV transmission cable system. Our cost
21 estimate is based on some conceptual engineering
22 ampacity studies along with -- which gave us the
23 two cables per phase for our conceptual design,
24 along with recent costs that we've received on
25 recent underground projects.

1 MR. PERRONE: My last question, would
2 the proposed project impact potential rooftop
3 solar on Superior Plating Company's building?

4 THE WITNESS (Sazanowicz): Mr. Perrone,
5 are you referencing because of EMF concerns from
6 the conductors and the PV system or --

7 MR. PERRONE: Yes.

8 THE WITNESS (Sazanowicz): I believe
9 Mr. Cotts might be able to help us with this
10 response.

11 THE WITNESS (Cotts): Mr. Perrone, this
12 is Ben Cotts with Exponent. Generally the
13 magnetic fields, if you're referring to that, that
14 are generated by a PV system are on the same order
15 of magnitude or higher than what you would expect
16 from the transmission line at those locations.
17 And based on that and a number of other factors, I
18 would not expect there to be any impact from
19 magnetic fields on the PV system.

20 MR. PERRONE: Thank you. That's all I
21 have.

22 MR. MORISSETTE: Thank you, Mr.
23 Perrone. We will now continue with
24 cross-examination of the applicant by the Council
25 by Mr. Silvestri followed by Mr. Nguyen.

1 Good evening, Mr. Silvestri.

2 CROSS-EXAMINATION

3 MR. SILVESTRI: Good evening, Mr.
4 Morissette, and thank you. The first question I
5 want to pose is just a quick follow-up to what Mr.
6 Perrone was asking. UI disagreed with the cost
7 figure of \$157 million for single circuit
8 underground. Does UI have an estimate as to what
9 a single circuit underground system would cost?

10 THE WITNESS (Sazanowicz): One moment,
11 Mr. Silvestri. For an underground single circuit
12 we did provide a cost estimate between 648S and
13 Ash Creek, and that figure was \$317,125,000.

14 MR. SILVESTRI: If I heard you
15 correctly, 317?

16 THE WITNESS (Sazanowicz): Yes, that is
17 correct.

18 MR. SILVESTRI: Very good. Thank you.
19 Then one other question on the underground
20 alternative that was proposed in Figure 9-1 on
21 page 9-10. A quick question that I have. I could
22 understand the two risers that are there for the
23 new Pequonnock Substation and the Resco
24 Substation. What are the other two risers for?
25 One is near I-95 between Congress and the new

1 Pequonnock and the other is to the west of Resco
2 Substation.

3 THE WITNESS (Sazanowicz): So Mr.
4 Silvestri, the two riser poles that are denoted
5 around Pequonnock Substation would be for us to
6 connect the underground to the already, at the
7 time when this would be potentially built, already
8 built overhead lines that would be installed as
9 part of the new Pequonnock project. And I believe
10 the riser pole to the west of the Resco Substation
11 may be there in error.

12 MR. SILVESTRI: Okay. Thank you. All
13 right. Different topic for you. And I'm going
14 back to the interrogatories that were proposed by
15 SCNET and I'm looking at interrogatory responses
16 to 2-13 and to 2-15. And it mentions that UI
17 continues to consult with the SHPO regarding
18 overall mitigation for the project. The question
19 I have for you, has there been any recent
20 discussions with the SHPO regarding overall
21 mitigation for the project?

22 THE WITNESS (Auer): Mr. Silvestri,
23 this is Correne Auer. We have not had any recent
24 discussions regarding mitigation for the project
25 with SHPO.

1 MR. SILVESTRI: Okay. Thank you. Now
2 I'd like to turn to the interrogatories from GLI,
3 specifically the response to GLI number 22. At
4 the very bottom of that response page, the last
5 sentence that begins with a little "b" as in "boy"
6 it has, "the potential indirect visual effects of
7 the project would not be mitigated by burying the
8 cables only in the designated historic districts
9 through which the project traverses along the CT
10 DOT corridor." Could you explain that or
11 elaborate on that last sentence?

12 THE WITNESS (Sazanowicz): Mr.
13 Silvestri, I believe this is in reference to
14 having the lines overhead and then just being
15 underground within that historic district. So in
16 order to dig underground, we would still have to
17 have the above ground poles and riser structures.

18 MR. SILVESTRI: Because of the risers?

19 THE WITNESS (Sazanowicz): Correct.

20 MR. SILVESTRI: Okay. Thank you for
21 that clarification. Then a new topic for you, and
22 this kind of goes along with the discussion about
23 the double circuit monopoles. To me at least
24 there appears to be what I call an inherent risk
25 in the sense that if a particular pole that has a

1 double circuit on it is seriously damaged, you
2 lose both circuits compared to if you had
3 independently strung circuits. The question I
4 have, is UI aware of any risk studies concerning
5 double circuit monopoles?

6 THE WITNESS (Logan): Mr. Silvestri,
7 this is Zach Logan at UI. There is most certainly
8 contingency or a single contingency event that can
9 be exacerbated by a double circuit configuration.
10 At the onset of this project that is actually a
11 driving factor on why we have a single circuit for
12 some spans of it because that single circuit -- or
13 that double circuit contingency would cause a run
14 back scenario at a generator, an overload cable,
15 so it would create a thermal issue. So those are
16 issues and those are true that those are what we
17 look at when we propose double circuits.

18 MR. SILVESTRI: So would two single
19 circuit lines be preferred over a double circuit
20 line?

21 THE WITNESS (Logan): Yes. In the
22 sense of reliability, a single circuit is
23 preferred.

24 MR. SILVESTRI: Okay. Thank you. Then
25 one other question regarding transmission line

1 routes, if you were. Are there specific concerns
2 in crossing over the railroad tracks, say, going
3 from north to south running along the line for a
4 little bit and then crossing back from south to
5 north, any information on that, any type of risks
6 or other things that need to be looked at in
7 crossing back and forth over the railroad tracks?

8 THE WITNESS (Sazanowicz): Mr.
9 Silvestri, this is MeeNa Sazanowicz. There are
10 certainly complexities from the construction
11 standpoint, you know, having to take the track
12 outages as well as the power outages to be able to
13 cross back and forth. Also, in our discussions
14 with CT DOT we really should be limiting the
15 number of back and forth track crossings along the
16 entire project route.

17 MR. SILVESTRI: Why is that? Why do
18 you limit?

19 THE WITNESS (Sazanowicz): The
20 complexities as well as the additional costs
21 associated with performing the four track
22 crossings.

23 MR. SILVESTRI: Say that three times
24 fast, right. Thank you.

25 The related issue. When you would

1 propose a track crossing is there additional
2 clearance issues that you have to take into
3 account to clear the catenary structures that will
4 be there?

5 THE WITNESS (Parkhurst): So typically
6 when we perform a track crossing we have to cross
7 and we have to take a line outage on both existing
8 circuits, and we can't remove both of them
9 permanently. We have to be tall enough to clear
10 over both existing circuits. So each track, the
11 more track crossings we have, the taller the
12 poles.

13 MR. SILVESTRI: To account for the sag?

14 THE WITNESS (Parkhurst): Yeah, to
15 account for the sag and to account for the fact
16 that we have to maintain clearance over the
17 existing top shield wire, the existing shield
18 wires.

19 MR. SILVESTRI: Understood. Thank you.

20 Mr. Morissette, that's all I have. And
21 I thank you. And I thank the panel.

22 MR. MORISSETTE: Thank you, Mr.
23 Silvestri. We will now continue with
24 cross-examination of the applicant by Mr. Nguyen
25 followed by Mr. Golembiewski.

1 Mr. Nguyen.

2 CROSS-EXAMINATION

3 MR. NGUYEN: Thank you, Mr. Morissette.
4 Just a couple of questions on Late-File 3-9, and
5 this will be addressed to Mr. Logan. Please let
6 me know when you are there. Regarding Late-File
7 3-9, the response indicated that ISO does not
8 provide any process for private funding, I get
9 that, but it talks about ISO would defer the
10 responsibility of local cost recovery, including
11 private funding to the transmission owner in this
12 case UI, is that correct, and local interested
13 parties like PURA and OCC? Is that correct?

14 THE WITNESS (Logan): Mr. Nguyen, this
15 is Zach Logan. That is correct.

16 MR. NGUYEN: Thank you. So let me just
17 break it down. What is your understanding
18 regarding the responsibility that UI would have in
19 this case and also the responsibility of PURA in
20 this case?

21 THE WITNESS (Logan): Mr. Nguyen, this
22 is Zach Logan again. I guess I'm struggling a bit
23 with what you mean by "responsibility," like how
24 this process, how it would play out?

25 MR. NGUYEN: Yes, I mean --

1 THE WITNESS (Logan): In the proposed
2 project?

3 MR. NGUYEN: Yes. You talk about that
4 ISO would defer the responsibility to transmission
5 owner, to PURA, and I'm just --

6 THE WITNESS (Logan): They would
7 defer -- I understand. I'm sorry to cut you off.
8 Go ahead.

9 MR. NGUYEN: So go ahead.

10 THE WITNESS (Logan): They would defer
11 any costs that are not regionally supported. So
12 we submit the project and they deemed it's
13 regionally supported, if it's regionally
14 supported, there's no further action.

15 MR. NGUYEN: And what is your
16 understanding regarding what would PURA do in this
17 case?

18 THE WITNESS (Logan): That's a
19 regulatory aspect that's a little out of my area
20 of expertise and I can't answer that. I
21 personally have not gone through that process with
22 PURA.

23 MR. NGUYEN: Okay. And were there any
24 private entities that funded the cost differential
25 to move aerial to underground in any of UI's

1 transmission projects in the past?

2 THE WITNESS (Crosbie): Mr. Nguyen,
3 this is Shawn Crosbie with UI. I do not
4 believe -- I believe the answer to your question
5 is no, not that we know of.

6 MR. NGUYEN: Okay. And one last
7 question regarding the costs that were provided,
8 the information that was provided to Mr. Perrone
9 and Mr. Silvestri that UI has a different cost.
10 And the question is, is UI's cost, is that a cost
11 based figure, in other words, does it include any
12 sort of markup or for lack of a word, you know,
13 profit when it's come up with a cost figure?

14 THE WITNESS (Crosbie): Mr. Nguyen,
15 this is Shawn Crosbie with UI again. So when UI
16 develops our estimate, we begin at a conceptual
17 stage, right, and we move through our engineering
18 milestones, 30, 50, 70, 90, et cetera. For each
19 one of those milestones we define a mark where we
20 would update our cost estimate based on better
21 knowledge of the project as we begin to design it,
22 and some of those designs include material costs
23 that we would update through, constructability
24 reviews and estimates that we would get. As we
25 get closer to our construction, we look at a more

1 formalized number from our contractor as we would
2 go through the bid process with them and update
3 our number. We have numbers in our estimate for
4 purposes of AFUDC, overhead, internal and external
5 overheads and contingency for the purposes of our
6 estimates.

7 MR. NGUYEN: Okay. That's all I have.
8 I'm sorry, anybody want to --

9 MR. MORISSETTE: Thank you. Mr.
10 Nguyen, are you all set?

11 MR. NGUYEN: I am all set. Thank you.

12 MR. MORISSETTE: Very good. Thank you.
13 We'll now continue with cross-examination by Mr.
14 Golembiewski followed my myself.

15 Mr. Golembiewski.

16 MR. GOLEMBIEWSKI: Thank you, Mr.
17 Morissette. My questions all have been asked, so
18 I'm going to pass the baton to you.

19 MR. MORISSETTE: Very good. Thank you,
20 Mr. Golembiewski.

21 CROSS-EXAMINATION

22 MR. MORISSETTE: Okay. My questions
23 are all related to the Late-Files that were filed
24 with the Council on November 2nd. I'm going to
25 walk through the Late-Files starting with

1 Late-File 3-2. Mr. Parkhurst, you indicate here
2 that the easements, if you went to the north
3 double circuit monopole configuration that the
4 easements would be approximately lowered to about
5 8 acres where you go from 19.25 acres to 8 acres.
6 Is that correct?

7 THE WITNESS (Parkhurst): Hi, Mr.
8 Morissette. This is Matthew Parkhurst. I believe
9 this Late-File was for just the section of line
10 1130 between Sasco Creek and cut in to Ash Creek.
11 So the 19.25 acres that you referenced is for the
12 entire proposed project from Sasco Creek to
13 Congress Street Substation. So this 8 acres would
14 just be for the first 4 or so miles from Sasco
15 Creek to where we have to turn south and cross the
16 tracks to get to UI's Ash Creek Substation.

17 MR. MORISSETTE: So this is not from
18 Eversource's monopole to Ash Creek?

19 THE WITNESS (Parkhurst): Yes, this is
20 the double circuit on the north side between Sasco
21 Creek B648 to Ash Creek.

22 MR. MORISSETTE: Got you. Okay. We're
23 saying the same thing. Thank you. Okay. So of
24 the 19.25 acres for the entire project what
25 portion of it is associated with the south side to

1 Ash Creek?

2 THE WITNESS (Parkhurst): Approximately
3 5 and a half acres.

4 MR. MORISSETTE: Okay. So what you're
5 saying is we would go from 5 and a half acres of
6 needed easements and if we did the double circuit
7 monopole we would increase it to 8?

8 THE WITNESS (Parkhurst): Correct.

9 MR. MORISSETTE: Okay. So at the \$30
10 million per 19.25 acres that's about 12 million in
11 additional cost?

12 THE WITNESS (Parkhurst): That makes
13 sense, yes, or 30 million is for the entire
14 project, the 19.25 acres.

15 MR. MORISSETTE: Yes. Correct. Okay.
16 In Question 3.2 you talk a little bit about the
17 offset, the 32-foot offset. Is there any
18 additional information you want to add about that?

19 THE WITNESS (Parkhurst): So when we
20 looked at this line, we noticed that the existing
21 poles all support Metro-North signal wires and/or
22 signal and feeders wires. So based on that, we
23 assumed that we would maintain the same centerline
24 with the new poles so that we would continue to
25 support those same Metro-North wires. If we had

1 to offset the new poles much to the north by a
2 certain distance, we might have to put the
3 Metro-North wires back on the catenary structures.

4 MR. MORISSETTE: Okay. Thank you. I'm
5 going to go back to the easements again. Why is
6 there an increase in easements in the north versus
7 the south? I would think that you would have a
8 decrease.

9 THE WITNESS (Parkhurst): Hi, Mr.
10 Morissette. So on the south side of the proposed
11 project you have a single circuit line with the
12 conductors facing the tracks. So our requirement
13 is 25 feet from conductor. So that's in a single
14 circuit configuration that would be 18 feet from
15 the centerline of the poles. In a double circuit
16 configuration since you have conductors on both
17 sides of the poles, that 25 foot starts further, I
18 guess, on the field side of the pole on that
19 farthest conductor so it would be 32 feet from the
20 pole. So it's a wider easement for a double
21 circuit line.

22 MR. MORISSETTE: Yeah, we covered this
23 in previous testimony. Thank you. We're going to
24 move on to Late-File 3-4. So essentially -- I
25 think this is Ms. Auer. So essentially we are

1 reducing the number of poles in the 100-year
2 floodplain and we're increasing the number of
3 poles in the 500-year floodplain; is that correct?

4 THE WITNESS (Auer): Yes, overall it
5 was, yes, decreasing in the 100-year and
6 increasing in the 500-year floodplain.

7 MR. MORISSETTE: Okay. Now, you're
8 reducing by 347 and you're increasing 154, so your
9 net effect is, I don't know what the math is here,
10 but -- so your net effect is your total, you have
11 a total reduction in floodplain impact; is that
12 accurate?

13 THE WITNESS (Auer): Yes, there would
14 be a slight overall decrease, yes, the sum in the
15 third paragraph.

16 MR. MORISSETTE: Okay. Thank you. Now
17 I'm going to move on to the viewshed analysis.
18 Now, going through the analysis, Mr. Gaudet, it
19 determined that the existing conditions are
20 different. Can you explain why?

21 THE WITNESS (Gaudet): You're saying
22 different as compared to the proposed application
23 viewshed?

24 MR. MORISSETTE: Yes. Correct.

25 THE WITNESS (Gaudet): Yeah, so one

1 thing I think we touched upon at one of the first
2 hearings was that our existing conditions mapping
3 for the proposed project only addressed the
4 project specific infrastructure. And by that I
5 mean we were not evaluating the entire railroad
6 corridor in our existing conditions for the
7 project. So we weren't looking at the 1130 line
8 infrastructure that's in play that is I would say
9 for the most part taller infrastructure than the
10 bonnets on the catenaries that we're addressing
11 for removal. So in this instance, we have
12 evaluated now the 1130 line structures which are I
13 wouldn't say significantly taller but certainly
14 much taller on average than the catenary
15 structures on the south side of the tracks.

16 I don't know if that answers your
17 question. If you're looking for, you know, there
18 certainly is a minor shift in visibility obviously
19 moving away from the south side of the tracks and
20 keeping it on the north, but I think generally the
21 biggest change is that what we evaluated I think
22 for the proposed project greatly underestimated
23 what the existing visibility is as it relates to
24 when you look at the entire corridor as opposed to
25 simply the catenary structures that would be

1 removed.

2 MR. MORISSETTE: Well, if you look at
3 the original viewshed, you had an increase of
4 impact on 675 for a total of 3,530.

5 THE WITNESS (Gaudet): Uh-huh.

6 MR. MORISSETTE: And now going from
7 your existing condition for the double circuit
8 monopole configuration you have half of what the
9 single circuit monopole is. So it doesn't quite
10 add up for me. So I'm wondering if you could
11 clarify that a little bit further.

12 THE WITNESS (Gaudet): I just want to
13 make sure I understand. So you're saying the
14 original existing conditions were significantly
15 more than what we're showing now, or less?

16 MR. MORISSETTE: More. The double
17 circuit monopole existing --

18 THE WITNESS (Gaudet): I think I might
19 know where that discrepancy is. We did not break
20 out for the existing viewsheds. If you're looking
21 simply at the total numbers, we did not break out
22 Fairfield specifically. So this 1130 line, what
23 is in the Late-File exhibit, those numbers are
24 specific to Fairfield, not the entire project
25 corridor from or all the way through Bridgeport.

1 MR. MORISSETTE: Okay.

2 THE WITNESS (Gaudet): So the existing
3 conditions, if we broke out the existing
4 conditions viewshed map from the application and
5 look specifically at Fairfield, overall the total
6 numbers of visibility from existing to proposed
7 are shockingly similar. The 1130 line, the
8 proposed total was I want to say something around
9 8 acres less than the proposed total of the new
10 monopoles for that same stretch for the south
11 side.

12 MR. MORISSETTE: I didn't realize it
13 was just --

14 THE WITNESS (Gaudet): This was just
15 the evaluation of the 1130 line replacement. So
16 we did not break that out all the way through the
17 Bridgeport section of the project area.

18 MR. MORISSETTE: Okay. This may be
19 helpful. So what was the study area for the 1130?

20 THE WITNESS (Gaudet): The 1130 study
21 area, give me one second here, a total of 6,910
22 acres versus 11,609 acres for the --

23 MR. MORISSETTE: Okay. All right. So
24 your testimony on 3-6 basically says that the
25 double circuit configuration does not appreciably

1 reduce the direct visual impacts of the project
2 from the original single circuit configuration on
3 the southern side. Now, that doesn't make sense
4 to me either. I know that now that I understand
5 the numbers, you're about half, but you're a
6 little bit more than half. So there is a slight
7 increase, but I would think if you were removing
8 those single circuit monopoles and adding two, an
9 already existing -- well, I'm sorry, it would be a
10 replacement of the pole -- you would have an
11 increase in the impact of the viewshed, not a --
12 go ahead.

13 THE WITNESS (Gaudet): Yeah, there's an
14 increase for both. While the overall impact is
15 relatively the same, I said about 8 acres of
16 visibility throughout that project area, that
17 6,900 acres or whatever the exact number was, I
18 just lost it but --

19 MR. MORISSETTE: I got it.

20 THE WITNESS (Gaudet): -- but the
21 overall is very similar in terms of the increase.
22 The difference is the change. The 1130 line has
23 more seasonal views as opposed to a new
24 configuration on the south side of the tracks. So
25 it's a little bit more favorable toward seasonal.

1 For the 1130 line replacement you're looking at a
2 total of 1,703 acres of visibility, 1,081 being
3 year-round, 622 being seasonal. In the Fairfield
4 section of the application proposal a total of
5 1,711 acres, 1,273 being year round and 438 being
6 seasonal. There's a slight shift in terms of the
7 characters of those views. But if we go back to
8 3-6, Mr. George could opine on it more, but I
9 believe at the end of the day there is an impact
10 from the viewshed on historic resources regardless
11 of it being new infrastructure on the south or
12 replacement infrastructure in the line on the
13 north side of the tracks.

14 THE WITNESS (George): Yes, Chairman, I
15 would agree with that. The exact visual impacts
16 may shift locations but they would be roughly
17 similar to the other side of the corridor as well.

18 MR. MORISSETTE: I don't understand
19 that because the single monopoles are right behind
20 some of the resources. They're right on the south
21 side of the track where the resources are located.
22 If you moved to the north side of the track, I
23 would think that there would be a reduction of the
24 impact of historic resources.

25 THE WITNESS (George): Well, in the

1 sense that you may see less of the pole, you could
2 probably think of it as a reduction, but in the
3 sense of an effect or an adverse effect it's
4 binary, there is or there is not. So moving it to
5 the other side of the corridor it will still be
6 visible, therefore an adverse indirect effect
7 remains.

8 MR. MORISSETTE: All right. So it's an
9 adverse effect but it is not as visible. Okay.

10 THE WITNESS (George): Yes. Correct.

11 MR. MORISSETTE: Ms. Auer, do you want
12 to opine on this as well?

13 THE WITNESS (Auer): Hi, Mr.
14 Morissette. This is Correne Auer. I would agree
15 with David George on his opinion.

16 MR. MORISSETTE: Very good. Thank you.
17 All right. Mr. Logan, just a quick question for
18 you. I know we've beat this up pretty good, so
19 we're going to do it again. When you say
20 localized cost, we mean localized cost being
21 Connecticut ratepayers not just UI ratepayers; is
22 that correct?

23 THE WITNESS (Logan): That's correct,
24 not regionally supported.

25 MR. MORISSETTE: Not regionally

1 supported, and the localized costs will impact all
2 of Connecticut ratepayers?

3 THE WITNESS (Logan): That is correct.

4 MR. MORISSETTE: Very good. Thank you.

5 Okay. Dr. Cotts, I don't want to make
6 you feel like you're left out here. Just quickly,
7 and these will be my last set of questions.

8 Again, we're seeing with the north double circuit
9 monopole configuration we're seeing a slight
10 increase in the north, we have a complete decrease
11 in the south because you're eliminating the
12 source, and the north only increases slightly
13 because you're utilizing optimal phasing. If you
14 weren't using optimal phasing, it would be a
15 significant -- I wouldn't say significant -- there
16 would be an increase, but the optimal phasing kind
17 of keeps it in line with what it is today. Is
18 that correct?

19 THE WITNESS (Cotts): Yeah, I think
20 that's a fair summary of things. If the phasing
21 were anti-optimal, so to speak, it would likely
22 increase magnetic field levels on the north side
23 of the tracks substantially more.

24 MR. MORISSETTE: Thank you. We'll go
25 to Late-File 3-12. The rebuild estimate is 104

1 million. What was the length of the double
2 circuit line associated with 104 million?

3 THE WITNESS (Parkhurst): Hi, Mr.
4 Morissette. This is Matthew Parkhurst. Can you
5 just restate the question for clarity?

6 MR. MORISSETTE: Sure. I'm referring
7 to Late-File Exhibit 3-12, and there's an estimate
8 of the double circuit monopole structures of 104
9 million. What was the length?

10 THE WITNESS (Parkhurst): Yes. I
11 believe this was, the 104 million was for a single
12 circuit build of line 1130 between 648 and Ash
13 Creek south.

14 MR. McDERMOTT: Mr. Parkhurst, he wants
15 to know the length. He's asked about the length.

16 THE WITNESS (Parkhurst): The length.

17 MR. MORISSETTE: Thank you. I know
18 everybody is getting tired here.

19 THE WITNESS (Parkhurst): It would be
20 I'd say approximately 3.75 miles.

21 MR. MORISSETTE: Great. Thank you.
22 Okay. The 104 million has a 50 percent
23 contingency so that means the range is 50 million
24 to 104 million?

25 THE WITNESS (Parkhurst): It's also

1 minus 50 plus 200 percent estimate.

2 MR. MORISSETTE: So it could be 50
3 million or 300 million?

4 THE WITNESS (Parkhurst): Up to 200
5 million, correct.

6 MR. MORISSETTE: Up to 200 million. 50
7 percent, that's a -- 50 percent contingency is a
8 pretty high level and that's because why?

9 THE WITNESS (Parkhurst): This is a
10 conceptual grade estimate. We haven't done a
11 detailed design on this line to narrow that down.

12 MR. MORISSETTE: Okay. Thank you.
13 Okay. The third bullet says the new monopoles
14 will be every 300 feet. What is the current
15 spread on the poles, is it 300 feet?

16 THE WITNESS (Parkhurst): Approximately
17 300 feet, yes, yes.

18 MR. MORISSETTE: All right. So that
19 would be about the same. All right. And could
20 you elaborate a little bit more on the four to
21 eight hour restoration when you have an outage?

22 THE WITNESS (Sazanowicz): Yes, Mr.
23 Morissette. This is MeeNa Sazanowicz. Just based
24 on the high level look at the transmission one
25 line, we would be leaving a single transmission

1 feed into one of the substations. So as part of
2 our estimate here and conceptual design, we are
3 estimating for construction a restoration time of,
4 you know, four to eight hours just based on having
5 that contingency into that one substation.

6 MR. MORISSETTE: Thank you. Okay.
7 Concerning the 40-year life is considered for a
8 typical design and we're at like 34, but you
9 indicate that some infrastructure lasts up to 70
10 years, has UI done an asset inspection of the 1130
11 line or have they determined what their position
12 is on the amount of life left?

13 THE WITNESS (Sazanowicz): Mr.
14 Morissette, this is MeeNa Sazanowicz again. We
15 have not done an in-depth analysis in terms of the
16 structural modeling or conductor analysis. We do
17 perform periodic infrared inspections of the
18 conductors and make repairs as well as site walks,
19 walks along the lines, and have not noticed any
20 significant age deterioration of this line.

21 MR. MORISSETTE: Okay. Thank you. I
22 do understand that the rebuild of the 1130 line is
23 in the ISO Asset Condition List; is that true?

24 THE WITNESS (Logan): Mr. Morissette,
25 this is Zach Logan. Let me pull up that list real

1 quick. If you have other questions, I can do a
2 Read-In.

3 MR. MORISSETTE: Sure. Well, my next
4 question is associated with it.

5 THE WITNESS (Logan): That's okay.

6 MR. MORISSETTE: Given it's on the
7 list, what time frame is associated with the
8 rebuild? So given that it's on the list, what
9 time frame is being contemplated to actually do
10 the rebuild?

11 (Pause.)

12 THE WITNESS (Logan): Do you happen to
13 have the asset condition ID or the ID that it is
14 on the list?

15 MR. MORISSETTE: I do not.

16 THE WITNESS (Logan): So it looks
17 like -- is it the -- it looks like it's ID 152,
18 rebuild portion of 1130 line, Pequonnock to UI
19 Structure B737.

20 MR. MORISSETTE: Okay. And what time
21 frame are they looking at?

22 THE WITNESS (Logan): A projected
23 in-service date of April of 2028. I believe it's
24 another segment of the railroad corridor lines.

25 MR. MORISSETTE: So it's from

1 Pequonnock to Structure 737 on 1130 line?

2 THE WITNESS (Logan): B737.

3 MR. MORISSETTE: B737.

4 THE WITNESS (Logan): That's ID number
5 152 on the list, if that's the one you're
6 referring to. I think it is because that's the
7 only one I see that is 1130.

8 MR. MORISSETTE: Okay. Thank you for
9 looking that up.

10 THE WITNESS (Logan): No problem.
11 You're welcome.

12 MR. MORISSETTE: Does it appear that
13 that is in a portion of this project or is there
14 not reach to, it goes from Pequonnock, it's more
15 on the Bridgeport side? 737, all right. Rather
16 than hold people up, I'll have to look at this.

17 Okay. My last question has to do with
18 Mr. Silvestri's inquiry about the double circuit
19 monopole contingencies. Now, this line as it
20 currently is being proposed has several spots in
21 it where there's 1130 line with other lines as
22 well that would cause a double circuit monopole,
23 but ISO New England has not deemed any portion of
24 this line to be a double circuit contingency; is
25 that correct?

1 THE WITNESS (Logan): From a
2 reliability perspective that is correct, Mr.
3 Morissette. This is Zach Logan at UI, by the way.

4 MR. MORISSETTE: Yes. Thank you. So
5 although double circuit monopoles are not
6 preferred versus single circuit, in this
7 particular situation there are several instances
8 where there are locations with double circuits and
9 ISO has not deemed them to be of concern in a
10 double pole configuration. Primarily, and I'll
11 throw this out, I'm not sure I'm correct on this,
12 primarily, because if you lost a double circuit
13 monopole, the substations on both other sides
14 would be fed from the corresponding other side of
15 the substation, so you may have an outage in the
16 immediate area, but you wouldn't have an outage on
17 the entire line, does that line up?

18 THE WITNESS (Logan): In theory that's
19 -- in practicality, yes, that's correct.

20 MR. MORISSETTE: Okay. So I just want
21 to make sure that we're clear that this is not a
22 double circuit monopole contingency situation.

23 Okay. Well, thank you, everyone, for
24 hanging in there. It's been a long day. The
25 Council announces that we will continue the

1 evidentiary hearing session of this public hearing
2 on Tuesday, December 12, 2023, at 2 p.m., via Zoom
3 remote conferencing. A copy of the agenda for the
4 continued evidentiary hearing session will be
5 available on the Council's Docket Number 516
6 webpage, along with the record of this matter, the
7 public hearing notice, instructions for public
8 access to the remote evidentiary hearing session,
9 and the Council's Citizens Guide to Siting Council
10 Procedures.

11 Please note that anyone who has not
12 become a party or intervenor but who desires to
13 make his or her views known to the Council may
14 file written statements with the Council until the
15 record closes.

16 Copies of the transcript of this
17 hearing will be filed with the Bridgeport City
18 Clerk's Office and the Fairfield Town Clerk's
19 Office for the convenience of the public.

20 I hereby declare this hearing
21 adjourned. And thank you everyone for your
22 participation and your patience. Thank you,
23 everyone. Have a good evening.

24 MR. McDERMOTT: Thank you.

25 (Whereupon, the hearing adjourned at
6:39 p.m.)

1 CERTIFICATE FOR REMOTE HEARING

2
3
4 I hereby certify that the foregoing 198 pages
5 are a complete and accurate computer-aided
6 transcription of my original stenotype notes taken
7 before the CONNECTICUT SITING COUNCIL of the
8 CONTINUED REMOTE HEARING IN RE: DOCKET NO. 516,
9 An Application from The United Illuminating
10 Company (UI) for a Certificate of Environmental
11 Compatibility and Public Need for the Fairfield to
12 Congress Railroad Transmission Line 115-kV Rebuild
13 Project that consists of the relocation and
14 rebuild of its existing 115-kilovolt (kV) electric
15 transmission lines from the railroad catenary
16 structures to new steel monopole structures and
17 related modifications along approximately 7.3
18 miles of the Connecticut Department of
19 Transportation's Metro-North Railroad corridor
20 between Structure B648S located east of Sasco
21 Creek in Fairfield and UI's Congress Street
22 Substation in Bridgeport, and the rebuild of two
23 existing 115-kV transmission lines along 0.23 mile
24 of existing UI right-of-way to facilitate
25 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, Connecticut, which was held before JOHN
MORISSETTE, PRESIDING OFFICER, on November 28,
2023.

Lisa Warner

Lisa L. Warner, CSR 061
Court Reporter

I N D E X

APPLICANT'S WITNESSES: (Previously sworn)

CORRENE AUER
TODD BERMAN
AZIZ CHOUHDERY
SHAWN CROSBIE
BENJAMIN COTTS
LESLIE DOWNEY
BRIAN GAUDET
DAVID R. GEORGE
ZACHARY LOGAN
MATTHEW PARKHURST
ANNETTE POTASZ
MEENA SAZANOWICZ
DAVID E. LESLIE
MATTHEW SCULLY

(CROSS EXAMINATION)

EXAMINERS:

PAGE

Mr. Russo	19
Mr. Ball	80
Mr. Hoffman	135
Mr. Bogan	151
Mr. Perrone	160
Mr. Silvestri	171
Mr. Nguyen	177
Mr. Morissette	180