



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

November 22, 2023

Lee D. Hoffman, Esq.
Jean Perry Phillips, Esq.
Liana Feinn, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
lhoffman@pullcom.com
jphillips@pullcom.com
lfeinn@pullcom.com

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

Dear Attorneys Hoffman, Phillips, and Feinn:

The Connecticut Siting Council (Council) is in receipt of your letter of November 22, 2023, requesting Party status under Connecticut General Statutes (C.G.S.) § 4-177a and § 16-50n for the City of Bridgeport in Docket No. 516.

The Council does not have a meeting scheduled at which this request could be taken up as an order of business before the November 28, 2023 hearing date for this matter. Therefore, your request will be taken up as an order of business during the 2:00 p.m. evidentiary session of the hearing on Tuesday, November 28, 2023 via Zoom remote conferencing. Copies of the application are available at the Bridgeport City Clerk and Fairfield Town Clerk’s Offices. All documents filed to date are available at the Council’s office or on our website.

Enclosed please find the Council’s Information Guide to Party and Intervenor Status, the November 28, 2023 Continuation of the Evidentiary Hearing Session Memorandum, and the revised schedule dated November 17, 2023.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Melanie A. Bachman". The signature is fluid and cursive, with the first name being the most prominent.

Melanie A. Bachman
Executive Director

MB/MP/laf

Enclosures

c: Service List, dated November 21, 2023



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**CONNECTICUT SITING COUNCIL INFORMATION GUIDE TO PARTY AND INTERVENOR
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"I hereby certify that a copy of the foregoing document was electronically mailed to the following service list on (date)." Signature and printed name of the sender.

Conduct of the Proceedings

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- C. Pre-hearing Interrogatories:** The Council encourages parties and intervenors to file pre-hearing questions to the applicant and other parties and intervenors in the proceeding on any information in the record, including, but not limited to, the application, other pre-hearing questions, pre-filed testimony of the applicant or pre-filed testimony of other parties and intervenors in the proceeding. Pre-hearing questions are an opportunity for parties and intervenors to request more information. The applicant, parties and intervenors are obligated to respond to pre-hearing

questions directed to them that are filed by the Council, the applicant and any party or intervenor in the proceeding in accordance with the schedule announced by the Council.

- D. Administrative Notice:** The Council routinely develops a list of exhibits known as “Administrative Notice Items” in every docket. Administrative Notice items are generally recognized technical or scientific facts within the Council’s specialized knowledge, including, but not limited to, prior decisions of the Council, publications of federal state agencies such as the Federal Communications Commission and publications of other state agencies such as the Department of Transportation. Scientific studies or publications for which the author is not available for questioning by participants in the proceeding should be submitted as administrative notice items rather than exhibits attached to pre-filed testimony.
- E. Experts and/or Witnesses:** Experts and/or witnesses are the authors of pre-filed testimony and attached exhibits. They are the sponsors of the information contained in pre-filed testimony and are sworn in during the hearing. After the experts and/or witnesses are sworn in, they are made available for questioning by the Council and other participants in the proceeding. Experts and/or witnesses may not present new evidence or provide direct testimony. For example, if a party or intervenor presents a land survey in their pre-filed testimony, the author or engineer that prepared the land survey must be present at the hearing, sworn in and available to answer questions pertaining to the land survey that are asked by the Council and the other participants in the proceeding.
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1. Opening Statement from the Council Chairman
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 3. **Applicant’s Appearance**
 - a. Identification of Exhibits (pre-filed testimony, responses to pre-hearing interrogatories)
 - b. Swear Witnesses
 - c. Cross Examination of the Applicant by:
 - i. Council
 - ii. Party
 - iii. Intervenor

4. **Appearance by Party**
 - a. Identification of Exhibits (pre-filed testimony, responses to pre-hearing interrogatories)
 - b. Swear Witnesses
 - c. Cross Examination of Party by:
 - i. Council
 - ii. Applicant
 - iii. Intervenor
5. **Appearance by Intervenor**
 - a. Identification of Exhibits (pre-filed testimony, responses to pre-hearing interrogatories)
 - b. Swear Witnesses
 - c. Cross Examination of Intervenor by:
 - i. Council
 - ii. Applicant
 - iii. Party
6. **Oral Limited Appearance Statements/Public Comment Session**
 - this portion of the hearing is reserved for members of the public who are not parties and intervenors in the proceeding to express concerns
 - members of citizens' groups or associations that have attained party or intervenor status are represented by the group or association and may not also provide oral limited appearance statements
7. **Rebuttal by Applicant:** Limited to facts and evidence addressed during the hearing. No argument or closing statements/remarks will be allowed.

G. Post-Hearing Procedure: At the conclusion of the hearing, when the evidentiary record is officially closed, the Council announces a post-hearing schedule for written limited appearance statements, briefs and proposed findings of fact. No new information, no new evidence and no arguments will be considered by the Council.

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 - b. Swear Witnesses
 - c. Cross Examination of Party by:
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 - iii. Intervenor
5. **Appearance by Intervenor**
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VIA ELECTRONIC MAIL

November 17, 2023

TO: Service List, dated November 16, 2023

FROM: Melanie Bachman, Executive Director *MAB*

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

Motions

1. Jacquelyn Thunfors Request for Intervenor and CEPA Intervenor Status, dated November 9, 2023

This request was granted and pursuant to Connecticut General Statutes (CGS) §16-50n(c), the Connecticut Siting Council (Council) grouped Jacquelyn Thunfors with the Grouped LLC Intervenor on the basis of similar interests and common counsel.

2. Sean Cowan Request for Intervenor and CEPA Intervenor Status, dated November 9, 2023

This request was granted and pursuant to CGS §16-50n(c), the Council grouped Sean Cowan with the Grouped LLC Intervenor on the basis of similar interests and common counsel.

3. The National Trust for Historic Preservation Request for Intervenor and CEPA Intervenor Status, dated November 9, 2023

This request was granted on the condition that Attorney Mayes is licensed to practice law in the state of Connecticut, and if not, grouped the National Trust for Historic Preservation pursuant to CGS 16-50n(c) with the Grouped LLC Intervenor with Attorney Russo as the sponsoring attorney for purposes of a *pro hac vices* appearance.

A party and intervenor chart for the proceeding, dated November 17, 2023, is attached for convenience.

4. Sasco Creek Neighborhood Environmental Trust Incorporated (SCNET) Motion to Compel, dated November 14, 2023

This request was denied on the basis of the availability of applicant's witness panel for cross examination on topics that are relevant to the Council's evaluation of the application including, but not limited to, the Fairfield to New Haven Railroad Corridor Transmission Line Asset Condition Assessment that is in the record under Council Administrative Notice Item Nos. 31 (Docket No. 3B) and 34 (Docket No. 508), as well as applicant's responses to Council Interrogatories Nos. 5 and 6, and public availability of all presentations related to asset conditions along the existing electric transmission line on the ISO-New England, Inc. website.

Continuation of Evidentiary Hearing

The Council shall continue the evidentiary hearing for the above-referenced proceeding on **Tuesday, November 28, 2023**, via Zoom remote conferencing, beginning at **2:00 p.m.** A copy of the Instructions for Public Access to the Continued Evidentiary Hearing is attached.

The hearing shall commence with the continued appearance of the Applicant for cross examination on the **exhibits admitted into evidence during the November 16, 2023 evidentiary hearing session** by the Grouped LLC Intervenor (including the National Trust for Historic Preservation per the Council's conditional grant of Intervenor and CEPA Intervenor status) to be followed by Fairfield Station Lofts (FSL) and the Town of Fairfield (Town).

The hearing shall proceed with the appearances of the parties and intervenors in the order by which the requests were granted by the Council, commencing with the appearance of BJ's Wholesale Club, Inc. (BWC) for cross examination on the **new exhibits requested by UI during the October 17, 2023 evidentiary hearing session** followed by the appearances of SCNET Group, Grouped LLC Intervenor, FSL, the Town and Superior Plating Company for cross examination by all parties and intervenors and the Council.

The final extended deadline for submission of interrogatories expired on October 12, 2023. The final extended deadline for submission of pre-filed testimony and responses to interrogatories expired on November 9, 2023.

Direct testimony at the hearings is not permitted. This applies to all parties and intervenors.

If you have any questions about Council procedures, please do not hesitate to contact me at the Council office at 860-827-2935.

Thank you.

MAB/MP/laf

Enclosures: Schedule, dated November 17, 2023
Instructions for Public Access to Docket No. 516 Continued Evidentiary Hearing Session
Party and Intervenor Chart, dated November 17, 2023

c: Council Members
A Plus Reporting Services
Pryme Tyme Entertainment



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REVISED SCHEDULE

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

Application received	03/17/2023
Completeness review	04/13/2023
Council Interrogatories	
• Set-One Filed	05/10/2023
• Set-One responses due	05/31/2023
Pre-hearing conference via Zoom remote conferencing - 11:00 a.m.	06/28/2023
Council Interrogatories	
• Set-Two Filed	07/11/2023
• Set-Two responses due	07/18/2023
Deadline for Exchange of Interrogatories between Parties and Intervenors	07/11/2023
Deadline for Pre-filed testimony and responses to interrogatories	07/18/2023
Deadline to request Party/Intervenor status	07/18/2023
Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom remote conferencing	07/25/2023
Council Interrogatories	
• Set-Three Filed	08/01/2023
• Set-Three responses due	08/22/2023
Deadline for Exchange of Interrogatories between Parties and Intervenors	08/15/2023
Deadline for Pre-filed testimony, responses to interrogatories and submission of late filed exhibits	08/22/2023
Continued Evidentiary Session 2:00 p.m. via Zoom remote conferencing	08/29/2023
Final Deadline for Exchange of Interrogatories between Parties and Intervenors	09/19/2023
Final Deadline for Pre-filed testimony, responses to interrogatories and submission of late filed exhibits	10/03/2023
Continued Evidentiary Session 2:00 p.m. via Zoom remote conferencing (<i>refer to Hearing Information section on Docket 516 project webpage for Zoom remote conferencing log in/call in</i>)	10/17/2023

Final Extended Deadline for Exchange of Interrogatories between Parties and Intervenor	10/12/2023
Final Extended Deadline for Pre-filed testimony, responses to interrogatories and submission of late filed exhibits	11/02/2023
Final Extended Deadline for Pre-filed testimony and responses to interrogatories (with extension granted by the Council)	11/09/2023
Continued Evidentiary Session 2:00 p.m. via Zoom remote conferencing (<i>refer to Hearing Information section on Docket 516 project webpage for Zoom remote conferencing log in/call in</i>)	11/16/2023
Continued Evidentiary Session 2:00 p.m. via Zoom remote conferencing (<i>refer to Hearing Information section on Docket 516 project webpage for Zoom remote conferencing log in/call in</i>)	11/28/2023
Close of Evidentiary Record	11/28/2023
Close of Public Comment Period	12/28/2023
Draft Findings of Fact	01/04/2024
Draft Findings of Fact, Opinion & Decision & Order	01/18/2024
Deadline for Decision	03/17/2024

Siting Analyst: Michael Perrone



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Web Site: portal.ct.gov/csc

**Instructions for Public Access to Docket No. 516 Remote Continued
Evidentiary Hearing Session – November 28, 2023 – 2 PM**

PLEASE NOTE:

- Interested persons may join the continued evidentiary session to listen, but **no public comments will be received** during the continued evidentiary session. Public comments may be submitted to the Council by email at siting.council@ct.gov or by regular mail.
- Any person may be removed from the remote continued evidentiary session at the discretion of the Council.
- All participants are requested to mute sound notifications on their computer, smartphone or tablet. Telephones are often equipped with a “do not disturb” feature for the dial-in option.

Access to Continued Evidentiary Hearing Session

1. Attendees can join by clicking (or entering) the following link:
<https://us06web.zoom.us/j/88417293905?pwd=1uxPHufmmOrqan8ZSMNsFLXl4FnQ6X.1>
from a computer, smartphone, or tablet. No prior software download is required.
Meeting ID: 884 1729 3905 and Passcode: C40iz6
2. For audio-only participation, attendees can join by dialing in at **1 (929) 205 6099 (not toll free)** and then enter the **Meeting ID: 884 1729 3905 and Passcode: 430651** from a telephone.
3. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
4. **No public comments will be received during the continued evidentiary hearing session.**

Docket 516 Parties and Intervenors, November 17, 2023

	Name	Status	Attorney	Group	Granted
1	UI	Party/Applicant	McDermott		4/13/2023
2	BJ's Wholesale Club, Inc. (BWC)	Party	Casagrande Mortelliti		7/20/2023
3	Sasco Creek Environmental Trust, Inc., et al (SCNET)	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
4	2190 Post Road, LLC	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
5	Invest II	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
6	International Investors	Intervenor CEPA Intervenor	Coppola	SCNET Group	8/29/2023
7	Trinity Episcopal Church	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
8	Pequot Library Association	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
9	Sasquanaug Association for Southport Improvement	Intervenor CEPA Intervenor	Coppola	SCNET Group	10/17/2023
10	Southport Congregational Church	Intervenor CEPA Intervenor	Coppola Bogan (10/26/2023)	SCNET Group	10/17/2023
11	Pequot Realty, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
12	1916 Post Road Associates, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
13	SF Station Street, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
14	Maura Garych	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023

	Name	Status	Attorney	Group	Granted
15	Metro Holding Company, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
16	SG Pequot 200, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
17	516 Paci Restaurant	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
18	461 Broad Street, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
19	Bridgeport 11823, LLC	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	8/29/2023
20	Stephen F. Boccarossa	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	10/17/2023
21	James Sherwood Bok	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	10/17/2023
22	Jacquelyn Thunfors	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	11/16/2023
23	Sean Cowan	Intervenor CEPA Intervenor	Russo	Grouped LLC Intervenors	11/16/2023
24	National Trust for Historic Preservation	Intervenor CEPA Intervenor	Russo Mayes	Grouped LLC Intervenors	11/16/2023
25	Fairfield Station Lofts, LLC (FSL)	Intervenor CEPA Intervenor	Schaefer		8/29/2023
26	Town of Fairfield	Party	Herbst		8/29/2023
27	Superior Plating Company	Intervenor CEPA Intervenor	Hoffman		10/17/2023