

CONNECTICUT SITING COUNCIL

IN RE:

THE UNITED ILLUMINATING COMPANY (UI)	:	
APPLICATION FOR A CERTIFICATE OF	:	
ENVIRONMENTAL COMPATIBILITY AND PUBLIC	:	DOCKET NO. 516
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 MILES OF EXISTING UI RIGHT-OF-WAY TO	:	
FACILITATE INTERCONNECTION OF THE	:	
REBUILT 115-KV ELECTRIC TRANSMISSION	:	
LINES AT UI’S EXISTING ASH CREEK, RESCO,	:	OCTOBER 12, 2023
PEQUONNOCK AND CONGRESS STREET	:	
SUBSTATIONS TRAVERSING THE	:	
MUNICIPALITIES OF BRIDGEPORT AND	:	
FAIRFIELD, CONNECTICUT	:	

PRE-HEARING INTERROGATORIES & REQUESTS FOR PRODUCTION (SET TWO)
DIRECTED TO THE UNITED ILLUMINATING COMPANY

1. Please identify by name, position and address, any person answering or assisting in responding to these interrogatories and requests for production on behalf of The United Illuminating Company (hereinafter “UI” or the “Applicant”).

2. Please provide copies of all National Electrical Safety Codes (NESC) which substantiate UI’s position that the 115-kV transmission lines must be rebuilt on new monopoles.

3. Please identify all Eversource transmission lines located within one mile of UI’s proposed project.

4. Please describe the steps taken by UI to identify properties and structures located within the proposed right-of-way (“ROW”) which are either eligible for state and/or federal-historic designation, locally designated, or which otherwise contribute architecturally, historically or culturally to Southport, the Town of Fairfield and the City of Bridgeport.

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

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

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

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

8. In its Supplemental Viewshed Analysis (Supplement to the Phase 1A Cultural Resources Assessment Survey), UI concludes that “Project components may be visible from the historic districts (and their contributing elements) and individually-listed properties. Since all of these districts and individually-listed properties, as well as many of their contributing elements are listed on the [National Register of Historic Places] or [State Register of Historic Places] or both or are part of a [Local Historic District] or [National Historic District], it is recommended that UI work in consultation with the SHPO, as well as any other appropriate stakeholders, to either further evaluate or offset visual impacts.” Please respond to the following:

- a. Please identify with specificity the “other appropriate stakeholders” referenced in said Supplemental Viewshed Analysis. Please indicate whether it is anticipated that other appropriate stakeholders may include, the Town of Fairfield, its Historic District

Commission, individual property owners in Southport and/or the Sasco Creek Neighbors Environmental Trust Incorporated.

- b. Please state whether UI has held any meetings with an “appropriate stakeholder” regarding mitigation of adverse visual impacts to historic resources. Please identify all parties who participated in the meeting and the date, place and time of that meeting.
 - c. Please identify with specificity any design or configuration alternatives, or other forms of mitigation, submitted, proposed or discussed, or expected to be submitted, proposed or discussed, by UI which would “offset [the] visual impacts” to the historic districts (and their contributing elements) and individually-listed properties identified in the above-referenced Supplemental Viewshed Analysis.
 - d. Please provide a narrative as to whether the reuse of the existing catenary structures has been considered, and if so, why their reuse did not meet the needs of the project. This response should also consider reuse of a limited number of catenary structures located within the viewshed of the enumerated historic resources.
 - e. Please provide a narrative as to whether undergrounding the 115-kV transmission lines has been considered, and if so, why undergrounding did not meet the needs of the project. This response should also consider undergrounding limited to the areas within the viewshed of the enumerated historic resources.
 - f. Please provide a narrative as to whether installation of additional structures of lower height was considered, rather than the submitted design of fewer, taller monopoles.
 - g. Please provide a detailed, line item cost comparison for any alternative design or configuration identified in response to Interrogatories 8(c) through 8(g). In providing a comparison in any cost increases, use consistent general assumptions.
9. Please identify all properties or structures which are designated or eligible for designation on the National Register of Historic Places or the State Register of Historic Places or are locally designated which will be directly impacted by UI’s proposed project. Please also define “direct impact” as the term is generally understood and used by UI and Heritage Consultants.
10. If the answer to interrogatory 9 is “none,” please explain UI’s reasoning and identify the procedures adopted to ensure that no such properties or structures were directly impacted.
11. Please identify all properties either designated on the National Register of Historic Places, the State Register of Historic Places or eligible for such designation(s), which may be subject to UI’s potential exercise of eminent domain. Please quantify and qualify, with specificity, the direct impact to each property identified in response to this interrogatory.

12. If the answer to Interrogatory 11 is “none,” please explain UI’s reasoning and identify the procedures adopted to ensure that no such properties will be subject to eminent domain.

13. Please provide the date, time and location of all meetings held between UI and the Fairfield Historic District Commission to discuss the impact of UI’s proposed project on Fairfield’s historic resources.

14. Please provide the date, time and location of all meetings held between Heritage Consultants and the Fairfield Historic District Commission to discuss the impact of UI’s proposed project on Fairfield’s historic resources.

15. Please provide the date, time and location of all meetings held between UI and the Bridgeport Historic District Commission to discuss the impact of UI’s proposed project on Bridgeport’s historic resources.

16. Please provide the date, time and location of all meetings held between Heritage Consultants and the Bridgeport Historic District Commission to discuss the impact of UI’s proposed project on Bridgeport’s historic resources.

17. Please explain UI’s and Heritage Consultants’ methodologies for identifying and protecting areas of archeological concern, including, but not limited to, identifying and locating Native American artifacts on previously disturbed properties and/or within wetland soils, which now or formerly were part of the Pequot (Munnacommock) Swamp.

18. Please explain why it is not possible to complete hand excavations in the vicinity of the former Pequot (Munnacommock) Swamp. Will a professional archeologist be on site for any planned excavation activities in areas between proposed structures P648S and P665S?

19. Will a Phase 1B professional cultural resources assessment and reconnaissance survey be conducted for areas impacted by the installation of proposed structures P655S, P654S, P652S and/or P651S? Will a professional archeologist be on site for any planned excavation in these areas? If UI and/or Heritage Consultants conclude that these areas do not have the potential to contain intact deposits, please explain why.

20. Referencing the letter from SHPO dated October 31, 2022, which identifies the railway corridor itself as a historic resource eligible for listing on the National Register of Historic Places, identify with particularity all 19th and 20th century structures, electrical wires, and/or equipment that will be removed as a result of UI’s proposed project.

21. Referencing Table 1 of Heritage Consultants' Cultural Resources Report, please explain the basis for Heritage Consultants' finding that UI's proposed project will have no visual impact on the Pequot Library.

22. Please provide a copy of the Federal Energy Regulatory Commission Guidelines for the Protection of Natural, Historic, Scenic and Recreational Values in the Design and Location of Rights-of-Way and Transmission Facilities.

23. Please provide photo simulations of the Project as proposed from the following locations:

- a. All historic resources (including contributing resources to identified historic districts) located within 0.5 miles of any new proposed monopole.
- b. The Pequot Library from Westway Road (proximate to the vehicular entrance to the Pequot Library).
- c. The Southport Congregational Church from Pequot Avenue and, to the extent, possible from the rear of the property adjacent to the Church's playground and outdoor daycare space.
- d. Sasco Hill looking towards the Village of Southport.

24. State whether any mitigation strategies that would reduce or eliminate visual impacts to historic resources have been discussed with or presented to the State Historic Preservation Office (SHPO). If so, please explain.

25. State whether any mitigation strategies directly tied to impacted National Register of Historic Places or State Register of Historic Places resources within the Town of Fairfield were discussed with or presented to SHPO. If so, please explain.

26. Please explain whether any alternative design or configuration considered by UI, including but not limited to, locating UI's transmission lines and electrical equipment on existing or rebuilt catenary structures and undergrounding UI's transmission lines and electrical equipment, will:

- a. Reduce the project's impact to wetlands and watercourses. Explain.
- b. Reduce the need for new easements. Explain.
- c. Reduce tree clearing. Explain.
- d. Reduce or eliminate visual impacts to historic resources.

27. Describe the process for obtaining DOT approval for undergrounding new transmission lines within DOT's railway ROW and for locating new lines on existing or rebuilt catenary structures and identify any individuals or divisions within DOT responsible for reviewing or approving such request.

28. In connection with the proposed work pad related to proposed Tower P655S:

- a. Describe in detail the nature of this work pad, including the activities that will take place in the work pad area, expected duration of this work pad area, and any restrictions that will impact adjacent areas (e.g. the Pequot Library) as a result of the activities in and around the work pad area.
- b. When designing this work pad, including its location and size, did UI evaluate whether the location and size of the work pad would impede the public's access to and use and enjoyment of the Pequot Library or the ability of emergency services to access the Pequot Library.
- c. Please describe in detail the impact of P655S, and all activities that will take place in the work pad area, on the inland wetland or watercourse identified on Sheet 1 of 7 of UI's Project Mapping as WC 2.
- d. Has UI conducted a vibration analysis or study to determine the impact of the construction associated with Tower P655S and its associated work pad on the Pequot Library's one hundred and twenty-five (125) year old Tiffany stained-glass windows (circa 1898).

29. Referencing UI's Outreach Log, please provide the name and title of the UI representative who contacted the Pequot Library on January 26, 2023. Please provide the approximate time of the call, the telephone number used to contact the Pequot Library, and the name of the Pequot Library representative to whom the UI representative spoke.

30. Can the proposed Project be constructed without obtaining any permanent easement over private property located in Southport?

31. Can the proposed permanent easement in Southport be reduced in size or scope?

32. Utilizing the various resources available to UI, provide a good faith analysis of an alternative to the proposed option that balances costs the municipalities' and the intervenors' preference to minimize adverse impacts to both historic and natural resources.

33. Please confirm whether it is UI's position that keeping its electrical equipment located on structures owned by another entity does not meet the core project objectives of enhancing the reliability of UI's system.

34. If Interrogatory 32 is answered in the affirmative, please explain and quantify the alleged diminution in reliability of the lines rebuilt on catenary structures vs. new monopoles.

35. With reference to Connecticut Siting Council Docket 272, please provide the actual first cost (i.e. cost to design, permit and build) of constructing an underground 345-kV circuit from the Singer Substation to the Norwalk Substation. Please also provide the actual annualized operations and maintenance costs (O&M) associated with the aforementioned underground 345-kV circuit.

36. With reference to Connecticut Siting Council Docket 272, please compare the actual annualized O&M costs associated with the underground 345-kV circuit from the Singer Substation to the Norwalk Substation to the actual annualized O&M costs of new overhead transmission lines.

37. Provide the precise location for any proposed UI tower/monopole that is located on and/or within twenty-five feet (25 ft) of property owned by the Pequot Library Association at 720 Pequot Avenue in Southport, Connecticut ("Pequot Library Property"), including the precise location of the UI tower/monopole depicted on a survey with sufficient detail to understand the proximity of any proposed UI tower/monopole to the library building at the Pequot Library Property.

38. Provide the precise location for any proposed UI tower/monopole that is located on and/or within twenty-five feet (25 ft) of properties owned by the Trinity Episcopal Church at 651 Pequot Avenue, 678 Pequot Avenue and 288 Center Street in Southport, Connecticut ("Trinity Church Properties"), including the precise location of the UI tower/monopole depicted on a survey with sufficient detail to understand the proximity of any proposed UI tower/monopole to any building(s) on the Trinity Church Properties.

39. Provide the precise location for any proposed UI tower/monopole that is located on and/or within twenty-five feet (25 ft) of property owned by the Southport Congregational Church at 524 Pequot Avenue in Southport, Connecticut ("Southport Church Property"), including the precise location of the UI tower/monopole depicted on a survey with sufficient detail to understand the proximity of any proposed UI tower/monopole to any building(s) at the Southport Church Property.

40. Provide the precise location for any proposed UI tower/monopole that is located on and/or within twenty-five feet (25 ft) of property owned by the 2190 Road Post Road, LLC at 2190 Post Road in Fairfield, Connecticut (“2190 Post Road Property”), including the precise location of the UI tower/monopole depicted on a survey with sufficient detail to understand the proximity of any proposed UI tower/monopole to any building(s) at the 2190 Post Road Property.

41. Provide the precise location for any proposed UI tower/monopole that is located on and/or within twenty-five feet (25 ft) of property owned by the Invest II at 111 Black Rock Turnpike in Fairfield, Connecticut (“111 Black Rock Tpk Property”), including the precise location of the UI tower/monopole depicted on a survey with sufficient detail to understand the proximity of any proposed UI tower/monopole to any building(s) at the 111 Black Rock Tpk Property.

42. Provide the precise location for any proposed UI tower/monopole that is located on and/or within twenty-five feet (25 ft) of property owned by the International Investors at 1160 Kings Highway in Fairfield, Connecticut (“1160 Kings Hwy Property”), including the precise location of the UI tower/monopole depicted on a survey with sufficient detail to understand the proximity of any proposed UI tower/monopole to any building(s) at the 1160 Kings Hwy Property.

**RESPECTFULLY SUBMITTED BY:
SASCO CREEK NEIGHBORS ENVIRONMENTAL TRUST
INCORPORATED, STEPHEN OZYCK, KARIM MAHFOUZ,
WILLIAM DANYLKO, DAVID PARKER, 2190 POST ROAD,
LLC, INVEST II and INTERNATIONAL INVESTORS**

By: /s/Mario F. Coppola

Mario F. Coppola, Esq.
Matthew Studer, Esq.
Berchem Moses PC
1221 Post Road East, Suite 301
Westport, CT 065850
Telephone No.: (203) 227-9545
Emails: mcoppola@berchemmoses.com
and mstuder@berchemmoses.com
Their Attorneys

CERTIFICATE OF SERVICE

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

Melanie Bachman, Esq., Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051
Email: melanie.bachman@ct.gov
(1 original, 15 copies, plus 1 electronic)

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

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

Timothy M. Herbst, Esq.
Marino, Zabel & Schellenberg, PLLC
657 Orange Center Road
Orange, CT 06477
Email: therbst@mzslaw.com

Jonathan H. Shaefer, Esq.
Robinson + Cole LLP
280 Trumbull Street
Hartford, CT 06103
Email: jshaefer@rc.com

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

/S/Mario F. Coppola

Mario F. Coppola, Esq.