

STATE OF CONNECTICUT
SITING COUNCIL

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CONNECTICUT LIGHT & POWER COMPANY
AND UNITED ILLUMINATING COMPANY

APPLICATION FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION
OF A NEW 345-kV ELECTRIC
TRANSMISSION LINE AND ASSOCIATED
FACILITIES BETWEEN THE SCOVILL ROCK
SWITCHING STATION IN MIDDLETOWN
AND THE NORWALK SUBSTATION IN
NORWALK, CONNECTICUT

* * * * *

* FEBRUARY 24, 2004
* (7:10 P.M.)

* DOCKET NO. 272

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TRANSCRIPT OF ADDITIONAL STATEMENTS
OF SPEAKERS TAKEN OUTSIDE OF HEARING ROOM

BEFORE: PAMELA B. KATZ, CHAIRMAN

BOARD MEMBERS: Colin C. Tait, Vice Chairman
Brian Emerick, DEP Designee
Daniel P. Lynch, Jr.
Brian O'Neill
James J. Murphy, Jr.

STAFF MEMBERS: S. Derek Phelps, Executive Director
Fred O. Cunliffe, Siting Analyst
Robert L. Marconi, AAG

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 . . .Verbatim proceedings of a hearing
2 before the State of Connecticut Siting Council in the
3 matter of an application by Connecticut Light & Power
4 Company and United Illuminating Company, held at the
5 Middletown High School, 370 Hunting Hill Avenue,
6 Middletown, Connecticut, on February 24, 2004 at 7:10
7 p.m., at which time the parties were represented as
8 hereinbefore set forth . . .

9
10
11
12 MR. DOM DELVECCHIO: All set? My name is
13 Dom DelVecchio, 61 Sandhill Road, Durham, Connecticut.

14 I would like to extend my appreciation to
15 the Siting Council for their participation in this
16 process, which encourages a discussion of CL&P's Phase 2
17 Middletown to Norwalk transmission line proposal.

18 The residents of the Town of Durham are
19 very concerned about this project's impact upon their
20 rural community as well as the increased health risk
21 exposure to the town's residents. This project will
22 undoubtedly have a detrimental effect upon property
23 values through the neighborhoods identified within the
24 proposed project area. And more importantly potential

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 health risks to the families that currently reside in
2 these neighborhoods. The proposed power line upgrades
3 will increase the electromagnetic fields in the vicinity
4 of the homes along the proposed route by a magnitude of
5 10.

6 The new East Shore alternative that has
7 been proposed recently that utilizes the existing 345-kV
8 transmission line from the Black Pond Substation to the
9 East Shore Substation is a more prudent alternative to
10 supplying power to the southwest corridor of Connecticut.
11 CL&P has been trying to utilize their existing right-of-
12 way to accomplish their objectives for supplying power to
13 Southwest Connecticut without exploring other viable
14 alternatives that could have less of a detrimental impact
15 upon the environment and health risk of Connecticut
16 residents. I ask that the Siting Council at this time
17 simply approve the East Shore alternative from the East
18 Shore Substation to the Milford Substation without any
19 additional upgrades through Durham, Wallingford, Meriden,
20 or Middlefield while other alternatives are studied and
21 further commented upon.

22 Let's see -- there are also some new
23 technological advancements on the horizon in the area of
24 power line transmission that will allow CL&P in the near

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 future to bury transmission lines with greater operating
2 capacities without exposing Connecticut residents to the
3 unnecessary health risks associated with the
4 electromagnetic fields from aboveground transmission
5 lines. I recognize that several of the options outlined
6 above are more costly than CL&P's originally planned
7 aboveground option through several of Durham's
8 residential neighborhoods. All of CL&P's customers
9 should subsidize the additional costs associated with
10 burying the transmission lines in an effort to reduce the
11 health risks and unappealing aesthetics that residents
12 along the transmission lines will have to endure. I'm
13 hopeful that CL&P can accomplish their desired goals
14 while considering Durham's concerns for their residents
15 and community.

16 In closing, I'd like to quote several
17 facts pertinent to this matter. I believe that the
18 Siting Council has the responsibility to consider all
19 scientific evidence on the effects of electromagnetic
20 fields. Medical literature does support an association
21 between electromagnetic fields and childhood leukemia
22 that is unlikely due to chance. The actual cause and
23 effect relationship between the two however has yet to be
24 determined. However, the National Institutes of Health

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 have concluded that exposure of children to
2 electromagnetic fields cannot be considered safe. In
3 studies children exposed to high level EMF were twice as
4 likely to have developed leukemia. EMF may cause cell
5 mutations that cause leukemia. Children are at greater
6 risk because their cells are rapidly dividing and growing
7 and very few cell mutations are required to cause
8 leukemia. The epidemiological evidence also shows a very
9 clear association between elevated EMF exposure and
10 childhood leukemia.

11 The World Health Organization's
12 International Agency for Research on Cancer has labeled
13 EMF as a possible carcinogen.

14 The National Institute for Environmental
15 Health Science has recently concluded that "because of a
16 possible link with childhood leukemia, EMF exposure
17 cannot be recognized as entirely safe". That's a quote.

18 The NIH's report called for continued
19 emphasis on educating both the public and the regulated
20 community on means aimed at reducing exposures.
21 Background EMF exposures for the general population have
22 been estimated in the range of less than 1 milligauss
23 average over one 24-hour period. And as you've heard
24 several times in the studies of children, EMF daily

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 exposures of 3 to 4 milligauss have been associated with
2 the doubling of leukemia risk. But according to the
3 plans proposed by the power companies, EMF exposures will
4 increase substantially, well in excess of the 4
5 milligauss level that has been associated with an
6 elevated cancer risk. And you've heard estimates that
7 have come from the power companies up to 25 or 96
8 milligauss depending on the load on the line.

9 In the 2003 application filed by the
10 Utilities, the Utilities state, quote, "the results of
11 the latest studies of childhood cancer do not provide
12 sufficient convincing evidence to support the hypothesis
13 that exposure to electro or magnetic fields or power
14 lines near the home are a cause of leukemia". If you
15 flash back to 1959 when the following statement was made,
16 my contention -- and I quote, "my contention would be
17 that one should not feel under any compulsion to make a
18 scientific judgment if the evidence does not warrant it,
19 a person of true scientific discipline would never make a
20 final judgment one way or the other on the type of
21 evidence presented", this statement was made by Dr. Brawn
22 (phonetic), a scientist hired by the tobacco companies
23 disputing a correlation between cancer and cigarettes.
24 The similarities between these two statements are

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 convincing and alarming.

2 Back in 1959 who would have ever thought
3 that in the year 2004 smoking cigarettes in public places
4 would be illegal, that it is illegal to advertise
5 cigarettes on TV, and that the Attorney Generals
6 throughout the country would be suing certificate -- or
7 cigarette companies for damages related to cancer. Also,
8 50 or 60 years ago what seemed like progress was having
9 lead in our paint, lead in our gasoline, using asbestos
10 as a fire retardant, as an insulator, and having mercury
11 in our thermometer.

12 In utilizing the current right-of-way
13 while cost-effective, this project will impact
14 residential neighborhoods, schools, community centers,
15 parks, recreational areas, and wetlands. I understand
16 that there are some issues which the Siting Council
17 cannot consider as they move forward. However, I argue
18 that the social impacts perceived or otherwise of such a
19 proposal greatly impacts the abilities of our communities
20 to continue to prosper and I hope there is room for your
21 consideration of these matters.

22 We are here more to discuss the merits of
23 how additional power capacity is brought to our
24 communities. Additional power capacity cannot come at

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 the expense of the environment or the quality of life of
2 neighboring communities. If the lines can be placed
3 underground in other communities, I have to believe that
4 there is an opportunity to do so elsewhere. This may
5 mean small changes in the current proposed route or
6 necessitate a new route all together. In any case, there
7 must be room for consideration of viable alternatives,
8 each which must be weighed on their own merits.
9 Utilizing the existing right-of-way is clearly the least
10 expensive alternative. It is -- it's simply -- it seems
11 clear to me that the Utilities are more concerned about
12 their financial health than the adverse health effects
13 that these lines may have on our children. We have the
14 technology to bury the lines.

15 The best management practices, also know
16 as environmental preferences for routing power lines, has
17 been specified as follows; for the least environmental
18 harm, build the lines underground under public roads or
19 other rights-of-way like airports, tunnels, roads --
20 railroads, major thorough-ways. Lines built overhead in
21 the current right-of-way are not constructed according to
22 best management practices since they do harm to the
23 environment during construction and maintenance. The
24 best management practices are contained in a report

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 written for Governor Rowland entitled Comprehensive
2 Assessment and Report Energy Resources Infrastructure,
3 January 1, 2003.

4 The utility company is in the business of
5 providing electricity to its customers. It is not a
6 charity, it is a business. It is a business to make
7 money to improve the bottom line for investors. Is that
8 wrong? No. It's good business. The information provided
9 to date and in the future by the utility company will by
10 its very nature support its business plan to provide more
11 product. The towns and their citizens have a position
12 which differs from the utility company. The citizens are
13 concerned about the environment, real estate devaluation,
14 and the health and safety of their families. Are they
15 wrong? No. It is the -- it is responsible to be
16 concerned about the place they live, the home they have
17 worked so hard for, and the people they love. People
18 over profit, put the transmission lines underground.
19 Thank you.

20 MS. KATHY LeDUC: As a resident of
21 Middlefield, I urge you to please, if it's necessary to
22 put power lines through our community, bury them
23 underground for the sake of our health and our neighbors'
24 health and all the children in our community. Thank you.

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 MR. ANTHONY MAJEWSKI: My name is Anthony
2 Majewski. I'm at 1580 Bartholomew Road in Middletown.
3 Though I do not live at Royal Oaks, we do have three
4 children of our own and plus we bought our home
5 specifically to open up for foster care for other
6 children. We're in the process of renovations.

7 On -- approximately on about Wednesday,
8 March 6th of 2002, Christopher Fox of Forestland
9 Management Consultants were tagging trees along adjacent
10 the easement between my property and Northeast Utilities'
11 property. He did it at about 1:00 p.m. at my lunch hour
12 and I started to ask questions what was going on. He was
13 not a licensed surveyor and he tagged trees about a
14 hundred feet into my property. According to my property
15 deed, there is no public easement or electric right-of-
16 way. And the trees that he spray painted by the Forest
17 Management Consultants, later on signs were put up by
18 Northeast Utilities saying that this was their property,
19 and tagged trees in square formation where one of the
20 towers were being placed, which is along adjacent my tool
21 shed, again about a hundred feet into my property. We
22 are now in the process of consulting with attorneys. And
23 I do not wish to have these power lines aboveground. I
24 wish they would be below ground.

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 But I also have concerns over the high
2 fluids that will be used and the pipes that would be
3 buried underground. I would like to have the federal
4 hazard sheets, or MSDS sheets on what those chemicals
5 are. We have well water. And what is the contingency if
6 these chemicals leak and contaminate our well water?
7 Will Northeast Utilities consider running a water main
8 and sewer pipes along Bartholomew Road all the way along
9 to the Middletown town line so we can have an alternative
10 to contaminated well water for that possibility?

11 Also if the power lines do go aboveground,
12 what are the hazards for leukemia? Are Northeast
13 Utilities willing to underwrite cancer insurance, like
14 AFLAC insurance for my family?

15 Also the clear-cutting of the woods would
16 greatly diminish the quality view from our windows and
17 our way of life. We are planning on having farm animals
18 and creating a homestead and to plant gardens and a mini
19 orchard. Again a hundred feet into my property and
20 clear-cutting the woods, eliminating about a half an acre
21 of my property without any due consideration to us, so we
22 are adamantly against having above line transmissions.
23 We would like to have the current transmission lines
24 adjacent to our property be torn down and underground

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HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 lines put in. Thank you.

2 MS. JANE MAJEWSKI: My name is Jane
3 Majewski, M-a-j-e-w-s-k-i. I reside at 1580 Bartholomew
4 Road in Middletown, Connecticut.

5 My husband and I bought the house three
6 years ago because we liked the community out there with
7 the turkeys and the wild animals and it's quiet out
8 there, with the intention of bringing in orphans and
9 foster care kids. We bought the house as a fixer-upper
10 with the intent of doing the renovations on the house so
11 that -- so that we can do that in the future.

12 We're against these power lines for more
13 than one reason. One is the concerns of cancer. We've
14 read both sides of the spectrum and nobody really is able
15 to answer if it's going to cause cancer on our children.

16 The pesticides that they put out to keep
17 the growth down is already a concern to us. When they
18 came out and put the pesticides on it about a summer ago,
19 they knocked on our house and gave us a ticket and told
20 us our kids and animals could not play out there for a
21 certain period of time because of the potential hazards
22 to them. And we're concerned that if they're going to
23 cut trees closer to our house, that that will contaminate
24 our children and our ability for our animals. We have

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 ducks and rabbits and kids -- well kids aren't animals --
2 but my children are not going to be able to just play on
3 our property.

4 I'm also worried about the financial
5 devastation. Even if the power lines are not cancer
6 causing, it's perceived to the public that they are. And
7 we have put all of our financial money in to renovating
8 this house. And if we were to sell it and take a loss,
9 now the house market is high, we wouldn't be able to
10 relocate our family at the standard of living that we
11 have. And our standard of living is modest at best as it
12 is.

13 So those are our concerns. And I just ask
14 that you would please at least put them underground. But
15 if there's another way that you can relocate the power
16 lines, we would appreciate it. Thank you.

17 MR. CLARK KEARNEY: Hi. Clark Kearney, 41
18 Royal Oak Drive, Durham, Connecticut, part of Royal Oak.

19 I am opposed to the overhead lines. I
20 think underline grounds are quite economic and very
21 important. I'm in favor of the underground lines because
22 of the aesthetics, the effect on property value, and
23 health and safety issues. Thank you.

24 MR. MICHAEL FETCHEL: If there is a viable

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 alternative, i.e. underground power lines, that is both
2 environmentally safe and safe in regards to the health of
3 the families and children that live in the power upgrade
4 area, then why not implement this alternative. Why
5 gamble with the health and safety of people, especially
6 children, if there is even the slightest chance of a
7 health hazard with constructing aboveground power lines
8 near these residential areas. As long as the underground
9 power lines are feasible and do not impose any health
10 danger themselves, then for the sake of the well being of
11 our residential communities and our environment, support
12 for underground versus overground power lines seems
13 substantial.

14 As far as the -- as far as cost goes,
15 would not underground power lines be more cost-effective
16 in the long-run. Aboveground power lines and towers
17 would be subject to damage due to weather issues, such as
18 ice storms, wind, lightning, falling trees, etcetera.
19 This would not only cost money in repairs, but would also
20 impose a danger to the public due to downed wires. I
21 would think the installation of underground power lines
22 would ultimately leave us with a safer more economical
23 and more attractive environmental for all of us to live
24 in. Thank you.

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 DR. DIAN O'NEAL: Ready? Should I give my
2 name first? Dr. Dian O'Neal. I deal in environmental
3 medicine.

4 I am -- I stay on top of the studies. I
5 do have something to add to this. When a study -- in
6 medicine -- let me back up -- in medicine when we have a
7 patient, we encourage them to not give up hope because we
8 don't know if the next day there will be a cure for
9 whatever the problem is. The studies going on with the
10 EMF's may come out the same way. The minute these lines
11 go up, a study could come out saying that there is a
12 danger with EMF's and children and adults, etcetera. I
13 encourage you to think strongly about the health effects
14 of the EMF's. Thank you.

15 I would like to mention that I'm a
16 Planning & Zoning Commissioner in Durham. I have been
17 fighting since 1995 to not allow subdivisions to be built
18 under the power lines. It's taken eight years for
19 awareness. We are doing our part, but we need you to do
20 your part. Do not put 345 in a residential area. Thank
21 you.

22 MR. BARRET NECLE: I'm talking in regards
23 to the power lines going over -- changing the power lines
24 from existing 115's to 387. You have what they call an

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 East Shore alternative and that's not being proposed
2 right now. The East Shore alternative has already
3 existing 380 -- 3 -- it's called the 387 system that they
4 have. And it's -- it already -- it automatically has
5 three -- what is it, 347 -- what is it -- what's the
6 voltage line -- 345 lines going down it already. They
7 haven't checked to see if they can handle the current
8 where there's -- the wires are rated for a hundred
9 degrees celsius. We need to find -- they need to find if
10 200 degree celsius lines will handle the sag in the
11 lines. They need to know -- they haven't done the
12 research -- they haven't pushed this through. They're
13 not pushing this through right now. Alls they would do
14 is change the existing line that's already there to
15 better higher quality line that's there already existing,
16 not changing -- running these lines through -- running
17 higher voltage lines through existing areas that -- where
18 115 were, and changing the whole system around. Why
19 change something that's been there, why change -- why not
20 stick with something that's going.

21 A substation down in New Haven is what's
22 needed. I know it's a little bit more cost-effective,
23 that they'd have to build a substation, but a substation
24 is also a lot less electromagnetic field over those areas

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 that we're used to smaller electromagnetic field areas.
2 I understand that current is what causes electromagnetic
3 field, but -- also increases electromagnetic field, but
4 you're -- you're changing something that's already
5 existing. And I don't believe in changing something
6 that's good already. The towers that are already
7 existing are in Haddam, Durham, Wallingford and North
8 Haven. The proposed ones would be in Wallingford -- the
9 new areas they'd be going through would be Wallingford,
10 Hamden, Cheshire, Bethany, Woodbridge, and Orange, and
11 Milford. That's the areas they're proposing to push on
12 new 345 lines coming through. That -- if there's already
13 existing lines of 345 in this area, why change -- why
14 change and may reroute it through these other towns.

15 It -- to me the addendum is what they
16 should be pushing. If they're going to be pushing for
17 something to get done, push it so it just helps the
18 people that are in that -- in that -- that's more --
19 that's more logically -- if it needs to be done, so why
20 don't we do it logically. We have a line that's there
21 already. I know if has to be changed to a better quality
22 line, but to be the same voltage, the same line, going to
23 that -- going through North Haven, going through the
24 towns of Haddam, Durham, Wallingford and North Haven that

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 are already there, already existing, already the same
2 voltage. Why change something that's there? That's what
3 I'm -- that's what my speech is about.

4 MR. GARY S. BULLOCK: Thank you. Dear
5 Siting Council, my name is Gary Bullock. I live on 57
6 Mack Road in Middlefield. And I'm raising a three-year-
7 old son right now, my wife and I. And I hope that you
8 can help make the right decision, the safe decision, the
9 healthy decision for the people of Middlefield,
10 Middletown, Durham, and bury the power lines. And that's
11 about it, but I thank you.

12 MR. JOHN LYMAN: Chairwoman Katz and the
13 members of the Siting Council, my name is John Lyman III
14 and I am Executive Vice President of the Lyman Farm,
15 Incorporated. We are more commonly known as Lyman
16 Orchards and are located in Middlefield, Connecticut.

17 I'm here this evening to speak to the
18 proposal by CL&P to upgrade their current 115-kV power
19 lines to the 345-kV. The lines being discussed tonight
20 run through the middle of our Robert Trent Jones 18-hole
21 championship designed golf course. CL&P owns the right-
22 of-way. And the 115 lines were in existence before the
23 Jones course was built 35 years ago. We have been told
24 that the current proposed upgrade will stay within the

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 existing right-of-way.

2 We understand that Connecticut's current
3 electrical infrastructure needs to be upgraded. We, like
4 most Connecticut residents and business owners, are
5 concerned about the rise in cost of all energy, and in
6 particular electricity. We also recognize that CL&P owns
7 the right-of-way through our golf course and thus our
8 ability to influence their activity within the right-of-
9 way is subject to the limitations of such. In addition,
10 we have a long history of working well together. And up
11 to now CL&P has been unobtrusive and very respectful of
12 our business. We fully expect that this positive working
13 relationship will continue no matter what the outcome of
14 their proposed upgrade.

15 Golf is extremely important to Lyman
16 Orchards. In addition to the Jones course, we've built
17 an 18-hole Gary Player design golf course 10 year ago.
18 It too is a championship design. And we are currently
19 seeking approval -- final approval for a 9-hole short
20 course and training center. Golf has been a very
21 effective way for us to diversify our agricultural base,
22 allowing us to keep the land and open space. In fact,
23 golf allows us to remain in the farming business.

24 It's easy to understand then that we get

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 quite concerned when anything could negatively impact our
2 golf business. This may be the case with this proposed
3 upgrade. We're concerned with the potential negative
4 aesthetic impact that the upgrade will cause. The
5 current height of the poles that carry the 115-kV lines
6 average 57 feet. The proposal calls for the height of
7 the new poles to be 105 feet or nearly double. Part of
8 the allure of a golf course to golfers is aesthetics.
9 And a great unknown is whether the upgrade will lessen
10 the beauty of the course and its perceived value in the
11 eyes of the golfers. What makes this issue even more
12 concerning is the increased competition that exists today
13 as many new golf courses in our area have been built and
14 opened in just the past few years. We simply cannot
15 afford to lose golfers no matter what the reason.

16 Somewhat related is the concern that the
17 increased EMF levels from the upgrade will act a
18 deterrent for some golfers. We recognize that EMF's are
19 a controversial subject and that there is no clear and
20 conclusive evidence as to whether they're safe -- as to
21 either their safety or their health threat. However, if
22 the perception by some golfers causes them to choose
23 another golf course over ours, then that is an
24 unacceptable consequence of the upgrade.

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 If the aboveground upgrade is accepted, we
2 are quite concerned about the installation and it is done
3 with minimal impact and no interruption on our business.

4 The timing of this installation would be critical,
5 having to be done in our off season. And obviously, the
6 work would have to be done without ripping up the grounds
7 and turf on the fairways, tees, or greens.

8 Finally, any expansion plans that might
9 widen the existing right-of-way would be totally
10 unacceptable and would in all likelihood make the Jones
11 course unplayable and would be financially disastrous to
12 our company. That's because the course was designed
13 around the existing right-of-ways and lines. And while
14 no poles or lines come into play now, an expanded right-
15 of-way could only -- would not -- would not only come
16 into play, but would likely intersect greens, tees, and
17 fairways. The only reason for mentioning this scenario
18 at all is that if this proposed route of upgrade is
19 viewed as the most feasible for any expansion
20 possibilities, then the impact of that expansion needs to
21 be considered. Again for Lyman Orchards that expansion
22 would be -- could be devastating.

23 In conclusion, the proposed upgrade causes
24 a number of concerns for us. Unfortunately, the only way

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 to know if these concerns are legitimate would be after
2 the upgrade is made. That's a risk we'd rather not have
3 imposed upon us. For that reason we're supportive of the
4 alternative to bury the lines for the stretch through our
5 property as well as that of the surrounding neighborhoods
6 which would eliminate the need to upgrade the power lines
7 through our golf course. With this alternative we
8 recognize that the existing 115-kV lines would not be
9 dismantled. This is acceptable to us because this
10 situation is a known quantity and is one that would not
11 deter from the championship quality of our Jones course.

12 We ask that you not approve the proposed upgrade of the
13 115-kV lines to the 345-kV as it is currently structured.

14 I appreciate the opportunity to voice my
15 concerns to you this evening. Thank you.

16 MS. PATRICIA MILES: My name is Patricia
17 Miles. I live at 404 Powder Hill Road in Durham.

18 The existing power lines run right along
19 my driveway right now. So my home is probably less than
20 50 feet from the existing lines now. I bought the house
21 four years ago in the hopes of retiring there. I just
22 turned 65 and I'm hoping that I can stay there. However,
23 if I can't, if I have to sell it, I'm going to lose money
24 and I don't know when I can retire.

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 Also, I have a 16-year-old grandchild who
2 has lived with me for 10 years. She's in high school
3 now. And I am worried about her -- the health risks for
4 her and for myself and for my son.

5 I ask you to please put the new lines
6 underground if they must go through. Thank you.

7 MR. JIM BRANT: My name is Jim Brant, B-r-
8 a-n-t. I live on 41 Goldfinch Road in Durham. That is
9 the furthest point in Durham away from the power lines.
10 It borders Madison. I live there with my wife and two
11 daughters, 7 and 4, Hallie and Sid.

12 I'm here tonight. I plan on leaving early
13 for the U-Conn game, but I saw some of my old neighbors.
14 And I used to live in Royal Oak Park. I was an abutter
15 on the power lines, 35 Evergreen Terrace. And I whimped
16 out, I moved out of the neighborhood. But I'm just here
17 to say that that by no means was an easy process and I
18 just want to talk numbers for property values.

19 I listed the house, which was a twenty-one
20 hundred square foot home on a cul-de-sac, 1.75 acres of
21 woods, a brand new roof, a beautiful cape, awesome
22 landscape, a great view of the steeple in downtown
23 Durham. I put the house up for sale in August. The house
24 finally sold four months later. I had already purchased

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 another home in Durham on 41 Goldfinch. At that point I
2 owned two homes. I listed the house for thirty --
3 \$333,000.00, which anywhere else in the town it would
4 have went for about \$350,000.00. A couple of price cuts,
5 about 50 showings all together, including open houses and
6 a brokers open, I finally sold my house for \$295,000.00.

7 That is \$11,000.00 less than the appraisal when I
8 refinanced in November of 2002. The house was sold in
9 December of 2003.

10 Anybody who does not think that the power
11 lines will not have an effect on the price of your house
12 will be sorely mistaken. And I want the Siting Council
13 to know that. Two-ninety-five was the price it went for.

14 And that is a year before the whole announcement if the
15 lines will go aboveground or underground. Thank you.

16 MS. DEBBIE HUSCHER: Okay. I just
17 actually have one question. I would like to know how NU
18 can make promises to certain neighbors about placement of
19 poles. I heard about -- from a mutual acquaintance, a
20 neighbor of mine said that he's not concerned about this
21 upgrade because somebody from NU told him don't worry
22 about it, we're not going to put a pole on your land. So
23 guess where that's going to be, on my land, if this
24 promise in fact is true. So my question is how can NU do

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 this?

2 MS. LEAH LOPEZ: This is for Leah Lopez,
3 staff attorney for Save the Sound. Good evening,
4 Chairman Katz and members of the Council. Thank you for
5 this opportunity to be heard.

6 Save the Sound, a by-state, non-profit
7 membership organization dedicated to the restoration,
8 protection, and appreciation of Long Island Sound and its
9 watershed through advocacy, education, and research may
10 seem like an unlikely group to submit testimony to you on
11 this particular proposal. Why should a group which
12 concerns itself with the health of the Sound care about
13 whether power lines in Cheshire, Wilton, Middletown, or
14 any other towns in the study area are aboveground or
15 below? It is fairly simple. While the plan before you
16 now is not about power lines crossing waters and habitats
17 of the Sound, it is however about power lines that travel
18 through significant portions of Long Island Sound's
19 watershed. And as we all know, what occurs within a
20 watershed has a direct impact on the receiving water
21 body.

22 When not in close parallel and proximity
23 to a watercourse or wetland, under-grounding or under-
24 streeting should be the preferred solution. While we

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 understand that under-grounding is challenging from both
2 economic and construction standpoints, there are two
3 environmental impacts in particular that are of concern
4 during construction and maintenance of overhead towers.

5 First, the construction of utility right-
6 of-way can change existing habitats from forest to low
7 shrubbery. Arguments have been made that such changes
8 are actually good for certain bird species. However, the
9 point should not be lost that this is an ecosystem --
10 excuse me -- this is an ecosystem and habitat fragmenting
11 change. In many cases it can be said that changes to
12 habitat will benefit a new species. Unfortunately, even
13 a perceived benefit is not always what is best for the
14 system. After all, nature developed what exists for a
15 reason.

16 Second, we are troubled by the potential
17 long-term impacts of right-of-way maintenance. This
18 proposal traverses approximately 69 miles of Long Island
19 Sound watershed lands. Even if following the
20 Environmental Protection Agency's Right-of-Way Vegetation
21 Management Strategies Best Management Practices,
22 chemicals, pesticides, and herbicides can lead to
23 increased pollution on nearby waterways and in turn
24 impact the waters of Long Island Sound. We do not

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 presume to know what the existing system can handle or
2 how much additional capacity is needed. We would just
3 ask that conservation, load management, and wise land
4 development decisions be integral to any final
5 disposition of the certificate proceeding. Thank you for
6 your time and consideration.

7 MR. CHARLES ROTHENBERGER: Hi. My name is
8 Charles Rothenberger. I'm a legal fellow with the
9 Connecticut Fund for the Environment.

10 The Connecticut Fund for the Environment
11 would like to thank the Connecticut Siting Council for
12 this opportunity to discuss the pending application. CFE
13 is the State's leading non-profit environmental legal
14 advocate. We utilize science, law, and public education
15 to protect Connecticut's natural resources. High demand
16 for CFE's assistance means that our organization pursues
17 only those issues that we believe pose a serious threat
18 to natural resources of statewide significance.

19 It is our opinion that the proposed
20 underground routing alternative should be diligently
21 pursued and that the recommendations from the Woodlands
22 Coalition and interested local government officials be
23 considered when deciding the present application.

24 The overhead portion of the proposed

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 project extends from the Scovill Rock Station in
2 Middletown to the Housatonic River in Milford. The
3 proposed project will adversely affect wetland areas,
4 wildlife habitat and the overall integrity of the
5 watershed situated along the right-of-way.

6 With respect to the wetlands, according
7 the record, the overhead portion of this project will
8 cross 172 regulated wetlands or watercourses. These
9 areas provide important wildlife habitat and act as
10 corridors for many bird species and other forest dwelling
11 animals.

12 In addition to serving as productive
13 habitat, wetlands help reduce runoff of nutrients and
14 sediments of nearby streams, control flooding and improve
15 water quality.

16 It is also our understanding that at least
17 60 percent of the 172 designated wetlands was found to be
18 amphibian breeding habitat, including habitat for Green
19 Frogs and salamanders.

20 Vernal pools are also encountered along
21 the right-of-way. Vernal pools are important ecological
22 resources and serve as prime breeding habitats for many
23 obligate species. Vernal pools rely on regeneration from
24 groundwater or runoff from the surrounding watershed.

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 Therefore, it is vitally important to protect these areas
2 from the adverse effects of construction.

3 At a minimum, any construction along the
4 right-of-way should be limited to periods of the year
5 when the ground is frozen and the impact to these
6 critical areas will be minimized. If construction on or
7 near wetlands must occur during productive times of the
8 year, a removal pad or mat should be used for the support
9 of equipment in order to minimize the impact to the
10 wetland. In all events, best management practices should
11 be used. At a minimum those should include a 200-foot
12 buffer around breeding habitat during periods of
13 construction.

14 It's also our understanding that the
15 likelihood of sedimentation to the wetlands is probable
16 as a result of the proposed construction. Increased
17 construction, the use of heavy machinery, all has the
18 potential to cause soil erosion, which will travel to the
19 low-lying wetland areas. Furthermore, off-road vehicles
20 can damage sensitive species and can create unsightly and
21 long-lasting ruts which detract from wetlands natural
22 processes and aesthetic values. All best management
23 practices should be adhered to when utilizing and
24 inspecting erosion control devices during construction.

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HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 Restoration procedures should occur
2 immediately after the completion of construction and
3 erosion control devices should be removed for wetland
4 species migration to occur.

5 Wildlife habitat refers to the land and
6 water, food, shelter, and opportunities for reproduction
7 which wild creatures need to survive. It is our
8 understanding from reviewing the record that the overhead
9 portion of the power line project will affect 45 miles of
10 wildlife habitat, including critical habitat for the Red-
11 Shouldered Hawk, Peregrine Falcon, and King Rel. The
12 abundance of each species is determined by the
13 availability of habitat supplying these vital needs, as
14 well as its adaptability to changing environmental
15 conditions. The proposed power line construction will
16 alter the quality of the habitat that is found along the
17 right-of-way; and therefore, the likelihood is great that
18 current species dwelling in the right-of-way will be
19 temporarily or permanently displaced.

20 Moreover, many early succession bird
21 species and shrub land species which utilize the right-
22 of-way of habitat are at risk. Early succession bird
23 species and shrub land species are attracted to power
24 line rights-of-way because of the constant early

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 succession state in which they are maintained. This
2 proposal threatens the habitat by significantly altering
3 the constant state in which those rights-of-way are
4 currently found. It is unknown when these species would
5 likely to ever -- would be likely to return.

6 And finally, considering the impact of
7 this proposal on watersheds, in considering the effects
8 on natural resources contained along the right-of-way,
9 one must consider the importance of the entire watershed.

10 Watersheds are complex systems with many individual
11 parts which act as a single unit to provide critical
12 habitats and corridors for an array of wildlife.
13 Watersheds also protect many natural resources that are
14 important to society as well, including safe drinking
15 water and clean air. When an individual part of a
16 watershed is disturbed or broken, the entire watershed
17 suffers and the natural resources are jeopardized.

18 The increased use of herbicides as an
19 agent to control the growth of plant species has the
20 potential to negatively affect the bio-diversity of the
21 watersheds along the proposed power line route.
22 Herbicides can also enter the groundwater, thus
23 presenting an additional risk to the watercourses and
24 wetlands of the watersheds. Furthermore, herbicides

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 persist in the environment long after application.
2 Testing and monitoring should be done to ensure the
3 integrity of the environment in which herbicides are
4 being used, and the monitoring of surrounding areas
5 should be also -- also be done to prevent herbicides from
6 affecting unintended locations.

7 In conclusion, Connecticut Fund for the
8 Environment urges the Siting Council that the proposed
9 underground routing alternatives be diligently pursued
10 and that recommendations from the Woodlands Coalition and
11 interested local government officials be considered when
12 deciding the present application. The Siting Council
13 should not only consider the individual detrimental
14 effects to the wetlands, amphibian breeding habitat,
15 animal habitat and wildlife corridors, but also remember
16 that the watersheds encompassed along the right-of-way,
17 like all other watersheds, act like a machine with many
18 individual components. The proposal focuses on the
19 environmental effects to soil, water, and wildlife in
20 isolation to each other. When all those pieces are put
21 within a larger framework, it becomes evident that the
22 proposed project puts many watersheds at risk. I thank
23 you for your time.

24 MS. MARGERY STAHL: My name is Margery

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 Stahl and I'm here on behalf of the Durham Garden Club.
2 I live at 36 Carriage Drive in Durham, Connecticut.

3 The Durham Garden Club strongly objects to
4 Northeast Utilities' plan to erect higher power lines
5 across our area because of the unsightly impact those
6 proposed lines would have on the landscape. The small
7 towns of Durham and Middlefield are examples of rural
8 Connecticut at its most attractive, featuring winding
9 roads, rolling hills, and historic homes. New England
10 contains some of the earliest towns in the country, and
11 its scenery should be preserved and reflect its history.

12 Unsightly figures marching across our properties are
13 totally incongruous to this section of the country at a
14 time with tourism is being encouraged in our state.

15 The Durham Garden Club through its
16 environmental issues committee is working to discourage
17 visual pollution in all its forms. We are greatly
18 concerned to learn a utility company on which we depend
19 is planning changes which will adversely affect our
20 environment forever. We urge Northeast Utilities to put
21 these grounds -- these wires underground to minimize the
22 adverse impact this would have to our communities and to
23 the State of Connecticut.

24 MS. MONA ELLUM: My name is Mona Ellum. I

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 live at 39 Maryland Drive in Middlefield. I do not live
2 in the immediate vicinity of the proposed upgrade, but
3 I'm here because I want the Siting Council to know that
4 our concerns are not just a not in my backyard mentality.

5 As a licensed civil engineer, a large
6 portion of my work involves different levels of
7 development and utility upgrades. Through my capacity as
8 an engineer, I know that the geological differences
9 between Middlesex and Fairfield County are not that
10 significant, nor is the amount of wetlands between
11 Middlesex and Fairfield County that significant, nor is
12 the amount of existing development between Middlesex and
13 Fairfield County that significant. Therefore, if a below
14 grade -- a below ground upgrade is feasible in Fairfield
15 County, then it's feasible in Middlesex County.

16 Additionally, the precautionary principle
17 states in part that when an activity raises threats of
18 harm to human health or the environment, precautionary
19 measures should be taken even if some cause and effect
20 relationships are not fully established scientifically.
21 In this context, the proponent of an activity rather than
22 the public should bear the burden of proof. It's an
23 indisputable fact that replacing the existing power lines
24 with lines twice as large will result in a significant

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 increase in the amount of EMF's that will be emitted from
2 the lines.

3 In 1998 a panel assembled by the National
4 Institute of Environmental Health Sciences designated
5 EMF's as a possible -- possible human carcinogens.
6 Therefore, how can we be having this debate, how can
7 anyone justify placing our children in potentially
8 devastating harm's way. It is not the public's job to
9 prove that EMF's are dangerous. It is NU's job to prove
10 beyond any reasonable doubt that they are not. They have
11 not done so. Therefore, I respectfully implore the
12 Siting Council to not allow NU to increase their capacity
13 through aboveground means. Make them bury their lines.
14 Thank you.

15 MR. FRANK DEFELICE: Good evening. My
16 name is Frank DeFelice and I am Chairman of the Public
17 Safety Committee of the Town of Durham. I'm also a
18 person who has 25 years of experience in the electrical
19 field. I'm an electrical engineer with a specialty in
20 power distribution, specifically high voltage power
21 distribution.

22 There's been a lot of discussion this
23 evening regarding EMF, electromagnetic fields. The thing
24 I can tell you about that is that the magnitude of the

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 effect is very great. The field of influence is only the
2 field of influence around the line that we know of and
3 that there is much that we do not know of. Even
4 scientists and physicists that I work with do not know
5 the extent of that field of influence and how it affects
6 people. One thing is for sure and that is that the
7 magnetic resonance principle that's used for things like
8 MRI's is the same type of magnetic energy that's given
9 off.

10 The other thing I want to speak about is
11 the direct burial underground. Direct burial cables are
12 placed in concrete encasements typically by engineers.
13 The encasements contain cells and the cells are where the
14 conductors run. We do that for protection against
15 physical damage, protection against the elements, and
16 because it allows for ready replacement, or even the
17 addition of additional cables and power to be passed
18 through the encasement. New cables can simply be pulled
19 in if needed, old cables can be replaced by being pulled
20 out.

21 What about cost? You've heard a lot from
22 Northeast Utilities that the cost of doing this is high.
23 It's true that direct burial does have a higher initial
24 cost. However, it has a lower lifetime cost. We all

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 know the value that Wall Street places on performance.
2 But over the long-run, the cost of the underground burial
3 is less, not more as stated by NU.

4 In addition, I don't know anyone who has
5 objected to the running of the underground cables.
6 Overhead cables, there are all kinds of arguments that
7 can be made as to why they should not be run aboveground.

8 In summation, I think underground cables
9 achieve all of the benefits. They provide the dependable
10 power that NU requires and they do it with out affecting
11 anyone negatively. Thank you.

12 MR. TOM HENNICK: This is Tom Hennick, H-
13 e-n-n-i-c-k. I'm reading this statement for Maureen
14 Dooley, D-o-o-l-e-y. We are neighbors and we live in the
15 Royal Oak subdivision in Durham, which is a planned
16 neighborhood with more than a hundred houses. Our
17 neighborhood has all local utility lines underground.
18 When you look out my front door or backdoor, the view is
19 not broken by lines and utility poles. We have very
20 little interruption in services because of this design.
21 At times with other neighborhoods are without electricity
22 because of downed tree branches, we are secure because
23 our lines are underground and unaffected by inclement
24 weather. When we look up the road, we cannot even see

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 the wooden poles which carry the 115-kV transmission
2 lines as they are in alignment with the tree line and
3 conform to the natural beauty of the area.

4 We have several concerns regarding the
5 proposal by NU, not the least of which is how it will
6 negatively impact the scenic beauty of our area, thereby
7 significantly reducing our property values.

8 We are at a time when you the
9 distinguished members of our Connecticut Siting Council
10 must decide to invest in the future of our residential
11 communities without allowing yourselves to be constrained
12 by big business directives. The power company has stated
13 that this project will pay for itself over a short period
14 of time. Then why not invest a little more money into
15 the project and insist that the 345-kV be placed
16 underground through Durham's residential area. The
17 present proposal by NU must be rejected. They offer no
18 alternatives to the plan to place giant steel monopoles
19 carrying 345-kV transmission lines to feed the greed of
20 Fairfield County. The alternative of placing the 345-kV
21 underground must be placed back on the table. This would
22 meet the need without destroying our residential area and
23 causing the real estate values of this area to plummet.

24 Buddha once stated that with our thoughts

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HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

1 we make the world. So let us think carefully about what
2 we want to make of our world and what is really needed.
3 Please insist that NU place the 345-kV underground
4 through Durham and Middlefield. Thank you.

5

6 (Whereupon, the hearing adjourned at 10:15

7 p.m.)

HEARING RE: CL&P and UI
FEBRUARY 24, 2004 (7:10 PM)

INDEX OF SPEAKERS

	PAGE
Brant, Jim	23
Bullock, Gary	17
DeFelice, Frank	35
DelVecchio, Dom	2
Ellum, Mona	33
Fetchel, Michael	13
Hennick, Tom	36
Huscher, Debbie	24
LeDuc, Kathy	9
Kearney, Clark	13
Lopez, Leah (statement read)	24
Lyman, John	18
Majewski, Anthony	9
Majewski, Jane	11
Miles, Patricia	22
Necle, Barret	15
O'Neal, Dian (Dr.)	14
Rothenberger, Charles	26
Stahl, Margery	32

CERTIFICATE

I, Robin L. Focht, a Notary Public in and for the State of Connecticut, and Vice President of Post Reporting Service, Inc., do hereby certify that, to the best of my knowledge, the foregoing record is a correct and verbatim transcription of the audio recording made of the proceeding hereinbefore set forth.

I further certify that neither the audio operator nor I are attorney or counsel for, nor directly related to or employed by any of the parties to the action and/or proceeding in which this action is taken; and further, that neither the audio operator nor I are a relative or employee of any attorney or counsel employed by the parties, thereto, or financially interested in any way in the outcome of this action or proceeding.

In witness whereof I have hereunto set my hand and do so attest to the above, this 2nd day of March, 2004.



Robin L. Focht,
Vice President

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