

# ORIGINAL

## STATE OF CONNECTICUT

### SITING COUNCIL

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CONNECTICUT LIGHT & POWER COMPANY  
AND UNITED ILLUMINATING COMPANY

\* APRIL 22, 2004  
\* (10:00 A.M.)  
\*

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

\* DOCKET NO. 272  
\*

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SITING COUNCIL

\* \* \* \* \*

BEFORE: PAMELA B. KATZ, CHAIRMAN

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 HOMEOWNERS

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AN INTERVENOR, MARY G. FRITZ, STATE REP. 90<sup>th</sup>  
 DISTRICT

AN INTERVENOR, AL ADINOLFI, STATE REP. 103<sup>rd</sup>  
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AN INTERVENOR, RAYMOND KALINOWSKI, STATE REP. 100<sup>th</sup>  
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AN INTERVENOR, WILLIAM ANISKOVICH, STATE REP.  
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AN INTERVENOR, LEONARD FASANO, STATE REP.  
34<sup>th</sup> SEN. DISTRICT

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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 Central  
5 Connecticut State University Institute of Technology &  
6 Business, 185 Main Street, New Britain, Connecticut, on  
7 April 22, 2004 at 10:30 a.m., at which time the parties  
8 were represented as hereinbefore set forth . . .

9  
10

11 CHAIRMAN PAMELA B. KATZ: I'd like to call  
12 this continuation of the Docket 272 hearing to order this  
13 morning. The subject of today's hearing will be various  
14 alternatives to the proposed route. I'd just like to  
15 note for the record that the alternative known as East  
16 Shore will be taken up in June, along with the G.E. model  
17 and not today. First I'm going to ask the Applicants to  
18 give us a brief report on several homework assignments  
19 and then they will give us an overview of the various  
20 alternatives that will be the subject of cross  
21 examination. So Ms. Randell you --

22 MS. LINDA RANDELL: Yes, thank you.

23 MS. RANDELL: Mr. Zaklukiewicz, there was  
24 some discussion yesterday, I think in response to a

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1 question from Mr. Emerick, with respect to the length  
2 between manholes, do you recall that yesterday?

3 MR. ROGER ZAKLUKIEWICZ: My name is Roger  
4 Zaklukiewicz. Yes, I do.

5 MS. RANDELL: Could you just do a brief  
6 general explanation of what the philosophy will be on  
7 placement of manholes and distance between?

8 MR. ZAKLUKIEWICZ: Certainly. First, in  
9 laying out an underground -- laying out I mean the  
10 engineering design of an underground transmission line is  
11 a very precise engineering task. It is not cookie  
12 cutter. In other words, we do not place vaults every  
13 1,500 feet, or 1,600 feet, or 1,800 feet. We take the  
14 data that we have available to us, which would be the  
15 subsurface data of what infrastructure is in the path  
16 between Vault A and Vault B and lay out the distances  
17 between vaults, recognizing the curves in the roadway,  
18 which add additional pulling friction to the cables once  
19 the pipes are installed.

20 We also have to account for and put in a  
21 contingency factor for the fact that when we are going  
22 between Vault A and Vault B we may have to go down deeper  
23 beneath existing infrastructure, which did not show up in  
24 the drawings and/or go in the street or adjacent to the



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1 street and have to veer off a straight direct path such  
2 that at each point where we either move from a direct  
3 line between Point A and Point B by having to go down  
4 deeper in elevation or up in elevation or from side to  
5 side on this straight line, each of those curves and  
6 bends adds additional friction when it comes time to  
7 doing the cable pull. And the last thing we want to do  
8 is design a vault system, which are typically placed in  
9 the subsurface first and then you put your trenches in  
10 after, such that we are at the maximum design length for  
11 the pulling of the cable prior to installing the pipe  
12 associated with it such that when it becomes time to pull  
13 the cable into the pipe that was installed we exceed the  
14 cable pulling strength of the cable itself and by so  
15 doing so would damage the cable.

16 So those are all the factors that go into  
17 what is the distance between vaults and clearly we need  
18 to ensure that when we do the preliminary engineering  
19 design, which is shown on the D&M plans, which are  
20 submitted to counsel we also have contingency factors in  
21 those distances to account for the fact that there will  
22 be differences and it will not be a perfect straight line  
23 from Vault A to Vault B. Now in the case of a direct  
24 bore there are no differences. In other words, that bore

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1 is straight, it's going to change in elevation, but it's  
2 going to be straight and there are not going to be any  
3 movements up and down around infrastructure such that the  
4 poles now on a direct bore or a jack-and-bore are going  
5 to be straight shots between Point A and Point B so  
6 you'll have the minimum amount of friction when it comes  
7 to pulling those cables. And they are typically laid out  
8 to the vaults and in those cases would be laid out such  
9 as to minimize the stresses on the cable, once it's  
10 physically installed on the splices in the vaults,  
11 recognizing the direct bore or the jack-and-bore in  
12 between those locations.

13 So another item that has to be considered  
14 is, is when working with the towns the last thing we want  
15 is a vault installed at a four-way intersection. In  
16 other words, you want to be on one side or the other side  
17 of the intersection. So optimally we want to locate the  
18 vaults such as they have the minimum impact on the  
19 community and on traffic in the area such that it's not -  
20 - we cannot typically go in and say, well every 1,922  
21 feet we're going to put a vault in at this location. So  
22 in some areas the vaults are going to be appreciatively  
23 closer together because of reasons that I've identified  
24 primarily working with the towns and in other cases we

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1 would try to maximize the lengths of the vaults between  
2 Point A and Point B, recognizing that the cost to install  
3 a vault is appreciable along with the splices in the  
4 cable.

5 So I hope that helps clarify the question  
6 you raised Mr. Emerick over why are we not designing  
7 everything to the maximum length of what we can put cable  
8 on a reel and basically place the vaults at those  
9 distances throughout the entire 24 mile length.

10 CHAIRMAN KATZ: Mr. Ashton?

11 MR. PHILIP ASHTON: May I ask a follow-up  
12 question?

13 MR. ASHTON: You used two terms in your  
14 description -- recent -- the past answer Mr.  
15 Zaklukiewicz. You used the term pulling friction and  
16 pulling strength. Would I be correct in assuming that  
17 pulling friction is the resistance offered by the pipe in  
18 its particular configuration to the insertion of a cable,  
19 which is pulled through it?

20 MR. ZAKLUKIEWICZ: That is correct.

21 MR. ASHTON: And pulling strength would be  
22 the capability of the cable to withstand the burden, the  
23 load, if you will, imposed by pulling friction, is that  
24 correct?

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1 MR. ZAKLUKIEWICZ: That is correct.

2 MR. ASHTON: If you ignore issues of  
3 shipping reel limitation, what is the -- for a cable such  
4 as we're talking here, what is the maximum length that  
5 you practically can get, allowing for reasonable  
6 variations in the route, elevation, lateral curves and  
7 whatnot, what kind of distances are we talking about that  
8 are limited by the strength of the cable to pulling?

9 MR. ZAKLUKIEWICZ: I'd say somewhere  
10 around 2,500 to 3,000 feet.

11 MR. ASHTON: Okay. And is it fair to say  
12 that that is more or less coincidental -- coincident with  
13 the limitations imposed by shipping reels of cable?

14 MR. ZAKLUKIEWICZ: That is true and also  
15 need to account for what are the stresses then on the  
16 splices at each end, the longer the cable is the greater  
17 the strengths will be from compression and the stretching  
18 of the cable due to the changing and the loading of the  
19 cable from minute to minute.

20 MR. ASHTON: Okay. Thank you.

21 CHAIRMAN KATZ: Thank you. Any other  
22 reports?

23 MS. RANDELL: I think that's it for the  
24 moment.

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1 CHAIRMAN KATZ: Do you want to therefore  
2 offer new exhibits for identification purposes only?

3 MR. ANTHONY FITZGERALD: Yes. We in  
4 response to Mr. Ashton's query yesterday that the  
5 companies look at a segment of the railroad that was not  
6 covered in the railroad report that's previously been  
7 filed, they have put together a presentation that  
8 involves a lot of graphics, which they're prepared to  
9 show today in a PowerPoint projection format. And what  
10 we would propose to do is to just put a exhibit for  
11 identification number in the record and we will promptly  
12 get these graphics printed out on an eight and a half by  
13 11 format. And then that package will be offered as a  
14 full exhibit with that number.

15 CHAIRMAN KATZ: Mr. Cunliffe, what number  
16 would that be?

17 MR. FRED CUNLIFFE: I'd like to propose  
18 that the Applicant has submitted a exhibit as of  
19 yesterday and I would like to reserve that number 65 for  
20 that one and for the railroad presentation number 66.

21 CHAIRMAN KATZ: And other exhibits that we  
22 have received are some responses to interrogatories and a  
23 new Burns and McDonnell report?

24 MR. FITZGERALD: Yes? Apparently yes,

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1 Madam Chairman. They must have been filed directly by  
2 the Company and didn't come through me.

3 CHAIRMAN KATZ: Okay. So can we identify  
4 those at this time?

5 MR. FITZGERALD: Could you do that?  
6 Someone needs to verify the accuracy of the exhibits that  
7 were filed yesterday.

8 MS. RANDELL: Yes. We filed three --

9 CHAIRMAN KATZ: I'm sorry. Mr. Cunliffe  
10 is going to help here. Yes?

11 MS. RANDELL: -- three.

12 MR. CUNLIFFE: Interrogatory number 29  
13 amended number one was filed and that was in response to  
14 council question 29 and also response to council  
15 questions 42 and 44 as well were filed. And that  
16 addendum included a Middletown to Norwalk 345 kV  
17 Transmission Line Project Route 15 Corridor Study, dated  
18 April 2004.

19 MS. RANDELL: Correct. That was a  
20 supplemental study.

21 CHAIRMAN KATZ: Are the witnesses who  
22 prepared those here today? Or some of them or --

23 MR. FITZGERALD: Yes.

24 MS. RANDELL: I believe Mr. Hogan from

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1 Burns and McDonnell is able to verify the Burns and  
2 McDonnell report.

3 CHAIRMAN KATZ: Okay. Can we do that now?

4 MR. FITZGERALD: Yes.

5 MR. JAMES HOGAN: Yes. That is the Burns  
6 and McDonnell report.

7 MR. FITZGERALD: And is the information in  
8 that report true and accurate to the best of your  
9 knowledge Mr. Hogan?

10 MR. HOGAN: Yes, it is.

11 MR. FITZGERALD: Was it prepared under  
12 your supervision?

13 MR. HOGAN: Yes, it was.

14 MR. FITZGERALD: Okay. And Ms.  
15 Bartosewicz, the -- Mr. Cunliffe has identified some  
16 additional interrogatory responses that were filed  
17 yesterday. Are they true and accurate to the best of  
18 your knowledge?

19 MS. ANNE BARTOSEWICZ: Yes.

20 MR. FITZGERALD: So, I offer them as full  
21 exhibits?

22 CHAIRMAN KATZ: And we have numbers for  
23 these?

24 MR. CUNLIFFE: Those would be 65.

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1 MR. FITZGERALD: I'd offer them as full  
2 exhibits?

3 MR. CUNLIFFE: And that was at number 65.

4 CHAIRMAN KATZ: Number 65. Is there any  
5 objection to making 65 a full exhibit? Hearing none,  
6 it's a full exhibit.

7 (Whereupon, Applicant's Exhibit No. 65 was  
8 received into evidence as a full exhibit.)

9 CHAIRMAN KATZ: This is the one dated  
10 April 21<sup>st</sup>, it looks like this, and the Burns and McDonell  
11 is attached to it. Okay. Does that cover the procedural  
12 --

13 MS. RANDELL: Just one question?

14 CHAIRMAN KATZ: -- yes?

15 MS. RANDELL: I suppose I should know the  
16 answer, but if I could just ask Ms. Bartosewicz and Mr.  
17 Prete, the poster boards, the easel items that are being  
18 used this morning for the overview and discussion of the  
19 alternatives, is each one of those already included as an  
20 exhibit as part of a prior filing in this Docket, or are  
21 there new ones? Or perhaps we could take these along the  
22 way?

23 MS. BARTOSEWICZ: Well, they are -- the  
24 maps -- the maps are all included in this record. The



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1 only thing that's different on the map that's currently  
2 on the easel is we drew in some lines for the benefit of  
3 the Council this morning.

4 CHAIRMAN KATZ: Well, the first time you  
5 use each board would it be possible to give the exhibit  
6 number?

7 MS. BARTOSEWICZ: Yes.

8 CHAIRMAN KATZ: And then if it's been  
9 modified since the exhibit -- it was filed an exhibit  
10 just mention what the modifications are into the record,  
11 how about if we do it that way? Does that work?

12 MS. BARTOSEWICZ: Yes.

13 MS. RANDELL: In that event we do not need  
14 them to identify or mark new exhibits.

15 CHAIRMAN KATZ: Okay. So at this point we  
16 are going -- we have asked the Applicants to give us a  
17 brief overview of the alternatives and we will do that at  
18 this time and then we are going to follow that by a  
19 overhead projection of some information. I'm going to  
20 invite Council members on that end of the table to feel  
21 free to wander down this way to see the various boards.

22 MR. FITZGERALD: Madam Chairman, if I  
23 might just to keep the record clear make the point that  
24 the overview that you're being given now is not of --

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1 what the application has identified as the alternatives.

2 These are one might say, not alternatives. These are  
3 the routes, the large routes that are covered in the  
4 report filed as part of the application entitled Route  
5 Options Considered But Eliminated.

6 CHAIRMAN KATZ: Yeah, we will take that  
7 clarification though the matter of elimination is up to  
8 the judgement of the Council.

9 MR. FITZGERALD: We understand that.

10 CHAIRMAN KATZ: Yes.

11 MS. BARTOSEWICZ: Is there a hand-held  
12 mic. so that I can speak from the boards?

13 CHAIRMAN KATZ: Yes. Joe? So again, I'm  
14 going to ask you at the beginning of each board to give  
15 the title of the board and if you have the exhibit number  
16 give it please?

17 MS. BARTOSEWICZ: The map that you're  
18 looking at on the easel here is in Exhibit 1. It is  
19 actually at the back of Volume 1 of the Application.  
20 There were some plastic sheets, these are the -- this  
21 would be the fold out maps that would be in there.

22 CHAIRMAN KATZ: And again, members of the  
23 audience if you'd like to come closer feel free.

24 MS. BARTOSEWICZ: Now I'm going to take

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1 these routes one at a time and I'm going to start with  
2 the marine route. And we -- in the application the  
3 marine route starts at Singer Substation, comes out into  
4 Long Island Sound, crosses the Sound, comes up in Norwalk  
5 in about the location of the Norwalk Power Plant. Goes  
6 underground to the Norwalk Substation. And so the marine  
7 report addresses this marine route.

8 The red line is the Merritt Parkway, Route  
9 15. The evaluation in what was filed, Exhibit -- can I  
10 have the exhibit? The one we just did.

11 MR. FITZGERALD: Oh, 66.

12 MS. BARTOSEWICZ: In Exhibit 66 --

13 MR. FITZGERALD: No, I'm sorry. 65.

14 MS. BARTOSEWICZ: -- 65 discusses the  
15 Route 15 alternative. The -- our evaluations started at  
16 Route 15 in Wallingford, follows the red line to -- and  
17 we need to get to East Devon Substation. You know that  
18 the Merritt Parkway does not come close -- come exactly  
19 to where East Devon Substation is, so we looked at how do  
20 we get from Route 15 to East Devon, and there were these  
21 two little red jogs are the two ways that we looked at to  
22 get into East Devon Substation and then get back out to  
23 Route 15.

24 Route 15 goes all the way to Norwalk. You

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1 have to come down near Route 7 to get to Norwalk  
2 Substation. You also have to remember we have to get  
3 into Singer Substation, so there is an underground path  
4 that would essentially have to get you into Singer  
5 Substation. So that is the Route 15 alternative.

6 We also looked at 91 and 95. And these  
7 purple and yellowish green is actually the 91/95 route  
8 starting up in Meriden, following 91 south through New  
9 Haven all the way to Norwalk. Now this route is  
10 identified, you see the different colors on this path,  
11 you see purple lines and the greenish lines, and they  
12 actually represent parts of what we determined to be  
13 feasible for construction, whether overhead or  
14 underground, and unfeasible for construction. So those  
15 are how we differentiate those points and you can see one  
16 of our concerns is that the purple is not contiguous and  
17 that would be where we believe it's feasible to build.

18 The last alternative that we looked at  
19 would have been -- is the railroad. The path that we  
20 looked at and the report in the application starts at  
21 East Devon Substation. It's the green line. It follows  
22 the railroad all the way to Norwalk. You would have to  
23 go away from the railroad tracks north underground to  
24 Norwalk Substation. So that's a high level of the routes

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1 that we looked at as investigated and certainly the  
2 Company eliminated them from consideration based on the  
3 results of our investigation.

4 CHAIRMAN KATZ: Thank you.

5 MR. FITZGERALD: Now to comply with your  
6 directive I should note that the lines in different  
7 colors that demarked those routes that Ms. Bartosewicz  
8 just referenced with the exception of the 95 route, which  
9 is shown as such on there, the other three routes are  
10 designated in magic marker, which -- which -- to make  
11 them stand out from other things on the -- other  
12 information on the exhibit. So to that extent the  
13 exhibits she was just talking to, or the illustrations  
14 she was just talking to differs from what's in the  
15 record.

16 CHAIRMAN KATZ: Great. And we will get a  
17 smaller version of this for the record eventually?

18 MR. FITZGERALD: We could do that.

19 MS. BARTOSEWICZ: In addition, as we talk  
20 about each individual alternative what was filed in this  
21 proceeding are maps for each specific alternative and we  
22 have blown up those maps. So a we talk about the Merritt  
23 Parkway or as we talk about the railroad, or I mean, the  
24 highway we have those maps here to show you separately.

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1 This was to put everything on one map for your  
2 convenience.

3 CHAIRMAN KATZ: Okay.

4 MR. ASHTON: Ms. Bartosewicz, you used the  
5 term that some of the route segments are infeasible?

6 MS. BARTOSEWICZ: Correct.

7 MR. ASHTON: What sort of things make it  
8 infeasible? What does that really mean?

9 MS. BARTOSEWICZ: Things like 91 in some  
10 places is elevated. So if you were to put an underground  
11 route along the elevated portion of the highway we would  
12 term that infeasible. Some places the highway is cut  
13 through rock, so going around the highway would be very  
14 difficult and we term that infeasible.

15 MR. ASHTON: But if you -- for an elevated  
16 highway if you went in the right of way and did not  
17 attach to the elevated portion, isn't that feasible?

18 MS. BARTOSEWICZ: If you went --

19 MR. ASHTON: I don't want to get into a  
20 philosophical argument, but --

21 MS. BARTOSEWICZ: -- sure.

22 MR. ASHTON: -- or a specific argument,  
23 but I'm trying to understand the philosophy.

24 MS. BARTOSEWICZ: And we can go through

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1 each segment that we -- that Burns and McDonnell study  
2 determined to be infeasible section by section because  
3 every section has a different concern. One area could  
4 have as you go around a service area you impact houses --

5 MR. ASHTON: Okay.

6 MS. BARTOSEWICZ: -- and then we determine  
7 that as infeasible.

8 MR. ASHTON: Okay.

9 CHAIRMAN KATZ: Can you hang a 345 cable  
10 on a bridge, on the outside of a bridge?

11 MS. BARTOSEWICZ: Technically, yes.

12 CHAIRMAN KATZ: Okay. So an overpass in  
13 itself does not eliminate the possibility of having a 345  
14 transmission cable crossing it?

15 MR. HOGAN: Are you talking overhead or  
16 underground?

17 CHAIRMAN KATZ: Well, an overpass, I guess  
18 I was thinking overhead.

19 MR. HOGAN: In the --

20 COURT REPORTER: Can you repeat that  
21 please?

22 COURT REPORTER: We didn't get that.

23 MR. HOGAN: -- oh. I asked whether she  
24 was referring to overhead or underground.

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1 CHAIRMAN KATZ: Since this is the first  
2 time today can you just identify yourself?

3 MR. HOGAN: Oh. My name is Jim Hogan, I'm  
4 the Project Manager from Burns and McDonell.

5 COURT REPORTER: Thank you.

6 CHAIRMAN KATZ: So I'm just saying if it's  
7 overhead when you come to the -- could you put it on --  
8 or you're saying underground?

9 MR. HOGAN: In the overheads typically you  
10 would span over --

11 CHAIRMAN KATZ: Just span over.

12 MR. HOGAN: -- and the undergrounds then  
13 you either go through the embankment or somehow have to  
14 get back down in the roadway to take advantage of the  
15 crossing.

16 MR. ASHTON: I heard the question slightly  
17 differently. The specific question I heard was can you  
18 attach an underground cable to an overhead road  
19 structure? I'm not sure -- maybe I heard wrong.

20 MR. HOGAN: And the answer is the cable  
21 can be and you have to coordinate that with the DOT to  
22 make sure the structure can handle the loads.

23 MR. ASHTON: Are there any unusual  
24 problems other than the physical strength of the



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1 structure to which you're attaching?

2 MR. HOGAN: Unless there may be some  
3 problems with physically room to get the clearance you  
4 need to attach it to the bridge.

5 CHAIRMAN KATZ: Understood. Thank you.  
6 Mr. Lynch?

7 MR. DANIEL LYNCH: With regards to  
8 Interstate 91 which portion of the highway would you be  
9 using? Northbound lane, southbound lane, median? When  
10 you're talking about elevation on 91 the northbound lane  
11 may be a raised highway, but the southbound lane is not.

12 MS. BARTOSEWICZ: You're not talking about  
13 using the actual highway or the median, you're looking at  
14 the right of way adjacent to the highway.

15 MR. LYNCH: Yeah, but what I want to know  
16 is what right of way are you looking at, northbound lane  
17 or southbound lane?

18 MR. HOGAN: Essentially we looked at the  
19 entire corridor and in some places you may be on one side  
20 versus the other. So it could be either one.

21 CHAIRMAN KATZ: Because Mr. Lynch is  
22 right, one is at a lower elevation than the other.

23 MR. HOGAN: Right. Although there are  
24 portions like I-95 where both sections are elevated and

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1 those were some of the sections that -- and the right of  
2 way is very narrow through that as well.

3 MS. BARTOSEWICZ: Now the last piece on  
4 this map --

5 CHAIRMAN KATZ: Yes.

6 MS. BARTOSEWICZ: -- the piece that you'll  
7 hear next, based on comments yesterday we went out and  
8 looked at the railroad from Singer to East Devon. That's  
9 a piece that as you heard this morning was not part of  
10 our railroad study. And that piece would essentially  
11 connect Singer here on this piece of green line.

12 CHAIRMAN KATZ: Thank you. So the other  
13 boards will be available during cross examination, the  
14 more detailed boards?

15 MS. BARTOSEWICZ: Correct.

16 CHAIRMAN KATZ: Okay. At this point do  
17 you want to do this presentation that we've identified as  
18 number 66?

19 MR. FITZGERALD: Yes.

20 CHAIRMAN KATZ: Okay. I'm going to ask --

21 MR. FITZGERALD: Mr. Prete is going to do  
22 that I think.

23 CHAIRMAN KATZ: Do you want to make some  
24 introductory remarks before the Council members move from

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1 the table and take some seats down below?

2 MR. JOHN PRETE: Yeah, I'd be happy to.  
3 Joining me will be Richie Pinto, he worked as the Project  
4 Engineer for the project team. They were out late  
5 yesterday to take pictures and hopefully to graphically  
6 show you the railroad and what we'll show you here really  
7 is indicative of the railroad both from Singer to East  
8 Devon as well as Singer to Norwalk. I think it would be  
9 very helpful. So can we get a mic. for Richie and if I  
10 can get a mic. that would be super.

11 CHAIRMAN KATZ: Great. First we need to  
12 have him sworn. First can you give your name and spell  
13 your name for the record at a microphone and then Mr.  
14 Marconi will swear you in.

15 MR. RICHARD PINTO: Rich Pinto from United  
16 Illuminating. P-I-N-T-O.

17 (Whereupon, Richard Pinto was duly sworn.)

18 CHAIRMAN KATZ: Okay. Would you like us  
19 to move at this point?

20 MR. PRETE: That would probably be the  
21 best.

22 CHAIRMAN KATZ: Okay.

23 MR. PRETE: Great. So -- oh, thank you.  
24 I apologize in advance if the presentation isn't as

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1 smooth as some. It's only been 12 hours since Mr. Ashton  
2 and Tate has given us this. But just to kind of frame it  
3 Anne had said that the railroad study proper doesn't  
4 include this corridor. But this was looked at when Burns  
5 and McDonell was hired about two years ago. We asked  
6 them to do very simple things. We said, okay, connect  
7 the terminal points. We said, Beseck Strong Source  
8 connect to East Devon, connect East Devon to Singer,  
9 connect Singer to Norwalk. Sky's the limit. Go for it.  
10 Here's the guidelines the Siting Council has so we want  
11 the results of those guidelines.

12 So they did indeed look at this corridor  
13 and they rejected it in proper because it has social  
14 impacts and environment impacts and there's an economic  
15 consideration. So I think this will help as we get into  
16 further discussion with the railroad as well.

17 I'd like to show you three things kind of  
18 in segments. First I'll give you an overview of what  
19 this segment is from this aerial photography. Then I'll  
20 walk down and kind of take you out to the railroad  
21 tracks, what we call catenarys. Then we have some  
22 snapshots as to what would have to take place indeed if  
23 we were to do a 345 line. So what Rich has here is  
24 indeed the aero photography. In the right corner is East

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1 Devon and as he traces down towards --

2 MR. ASHTON: That's not East Devon.

3 MR. PRETE: It's the East Devon area.

4 MR. ASHTON: That's the Housatonic River  
5 and East Devon is east of that.

6 MR. PRETE: Correct. It's right up there.  
7 So if you can trace the railroad --

8 VOICE: (Indiscernible)

9 MR. PRETE: -- there's always a mic.  
10 there. That's good. So if you go down to where  
11 eventually Singer Substation is, as Rich goes down south,  
12 it's about eight miles in length. And if we can take a  
13 picture now of the catenarys along that route what we  
14 have here, and I'll point out, these structures that are  
15 kind of upside down C's, we call those catenary  
16 structures, the one in the foreground you can see has two  
17 what we call bonnets on top of it. Rich has one on the  
18 right and one on the left. Those bonnets, those  
19 catenarys, they house in this area two 115 kV lines. For  
20 simplicity sake we'll call one A and one B.

21 And what they do along that route is they  
22 come in and out of our bulk substations, five to be  
23 exact. There's Devon Tie, there's Ash Creek, there's  
24 Barnum, there Baird and there's finally Pequonnock. Each

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1 of those bulk substations, as they're named, feed roughly  
2 a town. So they're very important. Why do we have two  
3 lines? Well simple. They go in and out in the event you  
4 have a lightning strike or an unplanned failure of a line  
5 you don't want to take down those substations. So they  
6 go in and out. So any construction that we'd have on the  
7 345 we'd have to somehow remove one of those. And that  
8 somehow would probably and most have to be underground.  
9 We have to duplicate one of those lines at 115  
10 underground and loop in and out.

11 And indeed we've looked at that. It would  
12 be roughly 15 miles. It would be two cables because the  
13 two cable's capacity equals one in the air that we call  
14 wire. And that would be roughly about 15 miles at about  
15 6,000,000 a mile.

16 So we have a couple more snapshots. I'd  
17 like to point out some differences. You can see in this  
18 catenary again, very similar things. On top are the A  
19 and B line on top of the bonnets. You can see this one  
20 on the bottom here is breached out in various areas with  
21 the infrastructure, these are buildings or so forth that  
22 require more clearances, so the railroad structures  
23 themselves are blended in that area. You can see some  
24 proximities of some buildings as well. Rich?

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1                   Here's another example of a catenary  
2                   structure. A little different. You can see now they're  
3                   kind of in the middle of this upside down C. The reason  
4                   they're in the middle as opposed to the outside there was  
5                   clearance problems long ago to install them on the  
6                   outside. Clearance is associated with NESC and so forth.  
7                   Rich?

8                   Yet another picture.

9                   MR. ASHTON: What's the NESC you referred  
10                  to?

11                  MR. PRETE: It's the National Electric  
12                  Safety Code.

13                  MR. ASHTON: Thank you.

14                  MR. PRETE: Here you can see congestion  
15                  with some distribution lines which are on the street, but  
16                  again, this particular catenarys are in the middle again,  
17                  showing that there's some problems with clearances.  
18                  Again, in another picture you can see it in the  
19                  foreground, a catenary structure that happens to be a  
20                  house in and around the Bridgeport/Stratford area. You  
21                  can see some proximity.

22                  And here again, something I'd like to  
23                  point out. Along a lot of the stretch the catenarys  
24                  themselves are on an abutment, the abutment is the road

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1       itself. And I think that will be important as I get into  
2       the next slide. Again, very similar. Where the catenary  
3       structures are in this area here there's roadways or  
4       sidewalks. And why that's important is that any type of  
5       construction that would be probable, although very, very  
6       difficult, would involve as I said before you take one of  
7       the A or B lines down, put it underground, you then would  
8       construct something in this manner. These are poles that  
9       actually CL&P constructed at Pequonnock Ely line. They  
10      happened to be at 115. A couple of height comparisons.  
11      The top of the catenaries that exist today, the A and B  
12      line, are roughly 65 feet off the rail bed. These  
13      particular structures here are 90. In order for us to  
14      even consider building a 345 line you're talking about  
15      structures of about 120 feet, or approximately 30 feet  
16      higher than what's there today.

17                   One other and very important factor, it's  
18      very hard to see, on the outside of these particular  
19      poles are two wires. They're called feeder wires. Those  
20      are the railroad wires. In order for us to put the wires  
21      inboard for safety clearances you had to take their wires  
22      at 12 kV and put them outside. Why that's important is  
23      that any clearances not only need to be with the 345,  
24      they now have to be within the feeder signal wires or



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1 clearances with the 12 kV.

2 So a couple of things to note here, any  
3 construction would have these poles outside that abutment  
4 -- could we go back to the prior structure? Or in  
5 sidewalks and streets and so forth and so on. And you're  
6 talking about a butt side -- excuse me, a pole size at  
7 the bottom -- you see, I told you this wasn't polished,  
8 of about six to eight feet. So again, that would  
9 probably take up relatively a half a lane. Okay Rich,  
10 could we proceed?

11 Can we walk the route? What Rich is going  
12 to do, we have this entire project on what is called the  
13 GIS, the Geographic Information System. And what I asked  
14 him to do is kind of start at Singer Substation, which  
15 he's zooming into. That particular field there is  
16 Bluefish Stadium for Bridgeport. Okay. Zoom out just  
17 once please Rich? One more time?

18 Just to orientate things here, this  
19 particular location here this was Site One of the Site  
20 Selection Study for Singer Site. This was the warehouse  
21 and of course in our discussions we are now going to  
22 relocate at this site, which just happens to be a parking  
23 lot or a lay down area for PSE&G. So what we have here  
24 is on their proposal we have underground coming roughly

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1 in this manner to feed. So to the extent that we would  
2 need this 1.5 to 1.8 acres for the GIS Substation, we  
3 would then need to take the 345 overhead somehow through  
4 ostensibly either the residential area of Bridgeport or  
5 through PSE&G's property.

6 MR. ASHTON: Would you point out PSE&G?

7 MR. PRETE: Yes, I will.

8 MR. ASHTON: The coal pile at one time  
9 (indiscernible).

10 MR. PRETE: Yeah. This is a coal pile for  
11 Unit Three. The entire facility here that I'm showing is  
12 PSE&G. They have two major generating plants, Unit One  
13 and -- Unit Three and Unit Two, and Unit One as well.  
14 This particular facility right here is B.E. That's the  
15 new gas-fired turbines that exist. So anyway, as we said  
16 we would somehow have to terminate at that location.  
17 Chairwoman Katz asked about Pequonnock Sub. Can we go up  
18 a little bit Rich? Oh. Thank you.

19 Being Italian this is really good. This  
20 is Pequonnock Sub. here and in it's entirety major 115  
21 lines go into it as well as 13A, which is the  
22 distribution feeders that come out of it. So in order  
23 for anything to be done here you would need room and  
24 indeed we look at that. There's no room to piggyback on

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1 or add to for the 345 line. So as we now kind of in this  
2 area, this is the railroad tracks. Each one of these  
3 horizontal lines, which is hard to see, is indeed the  
4 catenary structures that we just saw. So we would  
5 proceed relatively east or north to go to East Devon.  
6 Rich, can you pan down? As you pan down can you just  
7 show them where the railroad is?

8 And Mr. Ashton, you're right on. As you  
9 either ride the rail or what have you you can start to  
10 see some opening areas here and as we get a little bit  
11 further. Again, following the railroad, large areas that  
12 are open here. And indeed when we first looked at this  
13 particular route and with the City of Bridgeport, this  
14 area here is indeed open at this point in time. But it  
15 has some specific plans.

16 There's a dual school going here of about  
17 1,250 kids that will -- that will participate in it. As  
18 well as a major redevelopment in residential as well as  
19 commercial. So both on this side and some on this side  
20 as well. So this would be the railroad that you would go  
21 down and again, you would envision 120 foot or 130  
22 structures. Rich?

23 Now as you get kind of closer to Stratford  
24 you'll find out that the congestion on either side

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1 becomes pretty noticeable.

2 MR. ASHTON: What's the scale on that  
3 approximately?

4 MR. PINTO: Right now that'll go one to  
5 4,000.

6 MR. PRETE: We can measure -- can you  
7 measure for instance this area right here, Rich, for me?

8 MR. PINTO: It's around 70 feet.

9 MR. PRETE: 70 feet almost to the rail.  
10 To abutment you're probably talking about 50 or less.

11 MR. ASHTON: 70 feet is where to where?

12 MR. PINTO: From the corner is this  
13 building to the edge, you know, where I'm --

14 MR. ASHTON: Okay.

15 MR. PRETE: How about -- how about this  
16 particular location right here, this house?

17 MR. PINTO: From about here to here to  
18 here that's the railroad. You would probably be near the  
19 abutment right there, approximately 30 feet, 27. And  
20 then you have a little outcropping there.

21 MR. PRETE: So you start to see some  
22 congestion both with commercial, some industrial and then  
23 some residential as we proceed to the Stratford line.  
24 Right around this area. And again, you'd have to be on

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1 one side, this is a real tight area. Some areas in here  
2 are tight. This is some other redevelopment that the  
3 Director of Planning is going to fax us some information.  
4 I couldn't remember specifically what it was.

5 VOICE: Is that a cemetery?

6 MR. PINTO: Yeah. Actually this is a  
7 cemetery in Stratford.

8 MR. PRETE: Oh, that's the cemetery.  
9 There's not much opposition there.

10 (Laughter)

11 MR. PRETE: Again, along this area here.  
12 Come up through here. Rich, where is the Stratford line  
13 approximately? Are we entering that?

14 MR. PINTO: We're into Stratford this here  
15 actually is the Stratford Train Station.

16 MR. PRETE: Oh, this is the train station  
17 here. Both with various buildings on both sides.

18 MR. ASHTON: That's I-95 immediately to  
19 the south of this?

20 MR. PRETE: That's correct.

21 MR. PINTO: That's correct.

22 MR. PRETE: Again, through this whole area  
23 you have major crossings. So those 120 foot towers would  
24 have to at least be raised by 20 or 30 feet as you start

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1 to cross those. So again, I guess to reiterate the main  
2 message, again, things like -- again, here's a -- here's  
3 a major crossing where some of the towers would be  
4 extremely high. The fact of the matter is the social  
5 impacts are a great -- their environmental impacts again,  
6 trying to get poles of those natures in the streets, the  
7 streets would have to be relocated and/or pushed over,  
8 which would then further push over into people's  
9 property, whether it takes houses and what have you.

10 Then you have the crossing of one of the  
11 major river bodies --

12 MR. ASHTON: That's the Housatonic.

13 MR. PRETE: -- the Housatonic River. And  
14 Rich, this right here are some crossings that exist  
15 today, correct?

16 MR. PINTO: Yes.

17 MR. ASHTON: Where's the Devon Power  
18 Plant?

19 MR. PINTO: Just give me one second.  
20 That's the crossing. Devon --

21 MR. ASHTON: Yeah, why don't you show  
22 Devon? That's the switch area.

23 MR. PINTO: -- that's Devon Seven and  
24 Eight over in here.

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1 MR. ASHTON: No, Devon Seven and Eight is  
2 down the bottom.

3 MR. PRETE: So I think Roger Zaklukiewicz  
4 was talking -- or answered a question that talked about  
5 NRG's property roughly is this area here. These are some  
6 of the switch yards and the property that is owned by  
7 CL&P at this point in time and the only property. If you  
8 go a little bit further we then --

9 MR. ASHTON: Excuse me. Go back to the  
10 bottom of the picture. The -- just below you're arrow,  
11 no, come up a bit. Right there. That's the railroad  
12 substation, isn't it? Or is it down below?

13 MR. PINTO: No, the railroad substation is  
14 just north of my cursor right here. That's the -- this  
15 is UI's Devon tie.

16 MR. ASHTON: Okay.

17 MR. PRETE: What we'd like to do is from  
18 the railroad you have to somehow get to the proposed East  
19 Devon Substation. So I believe our underground cable  
20 route is along this particular area here?

21 MR. PINTO: Yeah, it comes up here.

22 MR. PRETE: So as we go further up there's  
23 an existing 115 line along I believe this right of way,  
24 so you'd essentially come down here overhead roughly 85

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1 to 100 --

2 MR. ASHTON: You're off to the right there  
3 you can see the four structures --

4 MR. PINTO: Yeah. They're in the right of  
5 way.

6 MR. ASHTON: -- right -- go a little  
7 lower, a little lower --

8 MR. PRETE: Right here. Right here.

9 MR. ASHTON: -- right there. That's it.

10 MR. PRETE: So again, proceeding on a fair  
11 amount of residential area here and then you have a major  
12 condominium complex on the left. You have a major  
13 condominium complex, Coswell Cove, I think the name of it  
14 is?

15 MR. PINTO: Yes.

16 MR. PRETE: Okay. This is in Milford  
17 Power Plant --

18 MR. PINTO: Actually, this is BIC.

19 MR. ASHTON: That's BIC.

20 MR. PRETE: -- oh, I'm sorry.

21 MR. PINTO: Milford Power is across the  
22 street over here.

23 MR. ASHTON: Right there.

24 MR. PINTO: Years ago.



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1 MR. ASHTON: And your lines are on the  
2 left.

3 MR. PRETE: So in 10 hours that's the best  
4 we could do.

5 MR. ASHTON: Where is your East Devon  
6 Substation now? Just show that?

7 MR. PRETE: East Devon would be up in this  
8 corner here.

9 MR. PINTO: Proposed is --

10 MR. PRETE: I think it's this, correct?

11 MR. PINTO: -- actually I believe it's  
12 this parcel right here.

13 MR. ASHTON: Yeah.

14 MR. PRETE: So again, I think in summary  
15 the look that was done early on showed these type of  
16 environmental, social and economic and construction  
17 challenges, which I'll be happy to get into in more  
18 detail, but the railroad report from Singer to Norwalk  
19 very similar problems, probably to a larger extent. And  
20 that's why the Company has looked at and rejected it.

21 MR. ASHTON: Just one question I have.  
22 The portal structures which support the catenarys, do you  
23 have any idea how old those structures are?

24 MR. PRETE: The question was the abutments

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1 themselves?

2 MR. ASHTON: The portal structures?

3 MR. PRETE: I don't know what that is.

4 MR. ASHTON: Those are structures like  
5 that. Those aren't catenarys, they're portal structures  
6 they're called.

7 MR. PRETE: Okay. Oh good. I would  
8 imagine around 50 years. Rich, do you know?

9 MR. ZAKLUKIEWICZ: Some date back to the  
10 1900's.

11 MR. PRETE: Oh, the 1900's.

12 MR. ASHTON: 1920 would you accept.

13 MR. RICHARD REED: Some of them are dated  
14 19-0-something.

15 COURT REPORTER: Sir, could you identify  
16 yourself?

17 MR. REED: Richard Reed.

18 COURT REPORTER: Thank you.

19 MR. PRETE: Is there any other questions?

20 MR. BRIAN EMERICK: Yes. While we have  
21 this screen up could you point out the other substation  
22 site that we talked about yesterday?

23 MR. PRETE: Oh, yes. That's a good point.  
24 Can you zoom out a little bit and then we can do both of

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1           them at one time and get a comparison? Mr. Emerick, both  
2           where East Devon is proposed and the one that was --  
3           okay, that's a good idea. Why don't you go up one more?  
4           Pan out once?

5                       MR. PINTO: Oh, sorry.

6                       MR. PRETE: Not pan out, zoom out,  
7           whatever.

8                       MR. PINTO: Here's one, there's the other.

9                       MR. PRETE: This right here is the first  
10          area that Anne had talked about in great detail as a site  
11          they pursued and of course with the arrangement with the  
12          seller weren't able to get a Phase 1 or access to it.

13                      MS. BARTOSEWICZ: That site is owned --  
14          had the Blacktite (phonetic) Corporation on it and it has  
15          a driving range on it. It's two businesses at that site.

16                      MR. PRETE: And up in this area? A little  
17          bit further, is it this right here?

18                      MS. BARTOSEWICZ: Across the street. The  
19          main street there is Oronoke Road.

20                      MS. PRETE: Right here?

21                      MS. BARTOSEWICZ: Yeah. There's a set of  
22          railroad tracks that go next to Oronoke Road and that  
23          area is the proposed East Devon Substation Site.

24                      MR. PRETE: Is that all set Mr. Emerick?

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1 MR. EMERICK: Yep. Thank you.

2 MR. PRETE: I'm sorry?

3 MR. CUNLIFFE: Could you look at the  
4 Bridgeport one? You have a Proposed Site 1 and a  
5 Proposed Site 8. You now want to go to Site 8. Could  
6 you identify the Site 8 at the Bridgeport location?

7 MR. PRETE: Sure. I'd be happy to. Can  
8 we go back to Bridgeport?

9 MR. ASHTON: Start over would be easiest.

10 MR. PINTO: Yeah, just give me a second.

11 MR. PRETE: As Richie does this, I don't  
12 know if everybody knows what a GIS is, but if you can  
13 envision layers, almost physical layers you can actually  
14 -- they're electronic so you can actually on a GIS turn  
15 them on and off, which is what Rich is doing today.  
16 There's about 20 layers here that we can see various  
17 things.

18 Again, getting acclimated, the coal pile  
19 and PSE&G, this particular property was Site 1, which you  
20 can see the outline of the warehouse and this is all Site  
21 8 today and this is where PSE&G and the City, as well as  
22 UI are pursuing a sale. It would more than likely be  
23 located along Main Street. All set?

24 CHAIRMAN KATZ: Mr. Cunliffe?

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1 MR. CUNLIFFE: Mr. Prete, you said the  
2 information is in GIS format?

3 MR. PRETE: Yes.

4 MR. CUNLIFFE: What would that take to  
5 have that transferred to the Council? We do have  
6 capabilities to review that material.

7 MR. PRETE: Do you have ARC Info?

8 MR. CUNLIFFE: ARC View.

9 MR. PRETE: Oh, perfect. Then we'll be  
10 happy to give you have we have right here on a CD. Rich  
11 -- I need Rich's help.

12 MR. PINTO: We can provide something.

13 MR. PRETE: Absolutely.

14 MR. CUNLIFFE: Thank you.

15 MR. PRETE: You're welcome.

16 CHAIRMAN KATZ: Thank you for the  
17 presentation and you do get points for responsiveness.  
18 Okay.

19 MR. PRETE: I'll take them.

20 CHAIRMAN KATZ: At this -- do we have any  
21 procedural matters before we begin cross examination?

22 MS. RANDELL: I don't think so.

23 CHAIRMAN KATZ: Great. We will start,  
24 first State Representative Al Adinolfi? Let the record

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1 show not present. Next Town of Wallingford, Durham,  
2 Woodbridge, Milford, etcetera. Ms. Kohler, cross  
3 examination?

4 MS. JULIE DONALDSON KOHLER: None.

5 CHAIRMAN KATZ: Ms. Kohler says, no. City  
6 of Norwalk? Let the record show absent. Next, Town of  
7 Westport, Mr. Cederbaum? Absent. City of Meriden,  
8 Attorney Moore? Absent. Assistant Attorney General  
9 Michael Wertheimer?

10 MR. MICHAEL WERTHEIMER: No questions.

11 CHAIRMAN KATZ: Mr. Wertheimer says no  
12 questions. Communities for Responsible Energy? Absent.  
13 Office of Consumer Counsel, Mr. Johnson? Absent.  
14 Woodlands Coalition, Mr. Golden?

15 MR. LAWRENCE J. GOLDEN: No questions.

16 CHAIRMAN KATZ: Woodlands Coalition says  
17 no questions. ISO New England, Mr. MacLeod? Absent.  
18 DOT, Assistant Attorney Generals Walsh and Meskill,  
19 questions for the Applicant?

20 MR. CHARLES WALSH: No questions.

21 CHAIRMAN KATZ: No questions. PSEG, Mr.  
22 Reif?

23 MR. DAVID REIF: Madam Chairman, this  
24 morning's presentation -- Madam Chairman, this morning's

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1 presentation indicates that if this proposal does go  
2 forward obviously it runs through our property and has a  
3 significant potential impact. Since it really is new  
4 matter and since we have a wrap up day in June, I wonder  
5 if -- and presumably Mr. Prete will be back at that time,  
6 whether we could cross examine at that time and certainly  
7 we're going to have to file some testimony related to  
8 this issue.

9 CHAIRMAN KATZ: Thank you. We'll assume  
10 that -- we'll allow you to revisit that in June.

11 MR. REIF: Thank you Madam Chairman.

12 CHAIRMAN KATZ: Okay. Mr. Ball? Towns of  
13 Wilton and Weston?

14 MR. DAVID BALL: No questions.

15 CHAIRMAN KATZ: No questions Mr. Ball  
16 says. Attorney Lord, Regional Water Authority?

17 MR. DAVID BALL: No questions.

18 CHAIRMAN KATZ: He says no questions.  
19 Town of Cheshire, absent. City of Middletown, absent.  
20 Town of North Haven?

21 MR. BENJAMIN J. BERGER: No questions.

22 CHAIRMAN KATZ: North Haven says no  
23 questions. Mr. Cunliffe, questions for the Applicant?

24 MR. CUNLIFFE: Yes, I do. On your

1 analysis of the railroad you were able to identify ~~+~~ and  
2 this is between I believe the Singer Substation and the  
3 Norwalk Substation, correct? You identified up to about  
4 113 homes and businesses would need to be taken, is that  
5 correct?

6 MR. PRETE: That is correct.

7 MR. CUNLIFFE: And was that same analysis  
8 done for the road -- highway corridor? Let's identify  
9 91/95, was there an analysis done for a number of homes  
10 or businesses to be taken?

11 MR. PRETE: Yes, that analysis was done.

12 MR. CUNLIFFE: And the number was?

13 MR. PRETE: And that number escapes me at  
14 the moment but I'll look it up.

15 MR. CUNLIFFE: While you're looking that  
16 up, Mr. Hogan I'll go ahead and ask another question in  
17 regards to the proposed 345 cable along the railroad and  
18 the inductance and it's interference with rail  
19 operations. Would that be true?

20 MR. PRETE: Yes, that would.

21 MR. CUNLIFFE: What measures could be done  
22 to mitigate that?

23 MR. PRETE: I would defer that to Mr. Zak  
24 since he's sitting at the side of his chair.



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1 MR. ZAKLUKIEWICZ: We would have to  
2 perform a full study of the impacts of electromagnetic  
3 fields onto the railroad signaling system. This would be  
4 an extensive study. Something that we would perform if  
5 we were to install construct 345 kV lines along the  
6 railroad right of way. It would be a study for which we  
7 would hire consultants working with the CDOT to perform  
8 and if required it would mean extensive change over of  
9 all of the signaling systems and -- on the existing  
10 railroad system today.

11 MR. CUNLIFFE: Thank you. I just want to  
12 confirm again, you would need to probably rebuild the  
13 foundation for the catenary structures or the pole  
14 locations, is that correct?

15 MR. ZAKLUKIEWICZ: I think for the loading  
16 of a 345 kV facilities I do not envision any of the  
17 existing catenary structures or foundations being used  
18 for that loading. I think as we found on the  
19 Pequonnock/Ely Avenue line these would have to be  
20 separate structures in between the existing catenary  
21 structures today, totally independent of those  
22 structures. And in some cases we would probably have to  
23 reinforce the existing catenary structures as we put in  
24 the caissons and concrete foundations, which go down.

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1 probably about 20 feet or so in the area to prevent any  
2 structural damage to the existing catenary structures.

3 So it would not be my envision, as you've  
4 seen the bonnets on top of the C catenary structures 345  
5 it's quite clear in our minds that those structures are  
6 not sufficient to handle the weight and the stresses that  
7 would be placed on those foundations and structures for a  
8 345 kV overhead transmission line.

9 MR. CUNLIFFE: In other words, there would  
10 be a brand new 345 kV corridor adjacent to that corridor?

11 MR. ZAKLUKIEWICZ: It would be -- those  
12 structures would be physically located between the  
13 existing catenary structures and they would rise on top  
14 of, just as the one portions of the Pequonnock/Ely Avenue  
15 line are. And I believe one of them had a picture.  
16 Those monopoles were totally independent of the catenary  
17 structures. If you recall there was --

18 MR. CUNLIFFE: Right.

19 MR. ZAKLUKIEWICZ: -- so I would vision  
20 the same thing for 345 except the foundations now would  
21 be somewheres six to eight feet in diameter at the base  
22 for which we would then bolt on the steel monopoles and  
23 depending on the weight restrictions in crane heights  
24 that can be erected at that time would limit the amount

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1 of -- the length or the height of the structures that  
2 would have be bolted together or slipped on one to the  
3 other in the design and that could be done. But they  
4 would be totally independent of the catenary structures  
5 that exist in place today.

6 MR. CUNLIFFE: Would this line also  
7 parallel the recent construction in the 90's of the  
8 Ely/Pequonnock line?

9 MR. ZAKLUKIEWICZ: It's clear that one of  
10 those lines would have to be removed from service to  
11 place in service a new 345 kV line and we would have to  
12 look and see the impacts of whether it would be on the  
13 south side or the north side of the existing tracks  
14 between Pequonnock and Ely Avenue.

15 MR. HOGAN: In the railroad report there's  
16 a --

17 COURT REPORTER: Excuse me sir.

18 MR. HOGAN: Jim Hogan. In the railroad  
19 report there's a sketch that depicts that at C-1 that  
20 gives it a good comparison. It's toward the very end of  
21 the report in the appendix.

22 MR. EMERICK: Mr. Zak, could you just  
23 refresh my memory on the Pequonnock and Ely, when that  
24 was redone? What dates?

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1 MR. ZAKLUKIEWICZ: We were actually  
2 beginning construction in '91 to '93 timeframe.

3 MR. ASHTON: First circuit or second  
4 circuit?

5 MR. ZAKLUKIEWICZ: This is the second  
6 circuit. The first circuit was on the south side and we  
7 built the Ely Avenue/Pequonnock line was placed on the  
8 north side of the railroad tracks.

9 CHAIRMAN KATZ: Mr. Emerick?

10 MR. EMERICK: Yes. Mr. Zak, just to  
11 follow up on the signaling interference potential?

12 MR. ZAKLUKIEWICZ: Yes.

13 MR. EMERICK: Do you -- while it will  
14 require a degree of study do you anticipate that those  
15 issues could be resolved, or are they unresolvable?

16 MR. ZAKLUKIEWICZ: No. They can be  
17 resolved and I think I said if there is sufficient  
18 interference it would basically mean the existing  
19 signaling system would have to be totally replaced today  
20 because the standards by which the existing signaling  
21 system was put in was not designed to handle the level of  
22 electromagnetic fields that would be present for a 345 kV  
23 system.

24 MR. EMERICK: Okay.

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1 MR. ZAKLUKIEWICZ: And so you would use  
2 shielding technologies that were not available at that  
3 time and those would be a requirement of the project to  
4 replace that entire signaling infrastructure --

5 MR. EMERICK: Okay.

6 MR. ZAKLUKIEWICZ: -- big, big issue and a  
7 very, very expensive intensive project.

8 MR. EMERICK: Okay. Thank you.

9 CHAIRMAN KATZ: When you looked at East  
10 Shore was one of the things you looked at using Amtrak  
11 from Meriden/New Haven and then getting somehow from New  
12 Haven to East Devon?

13 MS. BARTOSEWICZ: On the East Shore route  
14 from East Shore to East Devon?

15 CHAIRMAN KATZ: Correct. Did you look at  
16 the -- using Amtrak overhead to get from Meriden to New  
17 Haven when you looked at that?

18 MS. BARTOSEWICZ: We looked at the right  
19 of way that currently exists between Wallingford and East  
20 Shore. There's an existing 345 kV right of way.

21 CHAIRMAN KATZ: Yeah, but I'm asking, did  
22 you look at the railroad right of way?

23 MS. BARTOSEWICZ: Yes.

24 CHAIRMAN KATZ: Okay. So when we get to

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1 East Shore we can talk about that one?

2 MS. BARTOSEWICZ: Mr. Cunliffe, we do have  
3 a response for you. On the Merritt approximately 24  
4 structures are impacted and on I-91/95 approximately 100.

5 MR. CUNLIFFE: Thank you. The --

6 MS. BARTOSEWICZ: Excuse me. Structures  
7 could have been buildings or homes or businesses.

8 MR. CUNLIFFE: -- okay. The new line that  
9 would go along the railroad, the supporting arms would  
10 need to face into the rail?

11 MR. ZAKLUKIEWICZ: That is correct.  
12 That's what we would envision. We have not designed it,  
13 but I would envision for clearance reasons that you would  
14 put the monopoles in facing towards the railroad tracks  
15 or the conductors themselves would overhang the railroad  
16 tracks such that that minimizes now the clearances  
17 required should the arms be placed away from the railroad  
18 tracks. Now your clearance from the edge of the railroad  
19 to any trees or properties would increase significantly  
20 if the conductors are faced away from the railroad  
21 tracks.

22 MR. CUNLIFFE: And is there a needed  
23 distance, a right of way from the conductor to any  
24 distance that is required for installation? Just like a

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1 regular right of way has a 120 foot necessity is there  
2 one required here?

3 MR. ZAKLUKIEWICZ: If you envision a  
4 monopole, vertical construction, with the conductors over  
5 the railroad tracks then there could be from the center  
6 of the monopole itself of the structure you would have a  
7 requirement a minimum under the ideal conditions of  
8 approximately 25 feet away from the railroad track to  
9 meet clearance requirements. We base that on the fact  
10 that just as the construction took place on the  
11 Pequonnock/Ely Avenue line the spans between conductors -  
12 - I mean, between structures are extremely small, in the  
13 three to 400 foot range as opposed to typical  
14 construction over land, which is typically around 700  
15 foot to 750 to 800 and this case we would have many, many  
16 more structures. Approximately three to 400 foot apart  
17 at maximum. This would now minimize the amount of  
18 conductor movement and blow out by having such short span  
19 lengths. That would be an idea case would be a minimum  
20 of 25 and depending on where we need to place structures  
21 that could increase up to 45 foot.

22 MR. CUNLIFFE: Thank you.

23 MR. PRETE: Mr. Cunliffe, I would like to  
24 add.

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1 MR. CUNLIFFE: Go ahead.

2 MR. PRETE: That distance Mr. Zak is  
3 talking about is indicative of the results of the  
4 railroad study. So with those clearances we have a  
5 conflict with about 100 buildings. And we expect that  
6 same type of ratio between Singer and East Devon.

7 MR. CUNLIFFE: Thank you. The study that  
8 you provided in the route options considered, but  
9 eliminated, and that was provided in the municipal  
10 consultation material, Appendix B, it states it's a 1990  
11 evaluation of the railroad right of way. Do you believe  
12 that that study is still valid?

13 MR. HOGAN: Yes, it is.

14 MR. CUNLIFFE: I'll move to the highway  
15 corridor. You speak of right of way criteria and  
16 placement of overhead lines would be adjacent to the  
17 existing DOT right of way but it would share their right  
18 of way, including an additional 65 feet outside their  
19 right of way. How does that right of way sharing work?

20 MR. HOGAN: Essentially that the  
21 conductors would be I guess have an aerial easement maybe  
22 over the DOT right of way, but the structure itself and  
23 then additional right of way on the other side would be  
24 what would need to I guess be expanded or would need to



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1 be acquired.

2 MR. CUNLIFFE: So that -- let's use the  
3 center line of the pole --

4 MR. HOGAN: Okay.

5 MR. CUNLIFFE: -- 65 feet away from the  
6 pole away from the highway you would need to acquire?

7 MR. HOGAN: Right.

8 MR. CUNLIFFE: The other direction toward  
9 the highway, how does that agreement -- how is that  
10 agreement reached?

11 MR. HOGAN: That would have to be worked  
12 with DOT, but essentially it would be an aerial easement.

13 MR. CUNLIFFE: Thank you.

14 MR. HOGAN: I guess that would also  
15 facilitate any maintenance along it. You would be not on  
16 the DOT's side.

17 MR. CUNLIFFE: For the Route 15 corridor  
18 it is identified as part of the National Register of  
19 Historic Places and also on the National Scenic Byway.  
20 Is there any Legislation that precludes the siting of an  
21 electric transmission line infrastructure within these  
22 designated corridors?

23 MR. ZAKLUKIEWICZ: I am not aware of  
24 formal Legislation that would preclude that.

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1 MS. RANDELL: Chairman Katz, if you'd like  
2 us to address that from a legal standpoint we will.

3 COURT REPORTER: Could you repeat that  
4 please? Please repeat that?

5 MS. RANDELL: Certainly.

6 CHAIRMAN KATZ: I should say that anyone  
7 before you speak if you can catch the eye of the --

8 MS. RANDELL: Will do.

9 CHAIRMAN KATZ: -- we'll try to raise your  
10 mic. promptly.

11 MS. RANDELL: Chairman Katz, if you'd like  
12 us to address that legal issue we will.

13 CHAIRMAN KATZ: Yes, yes. Thank you. Mr.  
14 Emerick?

15 MR. EMERICK: Just a point of  
16 clarification with respect to the historic designation of  
17 Route 15. What portion of that route is so designated?

18 MR. HOGAN: The Merritt Parkway, which  
19 starts at the Housatonic River and heads into Fairfield  
20 County.

21 MR. EMERICK: And the other segment is not  
22 designated as --

23 MR. HOGAN: No, that would be the Wilbur  
24 Cross and it is not.

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1 MR. EMERICK: So it doesn't have a similar  
2 restriction?

3 MR. HOGAN: No.

4 MR. EMERICK: Okay. Thank you.

5 CHAIRMAN KATZ: So it really doesn't  
6 effect the part that goes from -- to East Devon, the  
7 historic designation?

8 MR. HOGAN: Right. Yes.

9 MR. CUNLIFFE: Was the median location  
10 considered for location of a line either overhead or  
11 underground?

12 MR. HOGAN: Along the Merritt Parkway?

13 MR. CUNLIFFE: Merritt Parkway first.

14 MR. HOGAN: Yes, it was considered, but it  
15 was deemed impractical.

16 CHAIRMAN KATZ: Can you elaborate?

17 MR. HOGAN: Certain areas one, the median  
18 is very narrow and so all the vegetation would have to be  
19 cleared. Hazards are, you know, difficulty to get in to  
20 do that construction and maintenance. So we have chosen  
21 that the better option or more practical to have it on  
22 one of the shoulder sides.

23 CHAIRMAN KATZ: Well, let's pursue that a  
24 little bit. You need a four foot wide trench in the

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1 median, correct to actually drop -- let's say you were  
2 going underground?

3 MR. HOGAN: Okay. I was thinking  
4 overhead.

5 CHAIRMAN KATZ: Well, let's talk about  
6 underground for a moment. Let's say we'll take this  
7 hypothetical that you can do more underground north of  
8 East Devon, okay? So you have to get from East Devon  
9 over to Route 15. And now let's say you get to Route 15  
10 and you want to go underground through the median of 15.  
11 You'd need a four foot wide trench plus you'd need some  
12 easement I assume?

13 MR. HOGAN: 15 feet.

14 CHAIRMAN KATZ: How many?

15 MR. HOGAN: 15 feet.

16 CHAIRMAN KATZ: Why 15 feet?

17 MR. HOGAN: That's, you know, I guess four  
18 feet is just the width of the trench and so there's some  
19 buffer I guess on either side.

20 CHAIRMAN KATZ: Well, is there any  
21 flexibility in that buffer?

22 MR. HOGAN: There may be. But I know  
23 we've also looked at some areas where it may be more  
24 practical to have a thinner cross section, which would be

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1 wider than the four feet depending if we're going above  
2 or over utilities.

3 MR. ZAKLUKIEWICZ: I think you need in  
4 these -- you need access to the cable system, which means  
5 some place we would have to drive vehicles and we would  
6 not want to each time we need to get to a section of the  
7 cable seek from someone, the State of Connecticut the  
8 rights to be on the property for which you would have an  
9 easement. So you basically need enough width alongside  
10 of the cable system because the last thing you really  
11 want to do is drive over the cable system to turn around  
12 and bring in maintenance vehicles to get to the vaults to  
13 do the checking and ensuring that everything is alright  
14 like you would on a periodic basis. So we would -- we  
15 would need some sort of an easement rights and during the  
16 construction itself we would need a construction easement  
17 significantly wider than that to have the vehicles to  
18 remove the excavated materials and for the cement trucks  
19 to come in with the thermal-slurry backfill and all plus  
20 the piping and the welding and all that's going to take  
21 place in those areas.

22 So during the construction time you need  
23 probably the entire width, if it's wide enough, for that  
24 construction easement. And if it was not then we would

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1 have to work in one of the lanes at nighttime whether it  
2 be the southbound or the northbound lane closest to the  
3 median itself. Those would have to be barricaded off  
4 with the Jersey barriers or whatever to protect the  
5 workers.

6 CHAIRMAN KATZ: During construction only,  
7 correct?

8 MR. ZAKLUKIEWICZ: During construction  
9 only and we would have to reestablish that if you had a  
10 problem with one of the cable sections or a problem in  
11 one of the vault areas.

12 CHAIRMAN KATZ: Let's assume that DOT gave  
13 you the entire median width for construction purposes  
14 from Milford to West Rock, would it -- if they -- if you  
15 had permission to use that entire median would it be  
16 possible -- assuming you can do more underground, would  
17 it possible to install an underground cable from in the  
18 median of Route 15 from Milford to West Rock? Other than  
19 -- I'm looking at figure three in your latest submittal  
20 and other than a small orange section it looks like that  
21 area is listed as feasible for underground.

22 MR. ASHTON: While you're thinking about  
23 that question let me add this question. Are you aware if  
24 the DOT has normally used the median for drainage

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1 purposes such as they're doing along I-95 in the  
2 Fairfield County area? A median -- do you know if the  
3 median is physically available?

4 MR. HOGAN: The median was not our, you  
5 know, the spot that we thought most likely to use. It  
6 would be, you know, adjacent to the shoulders.

7 MR. ASHTON: It would be the shoulder. Do  
8 you know what the width of the right of way of the  
9 Parkway is?

10 MR. HOGAN: On the Parkway it's 300 feet.

11 MR. ASHTON: Okay.

12 MR. HOGAN: The Merritt.

13 CHAIRMAN KATZ: Just -- I would assume you  
14 would have to remove less trees if you worked in the  
15 median as opposed to working on the sides of the Parkway?

16 MR. HOGAN: In the Merritt Parkway there's  
17 trees in the median, but on the Wilbur Cross that  
18 wouldn't generally be --

19 CHAIRMAN KATZ: Right. And I'm talking  
20 just the Wilbur Cross at this -- this hypothetical is  
21 just the Wilbur Cross. Mr. Emerick?

22 MR. EMERICK: I think it gets confusing  
23 when we're talking 15, Wilbur Cross, Merritt. I think  
24 we're talking Wilbur Cross here. What is the right of

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1 way of the Wilbur Cross as opposed to the Merritt?

2 MR. HOGAN: They're both 300 feet.

3 MR. EMERICK: They're both 300 feet. So  
4 both roadways envisioned another roadway alignment?

5 MR. HOGAN: The difference is the Wilbur  
6 Cross is centered in that 300 foot where the Merritt  
7 Parkway is scooted over towards the north side. So the  
8 Merritt has a bigger unused corridor.

9 CHAIRMAN KATZ: And wouldn't it be fair to  
10 say that the Wilbur Cross is less treed immediate  
11 adjacent to the travel portion?

12 MR. HOGAN: We're -- our environmental  
13 planner we're thinking may be in a better position to  
14 answer some of these detailed questions. And I guess --

15 CHAIRMAN KATZ: Okay. We'll let you get  
16 back --

17 MS. RANDELL: Sorry. We'll need to have  
18 him sworn.

19 CHAIRMAN KATZ: -- but just to be clear  
20 though if you go to your figures in your latest report,  
21 which we received today, it appears that if you could go  
22 basically underground on the Wilbur Cross from Milford to  
23 almost West Rock?

24 MS. BARTOSEWICZ: The evaluation from --



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1 the two points that you just mentioned was being on the  
2 outside of the highway.

3 CHAIRMAN KATZ: Okay.

4 MS. BARTOSEWICZ: And your questions have  
5 been in the center lane, which I think is something we'll  
6 have to double check.

7 CHAIRMAN KATZ: Let's talk about both.  
8 Let's talk about first the outside. It appears that you  
9 could go underground near the outside of the Wilbur Cross  
10 from Milford to almost West Rock, is that correct?

11 MR. HOGAN: Yes. Essentially there's one  
12 part just south of West Rock.

13 CHAIRMAN KATZ: Okay. Well, let's say you  
14 got to West Rock, which of course has its own problems,  
15 could you hang a cable inside the tunnel of West Rock?

16 MR. HOGAN: No, we would not do that.

17 CHAIRMAN KATZ: And why not?

18 MR. HOGAN: Underground cable would like  
19 some more protection, physical protection. So somehow  
20 either burying it or tunneling through would be the  
21 preferred way to install that.

22 CHAIRMAN KATZ: And is that feasible at  
23 West Rock?

24 MR. HOGAN: It could be. It would be very

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1 difficult and it's a very long tunnel. And I guess to  
2 this point it might just be worth saying we have  
3 identified underground routes that get, you know, from  
4 the northern parts to the south that we feel are far  
5 advantageous to the Merritt. So, you know, if you were  
6 looking at underground in those northern areas those  
7 routes we feel would be much easier to construct, more  
8 easy to access, less impact, not on you know, restricted  
9 access highways. And so, you know, if, you know, our  
10 thoughts are certainly if you find a way to put more  
11 underground in we've got routes better than the Merritt,  
12 better than I-91/95 to put them.

13 CHAIRMAN KATZ: Okay. But you could also  
14 go overhead on Route 15 from Milford according to this  
15 chart, this map?

16 MR. HOGAN: Yes.

17 CHAIRMAN KATZ: Okay. So if you went  
18 overhead from Milford, roughly East Devon, along Route 15  
19 and you get to West Rock and your overhead can you carry  
20 the cable through the tunnel of West Rock, or do you have  
21 to go over the top of West Rock?

22 MR. HOGAN: You would have to go either  
23 around or over it.

24 CHAIRMAN KATZ: Okay. And then you come

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1 down and then you could continue along 15 it looks like  
2 up toward Meriden, correct?

3 MR. HOGAN: Yes.

4 CHAIRMAN KATZ: Okay. Now does this  
5 report that we got today indicate any pitfalls for going  
6 overhead along Route 15 that I should look at?

7 MR. HOGAN: You know, the areas that we  
8 show that it can be the pitfalls certainly are the  
9 construction along the restricted access highway. An  
10 awful lot of trees, you know, that have to be cleared to  
11 clear the right of way for the overhead line.

12 CHAIRMAN KATZ: Okay.

13 MR. HOGAN: And then there's a cross  
14 section in there that depicts what that may look like.

15 CHAIRMAN KATZ: Okay. Then perhaps I'll  
16 try to look at this today and come back to that. Mr.  
17 Cunliffe?

18 MR. CUNLIFFE: I believe at the outset you  
19 had identified I think five criterion. You're going to  
20 have to help me. I believe it's social, technical,  
21 economic, environmental and one other, is that --

22 MS. BARTOSEWICZ: Mr. Cunliffe, could you  
23 tell me where you are in the report?

24 MR. CUNLIFFE: I'm going off my notes.

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1 MS. BARTOSEWICZ: Overhead criteria?  
2 Which would differ slightly from underground criteria.

3 MR. CUNLIFFE: Then give both. I recall I  
4 thought it was like a scope of the project. We have to  
5 meet five criteria.

6 MR. PRETE: Yes, we do.

7 MS. BARTOSEWICZ: Correct. We looked at  
8 the system benefit. We looked at the operability and  
9 reliability. We looked at technical feasibility, which  
10 is can it be engineered, can it be built? We looked at  
11 property impacts, impact on homes, property visual. We  
12 looked at environmental impact, impact on wildlife,  
13 vernal pools, aquifers. And we looked at cost.

14 MR. CUNLIFFE: Would any one of those  
15 criteria kick out an alternative or would you base your  
16 decision on cumulative?

17 MR. PRETE: In answering that question the  
18 first one, system benefit. Since the project is  
19 associated with need reliability if it doesn't work that  
20 would kick that out, in your words.

21 MR. CUNLIFFE: But any of the others would  
22 be a mix in your decision?

23 MR. PRETE: It would be a balance.

24 MS. BARTOSEWICZ: Technical feasibility

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1 would be another one. If it can't be built or engineered  
2 that would be problematic.

3 MR. ASHTON: Would it also -- would it  
4 also not be a problem if you had a severe environmental  
5 consequence? For example, I can't conceive of any  
6 circumstance whatsoever in this life or the next one that  
7 you could built an over 345 kV line across the front lawn  
8 of the State Capital.

9 (Laughter)

10 MS. BARTOSEWICZ: I would agree with you  
11 Mr. Ashton.

12 MR. ASHTON: You know, insofar as there is  
13 a very severe environmental consequence, couldn't that  
14 knock it out?

15 MS. BARTOSEWICZ: That's the balance that  
16 Mr. Prete was talking about. And those are the factors  
17 that we weigh to determine if it's feasible.

18 MR. ASHTON: Yeah, I understand routine  
19 things, but there could be an absolute no go condition  
20 with an environmental impact, is that not true?

21 MS. BARTOSEWICZ: You're correct.

22 MR. PRETE: And certainly if you couldn't  
23 -- if you couldn't get it permitted -- if you couldn't  
24 get it permitted then that would preclude it from being

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1 constructed.

2 MR. ASHTON: Well, I wouldn't even try to  
3 get it across the front lawn of the Capital without a  
4 permit.

5 MR. PRETE: I'm not there much anymore.

6 MR. ASHTON: There isn't that much money  
7 in the world --

8 CHAIRMAN KATZ: Off the record. Off the  
9 record.

10 (Off the record)

11 CHAIRMAN KATZ: Mr. Cunliffe, back to you.

12 MR. CUNLIFFE: I was seeing a common  
13 thread in part of these alternatives and part of it is  
14 the social impact to these alternatives, i.e. property  
15 being taken probably the highest and do they all share  
16 that more than the proposed route?

17 MR. PRETE: Yes. And that was a very  
18 important criteria early on. That certainly the taking  
19 of homes was something that we were trying to avoid at  
20 all costs.

21 MR. CUNLIFFE: I'd like to go into marine  
22 and you've only identified a route that went from  
23 Bridgeport to Norwalk. Was a route not considered from  
24 East Shore?

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1 MS. BARTOSEWICZ: The -- when we first  
2 started looking at the marine route we chose a route  
3 between Bridgeport and Norwalk because this part of the  
4 route would have the highest level of shellfish beds that  
5 we were going to have to go through so it would require  
6 the most analysis and be the most difficult to traverse.  
7 It's also the longest -- it would be the longest part of  
8 the underground route. So our look at this was this  
9 route because of those factors is the route we looked at.  
10 We did not study the portion between East Devon and  
11 Singer, although I understand we have some information on  
12 what lays underneath that part of Long Island Sound as  
13 well.

14 CHAIRMAN KATZ: That's not quite  
15 responsive because we're -- I'm sorry. Go head.

16 MR. CUNLIFFE: Well, you brought up Devon  
17 as well. I also had Millstone on my list.

18 MS. BARTOSEWICZ: We did not look at the  
19 underground route -- did not study underground route from  
20 Millstone to East Devon. Certainly trying to permit in  
21 Long Island Sound we believe it will be very difficult --

22 MR. ROBERT MARCONI: Do you think this is  
23 easy?

24 MS. BARTOSEWICZ: -- more difficult?

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1 MR. COLIN TATE: Somebody other than us  
2 may have to make some choices.

3 MR. ZAKLUKIEWICZ: I think Mr. Cunliffe  
4 there's another issue here and that is the length of the  
5 cable that would have to be installed between Millstone  
6 and East Shore and/or Devon and/or Bridgeport far exceeds  
7 the capability of what can be done with alternating  
8 current. So A, the route onto Millstone --

9 MR. CUNLIFFE: I'll stop you there Mr. --

10 MR. ZAKLUKIEWICZ: -- would have to be  
11 done with DC transmission due to the length of the cable  
12 unless we're proposing to approximately every 20 miles  
13 along the shoreline come on land and install substations  
14 with reactor banks and then go back out into Long Island  
15 Sound, if you will, and we just deem that highly  
16 unacceptable for all of the towns along the routes if you  
17 were proposing to do this with AC. We did file a high  
18 voltage DC alternative package that was part of the  
19 filing and I think that was in volume --

20 CHAIRMAN KATZ: Which volume was that in?

21 MR. ZAKLUKIEWICZ: -- volume six, or four.  
22 Which one was the DC?

23 CHAIRMAN KATZ: And where did it go, from  
24 where to where?



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1 MR. ZAKLUKIEWICZ: Volume six we discussed  
2 high voltage DC, the positives and the negatives of going  
3 with high voltage DC. The requirements and the cost  
4 associated with putting in DC terminals and what impact  
5 they would have on the operation of the system and more  
6 importantly will the high voltage DC resolve a number of  
7 the issues that have been brought out as to what the  
8 proposed project resolves and some of those issues are  
9 does it eliminate the short circuit duty? Does it  
10 alleviate it in some way? Are we able to connect  
11 additional generation into the high voltage DC? Is high  
12 voltage DC going to allow us to meet all other criteria  
13 we established when we had the project proposed and how  
14 does it compare to resolving all of those issues relative  
15 to an alternating current solution?

16 CHAIRMAN KATZ: Mr. Tate?

17 MR. TATE: Would these -- would these vary  
18 from whatever point it was or are all of these problems  
19 comparable from East Shore, or from Devon, or from  
20 Millstone?

21 MR. ZAKLUKIEWICZ: I think it depends Mr.  
22 Tate on how far you want to extend the high voltage DC.

23 CHAIRMAN KATZ: Let's take --

24 MR. TATE: Tell me the perimeters of going

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1 further and further with DC unless --

2 MR. PRETE: If I can -- could I just --  
3 the study was -- in the volume was identified the actual  
4 study is attached to the Durham/Wallingford interrogatory  
5 014.

6 CHAIRMAN KATZ: Okay. Well, if we talk --  
7 if we're talking about going from DC from New Haven to  
8 East Devon because basically you need to get the energy  
9 to East Devon and then from there to your other hubs,  
10 correct? So let's say you were able to get down to East  
11 Shore, could you do a DC from East Shore area over to  
12 East Devon?

13 MR. ZAKLUKIEWICZ: The answer to that is,  
14 yes, you can. That would mean a DC converted terminal at  
15 East Shore.

16 CHAIRMAN KATZ: Well, there's already one  
17 in New Haven, a DC --

18 MR. ZAKLUKIEWICZ: There's one basically  
19 there at East Shore, the other properties. You'd have to  
20 install a second one now. As a matter of fact to carry  
21 the load we're talking, if we were talking using the same  
22 technology, which is DC light, we're talking about four  
23 converter terminals. The one that is there today is one  
24 and it has 330 megawatt capability. This one would now

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1 have to have 1,200 megawatt capability.

2 So we're talking about a site now which  
3 would house the DC converter terminals four times as  
4 large as the existing facilities and -- and turn around  
5 and restructure, if you will, the 345 kV bus that is  
6 already there and at the Devon terminal, the East Devon  
7 terminal you would have to have four similar converter  
8 stations to go to DC and then the interconnecting 234 kV  
9 equipment at that facility and then pick up the rest of  
10 the 345 kV transmission system as proposed between East  
11 Devon, Singer and Norwalk because you resolve virtually  
12 nothing but have a transmission pipe or a path between  
13 East Devon and East Shore in the New Haven area.

14 CHAIRMAN KATZ: So it might be better to  
15 go further and go from East Shore all the way to Singer?  
16 In the direction to drill right through the coal pile.

17 MR. ZAKLUKIEWICZ: By doing that -- by  
18 doing that then I do not get my generation off the 115 kV  
19 system in the East Devon area.

20 CHAIRMAN KATZ: Okay.

21 MR. ZAKLUKIEWICZ: I need to resolve the  
22 short circuit problem. I need to be able to  
23 interconnection generation onto this transmission project  
24 so I can move it from Point A to Point B. By bringing DC

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1 then to Singer from East -- East Shore all I do is make  
2 up that transmission connection but I leave my generation  
3 at East Devon, if you will, connected onto the 115, which  
4 is a bottleneck. So at some place, at Singer then, I'd  
5 have to bring 345 kV back up to Devon and then it's on a  
6 radial leg as opposed to interfaced on the whole  
7 transmission system recognizing we're talking four  
8 cables, not one cable. Each cable at approximately 330  
9 megawatt capability --

10 CHAIRMAN KATZ: So the 345 really has to  
11 run through East Devon?

12 MR. ZAKLUKIEWICZ: -- yes.

13 CHAIRMAN KATZ: Do you want to finish this  
14 thought and then we'll have our lunch break?

15 MR. TATE: I'm just a --

16 VOICE: Let's have lunch now.

17 MR. TATE: -- is there any sense in  
18 thinking about taking a source from Millstone to East  
19 Shore for the DC current? To bring a strong source into  
20 East Shore for the DC?

21 MR. ZAKLUKIEWICZ: Millstone down to East  
22 Shore?

23 MR. TATE: Yeah.

24 MR. ZAKLUKIEWICZ: The answer to that is,

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1       yeah, that was looked at. I think you're better off  
2       going from a strong source like Beseck directly down to  
3       East Shore. It's a lot shorter. The same transmission  
4       capabilities would be out of Beseck as opposed to a  
5       Millstone. The issue that is out there at Millstone we  
6       all have to be cognizant of. This to my knowledge would  
7       be the first DC terminal at a nuclear plant and we have  
8       to be cognizant of the harmonics issues and the interplay  
9       between that terminal and the operation of the nuclear  
10      plant. I'm certain we would end up going through  
11      extensive testing and I don't know exactly how you do  
12      that without putting a large harmonic generator in the  
13      Millstone switch yard to get the NRC to license such a  
14      facility there, recognizing that the NRC periodically  
15      review the transmission infrastructure that operates with  
16      Millstone plant.

17                        There is such a review coming up next  
18      month as a matter of fact where the NRC not only conducts  
19      their review of the engineering of the facilities out of  
20      there, but they also because the plant relies on the 345  
21      kV lines coming into Millstone for the safe shutdown of  
22      the nuclear plant for an accident reviews extensively  
23      where all of these 345 lines terminate and there is an  
24      extensive study that goes on and review of all of the

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1 terminals in such that if we make changes at any of the  
2 terminals where the four lines presently terminate that  
3 review goes also back to the NRC so you keep the  
4 operating license of the plant in place.

5 CHAIRMAN KATZ: Mr. Emerick?

6 MR. EMERICK: Just a point of  
7 clarification with respect to Millstone and a strong  
8 source. I can see how Millstone is a strong source if  
9 it's generating but we all can remember a period of time  
10 fairly recently when Millstone was entirely shut down.  
11 Would Millstone still maintain that same category as a  
12 strong source under such conditions, and how?

13 MR. ZAKLUKIEWICZ: Okay. Let me refresh  
14 your memory. There are four 345 kV transmission lines  
15 that terminate at Millstone. One is to a station called  
16 Montville, which is probably six or seven miles away. At  
17 the Montville terminal you have generators number five  
18 and number six. Approximately a mile away from that  
19 Montville station you have 180 megawatt AES Thames  
20 generating plant. So you have three generators a short  
21 distance from Millstone.

22 If you take the second line you end up at  
23 Cod Street Substation, which is in the Willimantic area.  
24 That is the direct tie to the 345 line which goes to

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1 Lake Road Substation, which is 870 megawatts and all the  
2 generation in -- and all the generation in northern Rhode  
3 Island and southeastern Massachusetts. The third line  
4 goes to Manchester Substation. That is in Manchester.  
5 That interconnects now with Ludlow, which is in the  
6 Springfield area and immediate to the Springfield area  
7 there are the generating plants. There's two combined  
8 cycle generating plants within five miles of that  
9 terminus.

10 The fourth line goes to Southington.  
11 Southington of course ties in to the New York system via  
12 Pleasant Valley in New York with Long Mountain in the New  
13 Milford area over to Frost Bridge, which is immediately  
14 north of Waterbury and then over to Southington. So  
15 those -- their ability to tie with our 345 kV lines along  
16 with the generation that's on at Millstone itself makes  
17 Millstone the strongest substation on the NU system.  
18 Especially when the units are running, that's units  
19 number two and unit number three, which have  
20 approximately a 2,000 megawatt output.

21 And I believe in our filing on my direct  
22 testimony on March 9<sup>th</sup> Mr. Emerick, on page 15 there are  
23 two diagrams there which kind of pictorially describe  
24 what I just did verbally. So that may be helpful to look

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1 at those two diagrams on page 15 of my March testimony.

2 CHAIRMAN KATZ: Mr. Emerick, unless you  
3 have a follow-up I was going to have the lunch break now?

4 MR. EMERICK: Just a point, I guess I put  
5 it in maybe -- perhaps a sentence. Even though when  
6 Millstone is not generating because of the inter-ties  
7 outside of the Millstone area it still maintains it's  
8 quality as a strong source?

9 MR. ZAKLUKIEWICZ: That is correct.

10 MR. EMERICK: Thank you. But I did like  
11 your explanation. Thank you.

12 CHAIRMAN KATZ: And I liked your summary.  
13 And on that note we're going to -- since we got a late  
14 start we're going to resume promptly at 1:00 p.m.

15 (Whereupon, a lunch break was taken.)

16 CHAIRMAN KATZ: Okay. We're ready to go.  
17 This session is back in order. The Applicant has  
18 offered to have two additional witnesses sworn in. Two?  
19 Correct?

20 MS. RANDELL: Two.

21 CHAIRMAN KATZ: Two and who will go  
22 through some more detailed review of Route 15. So if you  
23 could introduce your witnesses and have them spell their  
24 names?



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1 MS. RANDELL: Yes. Mr. Welter, would you  
2 state your full name and spell it for the Court Reporter?

3 MR. CYRIL WELTER: My name is Cyril  
4 Welter, C-Y-R-I-L, Welter, W-E-L-T-E-R.

5 MS. RANDELL: And your business  
6 affiliation?

7 MR. WELTER: I work with Burns and  
8 McDonell Engineering.

9 MS. RANDELL: And you will be able to  
10 provide the Council with a run through of the Wilbur  
11 Cross/Merritt Route 15 option?

12 MR. WELTER: Correct.

13 MS. RANDELL: And then Mr. Kleiman, to the  
14 extent that there are any questions with respect to the  
15 marine study Mr. Kleiman will be available to answer  
16 those. Would you again, state your full name for the  
17 record?

18 MR. RICHARD KLEIMAN: Richard Kleiman, K-  
19 L-E-I-M-A-N.

20 MS. RANDELL: And your affiliation?

21 MR. KLEIMAN: ESS Group.

22 MS. RANDELL: Thank you.

23 (Whereupon, Cyril Welter and Richard  
24 Kleiman were duly sworn.)

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1 CHAIRMAN KATZ: Okay. Gentleman, I  
2 understand you're going to come up with your pointer and  
3 run us through these --

4 MS. RANDELL: Yes. Mr. --

5 CHAIRMAN KATZ: -- and if you could  
6 preface any boards by an exhibit number that would be  
7 helpful. Your legal team will help you on that part.

8 MS. RANDELL: -- we will help and here's a  
9 microphone you can use over here Mr. Welter. Chairman  
10 Katz, I'm told that the easel boards are blow ups of the  
11 maps contained in Exhibit 66.

12 CHAIRMAN KATZ: Thank you.

13 MS. RANDELL: I'm sorry, 65. Yes, I'm  
14 sorry. 65.

15 CHAIRMAN KATZ: Okay.

16 MR. WELTER: Are we ready?

17 MS. RANDELL: Yes.

18 MR. WELTER: Okay. I guess what I need to  
19 is first identify the scope of the study that we did for  
20 Northeast Utilities. The idea was to reinvestigate this  
21 alternative, having been considered by eliminated earlier  
22 and the purpose there was to look at any way, either  
23 overhead or underground that we could follow that route  
24 and still make all the connections to all of the

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1 substations that have been identified. One of the things  
2 we did as part of that was we looked at the National  
3 Highway Design Standards for building along highways and  
4 one of the things that's in the report that I submitted  
5 were a couple of figures that show the drawings and how  
6 those -- if you have -- if we had drawing of overhead  
7 structures to identify how much right of way you would  
8 need to be and where those poles would need to be.

9 And one of the things I wanted to point  
10 out there was that according to the design standards you  
11 need to be outside of the clear zone for safety and that  
12 is on a 55 mile per hour is another approximately 30  
13 feet. So we were going to set that pole at least 30 feet  
14 away. Likewise for construction we would not want the  
15 equipment within that area, or if you get close to that  
16 area you may be shutting down a lane for safety purposes.

17 That is one of the reasons that the median wasn't  
18 considered viable.

19 The median in fact is mostly less than 20  
20 feet wide on the Wilbur Cross section, around 20, 24 feet  
21 wide on the Merritt Parkway section.

22 CHAIRMAN KATZ: How wide on the Wilbur  
23 Cross?

24 MR. WELTER: Only 20 feet at maximum. In

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1 some places the Jersey barriers are virtually back to  
2 back so you would really not even be able to get  
3 equipment in there. So the median was never considered  
4 as a feasible option in this evaluation. So having said  
5 that we decided -- determined how much space we would  
6 need.

7 The other critical item I wanted to talk  
8 about in terms of the design guides is that it  
9 specifically states you need be beyond the toe of the  
10 slope if you have an embankment that supports the  
11 highway. In other words, we would not want to be  
12 trenching through that side slope where you have a raised  
13 bed for the highway. So any construction would start  
14 beyond that point, either for overhead or underground,  
15 and that becomes very significant in following this.

16 So if I looked at -- when we looked at  
17 that we came up with a need for at least 75 feet of right  
18 of way beyond the edge of the payment for the overhead  
19 line. More if you used a delta to try and shorten that  
20 structure. The vertical one is about 130 feet tall. If  
21 you wanted to lower that, that compact delta has been  
22 proposed in other parts of the project, raises the  
23 clearing to 95 feet. For the underground we're talking  
24 40 feet because you have the 15 feet of actual

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1 construction, 25 feet of access as we talked about, the  
2 truck next door or to the side where you're, you know,  
3 putting the dirt and other things like that. So we're  
4 looking at 40 feet.

5 So those are the two dimensions that we  
6 used in trying to determine what would happen if we  
7 followed the corridor.

8 CHAIRMAN KATZ: When you say 40 feet of  
9 actual construction for underground --

10 MR. WELTER: Right.

11 CHAIRMAN KATZ: -- when you're doing  
12 underground under Route 1 sometimes you don't have 40  
13 feet.

14 MR. WELTER: There is 40 feet because  
15 we're using the payment to park the truck next to the  
16 trench and that's why that lane is closed.

17 CHAIRMAN KATZ: So is there any  
18 flexibility in that 40 feet?

19 MR. WELTER: There has to be physically  
20 that amount of space. Now the question is where that  
21 space comes from. And as we're saying with the overhead  
22 line we're sharing a little bit with the roadway. When  
23 we're talking underground in Route 1 the point is that we  
24 are sharing almost all of that with the roadway so we're

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1 not having to take from some other place.

2 CHAIRMAN KATZ: I see.

3 MR. WELTER: So when we looked at  
4 following the Wilbur Cross to start here at the north  
5 end, first we have to get to it. And there are two ways  
6 and these are sort of options that came from the original  
7 study. They're in the overall map at the back of the  
8 application. You can get there overhead following the  
9 line that goes to Schwab (phonetic) Junction. You can  
10 get there underground on Barnes Road. Those options were  
11 in there.

12 If you did overhead you'd have to put in a  
13 transition station. That would not be a very good place  
14 for one right there, so that would then dictate this  
15 would probably be overhead. But as we get down just  
16 south of Barnes Road, a situation that isn't shown very  
17 well on this map is the Quinnipiac River parallels this  
18 roadway for quite a long distance. I mean, most of the  
19 way, and then wanders along here. And at this section  
20 down here you can see the State park and as it gets right  
21 up about this point it crosses under the highway and is  
22 on the west side.

23 What's happening is because of that --  
24 that's there the wetlands you have -- this is all flood

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1 plain and a large amount of this highway is on a raised  
2 roadbed. So what I was saying earlier is we can't  
3 measure just from the edge horizontally out from there to  
4 see how much space we need. We go down the toe of the  
5 slope to find where we can be. If we're next to the  
6 river the toe of that slope puts us almost in the river,  
7 so we look at what's on the other side and we've got  
8 buildings, both commercial and residential in this  
9 stretch right here, that are less than -- some of them  
10 less than 40 feet from that point.

11 Therefore we found that situation here, as  
12 you get farther down Masonic Avenue if you know that  
13 specific area, you've got a large hill on the west side.

14 Now the river is on the east side. That means we're  
15 forced into the hill. You go up the slope and you have  
16 buildings. That won't work. We can't get that distance  
17 in there. We'd either be in, as I said, down in the  
18 river, or up into the residences. And then there's a  
19 long stretch down here of commercial and it doesn't show  
20 real well, it's a very narrow stretch of State park, but  
21 it is adjacent to the right of way all the way up to this  
22 point here.

23 And that again, has no -- water on one  
24 side, structures on the other. So if we said that we

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1       could get around that by one of the, you know, we have in  
2       the proposed route the overhead option coming down East  
3       Wallingford Junction and then west. So that could get  
4       you to here. If you wanted to go underground you'd have  
5       to find a place for a transition station.

6                   CHAIRMAN KATZ: At the --

7                   MR. WELTER: At Point B.

8                   CHAIRMAN KATZ: -- and just describe again  
9       where B is, that node?

10                  MR. WELTER: B is at the intersection of  
11       the existing overhead line, west of the -- the Tradition  
12       Golf Course pretty much.

13                  CHAIRMAN KATZ: Okay.

14                  MR. WELTER: And the highway.

15                  CHAIRMAN KATZ: Okay. So if you went  
16       underground along the Wilbur Cross from Milford you would  
17       probably logically end at B and then pick it up at B and  
18       go across east -- to East Wallingford Junction and then -  
19       -

20                  MR. WELTER: Are you coming from the south  
21       now are you saying?

22                  CHAIRMAN KATZ: -- Yes. Coming from the  
23       south.

24                  MR. WELTER: If you came up here then you



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1 would need to have to put in a transition station or  
2 something like that, which would be difficult in this  
3 same area because we've got the wetlands and all that  
4 sort of thing.

5 CHAIRMAN KATZ: Well, if you were  
6 underground how would you get through the West Ridge Rock  
7 tunnel?

8 MR. WELTER: Well, I was going to say, if  
9 we go down here then we're clearing virtually the entire  
10 distance. Like I said, almost the 75 acres or -- I mean,  
11 75 feet or the 40 feet. And let me go to the next sheet  
12 here. These figures are -- there's four sheets to make  
13 them all up. So now this is a stretch that's labeled B-1  
14 and we'll continue down this direction and there we've  
15 identified two major problems. And that's not to say  
16 that any of this is easy. Every single one of the  
17 bridges or stream crossings or railroads would have to be  
18 bored here because --

19 CHAIRMAN KATZ: Absolutely nothing about  
20 this Docket is easy.

21 MR. WELTER: -- yeah. The point is vis-à-  
22 vis we've got under street like the Hartford Turnpike and  
23 those cases we can be in that roadbed and go through here  
24 whereas if we're over here we're on new, undisturbed

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1 ground. And we'd be doing that and as we come to these  
2 overpasses or underpasses then we'd be having to do  
3 something special whereas all of the underground routes  
4 we've identified we've basically tried to go underneath  
5 these overpasses in the road pavement. A major  
6 difference.

7 And then, yes, we have the tunnel and not  
8 only is it a tunnel as a physical object, it's part of  
9 the West Rock Ridge State Park, which again in trying to  
10 minimize impacts we identified avoiding, you know,  
11 recreation areas as one of those criteria. If you tried  
12 to go over it you'd have a, you know, visually you'd be  
13 lined up at that tunnel and you'd take this swath across  
14 it which has hiking trails up there and I understand some  
15 archaeological resources.

16 MR. TATE: Aren't there also towers up on  
17 that ridge?

18 MR. WELTER: There is a communication  
19 tower.

20 MR. TATE: We put a couple there ourselves  
21 I think.

22 MR. WELTER: Yeah. What?

23 MR. TATE: I think this Council authorized  
24 a couple of those ourselves earlier.

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1 MR. WELTER: Okay.

2 MR. TATE: There's three or four up there,  
3 isn't there?

4 MR. WELTER: Right. But none of them have  
5 a swath that we can go straight through.

6 MR. TATE: How tall are they?

7 MR. WELTER: I couldn't tell you the  
8 height of those.

9 MR. TATE: Could you use any of them for  
10 your crossing?

11 MR. WELTER: To share that? I don't  
12 believe so. And we need the -- I know the ones that are  
13 there you do have a continuous woods there. I'm not sure  
14 how they get to them, but some back way.

15 CHAIRMAN KATZ: So the problem is not the  
16 structures it's the swath?

17 MR. WELTER: Right, in part. And then of  
18 course going up and coming down these would be rather  
19 unique and significant structures, more than the average.  
20 And talking briefly with Jay Williams again about what  
21 would happen at a tunnel here like this would not be a  
22 single bore as he talked about with some of these under  
23 river crossings. It would take two bores through this  
24 West Rock Ridge. Again, a significant obstacle. Now

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1 there is rock along -- throughout here, shallow rock and  
2 we said we could get through the majority of it, but you  
3 get to some places like just south of that where you have  
4 a significant rock cut, where you have a rock wall. Now  
5 you couldn't, you know, your structure won't fit next to  
6 it if you have an overhead and the underground there is  
7 not the 25 or 30 feet, it's you know, too close to the  
8 roadway to place it there. So those are ones that we  
9 just said, you know, physically not practical to go  
10 through there.

11 MR. ASHTON: I have a little problem with  
12 the last characterization. As I recall that area the  
13 north side of the highway there --

14 MR. WELTER: That's right.

15 MR. ASHTON: -- is a definite cut. On the  
16 south side it's a fill. At the top it's -- I'm not sure  
17 it's a cut at all, it may be a natural defile through  
18 there, but it's not --

19 MR. WELTER: It's a drop off that goes  
20 down beyond -- yes, you're right. The south side is a  
21 significant drop and goes down beyond to the toe of that  
22 is beyond the highway virtually.

23 MR. ASHTON: Is that your -- that's  
24 causing the problem?

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1 MR. WELTER: Right. I mean, you've got --  
2 in other words, you've a steep slope coming up on one  
3 side and then a wall on the opposite side. If we  
4 continue down again, we have the overhead route  
5 identified as proposed that would intersect at this point  
6 and if we come to -- I think I can get this on the next  
7 sheet. Do we have three and four? Okay. Here we are.

8 An issue that we didn't really show in  
9 orange because we resolved it in another way, Sikorsky  
10 Helicopter manufacturing plant sits on the north side of  
11 now across the Housatonic River, the Merritt Parkway,  
12 they have a helicopter pad near the roadway here and some  
13 more up there. We would not suggest following that due  
14 to those concerns and that's identified in the report.  
15 What we would have to do is get off on the Milford  
16 Parkway, come along there between the business that's on  
17 that side and you've got, you know, a subdivision on the  
18 other side, and pick up the existing right of way.

19 That would get you to the East Devon  
20 Substation and then as we say in the report you've got  
21 three options. You take your proposed route as is in the  
22 application. You can go back up to the parkway or we've  
23 got a third option would be to backtrack, but that one  
24 we've just eliminated.

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1                   And then finally it would be to go all the  
2 way down to Norwalk, this last stretch. You would have  
3 to get back out of Singer to get up to the parkway in  
4 some manner. Again, we had in the application  
5 Alternative B would take you through Trumbull Junction  
6 but then we'd need a transition station there. That's  
7 considered to be an all overhead route. You'd need to  
8 get a transition station if you were going to go up here  
9 and go underground. Or you go up along the highway and  
10 pick it up again. Or you go through the Hawthorne Route.  
11       Again, that would be underground and would need a  
12 transition station.

13                   And then you have as we talked about we  
14 told it in the report somewhere around 24 bridges and  
15 overpasses to be dealt with. The majority of those  
16 bridges are, you know, National Register Historic Sites.

17       A visual of having the transmission line or transmission  
18 structure next to those would be obviously considered  
19 severe impact by the state.

20                   CHAIRMAN KATZ: Let me ask you, other than  
21 the two orange spots it's feasible to go overhead from B  
22 to C as an alternative to going through Woodbridge and  
23 Bethany?

24                   MR. WELTER: It is physically possible is

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1 what we're saying. Environmentally there would be  
2 significantly more impact on that route than any of the  
3 other routes we've identified, either using the existing  
4 overhead or other under street because the under street  
5 if you want to go underground it's not --

6 CHAIRMAN KATZ: No, I'm just saying if we  
7 went overhead --

8 MR. WELTER: Right.

9 CHAIRMAN KATZ: -- from B to C so that we  
10 don't have to go through Woodbridge and Bethany,  
11 etcetera, then you could do that technically except you'd  
12 have to solve some problems at those two orange  
13 locations, correct?

14 MR. WELTER: Right. And then clear many  
15 acres of trees. Right.

16 CHAIRMAN KATZ: Right.

17 MR. WELTER: It would be the -- the  
18 environmental impacts there would be much more than using  
19 the existing available right of way.

20 CHAIRMAN KATZ: Understood.

21 MR. WELTER: Any other questions on this?

22 CHAIRMAN KATZ: At this point are there  
23 other -- why don't we take questions from the Council for  
24 this witness while he's standing there with the

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1 microphone? Okay. I think we're all -- yes?

2 MR. EDWARD WILENSKY: Let me just ask one  
3 question here. Just to get this correct in my own mind,  
4 as proposed this would work from B to C as Chairman Katz  
5 just asked? Is that -- you feel it would work?

6 MR. WELTER: No, we've identified --

7 MR. FITZGERALD: Just a second. First of  
8 all, it's hard to object to a question from the member of  
9 the Council --

10 CHAIRMAN KATZ: So you'll do it  
11 delicately.

12 (Laughter)

13 MR. FITZGERALD: -- but you used the term  
14 as proposed. This is not proposed.

15 MR. WILENSKY: Alright. I stand  
16 corrected. As shown here on this map or this  
17 presentation today would that work, would that be alright  
18 as far as the question goes? Give me the question and  
19 I'll it any way you want.

20 MR. FITZGERALD: Your question was, would  
21 it be physically possible to construct an overhead line  
22 from B to C?

23 MR. WILENSKY: Yes. Thank you very much.  
24 That's the question.



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1 MR. WELTER: Well, the answer to that is  
2 we've identified two locations where we don't think it  
3 would be practical to build it. And the, you know, I  
4 know said we still have concerns that there'll be more  
5 environmental impacts in that option than the others.  
6 And the one other item that's in the report that we  
7 haven't touched on is one of the criteria for considering  
8 allowing something in a highway is whether or not it  
9 would effect potential future expansion of that.  
10 Anything we do out here would directly effect the future  
11 possibility of expanding this highway.

12 CHAIRMAN KATZ: But we have other people  
13 in the room that we're going to ask that question of.

14 MR. WELTER: Okay.

15 CHAIRMAN KATZ: But I'm going to ask you  
16 as a homework assignment to just give us a little bit  
17 more detail about what would be involved on the two  
18 orange spots?

19 MR. TATE: Could you -- you're talking  
20 about boring going through West Rock Ridge?

21 MR. WELTER: Right.

22 MR. TATE: We'd like a little bit more  
23 information on that.

24 CHAIRMAN KATZ: Yes.

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1 MR. TATE: And how would you solve the  
2 other orange spot with the rock face -- if it's possible  
3 to solve?

4 MR. WELTER: Right. It may be that we  
5 would have to go up and around and take houses.

6 MR. TATE: But we want to know that.

7 MR. WELTER: Right, yes.

8 MR. TATE: Not may, but --

9 MR. WELTER: Okay.

10 CHAIRMAN KATZ: On those two orange  
11 locations if we could get a little more detail from you  
12 we'd appreciate that. And then those other matters we'll  
13 explore with other witnesses. Okay. Any other questions  
14 for this witness?

15 VOICE: I'm afraid to ask.

16 CHAIRMAN KATZ: He did to it gently.

17 MR. MARCONI: Okay. Are we going to cross  
18 examination with other parties at this point?

19 CHAIRMAN KATZ: I'm going to offer for  
20 other parties and intervenors to cross examine this  
21 witness at this time. Is there anyone who would like to  
22 be recognized? Ms. Kohler?

23 MS. KOHLER: The towns may wish to cross  
24 examine at some point I think in the clean-up day because

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1 -- so we can take a look at the filing this morning. So  
2 we don't have any cross examination right now, but we may  
3 in the future.

4 CHAIRMAN KATZ: Okay. So you're politely  
5 reserving your right?

6 MS. KOHLER: Yes.

7 CHAIRMAN KATZ: Yes. Mr. Walsh?

8 MR. CHARLES WALSH: The DOT would like to  
9 echo the same concerns and also reserve the same right.

10 CHAIRMAN KATZ: Okay.

11 MR. WALSH: Thank you.

12 VOICE: That clean-up day is turning into  
13 a clean-up month.

14 (Laughter)

15 CHAIRMAN KATZ: Okay. Ms. Randell, do you  
16 want to have Mr. Kleiman give us a little something?

17 MR. FITZGERALD: Actually, I would like to  
18 have Ms. Mango give us a little something.

19 CHAIRMAN KATZ: Okay.

20 VOICE: She has already been sworn.

21 MR. FITZGERALD: Yes.

22 MS. RANDELL: She has. And given that the  
23 Council's questions have related on the marine side in  
24 large part to East Shore, which was not studied by Mr.

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1 Kleiman --

2 CHAIRMAN KATZ: Yes.

3 MS. RANDELL: -- we thought Ms. Mango  
4 would be the more appropriate person.

5 CHAIRMAN KATZ: Okay.

6 MS. RANDELL: Would it also be appropriate  
7 at this time to ask that the Council take administrative  
8 notice of it's findings of fact and opinion in Docket 197  
9 with respect to marine? That would be the Transenergy  
10 Docket decision March 28, 2001.

11 CHAIRMAN KATZ: We still have the scars,  
12 we remember that one.

13 VOICE: I don't remember that one.

14 MS. RANDELL: Mr. McDermott and I have  
15 that same problem.

16 CHAIRMAN KATZ: Any objection to the  
17 Council taking administrative notice of the opinion,  
18 decision and order in Docket 197? Was that 197?

19 MS. RANDELL: 197. Do you want me to read  
20 the whole name for the record?

21 CHAIRMAN KATZ: No, that's alright. Okay.

22 MR. ASHTON: Ms. Randell, would it be  
23 appropriate to also take cognizance or notice of the  
24 subsequent Docket that related to this?

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1 MS. RANDELL: That would be fine with us.  
2 And it's number 208.

3 MR. ASHTON: Thank you.

4 CHAIRMAN KATZ: Okay. Any objection of  
5 taking administrative notice of 197 or 208? Hearing none  
6 we will do that. Ms. Mango, I guess -- are you going to  
7 --

8 MR. FITZGERALD: Yeah. I'd like -- I'll  
9 just ask a question to put things in a little context.

10 CHAIRMAN KATZ: Okay.

11 MR. FITZGERALD: Now Ms. Mango were you  
12 involved as a consultant in the early stages of this  
13 project in assisting CL&P in-house folks in making the  
14 decision about what kind of a submarine alternative might  
15 be analyzed in detail, if any, and then participating in  
16 the decision to commission the work that ended up being  
17 done by Mr. Kleiman?

18 MS. LOUISE MANGO: Yes, I was.

19 MR. FITZGERALD: And could you please  
20 recreate for the Council the thought process that you and  
21 the other people who were involved on behalf of CL&P went  
22 through in arriving at the conclusion that it would be a  
23 good idea to have ESS do a detailed analysis of the  
24 marine route that was analyzed and what their mission was

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1 to be?

2 MS. MANGO: Yes. Let me just first  
3 summarize how we came to look at a marine route in the  
4 first place. First of all, having been involved in many  
5 of these projects, as have been the people from UI and  
6 CL&P, we felt that it was prudent to look at a marine  
7 route because it is something that I believe the Council  
8 and the companies always get asked about. If you have to  
9 balance impacts to property owners somebody in these  
10 proceedings invariably does say, put it down that river,  
11 or put it in Long Island Sound. It's just something that  
12 we've heard for years and years.

13 CHAIRMAN KATZ: People vote, fish don't.

14 MS. MANGO: Yes, apparently so. That  
15 being said we're also particularly cognizant of several  
16 main factors. Two of those are called the Federal Clean  
17 Water Act, and the Federal Coastal Zone Management Act,  
18 and the third factor is the Governor's recent -- and the  
19 Legislators' recent acts concerning the protection of  
20 Long Island Sound and the formation of the Long Island  
21 Sound Task Force of which I had the dubious distinction  
22 of being a part. And I know some of the Council members  
23 also appeared as part of that task force. Whose mission  
24 was of course to protect the natural resources of Long

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1 Island Sound.

2 The Coastal Zone Management Act that we  
3 kept in mind primarily hinged on the fact that projects  
4 that are not water-dependent, that is a project that does  
5 not have to be adjacent to the water, a project that does  
6 not have to cross the water is encouraged to be located  
7 inland. We have a project here from Middletown to  
8 Norwalk to serve the southwest Connecticut portion of the  
9 state that is obviously not a water-dependent project.  
10 The last time I looked Norwalk was not an island, nor was  
11 Middletown.

12 So obviously we were faced with the issue  
13 of having a project for which we should potentially look  
14 at a marine option to be prudent, knowing full well that  
15 we would not meet the test of a water-dependent use as  
16 posed by the Federal Coastal Zone Management Act. Which  
17 as I'm sure you all know is administered Federally  
18 delegated to the DEP Office of Long Island Sound Programs  
19 to be administered.

20 So that being said, the companies and I  
21 first looked at, should we evaluate a route from say,  
22 Millstone/East Shore over to Norwalk? We looked closely  
23 at that but we ultimately decided that a detailed study  
24 of that option was not in fact necessary because for that

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1 particular portion, first off from East Devon from the --  
2 if you want to draw a line from Millstone north up to  
3 Middletown, in that particular area there are existing  
4 rights of ways that the companies have easements on,  
5 which are wide enough to follow. Upland rights of way  
6 which would avoid water resource impacts.

7 We also had quite a bit of information on  
8 Long Island Sound, that portion of Long Island Sound, not  
9 only from the Task Force but also as a result of work  
10 done by ESS and others on the Islander East Project and  
11 of course the Cross Sound Cable Project, both of which I  
12 think the Council is familiar with. So just taking a  
13 gross kind of general scale look at the impacts that  
14 would occur from a marine line from that central part of  
15 Connecticut all the way to Norwalk, just for example  
16 looking back and I believe it's the Cross Sound, the  
17 early Transenergy Docket 197, if we came out of East  
18 Shore and had to go down New Haven Harbor we would be  
19 looking at the same sort of shellfish bed impacts that I  
20 believe the Council was disinclined to let occur on the  
21 Transenergy case.

22 We are looking at for any marine route  
23 self-contained fluid-filled cables for technological  
24 reasons that Mr. Gregory or others can talk about. So



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1 all of the things that the witness testified yesterday  
2 about as being good about the dielectric fluid and HPFF  
3 would not be the case for any marine cable. That was an  
4 issue that we considered.

5 Also in order to get from East Shore, even  
6 to hook up at East Devon, which I think Mr. Zak has  
7 testified is a necessary thing to occur as far as project  
8 feasibility, we'd have to come up the Housatonic River.  
9 The Housatonic River is a major source of seed oysters,  
10 major natural resource for the State of Connecticut, very  
11 important to the shellfish industry. And in doing so  
12 we'd also pass the Stewart B. McKinney National Wildlife  
13 Refuge, various state wildlife management areas and we'd  
14 have a host of other potential issues.

15 That being said, those are all the things  
16 that led us to not consider a marine route for that  
17 eastern part of the project. That being said, we still  
18 felt it was feasible to look at, or I should say it was  
19 prudent to see if there were a potential route that would  
20 minimize impacts from Bridgeport to Norwalk, because in  
21 that particular section of the state we don't have a  
22 clear cut upland alternative that would knock out any  
23 social type of impacts. At that time we are looking at  
24 potentially an upland route following an existing right

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1 of way that would take homes. So we are thinking about  
2 balancing social impacts as has been done in other  
3 projects.

4 So from that point of view and at that  
5 point in time we commissioned ESS to take a serious look  
6 at the feasibility of a marine route coming out of Singer  
7 and going up to Norwalk. And that was their mission. It  
8 was not to tell us all the bad things that would happen.

9 It was to see could a route be found in the marine  
10 environment that would minimize impacts to shellfish  
11 resources and minimize impacts to other resources and  
12 possibly, possibly pass the test that we would need to  
13 pass to get permits from the Corps of Engineers and DEP.

14 That being said, Mr. Kleiman can talk in  
15 detail about the findings of his study and I think Mr.  
16 Gregory could speak about, you know, the issues that  
17 could result from the actual placement of the cables, how  
18 wide a cable trench in the marine environment would have  
19 to be and things of that sort.

20 MR. FITZGERALD: If you would like.

21 MS. MANGO: If you would like.

22 CHAIRMAN KATZ: We like? Yes, we like.

23 Mr. Kleiman, I think that means you're on.

24 MR. KLEIMAN: Thank you. And I'm not sure

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1 just how much detail you'd like to have on the study that  
2 we looked at from --

3 CHAIRMAN KATZ: Why don't you start at a  
4 high level and if we need to delve in we'll have  
5 questions.

6 MR. KLEIMAN: -- okay. I can go over it  
7 generally for you. The first step was to take into  
8 consideration the constraints that Ms. Mango just  
9 mentioned, some of which include the end points of  
10 course, the Singer Substation to Norwalk Substation. And  
11 then to try and adhere to the guidance that came out of  
12 the Long Island Sound Task Force to the extent possible,  
13 which would be to follow existing utility rights of way  
14 in cases where that is feasible.

15 We also took into consideration, I had a  
16 personal conversation with John Voch, the former Director  
17 of Aquaculture, while he was still in that position. And  
18 he recommended that if we could stay beyond the minus 55  
19 foot contour offshore that we would then avoid commercial  
20 shellfish areas to the greatest extent possible.  
21 Obviously you need to get from land out to that area, so  
22 there's sort of an unavoidable crossing of certain  
23 shellfish resource areas, lease areas and concentration  
24 areas. But he suggested that we use that as a kind of

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1 working guideline to the extent possible.

2 Then we have issues related to cable  
3 spacing that require depending on the depth of water and  
4 the other conditions certain space between the cable  
5 groups. And in this case we're talking about as Ms.  
6 Mango mentioned, self-contained fluid-filled cables  
7 similar to the cables, although a different voltage I  
8 guess, from the 1385 line from Norwalk to Northport. So  
9 those are also self-contained fluid-filled cables. And  
10 these cables would at a minimum in the near shore areas  
11 need to be 90 feet apart and in the offshore areas more  
12 like 200 feet apart and that would have to be looked at a  
13 little bit more specifically, but that's a general  
14 engineering estimate.

15 And there would be two bundles of three  
16 cables separated by either 90 or 200 feet. And then  
17 you'd have to embed them, put them under the seafloor to  
18 protect them against potential damage from anchors and  
19 other obstacles, impacts. And that would be anywhere  
20 from -- well, we look at 10 to 15 feet, but depending on  
21 the case it could be anywhere from six to 15 feet  
22 depending on how the Army Corps or others would have us  
23 look at that.

24 Then we looked at these potential -- we

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1 looked at a series of potential areas in between the two  
2 end points and went through a screening exercise and  
3 looked at all of the geological obstacles, shallow  
4 bedrock, sediment-type -- potential sediment transport,  
5 navigational obstacles, Federal channels, dredge material  
6 dumping ground, shipwrecks, sensitive environmental  
7 resources. And in particular we looked at shellfish  
8 beds, lease areas and concentration areas in this minus  
9 55 foot contour that Mr. Voch recommended. And looked at  
10 wetlands in the coastline and shoreline habitats,  
11 protected species habitats, cultural resources and  
12 impacts to communities.

13 We mapped all of these obstacles in  
14 sensitive areas and identified nine potential route  
15 alternatives that did their best to avoid the most of  
16 these potential impacts or obstacles. And we ended up  
17 with what we called an optimized route, which isn't to  
18 say it's absolutely feasible from a technical point of  
19 view, there would have to be further evaluations on an  
20 engineering basis on that route, but we did identify an  
21 optimized route, which is approximately 23 miles long,  
22 15.4 miles of that would be marine and 7.6 upland.

23 If you compare that to the upland route of  
24 the preferred alternative from Bridgeport to Norwalk that

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1 would have been -- that would be 15 miles. So you're  
2 talking about 23 miles versus 15 miles overall. And this  
3 would be 15.4 miles in the marine environment.

4 CHAIRMAN KATZ: Mr. Kleiman, the type of  
5 cable, marine cable that you described going from  
6 Bridgeport to Norwalk, would that same type of cable be  
7 workable to go from East Shore to Devon marine-wise?

8 MR. FITZGERALD: Perhaps Mr. Gregory  
9 should answer that question.

10 MR. KLEIMAN: I don't think I -- yeah.  
11 I'd like to defer that question.

12 CHAIRMAN KATZ: Okay.

13 MR. FITZGERALD: Mr. Kleiman is an  
14 environmentalist. He was just given the assumptions to  
15 use as far as the cable was concerned.

16 MR. BRIAN GREGORY: Can you repeat the  
17 question please?

18 CHAIRMAN KATZ: Well, there's -- we're not  
19 allowed -- the Applicant gets nervous when I call it an  
20 alternative, but there's a thing called the East Shore  
21 Alternative and one of the things would be to take -- get  
22 the power down to East Shore and then have a marine cable  
23 to go from East Shore New Haven to Devon and then pick up  
24 from there. So the type of cable that Mr. Kleiman just

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1 described in his assumptions would that work anywhere in  
2 the Sound or is there a distance limitation or --

3 MR. GREGORY: Can you give me the distance  
4 please of this part of the route?

5 CHAIRMAN KATZ: Approximately East Shore  
6 to Devon, can we give him a distance?

7 MR. ZAKLUKIEWICZ: About 15 miles.

8 MR. GREGORY: Okay. Thank you. Thank you  
9 very much. So as been explained it's approximately 15  
10 miles and that's on top of the 23 miles, which was 15  
11 sub-sea miles and the rest land. Because it's being  
12 landed there isn't a limit by the addition of the two  
13 lengths, otherwise there would be a problem with the need  
14 to feed hydraulic fluid during expansion or contraction  
15 of the fluid in the cable. You asked the question, is  
16 the same type of cable suitable, and the answer is the  
17 type of cable is the lesser of the evils of the cables  
18 that you could choose for a Long Island Sound crossing.  
19 So it's equally unsuitable.

20 CHAIRMAN KATZ: Okay. You're going to  
21 have to elaborate.

22 MR. ASHTON: Do you want to qualify that  
23 as damning with faint praise?

24 MR. GREGORY: Yes.

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1 CHAIRMAN KATZ: What's the problem? You  
2 said it's unsuitable, let's get on the record what the  
3 problem is.

4 MR. GREGORY: Well, basically I've looked  
5 at the route from Bridgeport down to Newark as written in  
6 detail by ESS and it's a good report from the point of  
7 view of the choice of cable type --

8 MR. FITZGERALD: Excuse me. I think you  
9 meant Norwalk.

10 MR. GREGORY: Sorry. What did I say?

11 MR. FITZGERALD: Newark is in New Jersey.

12 MR. GREGORY: Yes, please excuse me. In  
13 detail, and it's a good report and in my job I'm used to  
14 evaluating sub-sea routes. In my previous job we  
15 manufactured sub-sea cable and were involved in hiring  
16 ships to lay cable and I've done this for 35 to 40 years.  
17 So the problem is basically the combination of the  
18 choice, the length of the route and I'm talking about now  
19 15 miles sub-sea, 23 miles total, together with the depth  
20 of burial the combination that it's the high voltage  
21 heavy cable makes it a scheme which I think is not  
22 practical. You're doing the same as basically when you  
23 were considering XLPE cable for land. It's a bridge too  
24 far. You're incurring risks of unreliability of the



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1 power transmission scheme.

2 CHAIRMAN KATZ: So are you saying that's  
3 assuming it's an AC cable, correct?

4 MR. GREGORY: Yes. 345 kV.

5 CHAIRMAN KATZ: How about if we assume for  
6 a second it's a DC cable from East Shore to Devon, does  
7 that have -- make it easier?

8 MR. GREGORY: In some respects it does.  
9 DC cables are inherently suited for longer distances.  
10 You can't use a self-contained fluid-filled cable for  
11 distances of longer than about 25 to 30 miles. And so  
12 although it's the better type of cable for DC you have to  
13 change to a lower grade type of cable, which in this  
14 situation for DC would be a mass impregnated paper cable,  
15 which is paper impregnated with a waxy type of compound.

16 And this permits you to make the cable in  
17 longer lengths. You would be installing two cables, a  
18 plus and a minus pole, and so you would have at least two  
19 circuits for this rating. You'd probably put a spare  
20 cable in or maybe two spare cables so it'd end up between  
21 two and six cables.

22 CHAIRMAN KATZ: So you'd have a bundle?

23 MR. GREGORY: Yeah. But I don't like  
24 bundles. And maybe if we revisit that later on.

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1 MR. ASHTON: Would the plus or minus two  
2 cable configuration give you 1,000 megawatts of capacity?

3 MR. GREGORY: Yes. With two circuits.

4 MR. ASHTON: I'm sorry?

5 MR. GREGORY: With two circuits.

6 MR. ASHTON: With two complete circuits?

7 MR. GREGORY: Two cables per phase, yes.

8 MR. ASHTON: Okay. And each circuit being  
9 two cables?

10 MR. GREGORY: Yes.

11 MR. ASHTON: So you'd have a total of four  
12 active cables plus you'd then have to have spares as  
13 appropriate?

14 MR. GREGORY: Yes.

15 CHAIRMAN KATZ: Do you have further  
16 questions of Mr. Kleiman and Mr. Gregory on marine  
17 cables? Mr. Ashton?

18 MR. ASHTON: I've got a couple. Mr.  
19 Kleiman you mentioned I believe 90 foot separation of the  
20 cables, is that correct?

21 MR. KLEIMAN: That would be in the near  
22 shore areas and that was seen as a possible minimum  
23 separation distance given --

24 MR. ASHTON: Why?

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1 MR. KLEIMAN: -- I think I should defer  
2 that question. It has to do with the system issues and  
3 not so much with an environmental issue.

4 MR. ASHTON: I'd be happy to talk with  
5 anybody who can give me a good reason.

6 MR. KLEIMAN: But I can say this. We  
7 tried to look at, based on those system constraints, we  
8 had -- we tried to look at a minimum distance, a minimum  
9 separation distance that would impact the least amount of  
10 shellfish beds and other seabed resources. So that  
11 number was given to me and then we then calculated the  
12 overall impact to the various resources.

13 MR. ASHTON: I see Mr. Zaklukiewicz with  
14 smoke curling out of his ears. I assume he wants to  
15 answer that.

16 MR. ZAKLUKIEWICZ: Well, the distance  
17 between the cables has to be -- for number one has to be  
18 the repair of the cables and the anchoring of the vessels  
19 in case we need to ever make repairs to those cables such  
20 that you do not damage the adjacent cables in the  
21 anchoring of the splicing vessels for one. And the  
22 deeper you get in the water the more you need for --  
23 because when you splice into a cable if you remember you  
24 are severing the cable, bringing one end up and adding a

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1 length of additional cable at least approximately one and  
2 a half times the depth of the water. And when you drop  
3 one end of the cable down it curls -- there's got to be  
4 enough space such that when you bow it out and bring it  
5 back in it does not overlap the adjacent cable system.

6 So you need that separation and I remind  
7 everyone that on the Northport to Norwalk line the cable  
8 is in the shallow water between Manreaser (phonetic) and  
9 Sheffield Island, the cable is out approximately 15 to 30  
10 foot, but once you get on the south side of Sheffield and  
11 you start into deeper waters each of the cables is  
12 approximately 900 foot apart. The deepest part of the  
13 Sound south of Sheffield is approximately 130 to 150 feet  
14 and typically you use a range somewhere around two to  
15 two and a half times the water depth is what you need  
16 space between the phase conductors to lay down a cable in  
17 case you need to bring the cable up and put a splice in  
18 you add to the cable each time you need to do that.

19 In this case, since we're going to be  
20 closer to the shore, the water depth is not as deep. I  
21 believe Mr. Kleiman already stated that somewhere  
22 between 90 and 200 foot would be the distance then  
23 between the conductor phases in this area. And that  
24 would be one of the reasons to space the cables at that

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1 distance.

2 MR. ASHTON: So if putting your testimony  
3 and Mr. Gregory's testimony together it's my  
4 understanding that a DC 1,000 megawatt capability in this  
5 vicinity would require four active cables, at least one  
6 spare, possibly two, and that would involve a total  
7 spread if you will out in water in the near shore area of  
8 five times -- assuming two spares, five times 90, 450  
9 feet. And if you get into deeper water five times 200,  
10 1,000 foot. Is that fairly put?

11 MR. ZAKLUKIEWICZ: That would be -- that  
12 would be a fair and correct assumption.

13 MR. ASHTON: And did the route that goes  
14 offshore take you up offshore of the oyster beds or would  
15 you still faced with a lot of problem with oyster beds?

16 MR. KLEIMAN: I direct you to figure two  
17 from our report, which is on the easel up there, and I  
18 don't think I need to go up there and point to it, but  
19 there simply is no route from Bridgeport to Norwalk by  
20 which you do not cross either shellfish lease areas or  
21 shellfish concentration areas or both.

22 CHAIRMAN KATZ: Are there shellfish beds  
23 off of Devon -- we know exactly where the shellfish beds  
24 are in New Haven Harbor, but are there shellfish beds off

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1 of Devon that are particularly on concern?

2 MR. KLEIMAN: There are shellfish beds in  
3 that area. We don't have them on that map to show you.

4 CHAIRMAN KATZ: Okay. Is there a shipping  
5 channel like we have in New Haven in Milford?

6 MS. MANGO: There is a shipping channel in  
7 the Housatonic River. It's a Federal Navigation Channel.  
8 That portion of the Housatonic River we were told by the  
9 Bureau of Aquaculture, and I also remember this from  
10 other projects, it's a major source of seed oysters --

11 CHAIRMAN KATZ: In the shipping channel?

12 MS. MANGO: -- the whole area, the entire  
13 area.

14 CHAIRMAN KATZ: Oh.

15 MS. MANGO: The entire area. That entire  
16 section of the River is one of the major sources of seed  
17 oysters for the state.

18 CHAIRMAN KATZ: But when we were spending  
19 a lot of time in New Haven we heard that in the shipping  
20 channel they don't do oysters because the ships churn up  
21 the sediment too much. Is that probably true in the  
22 Milford Housatonic?

23 MS. MANGO: I'm not quite sure that that  
24 would necessarily be true because you have a different

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1 level of shipping. That's something that we could pursue  
2 with the Department of Agriculture and Bureau of  
3 Aquaculture.

4 CHAIRMAN KATZ: If you could ask that  
5 question we would appreciate it prior to our East Shore  
6 day in June.

7 MS. MANGO: Okay.

8 MR. ASHTON: Has the Connecticut Shellfish  
9 Council given their enthusiastic support for this  
10 concept?

11 (Laughter)

12 MS. MANGO: I can't even comment on this  
13 as a former member of the Task Force.

14 CHAIRMAN KATZ: Yes?

15 MS. RANDELL: We did bring a large easel  
16 map of the shellfish beds in New Haven if you cared to  
17 see it.

18 CHAIRMAN KATZ: We probably know it from  
19 memory.

20 MS. RANDELL: Don't we all.

21 MR. ASHTON: They're kind of etched in our  
22 mind I think.

23 (Laughter)

24 CHAIRMAN KATZ: Okay. And other questions

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1 for -- I'm sorry. Do we have other questions for Mr.  
2 Kleiman and Mr. Gregory?

3 MR. ASHTON: If I could anticipate a  
4 little bit, did the consideration -- any of your  
5 consideration focus on a Millstone to this area cable  
6 system, and I'm thinking now could be East Shore, could  
7 be Pequonnock, could be Norwalk, take your pick. But was  
8 there -- did you do any cursory examination of that?

9 MS. MANGO: We did what I would call like  
10 a tabletop analysis. This was done approximately a year  
11 ago and it consisted of representatives of the companies'  
12 environmental staff sitting down with me and we went  
13 through some of the major issues that would occur drawing  
14 upon the experience of the Task Force for Long Island  
15 Sound, some of the issues that came up there, some of the  
16 issues that came up on Islander East, such as having to  
17 traverse near or through the Thimble Islands areas. And  
18 given all that concern and the fact that, you know, we  
19 would not pass a water-dependent test we just felt it was  
20 not prudent to do it any sort of a detailed routing study  
21 because we could not avoid the shellfish resources. We  
22 knew that. We could not avoid some of the resources that  
23 caused problems for Islander East for Cross Sound.

24 So that's the basic concern. We felt that



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1 we couldn't put forward a proposal for which we -- we  
2 knew we could never ever get a permit.

3 MR. ASHTON: Would the potential of  
4 Millstone as a strong source give any dignity to the  
5 concept that this is much more -- using Millstone as a  
6 source therefore makes it a much more water-oriented  
7 project?

8 MS. MANGO: Well, I worked at Millstone  
9 and I know Millstone itself is designated a water-  
10 dependent use for national security purposes. I think  
11 having electric cable, an in-trust state electric cable  
12 out of Millstone, go into Long Island Sound so that it  
13 could serve upland portions of that same state would be  
14 problematic. Because in fact Connecticut has not allowed  
15 cables to go from Connecticut to Long Island by virtue of  
16 definition and that is an island. So I don't think --

17 MR. ASHTON: I understand that, but --

18 MS. MANGO: -- that argument I can't see  
19 that fly without political pressure.

20 MR. ASHTON: -- my next question was going  
21 to be, have you floated this idea past the Attorney  
22 General?

23 MS. MANGO: I was waiting for you to do  
24 that.

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1 CHAIRMAN KATZ: Chicken.

2 MR. ASHTON: I'm rash, but not suicidal.

3 CHAIRMAN KATZ: Mr. Lynch?

4 MR. LYNCH: Ms. Mango, you're referencing  
5 Islander East and either the Cross Sound Cable -- cables  
6 out of New Haven, but didn't the Iroquois Pipeline coming  
7 out of Milford go through shellfish beds and what's the  
8 difference between Iroquois and what we're talking about  
9 now? And I know you're familiar with Iroquois?

10 MS. MANGO: Yes. Well, I mean -- I can  
11 answer the question simply because I think you're -- how  
12 can I put it, there's impacts and there's impacts.  
13 Iroquois was in fact one of the -- it was the first  
14 natural gas pipeline in Connecticut. It was the first  
15 cross Sound project apart from Northeast Utilities  
16 Northport to Norwalk lines and I think that when that  
17 line was constructed, you know, what -- it's almost like  
18 14 years ago now, it was done based on that technology at  
19 the time. And Iroquois felt that they could restore the  
20 shellfish beds. Since that time I'm not sure that issue  
21 has ever been resolved to the satisfaction of all the  
22 parties. The Iroquois felt that they restored the  
23 shellfish beds.

24 Those of you who were on the Long Island

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1 Sound Task Force will have heard from the seafood group  
2 and the aquaculture group that, you know, that's never  
3 been the case. It's all been doom and gloom for the last  
4 13 years. So we're faced with an issue that there is no  
5 solution to it. At this point in time Connecticut has  
6 made a political decision that these shellfish beds are  
7 to be protected and I can't think of a technology right  
8 now that would not impact them with the type of project  
9 that we're doing now. Now whether the state decides to  
10 accept that level of impact, you know, that's a political  
11 decision.

12 MR. LYNCH: Thank you.

13 CHAIRMAN KATZ: Further questions for  
14 these two witnesses? Getting back to Route 15 for a  
15 moment, the Council is going to issue an interrogatory to  
16 the towns, the DEP parks people and the Applicants asking  
17 to comment on what I'm calling Wilbur Cross B to C,  
18 specifically the pros and cons of that as an alternative.  
19 Overhead B to C as an alternative to the proposed  
20 overhead. And I want to take that up that first week in  
21 June at that session so therefore I'm going to ask that  
22 Burns and McDonnell do their comments, their homework  
23 assignment before that and so that all the parties will  
24 have time to review that before submitting their comments

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1 to us for that first session in June.

2 MR. FITZGERALD: Excuse me Madam Chairman.  
3 You said you were issuing it to the towns?

4 CHAIRMAN KATZ: Well, it's going to be to  
5 all parties.

6 MR. FITZGERALD: Oh, okay.

7 CHAIRMAN KATZ: But specifically the towns  
8 of Hamden and those towns are going to want to comment.

9 MS. RANDELL: And the homework assignment  
10 is with respect to the two orange areas, correct?

11 CHAIRMAN KATZ: Yes, right.

12 MS. RANDELL: Thank you.

13 CHAIRMAN KATZ: So that we will have that  
14 when we're discussing segments one and two in early June.

15 Is there any questions on that interrogatory? Mr.  
16 Cunliffe will be drafting it. Yes, Mr. Prete?

17 MR. PRETE: Yes. I'd just like a  
18 clarification. That would be on map 204, that would just  
19 be from B to C?

20 CHAIRMAN KATZ: Just from B to C. Would  
21 you like to make it longer?

22 MR. PRETE: No, I just wanted to make  
23 sure.

24 CHAIRMAN KATZ: Yes. I'm calling it

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1 Wilbur Cross B to C. Okay. Are we all set for Mr.  
2 Kleiman and Mr. Gregory and Ms. Mango? Are we ready to  
3 resume cross examination?

4 MR. FITZGERALD: I believe so.

5 MS. RANDELL: I think so.

6 CHAIRMAN KATZ: Okay. Mr. Cunliffe, do  
7 you have questions for the panel? Then we're going to  
8 finish up with Council questions, then we're going to go  
9 to the DOT direct case.

10 MR. CUNLIFFE: I have one and it's a  
11 policy question. The moratorium that's in place, what  
12 would that effect have on any marine proposal?

13 MR. ZAKLUKIEWICZ: It would slow it down  
14 until the Siting Council gets legislation passed to  
15 remove it.

16 MS. MANGO: I have to add one more thing.  
17 I'm not sure that for this project the lifting of the  
18 moratorium would solve your permitting issue for the  
19 Coastal Zone Management Act and the meeting of the test  
20 for a water-dependent use. I'm not sure.

21 MR. FITZGERALD: The moratorium is an  
22 additional issue. I think we have -- the existing  
23 moratorium actually expires in June and the issue is --

24 CHAIRMAN KATZ: Maybe.

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1 MR. FITZGERALD: -- is it going to be --  
2 is it going to be extended by the current Legislature or  
3 not.

4 MS. RANDELL: We would ask in that regard  
5 to take administrative notice of File No. 554, Senate  
6 Bill No. 591 that Mr. McDermott just handed to me and act  
7 concerning the protection of Long Island Sound, which if  
8 passed in it's form would extend the moratorium another  
9 year.

10 CHAIRMAN KATZ: Any objection to taking  
11 administrative notice of that, it's a Senate bill -- bill  
12 --

13 VOICE: 591.

14 CHAIRMAN KATZ: -- thank you. Hearing  
15 none we'll take administrative notice and you'll supply  
16 Mr. Cunliffe with a copy?

17 MS. RANDELL: Absolutely.

18 CHAIRMAN KATZ: Okay. Okay. Mr.  
19 Cunliffe, is that --

20 MR. CUNLIFFE: That concludes my --

21 CHAIRMAN KATZ: -- cross examination?  
22 Let's go down to Mr. Emerick?

23 MR. EMERICK: No questions.

24 CHAIRMAN KATZ: Mr. Heffernan?

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1 MR. GERALD HEFFERNAN: No questions.

2 CHAIRMAN KATZ: Mr. Tate?

3 MR. TATE: The railroad alternative, could  
4 you describe the railroad north of New Haven, is it a  
5 catenary -- where do the catenary's stop and where does -  
6 - how does the power get the trains up to Hartford?

7 MR. PRETE: That's a two-part question.  
8 I'll answer the first part. From Milford to New Haven  
9 the slide show that I put together the lines are  
10 extremely similar, if not exact.

11 MR. TATE: With catenarys --

12 MR. PRETE: With catenarys, two lines. UI  
13 has four substations, both substations between those  
14 points. So any construction would require first the  
15 total rerouting of the 115 underground in that area then  
16 a separate pole line structure that would support the  
17 345. And again, the height of that would be minimum of  
18 120 to the extent you're going to be crossing any  
19 highways which occur there you're upwards of 200 feet.  
20 And of course the encroachment on the rights of way would  
21 require some condemnation of property.

22 MR. ZAKLUKIEWICZ: North of New Haven, the  
23 bare roads are not electrified.

24 MR. TATE: Okay. So --

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1 MR. ZAKLUKIEWICZ: So at -- if you were on  
2 a train from Springfield to New York you have to swap  
3 trains at New Haven and get on electrified train at New  
4 Haven for your continuing path.

5 MR. TATE: What power lines, if any, are  
6 on the railroad tracks from New Haven to Meriden?

7 MR. REED: There is a 115 kV line that  
8 goes north from New Haven up into North Haven/Wallingford  
9 line. That's as far as UI goes. I don't know if there's  
10 anything further north that NU has.

11 MR. TATE: How tall are those --

12 COURT REPORTER: Could you state your  
13 name? Pardon me, I'm sorry. Could you state your name?

14 MR. REED: Richard Reed.

15 COURT REPORTER: Thank you.

16 MR. TATE: These are UI poles?

17 MR. REED: Yes.

18 MR. TATE: How tall are they?

19 MR. REED: I'm going to -- subject to  
20 check, 80 to 100 feet.

21 MR. TATE: And there's one 115 single  
22 circuit on that?

23 MR. REED: For a distance there's actually  
24 two circuits. When it gets as far as Sacket Substation



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1 in North Haven there's one circuit going north. And then  
2 when it gets to North Haven sub. again and to the  
3 Wallingford line it's double circuit.

4 MR. TATE: How wide is the railroad right  
5 of way there? How wide is --

6 MR. REED: We don't know offhand, but we  
7 could find that out.

8 MR. TATE: -- there are two tracks as I  
9 understand the whole way? One track?

10 MR. REED: Two tracks. I'm almost  
11 positive it's two tracks.

12 MR. TATE: What would be the problems of  
13 adding a 345 line to that stretch of railroad?

14 MR. REED: I think we'd find some similar  
15 problems that we'd find along the corridor. I think it's  
16 a little wider open going north, but --

17 MR. TATE: Yeah, could you compare the  
18 problems on that with the problems you have on the other  
19 section?

20 MR. REED: -- similar problems there are  
21 structures, houses, buildings built right up against the  
22 right of way. Again, not nearly as bad as I think you'd  
23 find along the shoreline, but you do have similar  
24 problems along there.

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1 MR. TATE: There is another railroad line  
2 coming out of New Haven, the Airline Line or -- goes up  
3 to Middletown? It's on the map. It looks like it  
4 parallels Route 17 or --

5 MR. ZAKLUKIEWICZ: Subject to checking I  
6 think in the Berlin area there's only a single track  
7 there.

8 MR. REED: Yeah, there is a single track  
9 that I know goes through part of North Haven.

10 MR. TATE: I'm looking on sheet two of  
11 your highway map. I see a railroad that says, Conrail  
12 Railroad that goes up to East Wallingford Junction and on  
13 up. I assume that doesn't go to Hartford.

14 MR. WELTER: If I might respond to that a  
15 little bit? We did look at those again in the beginning  
16 when we began the overall --

17 MR. TATE: Could you just identify those  
18 first?

19 MR. WELTER: -- okay. I think one is  
20 Conrail and one is Amtrak.

21 MR. TATE: Okay. The -- we're first  
22 talking about the Amtrak line that goes up to --

23 MR. REED: That's the one I was talking  
24 about.

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1 MR. TATE: -- that goes on into Hartford?

2 MR. REED: Yes.

3 MR. TATE: Okay. So we're looking at --  
4 it says Conrail, is it Conrail? Is that the old Airline?

5 CHAIRMAN KATZ: That's the old  
6 Hartford/New Haven, right?

7 MR. WELTER: It changed names and I can't  
8 vouch that that is the --

9 MR. TATE: I know. I'm looking on a map -  
10 -

11 MR. WELTER: -- but that is the way it's  
12 labeled on this.

13 MR. TATE: -- it's named Conrail?

14 MR. WELTER: Right.

15 MR. TATE: Okay. And that goes on up to  
16 Middletown?

17 MR. WELTER: Correct.

18 MR. REED: It is the old Airline that  
19 you're talking about.

20 MR. TATE: Do you have any power poles on  
21 that line?

22 MR. REED: UI does not.

23 MR. TATE: Does CL&P have any power lines  
24 on that line?

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1 MR. REED: No, we do not.

2 MR. TATE: How about up at A-3? Upper  
3 right-hand corner of sheet two.

4 MR. REED: I'm sorry. Could you say that  
5 again what you're talking about?

6 MR. TATE: I'm looking at sheet two of  
7 four in the upper right-hand corner at East Wallingford  
8 Junction. It looks like your line parallels the railroad  
9 tracks? The blue line is right on top of it.

10 MS. BARTOSEWICZ: The right of way --  
11 you're looking at sheet one of four?

12 MR. TATE: No, two of four.

13 MS. BARTOSEWICZ: South of East  
14 Wallingford Junction --

15 MR. WELTER: Yes, it does parallel for a  
16 little ways. It's the 387 line of CL&P that follows that  
17 for a little ways.

18 MR. TATE: And then on sheet one it seems  
19 the parallel is almost all the way to Beseck Substation?  
20 I'm just following your map. Back on sheet one now it  
21 goes from East Wallingford Junction up to Beau's Beady  
22 (phonetic), it seems to parallel that railroad track most  
23 of the way too.

24 MS. BARTOSEWICZ: Yes. And you're looking

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1 on the Merritt maps and you're looking at Beseck to East  
2 Wallingford Junction.

3 MR. TATE: On sheet 104 --

4 MS. BARTOSEWICZ: Correct. The blue line.

5 MR. TATE: -- the blue line.

6 MS. BARTOSEWICZ: The blue line is an  
7 existing right of way, correct.

8 MR. TATE: Yes.

9 MS. BARTOSEWICZ: It has a 345 kV circuit  
10 on it today.

11 MR. TATE: How wide is it?

12 MS. BARTOSEWICZ: It's almost 300 feet.  
13 It is part of the proposed route where we're looking to  
14 put the second 345 on that blue line.

15 MR. TATE: And does it abut the railroad  
16 right of way?

17 MS. BARTOSEWICZ: It crosses and comes  
18 very close to the railroad right of way in several  
19 locations.

20 MR. ASHTON: Did your examination of route  
21 alternatives consider extending the facilities down the  
22 Airline railroad at all?

23 MR. WELTER: Yes, we did.

24 MR. TATE: And what was your conclusion?

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1 MR. ASHTON: Yeah, don't keep up in  
2 mystery. The suspense is killing me.

3 MR. WELTER: Okay. Right. We looked at  
4 it and there were two, I guess in a general sense there  
5 were two major problems. There were tight areas, there  
6 were some industrial areas, places that were sort of what  
7 we've seen on other railroad sections in places down  
8 there. And then the other major issue with these -- both  
9 of these railroad lines is they feed you into central New  
10 Haven where we found ourselves at more or less kind of a  
11 dead end.

12 CHAIRMAN KATZ: Why is that -- you mean,  
13 if you wanted to end up near East Shore would they get  
14 you close to East Shore?

15 MR. WELTER: No, we still had a problem  
16 even going through town and if we were going to get  
17 through there we would then be looking for a transition  
18 station or something to go underground.

19 CHAIRMAN KATZ: For what distance?

20 MR. PRETE: Well, the route was Beseck to  
21 East Devon. So even though East Shore is coming up into  
22 this mix our routing preference wasn't to bypass or go by  
23 way of East Shore to East Devon. So you're right, we  
24 could potentially to go East Shore during this route, but

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1 as Cyril was saying you then have to go underground from  
2 that point, which we put in our East Shore route.

3 MR. TATE: We always have that problem  
4 when we're talking about East Shore?

5 MR. PRETE: Absolutely.

6 MR. TATE: So when we look at East Shore  
7 would you add the Airline trail to your analysis and  
8 compare it to the other railroad? Look at it as an  
9 alternative. Is that a possible alternative or not?  
10 Going from -- to East Shore by the Airline?

11 MR. PRETE: Sure. It's probably equally  
12 an alternative as the existing right of way that goes  
13 from East Wallingford Junction to East Shore.

14 MR. TATE: Just add it to your analysis  
15 for the --

16 CHAIRMAN KATZ: East Shore day.

17 MR. TATE: -- East Shore day.

18 CHAIRMAN KATZ: Which is probably going to  
19 be the second June iteration at this point. Mr. Ashton,  
20 another question?

21 MR. ASHTON: I have a couple of questions  
22 if I could?

23 MR. WILENSKY: Phil, could I just ask one  
24 quick follow-up question Madam Chairman?

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1 CHAIRMAN KATZ: Yes. Yes.

2 MR. WILENSKY: You said underground at  
3 East Shore. How far would that underground be that you'd  
4 have to hook up with?

5 MR. PRETE: In the application in the  
6 supplemental filing if you get to East Shore any way the  
7 two probable routes would be, A, to go entirely  
8 underground from East Shore, largely through Route 1 to  
9 East Devon approximately 13 miles, or you would go from  
10 East Shore approximately six miles along the streets of  
11 New Haven up to the existing right of way on our proposal  
12 in around the area of West Haven and Orange, install a  
13 two to four acre transition station and then hop on the  
14 right of way in our proposal approximately 10 miles to  
15 East Devon.

16 MR. WILENSKY: So on that last statement  
17 you made the underground portion would be what? Six  
18 miles, is that what you said?

19 MR. PRETE: That's correct. And that  
20 would be a porpoising.

21 MR. WILENSKY: Okay. Thank you.

22 CHAIRMAN KATZ: Okay. And do we have a  
23 filing that shows that?

24 MR. PRETE: Yes ma'am. It's part of all



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1 of our three addendums starting on December 16<sup>th</sup> on the  
2 supplemental filing.

3 CHAIRMAN KATZ: Okay. Can you just point  
4 us -- oh, it's the supplemental file, it's not in the  
5 original volumes?

6 MR. PRETE: That's correct.

7 CHAIRMAN KATZ: Okay. Great. I know  
8 which pile to look in now.

9 MR. PRETE: It is a pile.

10 CHAIRMAN KATZ: Yes.

11 MR. ASHTON: Yeah, our problem is we're  
12 almost needing a seeing eye dog to get through the Docket  
13 here.

14 CHAIRMAN KATZ: Yes.

15 MR. ASHTON: I have a couple of questions  
16 that relate to previous testimony today. They're not so  
17 much for Mr. Welter, or Mr. Kleiman, or Ms. Mango, but  
18 Mr. Prete and Mr. Zaklukiewicz I'm sure can do it. There  
19 is frequent mention of the line from Pequonnock to Ely  
20 Avenue. That is not the western terminus of the electric  
21 transmission lines along the railroad, is it, they go all  
22 the way down to Cos Cob, don't they? Along the railroad?

23 MR. ZAKLUKIEWICZ: Ely Avenue was just a  
24 junction where we went from overhead to underground at

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1 that location.

2 MR. ASHTON: I understand. But they go --

3 MR. ZAKLUKIEWICZ: They go -- they go --

4 MR. ASHTON: -- railroad circuits go all  
5 the way down to Cos Cob, almost to the New York line.

6 MR. ZAKLUKIEWICZ: -- they go all the way  
7 down to Cos Cob.

8 MR. ASHTON: Okay. Has CL&P -- and I  
9 should ask also UI, any experience in dealing with the  
10 railroad on inductive interference for rebuilding or  
11 installing 115 kV circuits along the railroad and the  
12 railroad signal circuits, have you had to rebuild any of  
13 the signal circuits, have you paid for their railroad to  
14 rebuild them?

15 MR. ZAKLUKIEWICZ: Not to my knowledge on  
16 the CL&P system and in particular the Pequonnock/Ely  
17 Avenue project is my understanding there were no  
18 modifications required.

19 MR. ASHTON: Are you aware that CL&P may  
20 have paid for such modifications when Norwalk Harbor  
21 Plant opened and the line from Ely Avenue to Rowaton  
22 Junction paralleled the railroad?

23 MR. ZAKLUKIEWICZ: I hate to admit it, but  
24 I think you're dating yourself.

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1 MR. ASHTON: Oh, I know that. (Laughter)  
2 But you're not that far behind so don't push too much.

3 MR. TATE: No one else would.

4 MR. ASHTON: May I suggest you go -- there  
5 is some experience there that may want to look at?

6 MR. ZAKLUKIEWICZ: I will take that in  
7 notice and pursue it. Thank you.

8 MR. ASHTON: In terms of the use of the  
9 parkway or any other state road your access would not be  
10 by easement so much as permit, wouldn't it? Does DOT  
11 give you an easement along on the existing right of way,  
12 or do they give you a permit? Maybe that's a legal  
13 question.

14 MR. FITZGERALD: Well, let me answer that.

15 CHAIRMAN KATZ: We can ask the DOT witness  
16 this question Mr. Fitzgerald if you want.

17 MR. FITZGERALD: Or you could ask us to  
18 submit a copy of the --

19 CHAIRMAN KATZ: Well, first I'm going to  
20 ask you to sit closer to the microphone?

21 MR. ASHTON: In the interest of time Mr.  
22 Fitzgerald maybe that's something you'd like to pick up  
23 as just a housekeeping item and catch up with us next  
24 time?

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1 MR. FITZGERALD: We can give you a copy of  
2 the least agreement.

3 CHAIRMAN KATZ: Yes. That would be  
4 excellent.

5 MR. ASHTON: Without getting into a long  
6 wheeze on it, has the company considered whether or not  
7 the cost all in, all in cost of building an overhead 345  
8 along the railroad is about the same, more, or less than  
9 an underground 345 line?

10 CHAIRMAN KATZ: You mean 24 miles of  
11 underground?

12 MR. ASHTON: Well, whatever it is,  
13 whatever distance.

14 MR. PRETE: Actually we did. Taken the  
15 experience that CL&P had on the Pequonnock/Ely line that  
16 you were mentioning and taking into consideration the  
17 constructibility problems most generated by the small  
18 window of time the railroad would allow you to do the  
19 construction I believe the cost of that line was  
20 approximately three times more expensive than a normal  
21 overhead line. So if you were to rough those figures in  
22 it would mean that the 345 line would be roughly the same  
23 as an underground line.

24 MR. ASHTON: So economically it's a wash?

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1 MR. PRETE: From that point of view I  
2 agree, yes.

3 MR. ASHTON: Okay. Let's see, that one  
4 was done.

5 CHAIRMAN KATZ: My husband is doing a span  
6 across the line -- railroad line near Route 7 and they're  
7 only allowed to work between midnight and 5:00 a.m.

8 MR. PRETE: We find that all the time.

9 CHAIRMAN KATZ: Yes.

10 MR. ASHTON: Have you --

11 MR. PRETE: I would also want to -- I'm  
12 sorry, I didn't mean to interrupt. That would probably  
13 be on top of the cost of the 115 that you would have to  
14 take into consideration, so I would imagine it would be  
15 more expensive.

16 MR. ASHTON: That's why I said, all in.  
17 The all in costs, everything. So there's a lot of work  
18 there.

19 MR. ZAKLUKIEWICZ: I think more  
20 importantly Mr. Ashton if we have to do that you have  
21 just thrown away any possibility of a December 2007 date.

22 MR. ASHTON: Yeah.

23 MR. ZAKLUKIEWICZ: You've got to keep that  
24 in mind for the socialization because if we need to build

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1 the 115's first 15 miles, that's basically 15 months at a  
2 minimum after you let the orders out and the contracts  
3 before then you could start any of the 345 work because  
4 you need the 115 in place feeding those stations along  
5 the right of way, the railroad right of way. So adding  
6 15 months into a construction schedule for that portion  
7 of it after you submit the D&M plans, after we get all  
8 the approvals you're talking a two year delay probably at  
9 a minimum in the actual completion of the construction.  
10 So you're into 2010 and in the meantime southwest  
11 Connecticut is suffering and the state of Connecticut is  
12 suffering from the congestion cost in the locational  
13 installed capacity charges, which are ringing up the cash  
14 register heavily.

15 MR. ASHTON: Is either UI or CL&P aware of  
16 any actual derailments along this section of line which  
17 would threaten the integrity of an overhead structure?

18 MR. REED: Not in that particular section.

19 Further down in the West Haven area there was a  
20 derailment that took one of the catenary's down that  
21 basically took both of our circuits out. It took us  
22 quite a while to get both of those circuits back in  
23 service. This was I'm going to guess 15 years ago.

24 MR. ASHTON: Okay.

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1 MR. REED: That's the one that I do  
2 remember.

3 MR. ASHTON: Does -- there may be more.

4 MR. REED: Yeah.

5 MR. ASHTON: Does that factor into your  
6 consideration of use of overhead facilities along the  
7 railroad?

8 MR. REED: Most definitely.

9 MR. ASHTON: Thank you. Nothing further.

10 CHAIRMAN KATZ: Thank you. Mr. Wilensky?

11 MR. WILENSKY: No questions.

12 CHAIRMAN KATZ: Mr. Murphy?

13 MR. MURPHY: No questions.

14 CHAIRMAN KATZ: Mr. Lynch?

15 MR. LYNCH: No questions.

16 CHAIRMAN KATZ: Okay. If there's no  
17 further questions of this panel I'd like to get to the  
18 DOT direct case?

19 MR. FITZGERALD: Can I just ask Mr. Zak to  
20 verify that this document that he handed me earlier today  
21 is a true copy of the agreement between the State of  
22 Connecticut DOT and the Connecticut Light and Power  
23 concerning CL&P's use of the rail line between -- it's  
24 identified here --

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1 MR. ZAKLUKIEWICZ: Pequonnock/Ely Avenue?

2 MR. FITZGERALD: -- Pequonnock and Ely  
3 Avenue?

4 MR. ZAKLUKIEWICZ: It is.

5 MR. FITZGERALD: And Mr. Prete, you've  
6 reviewed this document?

7 MR. PRETE: I have.

8 MR. FITZGERALD: And you were able to  
9 confirm that UI has a similar agreement with the State of  
10 Connecticut with respect to it's rights?

11 MR. PRETE: Yes, in fact we do and we have  
12 copies as well.

13 CHAIRMAN KATZ: We've identified it as  
14 number 67. Is there any objection to making it a full  
15 exhibit? Seeing none, thank you.

16 (Whereupon, Applicant's Exhibit No. 67 was  
17 received into evidence as a full exhibit.)

18 CHAIRMAN KATZ: Okay. Are we ready to  
19 switch out the table? Yes, Mr. McDermott? Do you want  
20 to go off the record for a minute?

21 MR. FITZGERALD: Could we have a short  
22 break to see if we have any redirect?

23 CHAIRMAN KATZ: Okay. We'll take a five,  
24 emphasis on five only, minute break.



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1 (Off the record)

2 CHAIRMAN KATZ: We'll resume and we're on  
3 the record again. At this time in the hearing program we  
4 will go to the direct case by DOT and I'd like to  
5 publicly say what I've privately told DOT. We appreciate  
6 DOT's participation in this Docket. I think it's going  
7 to be a very valuable addition to helping us develop the  
8 record.

9 MR. TATE: And we hope you enjoy  
10 yourselves so much that you'll join us in other Dockets  
11 where you're help would be appreciated.

12 CHAIRMAN KATZ: And where were you on 217?  
13 No.

14 (Laughter)

15 MR. MARCONI: And Madam Chairman, I might  
16 add that at least Mr. Gruhn has been one my clients once  
17 when I was in the Transportation Division of the Attorney  
18 General's Office before I came to the Siting Council  
19 Division.

20 CHAIRMAN KATZ: Before they exiled you  
21 over here?

22 MR. ASHTON: That's just in case things  
23 get dull over at DOT.

24 MR. WALSH: That will never happen.

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1 CHAIRMAN KATZ: Okay. Mr. Walsh, are you  
2 going to be the lead?

3 MR. WALSH: I'm going to allow Assistant  
4 Attorney General Meskill to lead on this.

5 CHAIRMAN KATZ: Okay. Ms. Meskill, do you  
6 want to introduce your witnesses and while they're still  
7 at the microphones have them give their names and spell  
8 their names and then we'll have Mr. Marconi swear them  
9 in?

10 MS. EILEEN MESKILL: Sure. Thank you.  
11 For the record, Assistant Attorney General Eileen Meskill  
12 and with me is Assistant Attorney General Charles Walsh.  
13 And we have today Mr. Arthur Gruhn and Mr. Harry Harris  
14 from the Department of Transportation. And if you could  
15 identify yourselves and give your titles as well?

16 MR. ARTHUR GRUHN: Okay. My name is  
17 Arthur Gruhn, G-R-U-H-N. I'm the Chief Engineer for the  
18 Connecticut Department of Transportation and the Bureau  
19 Chief for the Bureau of Engineering and Highway  
20 Operations.

21 MR. HARRY HARRIS: And I'm Harry Harris,  
22 H-A, double R, I-S. And I'm the Bureau Chief for the  
23 Bureau of Public Transportation for the Connecticut  
24 Department of Transportation.

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1 (Whereupon, Arthur Gruhn and Harry Harris  
2 were duly sworn.)

3 CHAIRMAN KATZ: Thank you. Ms. Meskill,  
4 if you could identify your exhibits and number them in  
5 this matter and then we'll have your witnesses verify  
6 them?

7 MS. MESKILL: Sure. Thank you. I believe  
8 we have pre-filed testimony of Mr. Arthur Gruhn. It's  
9 dated April 8<sup>th</sup> and I believe it was filed April 16<sup>th</sup>. Mr.  
10 Gruhn have you had a chance to review that?

11 MR. GRUHN: Yes, I have.

12 MS. MESKILL: And does that also include  
13 two attachments as well?

14 MR. GRUHN: Yes, it does.

15 MS. MESKILL: And those are the 2003  
16 Limited Access State Numbered Highways as of December  
17 31<sup>st</sup>, 2002, is that a true and accurate copy?

18 MR. GRUHN: Yes, it is.

19 MS. MESKILL: And is the second one the  
20 policy on the accommodations of utilities on highways  
21 rights of way, dated April 1977, is that a true and  
22 accurate copy?

23 MR. GRUHN: Yes, it is.

24 MS. MESKILL: And are you adopting this as

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1 your testimony today as true and accurate to the best of  
2 your knowledge and belief?

3 MR. GRUHN: Yes, I do.

4 MS. MESKILL: I don't know how you want to  
5 number that?

6 CHAIRMAN KATZ: I believe that's number  
7 one. Is there any objection to making number one a full  
8 exhibit? Hearing none we will make that a full exhibit.

9 (Whereupon, DOT Exhibit No. 1 was received  
10 into evidence as a full exhibit.)

11 CHAIRMAN KATZ: And number two is the pre-  
12 filed of Mr. Harris.

13 MS. MESKILL: Right. We have -- Mr.  
14 Harris, did you -- you have pre-filed testimony  
15 originally dated April 16<sup>th</sup>, 2004 and a supplemental  
16 testimony dated April 22<sup>nd</sup>, 2004. Have you had a chance  
17 to review those?

18 MR. HARRIS: Yes, I have.

19 MS. MESKILL: And is there also an  
20 additional change that you wanted to make to that as well  
21 for the record?

22 MR. HARRIS: Yes, there is.

23 MS. MESKILL: And what is that?

24 MR. HARRIS: On the testimony dated April

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1 22<sup>nd</sup> in response to the next to the last question  
2 concerning technical reason why the option was not  
3 included in the agreement I would like to add to the end  
4 of that my response the following phrase, and that the  
5 345 kV line would not adversely impact rail operations.

6 MR. ASHTON: So it's actually on the top  
7 of the second page?

8 MR. HARRIS: The top of the second page,  
9 that's correct.

10 MS. MESKILL: And are you adopting this as  
11 your testimony as true and accurate to the best of your  
12 knowledge and belief?

13 MR. HARRIS: Yes, I am.

14 MS. MESKILL: And I would just like to  
15 clarify also for the record, you referred to the issue of  
16 both the legal issue and the -- on your supplemental  
17 testimony and the technical reason. Is it your  
18 understanding that if the Siting Council were to approve  
19 this line that that would remove the legal impediment as  
20 far as our office was concerned?

21 MR. HARRIS: I'm not an attorney, but I  
22 would assume so.

23 MS. MESKILL: Okay. Thank you.

24 CHAIRMAN KATZ: Thank you. Is there any

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1 objection to making DOT No. 2 a full exhibit? Hearing  
2 none it is.

3 (Whereupon, DOT Exhibit No. 2 was received  
4 into evidence as a full exhibit.)

5 CHAIRMAN KATZ: And that's all the  
6 exhibits, correct?

7 MS. MESKILL: That's correct.

8 CHAIRMAN KATZ: Okay. Do your -- your  
9 witness had a chance to sit here and hear all the  
10 testimony and everything. Do they want to make any  
11 statement before we have them subject to cross?

12 MS. MESKILL: I don't believe so.

13 CHAIRMAN KATZ: Okay. We will then go  
14 immediately to --

15 MR. WALSH: If I may?

16 CHAIRMAN KATZ: -- yes. All their  
17 testimony in as full exhibits, correct?

18 MR. WALSH: If I may? Yes.

19 CHAIRMAN KATZ: Brother Marconi is  
20 reminding me here. Yes?

21 MR. WALSH: Could we ask the witnesses  
22 just two questions before we begin?

23 CHAIRMAN KATZ: Yes.

24 MR. WALSH: It might help clarify matters.

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1 With regard to -- a question was raised earlier  
2 regarding the limited access highways. Mr. Gruhn, do you  
3 know whether or not there were any drainage structures in  
4 the median of any of the limited access highways, whether  
5 the Wilbur Cross, the Merritt, I-95 or I-91?

6 MR. GRUHN: Yes. Depending on the  
7 location there are either scattered or very extensive  
8 drainage systems in the median areas.

9 MR. WALSH: And with respect to Mr.  
10 Harris, I believe there was some discussion earlier on  
11 restrictions on working on rail rights of way. Could you  
12 elaborate for the Council on restrictions on working in a  
13 rail right of way?

14 MR. HARRIS: Working on the rail right of  
15 way is governed by the operating railroad, whether it's  
16 Amtrak or in the case of the New Haven Line Metro North  
17 they establish the criteria and the requirements. It's  
18 also establish by the Federal Railway Administration for  
19 who may operate there, what kind of permits can be  
20 obtained or need to be obtained, what kind of training  
21 needs to be done. Anyone who works in the rail right of  
22 way had to take and pass rail safety courses. They have  
23 to have flag protection from the railroads and they have  
24 to obviously operate within the confines of the railroad

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1 schedule and operations.

2 MR. WALSH: Mr. Harris, I believe there  
3 was some question as to the ownership of the railroad  
4 line running from the New York border to New Haven. I  
5 believe a map was entered into evidence that indicated it  
6 was owned by the Penn Central Line. Do you know whether  
7 or not that is accurate or whether or not the DOT has an  
8 interest in that rail line?

9 MR. HARRIS: We purchased from Penn  
10 Central the rail line in the late 1970's, early 1980's,  
11 and we acquired all rights that the Penn Central Railroad  
12 had at the time that we purchased the land from them.

13 MR. WALSH: Thank you.

14 MR. ASHTON: May I just ask a question?  
15 There are two other rail lines that have been the subject  
16 of discussion this afternoon. One is the line that runs  
17 from New Haven through Meriden to Hartford, and that one  
18 I believe was shown as Amtrak. And the second one was  
19 the so-called Airline route, which is labeled on that map  
20 Conrail.

21 MR. HARRIS: Correct.

22 MR. ASHTON: Who are the owners of fact in  
23 both of those facilities?

24 MR. HARRIS: Well, the owner for the first



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1 one, the Amtrak line is Amtrak --

2 MR. ASHTON: Okay.

3 MR. HARRIS: -- National Rail Corporation,  
4 Passenger Rail Corporation. The other line has multiple  
5 owners. The section from the New Haven -- from the  
6 northeast corridor north to Cedar Hill is owned by CSX  
7 Railroad --

8 CHAIRMAN KATZ: What's Cedar Hill? I'm  
9 sorry.

10 MR. HARRIS: That's an old New York, New  
11 Haven and Hartford rail line located in North Haven --  
12 rail yard located in North Haven.

13 MR. ASHTON: A marshalling yard?

14 MR. HARRIS: Pardon?

15 MR. ASHTON: A marshalling yard?

16 MR. HARRIS: It was a marshalling yard, a  
17 hump yard where they used to stall freight. It's one of  
18 the largest facilities that they used to have. It's  
19 located if you're familiar with 91 you can see it as  
20 you're heading north on 91 you can see the rail yard  
21 behind the marshes over to the left. That's owned by --  
22 up to Cedar Hill it's owned by CSX. From north there is  
23 owned either by Tilcon Corporation or some parts of it  
24 are owned by Connecticut. It has multiple owners on

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1 different sections up to Hartford.

2 MR. ASHTON: Thank you.

3 CHAIRMAN KATZ: Thank you.

4 MR. TATE: It goes to Hartford or to  
5 Middletown?

6 MR. HARRIS: Well, there's a Middletown  
7 secondary that's owned by Connecticut that goes from  
8 Middletown into Hartford. And actually then connects  
9 north of Hartford.

10 CHAIRMAN KATZ: Okay. Any other questions  
11 -- direct for your --

12 MR. WALSH: No further direct.

13 CHAIRMAN KATZ: Okay. At this point begin  
14 cross examination. Mr. Fitzgerald, Ms. Randell?

15 MR. FITZGERALD: Well, thank you. Good  
16 afternoon gentlemen. You were here I believe for the  
17 examination of the Applicant's panel concerning the so-  
18 called highway alternatives?

19 MR. HARRIS: Yes.

20 MR. FITZGERALD: Did you hear any  
21 testimony concerning difficulties in obstacles of those  
22 alternatives that seemed wrong to you?

23 MR. GRUHN: Nothing that I would  
24 characterize that seemed wrong. There was not any

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1 discussion about the impacts of any operations along the  
2 highway on congestion and safety.

3 MR. FITZGERALD: Would you like to comment  
4 on that?

5 MR. GRUHN: Yes, I would. One of our --  
6 several of the concerns the Department has is the  
7 operations and safety along the highway system, wherever  
8 that may be. The corridors being proposed, specifically  
9 the Route 1 corridor in southwestern Connecticut is one  
10 of the most heavily traveled secondary roadways that we  
11 have in the State of Connecticut. Not only is it a  
12 secondary roadway it is the primary alternate route for  
13 the I-95 corridor and whenever there is an incident,  
14 congestion or any type of an accident on I-95 traffic  
15 diverts to Route 1. So operations on Route 1 is a  
16 critical concern to the Department and to the towns in  
17 that corridor.

18 MR. FITZGERALD: Alright. Now sir,  
19 actually I was referring to the discussion of the limited  
20 access highway alternatives.

21 MR. GRUHN: Okay. On the limited access  
22 highways we have similar concerns. Again, safety and  
23 congestion are critical. They are high volume roadways,  
24 high speed roadways. Any activity cannot be -- any

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1 longitudinal activity along those highways cannot be  
2 conducted anywhere within the proximity of the highway  
3 pavements.

4 MR. FITZGERALD: Are your concerns of  
5 operations and safety with respect to the limited access  
6 highways similar to those that you have for construction  
7 on Route 1 or greater?

8 MR. GRUHN: Similar and greater due to the  
9 speeds. The safety concern is a much larger issue. The  
10 congestion concern is similar on any of the major routes  
11 in that corridor.

12 MR. FITZGERALD: Okay. I'd like to turn  
13 to your pre-filed testimony of April 8<sup>th</sup>. And you say on  
14 page two that the burden of cost for relocation or  
15 readjustment to the underground lines that would be  
16 occasioned by CDOT projects once the lines were in place  
17 is a monumental concern to you and that ConnDOT desires  
18 to enter into a formal agreement with NU to ensure that  
19 the costs for further relocation or adjustments would not  
20 be eligible for reimbursement and that the total cost  
21 would be NU's. Have you had some discussions with NU in  
22 relation to the construction under street required for  
23 Docket 217 Mr. Gruhn?

24 MR. GRUHN: Yes, we have.

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1 MR. FITZGERALD: And has the subject of  
2 reimbursement and the extent to which a variance from the  
3 statutory scheme might be considered been broached in  
4 those discussions?

5 MR. GRUHN: Yes, they have been discussed.

6 MR. FITZGERALD: And has NU -- in  
7 September of 2003 did NU request from you a draft co-  
8 location agreement so as to advance those discussions?

9 MR. GRUHN: I'm not sure whether it was  
10 September, sometime in the fall.

11 MR. FITZGERALD: And what is the status of  
12 that draft?

13 MR. GRUHN: That draft is being prepared  
14 by the Office of the Attorney General.

15 MR. FITZGERALD: And when will we see it?

16 MR. GRUHN: I do not have a date at this  
17 point.

18 MR. FITZGERALD: You state in Item G,  
19 State maintained roadways quite often handle high volumes  
20 of traffic and as such conduct has routinely resorted to  
21 night construction since the traffic volumes are  
22 typically much lower than any work that occurs within the  
23 State highway right of way that has an adverse effect on  
24 traffic flow would be subject to the same limitations and

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1 restrictions.

2 MR. GRUHN: That is correct.

3 MR. FITZGERALD: And in your discussions  
4 with NU on Docket 217 have you been given any reason to  
5 believe that they would not in general accept the night  
6 construction restrictions that the DOT itself observes?

7 MR. GRUHN: Not that I'm aware of.

8 MR. FITZGERALD: Okay. With respect to  
9 the disruption and interference that the installation of  
10 an underground pipeline within a non-access highway, such  
11 as Route 1 would occasion, it would be no greater than  
12 many of the DOT's own highway repair and improvement  
13 projects, isn't that right?

14 MR. GRUHN: The actual construction would  
15 be similar, yes. And just for correction, Route 1 is not  
16 a non-access highway.

17 MR. FITZGERALD: No, I said a non -- what  
18 I meant to say was a highway that is not --

19 MR. GRUHN: Non-limited access? Okay.

20 MR. FITZGERALD: -- limited access. Yeah.

21 MR. GRUHN: I just wanted to make it  
22 clear.

23 MR. FITZGERALD: Okay. In Item J you say  
24 that the depth of any transmission line is an issue that

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1 needs to be addressed and you argue here for an eight  
2 foot installation depth measured from the ground surface  
3 to the top of the conduit, otherwise stated as eight feet  
4 of cover, right?

5 MR. GRUHN: Correct.

6 MR. FITZGERALD: Just a minute. I'm being  
7 scolded by my co-counsel as telling me that we're not  
8 supposed to be examining on these topics today.

9 CHAIRMAN KATZ: Well, I mean, ideally when  
10 we were doing segments three and four the other day we  
11 would have done Route 1, but they're here, you're here,  
12 so let's just do it.

13 MR. FITZGERALD: Okay.

14 MR. WALSH: Madam Chairman, the witness  
15 will be coming back in June if you would like to wait to  
16 explore that on a different date.

17 CHAIRMAN KATZ: Do you have a lot of cross  
18 concerning Route 1?

19 MR. FITZGERALD: I don't, no. But maybe  
20 Ms. Randell --

21 CHAIRMAN KATZ: I'd sort of like to --  
22 this week do the -- and I know I did not make this clear,  
23 I'm not blaming you. I'd like to sort of finish up  
24 segments three and four so why don't we go ahead with

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1 cross concerning construction on Route 1?

2 MR. FITZGERALD: Okay. Actually, I don't  
3 have much after -- alright. So we were just talking  
4 about -- before I interrupted myself we were talking  
5 about the issue of wanting eight feet of cover over the  
6 line. Attached to your testimony is a set of  
7 regulations, or standards entitled, The Policy on the  
8 Accommodation of Utilities and Highway Rights of Way.  
9 Could you turn to page 26 of that document? And that  
10 deals with the accommodation of underground electric  
11 power lines, doesn't it sir?

12 MR. GRUHN: Yes, it does.

13 MR. FITZGERALD: And Item 2 says, conduit  
14 or duct construction within the paved area or abutting  
15 roadside area, which might be effected by highway  
16 widening, shall be installed at a minimum depth of 36  
17 inches from the top of structure to the grade of crown of  
18 the existing pavement, right?

19 MR. GRUHN: Correct.

20 MR. FITZGERALD: So how is it that your  
21 standards require 36 inches of cover, but in connection  
22 with the Norwalk construction and Docket 217 and this  
23 construction you are asking for eight feet of cover?

24 MR. GRUHN: As you stated the requirement



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1 under that particular section states a minimum depth of  
2 36 inches. This particular facility is a large facility.  
3 It will effectively block all drainage, all ability for  
4 the Department to install any drainage for the highway  
5 system. It's a five foot high structure and would  
6 effectively block any drainage that is required for the  
7 highway system. So to go below where our normal drainage  
8 installations would occur, which is in the three to eight  
9 foot area, the duct bank would have to be below eight  
10 feet.

11 MR. FITZGERALD: What is a five foot  
12 structure?

13 MR. GRUHN: The -- as we were -- the  
14 information we have been given is that the duct bank is  
15 four feet wide and five feet high.

16 MR. FITZGERALD: And have you been made  
17 aware of the contention of NU that the cables will not  
18 perform at an eight foot installation depth?

19 MR. GRUHN: I do not know any of the  
20 details about cable performance.

21 MR. FITZGERALD: Okay. In any case you do  
22 acknowledge that the question for -- the question of the  
23 ultimate location of the lines is for the Siting Council?

24 MR. GRUHN: That would be a legal

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1 question. I'm not able to answer that.

2 MR. FITZGERALD: Turning to page 27 you  
3 say in number -- Item Number One, under Location and  
4 Alignment, a longitudinal installation locations parallel  
5 to the pavement or adjacent to the right of way line are  
6 preferable so as to minimize interference with highway  
7 drainage, etcetera. And do I correctly understand that  
8 in this -- that you're taking the position in this Docket  
9 and with respect to the Norwalk construction and 217 that  
10 the construction should be off the paved surface of the  
11 right of way?

12 MR. GRUHN: We have taken the position  
13 that the chambers must be off the paved surface of the  
14 right of way due to the fact that any work in the  
15 chambers, splicing of the cables, is a 24 hour a day  
16 operation for up to 14 days, which would have a  
17 significant impact on the traveling public.

18 MR. FITZGERALD: Okay. But you have -- it  
19 is not your position that the cable itself must be off  
20 the travel portion of the road?

21 MR. GRUHN: Not on the secondary highway  
22 system.

23 MR. FITZGERALD: Okay. Now with respect  
24 to the vaults, under these regulations their location

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1 would be governed by the sentence, exceptions will be  
2 made if it is in the best interest of the State and the  
3 utility to locate the facility in the pavement or  
4 sidewalk area along non-limited access highways only,  
5 right?

6 MR. GRUHN: Can you repeat the question?  
7 I'm sorry.

8 MR. FITZGERALD: Yeah. With respect to  
9 the vaults there is a -- the last sentence in this  
10 provision of your regulations would apply, exceptions  
11 will be made if it is in the best interest of the State  
12 and the utility to locate the facility in the pavement or  
13 sidewalk area along non-limited access highways only?

14 MR. GRUHN: That's what it states in the  
15 document, yes.

16 MR. FITZGERALD: And do you acknowledge  
17 that it is for the Siting Council to determine what  
18 location is in the best interested of the State and the  
19 utility?

20 MR. GRUHN: Again, that would be a legal  
21 interpretation and I'm not qualified to answer that  
22 question.

23 CHAIRMAN KATZ: It might be the  
24 Legislature that decides.

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1 MR. FITZGERALD: Ultimately the  
2 Legislature decides everything. You do have certain  
3 delegated powers at the moment.

4 CHAIRMAN KATZ: Can you say that louder?  
5 (Laughter)

6 MR. FITZGERALD: That's all I have.

7 CHAIRMAN KATZ: Ms. Randell, did you have  
8 questions?

9 MS. RANDELL: I do have a few questions  
10 but I would like to reserve to the June hearings --

11 CHAIRMAN KATZ: Yes. Yes.

12 MS. RANDELL: -- with respect to non-  
13 alternative routes.

14 CHAIRMAN KATZ: We are going to ask DOT to  
15 return in June when we get into a discussion of segments  
16 one and two and as you might have heard earlier we do  
17 have an interrogatory going out on what we're calling  
18 Wilbur Cross B to C and we definitely would like DOT's  
19 comments.

20 MR. GRUHN: We will certainly review and  
21 comment.

22 CHAIRMAN KATZ: Great. Okay. Next on the  
23 list --

24 MS. RANDELL: No, I do have a few

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1 questions --

2 CHAIRMAN KATZ: -- I'm sorry.

3 MS. RANDELL: -- in addition to generally  
4 reserving --

5 MR. GRUHN: Oh darn.

6 MS. RANDELL: -- if I may? Sorry. They  
7 won't be long.

8 MR. GRUHN: That's okay.

9 MS. RANDELL: Hopefully not hard either.  
10 Just to clarify the DOT's position, and I don't know  
11 whether this is to you Mr. Harris or to you Mr. Gruhn.  
12 Does the DOT consider an executed co-location agreement  
13 with the utility to be a condition of the utility doing  
14 any work?

15 MR. GRUHN: Can you say that again?

16 MS. RANDELL: Sure. Does DOT -- does CDOT  
17 consider an executed co-location agreement a requirement,  
18 a pre-condition, of allowing the utility to do any work  
19 in CDOT property?

20 MR. GRUHN: I would say for longitudinal  
21 applications.

22 MS. RANDELL: But not for non-  
23 longitudinal, perpendicular?

24 MR. GRUHN: Perpendicular or transverse

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1 locations are covered under our normal encroachment  
2 permit operations.

3 MS. RANDELL: Thank you. There was  
4 testimony yesterday with respect to the history of  
5 cooperation between UI and CDOT. Would you agree that  
6 there has been a long history of cooperation between  
7 United Illuminating and the Department of Transportation?

8 MR. GRUHN: Yes. We've been working with  
9 United Illuminating, CL&P, and many utilities, and while  
10 they're not always relocated as quickly as everybody  
11 would like to see them relocated we do have a history of  
12 cooperation, yes.

13 MS. RANDELL: And you'd expect that  
14 history to continue on to the future and that it would be  
15 a cooperative effort to try to resolve problems?

16 MR. GRUHN: I would certainly hope so.

17 MS. RANDELL: Thank you.

18 CHAIRMAN KATZ: Does that conclude --

19 MS. RANDELL: That's all I've got.

20 CHAIRMAN KATZ: -- great. Next is  
21 Representative Al Adinolfi? Absent. Next, the towns.  
22 Ms. Kohler, questions? Mr. Ball, any questions  
23 representing the towns? Okay. City of Norwalk? Absent.  
24 Mr. Cederbaum? Absent. City of Meriden, Attorney Moore?

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1 Absent. Assistant Attorney General Michael Wertheimer?

2 MR. WERTHEIMER: No questions. Thank you.

3 CHAIRMAN KATZ: Mr. Wertheimer said no  
4 questions. The Community for Responsible Energy?  
5 Absent. Office of Consumer Council? Absent. Woodlands  
6 Coalition, Mr. Golden? Woodlands Coalition says no  
7 questions. ISO New England, Mr. MacLeod? Absent. PSED,  
8 Power Connecticut, Mr. Reif? Absent. Town of Wilton,  
9 Mr. Frank? Absent. Town of Weston, Mr. Ball? Absent.  
10 RWA, Mr. Lord?

11 MR. ANDREW W. LORD: No questions.

12 CHAIRMAN KATZ: No questions from RWA.  
13 Town of Cheshire? Absent. City of Middletown? Absent.  
14 And town of North Haven?

15 MR. BENJAMIN J. BERGER: No questions.

16 CHAIRMAN KATZ: No questions from the town  
17 of North Haven. Mr. Cunliffe, do you?

18 MR. CUNLIFFE: Yes. Could you define an  
19 encroachment permit?

20 MR. GRUHN: An encroachment permit is  
21 document which the Department will issue to the permittee  
22 that allows the permittee to make installations within  
23 the highway right of way under certain conditions of the  
24 permit.

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1 MR. CUNLIFFE: How is this process  
2 initiated?

3 MR. GRUHN: Generally it is initiated by  
4 the permittee that wants to install a facility within the  
5 highway system.

6 MR. CUNLIFFE: And what's the time to  
7 review and issue a permit?

8 MR. GRUHN: It depends on the magnitude of  
9 the work that is going to be performed. Something as  
10 simple as a repair to a gate valve is very short  
11 timeframe. Something as complex as something on this  
12 document would require a full review of construction  
13 plans, methodologies, what was going to be done, when it  
14 was going to be done, how traffic was going to be  
15 handled, so that would be rather extensive and would take  
16 some time.

17 MR. CUNLIFFE: If an application such as  
18 this was to come before your office for review what would  
19 be your best estimate in time?

20 MR. GRUHN: I would guess one to two  
21 months.

22 MR. CUNLIFFE: The term co-location  
23 agreement has been used. Is this one and the same as an  
24 encroachment permit?



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1 MR. GRUHN: No.

2 MR. CUNLIFFE: Is this something the  
3 Department of Transportation engages in, the co-location  
4 agreement?

5 MR. GRUHN: We have. You could probably  
6 call the agreement that was introduced earlier for the  
7 work along the Metro North right of way a co-location  
8 type of agreement. Under the statutes, and I'm sorry I  
9 don't remember the particular section of the statute, for  
10 longitudinal installations of transmission lines they are  
11 permitted under whatever conditions are deemed  
12 appropriate by the Commissioner of the Department of  
13 Transportation. And that is paraphrased of course.

14 MR. CUNLIFFE: And would one and both -- I  
15 think Ms. Randell already asked if the co-locations  
16 agreement before work would have -- I wouldn't take that  
17 an encroachment permit would be needed as well?

18 MR. GRUHN: You definitely -- you would  
19 still need an encroachment permit if there was a co-  
20 location agreement. We have had occasions where we would  
21 issue a permit while the co-location agreement was still  
22 in process.

23 MR. CUNLIFFE: And where would the fiscal  
24 responsibilities be drawn out, would there be an

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1 encroachment permit or the co-location agreement?

2 MR. GRUHN: What do you mean by the fiscal  
3 responsibilities?

4 MR. CUNLIFFE: If in future action either  
5 by the utility or by the State to move the said  
6 utilities?

7 MR. GRUHN: That would be in the co-  
8 location agreement.

9 MR. CUNLIFFE: And limit construction to  
10 nighttime, when would that be a condition of?

11 MR. GRUHN: That could be in the co-  
12 location agreement or it could be in the encroachment  
13 permit. Typically it's in the encroachment permit.

14 MR. CUNLIFFE: And for this proposed  
15 application what would be the Department's recommendation  
16 for time to conduct construction along the proposed  
17 route?

18 MR. GRUHN: The traffic volumes in the  
19 area, particularly what we've looked at is the Route 1,  
20 the route that has been proposed by the utility  
21 companies, that area typically from 10:00 o'clock at  
22 night to 6:00 o'clock in the morning are the allowable  
23 times when traffic volumes are low enough to permit  
24 taking of lanes.

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1 MR. CUNLIFFE: What is the policy of open  
2 trenches and length?

3 MR. GRUHN: Open trenches have to be as  
4 short as possible. Longitudinal steel plates in a lane  
5 of traffic are very hazardous. When they get wet they  
6 are very slippery. Motorists do not drive on steel  
7 plates, longitudinal steel plates, they will stay away  
8 from them so if they are in the lane basically we have  
9 reduced the roadway down by one lane width and that would  
10 have a disastrous effect in the area of Route 1.

11 MR. CUNLIFFE: So the technique of  
12 installing an HPFF line, a high pressure fluid filled  
13 pipe would require an X distance. Would the Department  
14 have to yield to the type of construction for that or  
15 would they have a suggestion? Would they ask for a  
16 change?

17 MR. GRUHN: I'm not familiar with the  
18 construction techniques for that particular type of line,  
19 but if it were to require long lengths of steel plates in  
20 a lane we would have a major problem with that. The  
21 general public would have a major problem with that. You  
22 would have traffic back-ups on Route 1 because of the  
23 fact that people will not drive on those steel plates  
24 during high peak travel periods.

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1 CHAIRMAN KATZ: Just to interrupt on that.  
2 The Applicants, is there information that we can refer  
3 to in the application for DOT so they can familiarize  
4 themselves prior to our June hearings on the construction  
5 techniques that would be used in Route 1?

6 MS. RANDELL: Yes. There's a section in  
7 the application. I'll get you the citation. There are  
8 also interrogatory answers.

9 CHAIRMAN KATZ: Okay.

10 MS. RANDELL: If you'd like offline we can  
11 certainly provide them to the DOT.

12 CHAIRMAN KATZ: Yes. I'd like -- I'd like  
13 the Applicants and the DOT attorneys to talk because Mr.  
14 Gruhn we'd like when you come back in June to tell us in  
15 more detail what you think having -- once you're given  
16 the proper information what you think and if there's  
17 anything that has to be done conditionally we want to  
18 know that.

19 MR. GRUHN: Certainly.

20 MR. ASHTON: I have a question if I may  
21 following up Mr. Gruhn?

22 CHAIRMAN KATZ: Yes.

23 MR. ASHTON: From my experience in driving  
24 along Route 1 there's Route 1 and there's Route 1, there

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1 are slight differences depending on which town you're in.

2 MR. GRUHN: Correct.

3 MR. ASHTON: In some cases there may be  
4 ample parallel roads that you -- presumably, presumably  
5 could allow for daytime construction and what have you.  
6 Is your prohibition that you're suggesting for all of  
7 Route 1 or for key segments of it without trying to pin  
8 you down as to which ones?

9 MR. GRUHN: Generally I'd say it's all of  
10 Route 1. I'm talking in generalities. You know,  
11 specific locations if there was a viable detour plan that  
12 was acceptable to the towns then we would permit that to  
13 occur. It would have to be worked out and there has been  
14 no detailed plans developed at this point in time as to  
15 how any of the traffic would be handled.

16 MR. ASHTON: Certainly. We'll appreciate  
17 that. But the dilemma is sort of like going to the  
18 dentist with some bad wisdom teeth, do you get them all  
19 yanked at once or do you go back and suffer four times.  
20 And therein lies the dilemma as to, you know, is it  
21 rigidly 10:00 to 6:00 or could we work it weekends, could  
22 we work it holidays, could we work it 8:00 to 6:00, you  
23 know, it contracts the duration of the construction by  
24 setting the work hours. And I'm not proposing to bind

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1 you at all, but rather just test a little bit as to what  
2 --

3 MR. GRUHN: Well, quite frankly from, you  
4 know, a prospective of the Department and as a taxpayer  
5 and a rate payer if there were viable parallel routes I  
6 think consideration should be given to putting the cable  
7 in those parallel routes. Generally, secondary or town  
8 roads do not have the amount of underground utilities  
9 installed in them that the State highway system has.  
10 They generally do not have the traffic volumes that the  
11 State highway system has. They generally are not  
12 reconstructed the way the State highway system is. They  
13 can generally can stand alternating one way traffic  
14 during construction, which the State highway system due  
15 to the volumes of traffic could not handle. So wherever  
16 the system could be put off of the State highway system  
17 it would be easier for the utilities to install. It  
18 would be easier for the utilities to maintain and would  
19 probably be less expensive for everybody involved.

20 MR. ASHTON: There has been extensive  
21 discussion of alternate routes.

22 MR. GRUHN: Okay.

23 MR. ASHTON: Thank you.

24 CHAIRMAN KATZ: Thank you.

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1 MR. CUNLIFFE: Mr. Harris, would you agree  
2 with the characterization of the age of the structures  
3 along the railroad are probably from 1900?

4 MR. HARRIS: The catenary system that  
5 we're currently in the process of replacing was built  
6 between 1902 and 1907.

7 CHAIRMAN KATZ: When will it be replaced  
8 by?

9 MR. HARRIS: It's being done in various  
10 stages. I think the last stage will be around '09.

11 CHAIRMAN KATZ: And where -- can you  
12 sequentially tell us where you're going to start -- what  
13 parts will be first?

14 MR. HARRIS: We started -- we started with  
15 New York state line to Stamford. That area is nearing  
16 completion. We will begin -- we are doing work in  
17 Milford to New Haven right now that's about a year I  
18 think away from being completed. Then we will pick up in  
19 the Norwalk area and then eventually in the Bridgeport  
20 area.

21 CHAIRMAN KATZ: So the Milford/New Haven  
22 is definitely going to be done before 2007, correct? If  
23 you try to do it next year?

24 MR. HARRIS: I believe the timing has that

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1 section completed before 2007.

2 CHAIRMAN KATZ: And when are you -- I'm  
3 sorry to interrupt. When are you going to replace the  
4 cat -- cant -- cat --

5 MR. HARRIS: Catenarys.

6 CHAIRMAN KATZ: -- catenarys, thank you,  
7 with?

8 MR. HARRIS: We're replacing -- I mean,  
9 the catenary is -- it's a new system, since 1902, new.  
10 It is -- it's a different kind of catenary, but it still  
11 will be a catenary system. It'll be state of the art and  
12 some of the poles, some of the catenary structures  
13 themselves will be replaced, some will be saved, but the  
14 wiring itself will be changed.

15 CHAIRMAN KATZ: Could the new catenarys be  
16 built strong enough to support a 345 line?

17 MR. HARRIS: No.

18 CHAIRMAN KATZ: And can you tell us why?

19 MR. HARRIS: All the catenarys have been  
20 designed and engineered and all the work has been done  
21 and construction where it started has not taken that into  
22 consideration. It would be having to go back and stop  
23 what we're doing and reengineer it to even see if it  
24 could be possible. What we're putting up now my people



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1 tell me could not support it.

2 CHAIRMAN KATZ: But if you haven't done  
3 the Milford to New Haven ones is it possible that they  
4 could be reengineered?

5 MR. HARRIS: The Milford to New Haven one  
6 is underway and my quick reaction is it would take years  
7 to redesign and handle the, you know, the footings and  
8 everything else that needs to be done, adding a major new  
9 element that would take quite some time to adjust to.

10 MS. RANDELL: Madam Chairman, can I just  
11 ask a point of clarification?

12 CHAIRMAN KATZ: Sure.

13 MS. RANDELL: Of whether they are taking  
14 out existing catenary structures or just adding new ones?

15 MR. ASHTON: Whether it's just the wire  
16 essentially that's being replaced?

17 MR. HARRIS: No. The answer to the  
18 question is both. We have -- where we think the existing  
19 catenary structure could support the new wire and  
20 everything else we're leaving it in to save money. Where  
21 we feel that we need new catenary, you know, structure  
22 itself, it's being replaced.

23 MS. RANDELL: Will the total number be  
24 increased? I'm still not quite sure I understand.

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1 MR. HARRIS: I don't think so, but I can't  
2 tell you exactly.

3 MS. RANDELL: Thank you.

4 MR. TATE: Are there any plans to  
5 electrify the line north of New Haven?

6 MR. HARRIS: There are no plans currently.  
7 There is a study now underway to look at the possibility  
8 of developing commuter rail from New Haven to  
9 Springfield, Massachusetts. That study will be done  
10 within a year or so. I still think it is based upon the  
11 assumption that we will continue to have diesel power  
12 rather than electrification. However, we are in  
13 negotiation discussions with Amtrak on another issue and  
14 Amtrak has raised the possibility of their electrifying  
15 the line, which is their property. So I can't -- I can't  
16 say that our study would electrify it, but it's not  
17 beyond the pale that Amtrak is at least thinking about  
18 it.

19 CHAIRMAN KATZ: If they electrified it  
20 would it necessarily be overhead or it might be --

21 MR. HARRIS: Oh, it definitely would be  
22 overhead. It would be similar to what they're doing --  
23 what they have done from Boston to New Haven.

24 CHAIRMAN KATZ: Okay.

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1 MR. ASHTON: And New Haven to Boston.

2 CHAIRMAN KATZ: I can visualize that, yes.

3 MR. HARRIS: And New Haven to Boston.

4 CHAIRMAN KATZ: Yes.

5 MR. FITZGERALD: Getting back to the new  
6 catenarys, are you removing some of the catenary  
7 structures that currently have the bonnets that support  
8 the 115 kV lines?

9 MR. HARRIS: My assumption is yes, but I  
10 can't --

11 MR. FITZGERALD: And what happens to the  
12 lines?

13 MR. HARRIS: -- they're -- they're -- as  
14 they're replaced that's all taken into consideration and  
15 handled.

16 MR. FITZGERALD: This is an interesting  
17 experience.

18 CHAIRMAN KATZ: That's why you have junior  
19 staff members to hold them up during question --

20 MR. ASHTON: It's an assignment for junior  
21 lawyers.

22 CHAIRMAN KATZ: Did you have further  
23 follow-up on that or are we back to Mr. Cunliffe?

24 MR. FITZGERALD: We're back to Mr.

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1 Cunliffe.

2 CHAIRMAN KATZ: Okay.

3 MR. CUNLIFFE: My follow-up would be was -  
4 - is United Illuminating informed of the upgrades and did  
5 they take part in the design process?

6 MR. HARRIS: I would assume so. United  
7 Illuminating has been involved in building substations to  
8 handle our additional power requirements that we're  
9 putting into the New Haven yard with all the work that we  
10 did in the yard. There is a lot of discussion that goes  
11 back and forth between UI personnel and ours on all the  
12 things that we do. So I would assume without personal  
13 hand knowledge that there was a lot of discussion with UI  
14 people and other in the whole planning of this process.

15 CHAIRMAN KATZ: Well, if the catenarys had  
16 been designed to be 345 friendly is there a problem with  
17 that type of an electrical force near the train lines?

18 MR. HARRIS: No one knows, but the  
19 assumption is yes. In our discussions with Metro North  
20 engineering they basically said the same thing that was  
21 told to you before that no one really has studied it, but  
22 they believe there probably would be problems with the  
23 signal systems, the communications systems and everything  
24 else, but have nothing that it can specifically point to.

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1 But their electrical engineers in the department is  
2 quite concerned.

3 MR. CUNLIFFE: No questions further for  
4 me.

5 CHAIRMAN KATZ: Mr. Emerick?

6 MR. EMERICK: No questions.

7 CHAIRMAN KATZ: Mr. Heffernan?

8 MR. HEFFERNAN: No questions. Mr. Tate  
9 took mine. Thank you.

10 CHAIRMAN KATZ: Mr. Wilensky?

11 MR. WILENSKY: No questions.

12 CHAIRMAN KATZ: Mr. Murphy?

13 MR. JERRY MURPHY: I just have one in  
14 reference to Mr. Harris' affidavit. The opinion from the  
15 Attorney General's Office that we need to get permission  
16 for the upgrade first, could you provide us with a copy  
17 of that opinion?

18 MR. HARRIS: I'm sorry?

19 MR. MURPHY: In your affidavit you  
20 indicated that you received an opinion from the Attorney  
21 General's Office that until we gave permission to upgrade  
22 to the 345 kV --

23 CHAIRMAN KATZ: Mr. Harris, we'll refer  
24 you to your supplemental testimony.

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1 MR. HARRIS: Right. Now I'm following  
2 him.

3 MR. MURPHY: -- okay. If you could just  
4 provide us with a copy of that opinion?

5 MR. HARRIS: I will talk to the person  
6 that heads up our right of way. I'm not sure that that  
7 was a written opinion or a verbal opinion. But I will  
8 check on it. There was definitely -- we were definitely  
9 told that's not within our purview, but I don't know if  
10 it was writing or verbal.

11 MR. MURPHY: Well, it really strikes me as  
12 being unusual that you would turn down this kind of a  
13 request just on a verbal. But follow-up on that and  
14 respond?

15 MR. HARRIS: Yes sir.

16 MR. MURPHY: Thank you.

17 MR. ASHTON: About when did those  
18 discussions occur that you refer to on the bottom of the  
19 page of your April 22<sup>nd</sup> statement? Roughly how old are  
20 those?

21 MR. HARRIS: I believe within the last  
22 half dozen years, but I'll have to verify the exact  
23 dates.

24 MR. ASHTON: Okay. That's good enough.

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1 I'm just trying to get a sense for it. Thank you.

2 CHAIRMAN KATZ: Okay. So my understanding  
3 is from counsel that we'll get a copy of that, or if  
4 there is a copy we'll get one?

5 MR. WALSH: If one exists. I would tend  
6 to echo Mr. Harris' belief that I don't believe that  
7 anything was written formally.

8 CHAIRMAN KATZ: Well, if you could trace  
9 it back to the --

10 VOICE: Oral statement.

11 CHAIRMAN KATZ: -- oral statement and then  
12 we'll perhaps have to pursue it through Mr. Wertheimer.

13 MR. FITZGERALD: What you will see is in  
14 the agreement that was just filed there is actually a  
15 page and a half of text that covers the 345 upgrade issue  
16 and all the work that would have to be done to do the  
17 studies that have just been mentioned that have never  
18 been done. And you'll see that it's -- although the  
19 agreement is signed, but that page and a half is crossed  
20 out and -- and the Attorney General's approval is on  
21 there too. And Mr. Zak's testimony is that's the way the  
22 agreement was signed, but then before it got approved by  
23 the Attorney General the strike out was made.

24 CHAIRMAN KATZ: Okay.

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1 MR. FITZGERALD: So that could reflect --  
2 when you put that together with his opinion that gets you  
3 to an inference of what the Attorney General's opinion  
4 was I guess.

5 CHAIRMAN KATZ: Well, I --

6 MR. MURPHY: My problem really is like the  
7 chicken and the egg. What comes first, us or them? Or  
8 how do you work it out?

9 MR. FITZGERALD: That's right.

10 CHAIRMAN KATZ: -- plus I guess at the end  
11 of this Docket when we get to final briefs I'd like DOT  
12 and others to comment, does a Siting Council decision  
13 trump DOT's policies as opposed to construction on  
14 highways and limited access highways.

15 MR. FITZGERALD: Is that a rhetorical  
16 question or are you asking for --

17 CHAIRMAN KATZ: No, I'm going to ask that  
18 you address that in briefs.

19 MR. FITZGERALD: -- oh, okay.

20 CHAIRMAN KATZ: Do we -- does a Siting  
21 Council decision trump DOT policies? Where are we? Mr.  
22 Murphy, does that conclude your question?

23 MR. MURPHY: Yes, that was it Madam  
24 Chairman.



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1 CHAIRMAN KATZ: Mr. Lynch?

2 MR. LYNCH: No questions.

3 CHAIRMAN KATZ: Okay. Are there any final  
4 questions from anyone in the room of these witnesses  
5 before we excuse them?

6 MR. WALSH: May I just ask --

7 CHAIRMAN KATZ: You want some redirect?

8 MR. WALSH: -- if I could just ask him to  
9 take a look at the document that was submitted into  
10 evidence, a copy of the agreement?

11 CHAIRMAN KATZ: It's just -- Mr.  
12 Fitzgerald, the agreement that we have here is not signed  
13 by the Attorney General, it's left blank. Do we have a  
14 real signed one?

15 MR. MARCONI: If I may show the page to  
16 Attorney Fitzgerald?

17 CHAIRMAN KATZ: Yes. Off the record.

18 (Off the record)

19 MR. WALSH: Mr. Harris, I'd like to direct  
20 your attention to the signatory page?

21 MR. HARRIS: Um-hmm.

22 MR. WALSH: Could you tell me the date  
23 that this agreement was signed by yourself?

24 MR. HARRIS: September 24<sup>th</sup>, 2002.

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1 MR. WALSH: And it was also signed by the  
2 Vice President of Transmission Engineering Operations of  
3 CL&P, is that true?

4 MR. HARRIS: That is correct.

5 MR. WALSH: And can you give me the date  
6 that he signed it also?

7 MR. HARRIS: September 24<sup>th</sup>, 2002.

8 MR. WALSH: Thank you. No further  
9 questions.

10 CHAIRMAN KATZ: And we're going to get a  
11 copy with all the signatures for the record at some  
12 point?

13 MR. WALSH: We could provide it if the  
14 Applicants don't have a copy of it.

15 MR. FITZGERALD: Well, let's leave it that  
16 we will each pursue that.

17 CHAIRMAN KATZ: Pursue that? Okay.

18 MR. FITZGERALD: Yeah. Let's make it a  
19 divided responsibility.

20 CHAIRMAN KATZ: That's fine. At some  
21 point in the record I'd like to get a copy with all the  
22 signatures.

23 MS. MESKILL: Can I just clarify something

24 --

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1 CHAIRMAN KATZ: Yes.

2 MS. MESKILL: -- that came up earlier with  
3 respect to the Council's questions, because I tried to  
4 clarify it earlier in the testimony? With respect to the  
5 one issue that was crossed out on that lease agreement  
6 that legal issue our office had thought that that was --  
7 needed to be decided by this Council and therefore wasn't  
8 allowed in that agreement. Not getting into the broader  
9 issues of authority, but with respect to that. So I hope  
10 that clarifies whether, you know, what comes first. That  
11 was the Office's opinion that it had to come here first.

12 CHAIRMAN KATZ: Okay.

13 MS. MESKILL: With respect to that one  
14 issue of the line.

15 MR. MARCONI: Can I just clarify that that  
16 -- this is -- that was the determination by the  
17 Transportation Division of the Attorney General's Office  
18 not by Mr. Blumenthal himself.

19 MR. WERTHEIMER: I believe it was a  
20 decision of the Office of the Attorney General.

21 MR. MARCONI: Oh, okay.

22 CHAIRMAN KATZ: Mr. Wertheimer, do you  
23 want to be recognized?

24 MR. WERTHEIMER: It's a very simple issue

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1 as I understand it. It is the Attorney General's advice  
2 to DOT that the Siting Council approval comes first.  
3 Once that comes that legal issue prohibition will go  
4 away. There will no longer be that impediment, there may  
5 be others from DOT from others, but that one goes away.  
6 I don't think that this issue requires anymore inquiry.  
7 It's fairly straight forward. Thanks.

8 CHAIRMAN KATZ: Okay. But again, and I  
9 would invite you where if the Siting Council were to make  
10 a decision and part of that decision would be going  
11 against something that is normal DOT policy we need to be  
12 briefed on what people's understanding is.

13 MR. WERTHEIMER: I understand that. I  
14 think my understanding of the policy that came from our  
15 office was that there would not be an agreement approving  
16 345's before there's Siting Council approval. If there's  
17 Siting Council approval our office will not hold that  
18 contract up for legal sufficiency on that particular  
19 ground. So that issue goes away.

20 CHAIRMAN KATZ: Mr. Walsh?

21 MR. WALSH: No Madam Chairman.

22 CHAIRMAN KATZ: Okay. I think we are --

23 MS. RANDELL: We have just a few  
24 housekeeping issues.

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1 CHAIRMAN KATZ: -- yes.

2 MS. RANDELL: We have 40 copies of UI's  
3 agreement with CDOT. I did check, it is fully signed.

4 CHAIRMAN KATZ: Thank you. We'll put that  
5 one in the record.

6 MS. RANDELL: I talked to Mr. Cunliffe  
7 about just including it within Exhibit 67?

8 CHAIRMAN KATZ: Is that good?

9 MR. CUNLIFFE: Yes.

10 MS. RANDELL: And then Mr. McDermott has a  
11 new exhibit, just resumes.

12 CHAIRMAN KATZ: Of our two new witnesses?

13 MR. BRUCE McDERMOTT: They're the resumes  
14 of Mr. Pinto, Mr. Kleimer -- Kleiman and Cyril Welter who  
15 testified this morning.

16 CHAIRMAN KATZ: And are they still in the  
17 room? Are they still in the room?

18 MR. McDERMOTT: Mr. Pinto and Mr. Welter  
19 are. Mr. Kleiman has left.

20 CHAIRMAN KATZ: Why don't we have them  
21 come up and verify their -- and we'll get that in the  
22 record? Mr. McDermott, if you'll lead them through that?  
23 What number are we giving these?

24 MR. McDERMOTT: 68, 69 and 70 I believe.

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1 Is that right Mr. Cunliffe?

2 MR. CUNLIFFE: 68, 69 and 70.

3 CHAIRMAN KATZ: Thank you gentlemen very  
4 much for your participation. We'll see you in June.

5 MR. GRUHN: Thank you.

6 MR. ASHTON: Have a nice spring.

7 MR. GRUHN: We'll try.

8 VOICE: Hopefully no more burning  
9 highways.

10 MR. McDERMOTT: Mr. Pinto, I've showed you  
11 a copy of your resume. Is that a true and accurate copy  
12 of your resume?

13 MR. PINTO: Yes, it is.

14 MR. McDERMOTT: And you verify it as being  
15 accurate?

16 MR. PINTO: Yes, I do.

17 MR. McDERMOTT: And Mr. Welter, same  
18 question to you. Is that a true and accurate copy of  
19 your resume?

20 MR. WELTER: Yes, it is.

21 MR. McDERMOTT: And do you verify it as  
22 being accurate?

23 MR. WELTER: I do.

24 CHAIRMAN KATZ: Any objection to making

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1 these two full exhibits? Hearing none we'll make them  
2 full exhibits.

3 (Whereupon, Applicant's Exhibits No. 68  
4 and 69 were received into evidence as full exhibits.)

5 CHAIRMAN KATZ: And who is the third one?

6 MR. McDERMOTT: Mr. Kleiman from -- or  
7 Kleimer from ESS.

8 CHAIRMAN KATZ: Okay. We can --

9 MR. MARCONI: If everybody is willing to  
10 stipulate that the other resume is accurate then that's  
11 fine. We can certainly admit it into evidence.

12 CHAIRMAN KATZ: Is there any objection  
13 from any party from making Mr. Kleiman's resume a full  
14 exhibit? Hearing none we will take it in on that  
15 understanding.

16 (Whereupon, Applicant's Exhibit No. 70 was  
17 received into evidence as a full exhibit.)

18 MR. McDERMOTT: Thank you.

19 CHAIRMAN KATZ: Any other housekeeping  
20 matters by any party, intervenor, applicant, prior to  
21 adjourning today's session? I'll just remind everybody,  
22 May 12<sup>th</sup> and 13<sup>th</sup> are EMF exclusively and are we all set on  
23 pre-filed and all you working that among yourself and all  
24 that?

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1 MR. FITZGERALD: Well, we've read the  
2 dates for pre-filed.

3 CHAIRMAN KATZ: Okay.

4 MR. FITZGERALD: And certainly we intend  
5 to observe them. I think we will have a few additional  
6 things. You asked for some --

7 CHAIRMAN KATZ: I'm asking that nothing be  
8 dropped on our laps that morning for us to read.

9 MR. FITZGERALD: -- you can be sure that  
10 we will not be guilty of that. Everything that you've  
11 asked us for will be --

12 CHAIRMAN KATZ: I'm asking all parties and  
13 intervenors not to drop anything on our lap the morning  
14 of May 12<sup>th</sup> and expect us to read it and please respect  
15 all deadlines according to pre-filing. Ms. Randell?

16 MS. RANDELL: Could we ask to the extent  
17 possible people email the pre-filed testimony?

18 CHAIRMAN KATZ: Yes.

19 MS. RANDELL: It cuts off several days on  
20 our receipt.

21 CHAIRMAN KATZ: Yes. That -- we'll make  
22 that request.

23 MR. FITZGERALD: One report that you asked  
24 for this morning we have. This relates to the two



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1       substation sites, the McNeil or Blacktite site.

2                   CHAIRMAN KATZ: Yes.

3                   MR. FITZGERALD: And the Beard site.

4       Today we've delivered a proposed access agreement to Ms.  
5       Kohler, who is serving as an intermediary since Mr.  
6       McNeil choose to go to the town and we have advised her  
7       to advise him and we advise you that if we get that back  
8       with a signature we will immediately proceed to do the  
9       due diligence work to see if that's a viable site.

10                  CHAIRMAN KATZ: In fact we may take that  
11       up briefly during the May session if that has been  
12       resolved by May 12<sup>th</sup>, we might briefly just start off with  
13       that before we do EMS if that's all been --

14                  MR. FITZGERALD: We'll let you know if  
15       there's anything to report.

16                  CHAIRMAN KATZ: -- yes. That's all we'll  
17       ask. Any other procedural matters? We are adjourned.

18                         (Whereupon, the hearing adjourned at 3:30  
19       p.m.)

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## CERTIFICATE

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