



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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November 10, 2008

Mr. James M. Thomas, Commissioner
State of Connecticut
Department of Emergency Management and Homeland Security
25 Sigourney Street, 6th Floor
Hartford, CT 06106-5042

RE: **DOCKET NO. 346** – Implementation of Section 8 and Section 54 of Public Act No. 07-242; An Act Concerning Electricity and Energy Efficiency

Dear Commissioner Thomas:

As you are aware, Section 8 of Public Act 07-242 (AAC Electricity and Energy Efficiency) requires that the Connecticut Siting Council (Council) initiate a contested case proceeding to “investigate energy security with regard to the siting of electric generating facilities and transmission facilities.” To that end the Council has established a proceeding and scheduled a public hearing in connection with these matters on January 6, 2009.

In a letter dated October 31, 2007, the Department of Emergency Management and Homeland Security (“DEMHS”) expressed its commitment to enhancing energy security and to fulfilling the requirements of the Public Act. It is on that basis that I write to you today to ensure that your agency is fully apprised of these details in order that you are provided ample time to consider how you might choose to participate in this proceeding.

While not required, DEMHS may wish to consider filing a notice of intent to be a party in connection with this proceeding pursuant to Connecticut General Statutes §4-177a(a) and §16-50n(a)(4). Participation in this fashion would preserve all rights to present and hear evidence and maximize your agency’s participation in furtherance of your agency’s public mission. To the extent that you or any member of your staff wishes to discuss this option further or have any questions in this regard, I would encourage you to contact our staff attorney, Melanie Bachman, at 860 827-2951.

Also enclosed herewith for your review are a memo, dated November 6, 2008, and a schedule for the overall proceeding. The cover memo makes reference to an invitation to comment on a draft set of *Best Management Practices for the Security of Siting Energy Facilities in Connecticut* that will be made available to aid in the deliberations of this proceeding. This document is being served on all participants for their review and consideration prior to the hearing scheduled. While not wishing to presuppose any particular action by the Council, one potential outcome of this proceeding would be for the Council’s to adopt such a set of BMP’s in connection with future application involving relevant critical infrastructure projects.

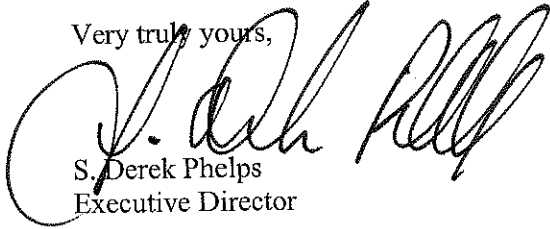
Thomas Letter
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In any event, please note that comments related to the draft BMP's are invited although such comments should be received by the Council no later than November 25. Adherence to this schedule will enable the Council to receive and review all such comments by the participants of the proceeding, in order to permit sufficient time to consider changes and achieve service to all participants in compliance with the December 30, 2008 pre-file deadline. (The pre-file deadline for all testimony related to the January 6, 2009, hearing is December 30, 2008.)

If you have any questions, please do not hesitate to contact me. Thank you for your anticipated participation in this matter.

Very truly yours,



S. Derek Phelps
Executive Director

SDP/MB/cm
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c: Parties & Intervenors



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November 6, 2008

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 346** - Implementation of Section 8 of Public Act No. 07-242, An Act Concerning Electricity and Energy Efficiency.

As discussed at the pre-hearing conference held on October 29, 2008, the Council has rescheduled the hearing in the above referenced matter from November 18, 2008 to January 6, 2009, to allow more time to fully develop the record through interrogatories and comment periods. A revised schedule is attached. If any party or intervenor has a conflict regarding this date, please contact the Council as soon as possible.

Also enclosed is a copy of the Council's "*Best Management Practices for the Security of Siting Energy Facilities in Connecticut*". The BMPs were initially filed electronically with all parties and intervenors on October 27, 2008.

The Council requests that Parties and Intervenors provide written comment regarding the draft BMPs by November 25. In an effort to further develop the record in this proceeding, the Council invites comments regarding the scope of the proceeding with respect to what Section 8 of the Public Act intends to accomplish.

Enclosures (2)



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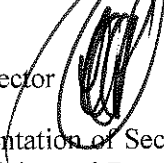
Internet: ct.gov/csc

Daniel F. Caruso

Chairman

November 6, 2008

TO: Council Members

FROM: S. Derek Phelps, Executive Director 

RE: **DOCKET NO. 346** - Implementation of Section 8 and Section 54 of Public Act No. 07-242, An Act Concerning Electricity and Energy Efficiency.

I. Introduction

This hearing is being held in conjunction with Section 8 of Public Act 07-242, which reads, "Not later than September 1, 2007, the Connecticut Siting Council, in consultation with the Emergency Management and Homeland Security Coordinating Council, established pursuant to section 28-1b of the general statutes, and the Department of Public Utility Control shall initiate a contested case proceeding, in accordance with the provisions of chapter 54 of the general statutes, to investigate energy security with regard to the siting of electric generating facilities and transmission facilities, including consideration of planning, preparedness, response and recovery capabilities. The Connecticut Siting Council may conduct such proceedings in an executive session with sensitive information submitted under a protective order."

The hearing will allow all parties and intervenors to present and hear evidence related to security matters for the siting of energy infrastructure. Evidence obtained during the hearing will assist Council staff in further developing *Best Management Practices for the Security of Siting Energy Facilities in Connecticut*, a document the Council could consider and potentially adopt for its own adjudicatory purposes. If adopted by the Council, this document could be issued to the electric industry and other relevant organizations as a guide for secure operations in Connecticut.

II. Proposed D-346 Schedule

Issuance of Council's initial draft " <i>Best Management Practices for the Security of Siting Energy Facilities in Connecticut</i> "	10/27/08
Council Interrogatories	(tentative dates)
• Set-One filed	11/13/08
• Set-One responses due	12/04/08
• Set-Two filed (if necessary)	12/11/08
• Set-Two responses due	12/30/08
Pre-hearing conference (2:00 p.m.)	12/17/08
Pre-filed testimony due	12/30/08
Hearing (2:00 p.m.)	01/06/09
Council Subcommittee	01/26/09
Issuance of Council's final draft " <i>Best Management Practices for the Security of Siting Energy Facilities in Connecticut</i> " for comment	02/03/09
Deadline for comment on final draft report	02/12/09
Final version of BMP for Council approval	02/19/09

INTRODUCTION

In order to address a range of possible concerns regarding security in energy siting the Connecticut Siting Council (Council) issues this policy document "*Best Management Practices for the Security of Siting Energy Facilities in Connecticut*". The Connecticut Legislature passed Public Act 07-242, "An Act Concerning Electricity and Energy Efficiency" and Governor M. Jodi Rell signed it into law in 2007. These Best Management Practices are designed to comport with relevant parts of the Public Act. Section 8 of Public Act 07-242 states:

Not later than September 1, 2007, the Connecticut Siting Council, in consultation with the Emergency Management and Homeland Security Coordinating Council, established pursuant to sections 28-1b of the general statutes, and the Department of Public Utility Control shall initiate a contested case proceeding, in accordance with the provisions of chapter 54 of the general statutes, to investigate energy security with regard to the siting of electric generating facilities and transmission facilities, including consideration of planning, preparedness, response and recovery capabilities. The Connecticut Siting Council may conduct such proceedings in an executive session with sensitive information submitted under a protective order.

This guide is intended to present discussion points the Council could consider in regards to security when reviewing a proposed electric generating facility, transmission facility, or electric substation. Discussing such issues in the application process will improve the Council's scope of review. The Council's expertise in siting of electric generating, transmission, and substation facilities will provide a unique insight for security concerns.

These Best Management Practices will not only be used during their review of such proposed facilities, but will also promulgate policy and guide industry leaders in method and manner to secure operations in Connecticut. The criteria presented in this guide should be evaluated by applicants in their initial filing as much as practicable. In processing such a filing, a period of discovery will further aide the Council in developing a full record.

In accordance with Section 8 of Public Act 07-242, the Council will examine the following topics as they relate to the security of electric generating, transmission, and substation facilities: Planning, Preparedness, Response and Recovery.

A. PLANNING

1. Identification

Identify of the types of security threats to a facility.
Identify specific vulnerabilities.

2. Facility type/characteristics

Identification of the type and characteristics of the facility.
Description of the facility setting and how the setting affects security concerns.
Importance of the facility - What other facilities/systems rely on this facility?

3. Interdependencies

Examine how the facility is linked to other facilities and systems and potential repercussions from a facility or system interruption.
An examination of how the setting (co-location) of the facility could affect neighboring independent or dependent facilities and systems.

4. Awareness

Examine how vulnerability information is disseminated to employees as well as the public.
Discussion with other industry members or appropriate government agencies to share information regarding threats and countermeasure.

B. PREPAREDNESS

1. Support infrastructure

Examine mechanical systems, physical and non-physical barriers, access control, personnel, and redundant systems required to achieve site security.
Examine types of site monitoring required for manned and unmanned facilities.

2. Personnel

Establishment of a local law enforcement/emergency response liaison.
Mutual Aid Agreements and Emergency Management Assistance Compacts.
Personnel Qualifications and Certifications.
Employee Training.
Simulation and Exercises, including local police, fire, and other emergency response teams.

C. RESPONSE

1. Access to information

Examine notification procedures.
Levels of notification depending on type of security issue.
Proper notification to ensure proper employee and or emergency response.

10/27/08

2. Mitigation

Mitigation measures including alternate routing of power, strategically located spares, recovery procedures, redundancy, mutual assistance, mobile backup generation.

D. RECOVERY

1. Recovery Measures

Effective generation re-dispatch plan.

Adequate testing of system or system components prior to restart.

Established communication procedure to ensure restart does not negatively impact other systems or facilities operating under contingency measures.

2. Reporting

Final reporting to determine weakness in security plan and methods to counteract such weakness.

Analysis of notification and response actions followed by recommendations to improve response efficiency.

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Party	The Connecticut Light and Power Company	<p>Robert Carberry Manager – Transmission Siting & Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 carbere@nu.com</p> <p>Duncan MacKay, Esq. Assistant General Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3495 (860) 665-5504 fax mackadr@nu.com</p> <p>Robert S. Golden, Jr., Esq. Carmody & Torrance LLP P.O. Box 1110 50 Leavenworth Street Waterbury, CT 06721-1110 (203) 573-1200 (203) 575-2600 rgolden@carmodylaw.com</p>
Party	The United Illuminating Company	<p>Linda L. Randell Senior Vice President, General Counsel and Secretary The United Illuminating Company 157 Church Street New Haven, CT 06506-1904 (203) 499-2575 (203) 499-3664 fax Linda.randell@uinet.com uiregulatory@uinet.com</p> <p>Bruce L. McDermott Daniel P. Venora Wiggin and Dana LLP One Century Tower New Haven, CT 06508-1832 (203) 498-4400 (203) 782-2889 bmcdermott@wiggin.com dvenora@wiggin.com</p>

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p style="text-align: center;">Party (granted 11/05/07)</p>	<p>Connecticut Municipal Electric Energy Cooperative (CMEEC)</p>	<p>Maurice Scully Executive Director Connecticut Municipal Electric Energy Cooperative 30 Stott Avenue Norwich, CT 06360 (860) 889-4088 (860) 889-8158 fax mscully@cmeeec.org</p> <p>Philip Sussler, Esq. General Counsel Connecticut Municipal Electric Energy Cooperative 30 Stott Avenue Norwich, CT 06360 (860) 889-4088 (860) 889-8158 fax psussler@cmeeec.org</p>
<p style="text-align: center;">Intervenor (granted 11/05/07)</p>	<p>Connecticut Energy Advisory Board (CEAB) c/o Gretchen Deans 805 Brook Street. Bldg. 4 Rocky Hill, CT 06067 (860) 571-7147 (860) 571-7150 fax gdeans@cerc.com</p>	<p>John Mengacci Office of Policy and Management 450 Capitol Avenue #55ENR Hartford, CT 06106 (860) 418-6374 John.mengacci@ct.gov</p> <p>Julie Cammarata Office of Policy and Management 450 Capitol Avenue #55ENR Hartford, CT 06106 (860) 418-6296 Julie.cammarata@ct.gov</p> <p>Dan Peaco La Capra Associates 20 Winthrop Square Boston, MA 02110 (617) 367-6500 dpeaco@lacapra.com</p> <p>Heather Hunt Law Office of Heather Hunt 242 Whippoorwill Lane Stratford, CT 06614 (203) 380-1477 HeatherHuntLawOffice@gmail.com</p>

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicants		<p>Connecticut Siting Council 10 Franklin Square New Britain, CT 06051 860-827-2935 860-827-2950 Siting.council@ct.gov</p> <p>John Buckingham Department of Public Utility Control 10 Franklin Square New Britain, CT 06051 860-827-2891 860-827-2613 John.buckingham@po.state.ct.us</p>
Intervenor (Approved October 30, 2008)	<p>Joel N. Gordes Environmental Energy Solutions 38 Brookmoor Rd. West Hartford, CT 06107 (860) 561-0566 Ph/Fax jgordes@earthlink.net</p>	