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November 13, 2008

Hand-Delivered and Electronic Mail

Daniel F. Caruso, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: DOCKET NO. 364 The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed substation located at 325 Waterford Parkway North, Waterford, Connecticut

Dear Chairman Caruso:

In connection with Docket No. 364, enclosed please find the original and twenty (20) copies of Comments on CSC's Draft Findings of Fact.

Very truly yours,



Robert S. Golden, Jr.

Enclosures

cc: Service List

{W1655814}

WATERBURY

NEW HAVEN

SOUTHBURY

DOCKET NO. 364 - The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a new bulk-power 115-kV to 23-kV substation located at 325 Waterford Parkway North, Waterford, Connecticut.	} } } }	Connecticut Siting Council November 13, 2008
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Comments on CSC's Draft Findings of Fact

A. RECOMMENDED TEXT RE-STATEMENT

Finding of Fact (FOF) 143 is based on a discussion between CL&P representatives and Council Member Ashton, at the September 23, 2008 CSC hearing. This finding contains two critical facts: (i) the possibility of shifting the substation to the east; and (ii) the possibility of removing the substation's southeast corner. As currently written, FOF 143 creates the impression that these two substation modifications are possible and thus, confines CL&P to a potentially infeasible position. The discussion (Tr. 1, pp. 78-81) does not definitively state these modifications: (i) are possible from a technical perspective; or (ii) would not potentially require the acquisition of additional rights such as aerial easement rights. Instead, the discussion indicates that CL&P would explore the possibility of shifting the substation and removing the southeast corner in its D&M Plan. Given the pressing need for this substation, CL&P hopes to avoid a finding that might require an amendment (which could delay commencement of construction) and suggests the following revisions:

143. CL&P may be able to shift the substation 10 or 15 feet east and remove the southeast corner ~~The substation could be shifted 10 or 15 feet east and the southeast corner could be removed~~ to permit additional landscaping for screening, but CL&P is concerned about encroachment onto the upland review area. CL&P is also concerned about having a sufficient turning radius in the event that a ~~third (mobile)~~ mobile transformer has to be brought to the substation. CL&P will address these issues ~~This issue could be addressed~~ in the D&M Plan. (Tr. 1, pp. 78-81)

Note: The revision to the second sentence clarifies the point that the turning radius issue applies only to the mobile transformer and not the (future) third permanent transformer. The revision to the third sentence more accurately reflects what will be discussed in the D&M Plan.

B. RECOMMENDED ADDITIONAL FOF

CL&P does not have any residential demand response programs in the Waterford area. (Tr. 1, pp. 32-33)

Note: This FOF addresses Council Member Bell's request, during CSC's October 30, 2008 meeting, for an additional FOF regarding demand response programs in the Waterford area.

C. RECOMMENDED TEXT CORRECTIONS

84. The proposed substation would be located in the western portion of a ~~385~~-acre CL&P-owned undeveloped property located immediately northeast of the intersection of Oil Mill Road and Waterford Parkway North. The parcel would accommodate the construction and operation of the substation without the need to purchase any additional real estate. (CL&P 1, Vol. I, pp. A-1 and F-1)
99. The underground work on Oil Mill Road would require two to three weeks in order to perform trenching. Given the narrow width of Oil Mill Road and the possible construction, CL&P ~~metwill meet~~ with local officials regarding traffic during construction. (Tr. 1, ~~ppp.~~ pp. 89-90)

Note: This revision more accurately reflects CL&P's intentions to meet with local officials once construction is underway and provides a more accurate citation.

156. The #1605 and #1500 transmission circuits currently have like phasing. The #1500 circuit would be reverse-phased ~~during construction~~ as a MF reduction measure. (CL&P 8, R. Gagnon, p. 21)

D. RECOMMENDED MODIFICATIONS TO PROVIDE GREATER CLARITY

7. CL&P placed two signs in front of the site: one on Waterford Parkway North and one on Oil Mill Road on September 9, 2008. The signs identified the name of the applicant, the nature of the project, public hearing date and location, the availability of the application and contact information for the Council. (Tr. 1, pp. 18-19)
9. Pursuant to CGS § 16-50I (b), notice of the application was provided to all abutting property owners. Nearby property owners were also notified. Notification was sent by certified mail. (CL&P 1, Vol. I, p. Q-4; Vol. II, Exh. 10)
23. ...b) There were six sites considered as detailed in the technical report ~~referenced above~~ entitled "Waterford Planning and Zoning Commission Location Review, Proposed Waterford Substation, Prepared by VHB, Inc., dated February 2008." The Planning and Zoning Commission concurs that the subject site is the best location because of accessibility, location adjacent to I-95 and capacity to accommodate the use and future expansion.
- ...3. The site line at the intersection of Oil Mill Road and Waterford Parkway North is proposed to be improved. The fence surrounding the substation is proposed to be installed adjacent to Oil Mill Road. It is requested that the maximum site line be achieved consistent with Federal Highway ~~Association~~ Administration (FHWA) standards, as measured at the stop sign. Additional clearing and grading proposed that will not assist with site line improvement at the intersection and could provide some screening of the substation should be retained. (CL&P 1, Vol. II, Exh. 87)

E. RECOMMENDED EDITORIAL CORRECTIONS

12. Pursuant to CGS § 16-50j (h), on August 11, 2008 and September 24, 2008, the following State agencies were solicited by the Council to submit written comments regarding the proposed facility: Department of Environmental Protection (DEP), Department of Agriculture (DOA), Department of Public Health (DPH), Council on Environmental Quality (CEQ), Department of Public Utility Control (DPUC), Office of Policy and Management (OPM), Department of Economic and Community Development (DECD), and the Department of Transportation (DOT). (Record)
15. The following agencies did not respond with comment on the application: DEP, DOA, CEQ, DPUC, OPM, and DECD. (Record)
21. ...c) Activity proposed within 100 ft. of the ~~delinated~~ delineated perennial watercourse includes clearing of vegetation, grading, placement of crushed stone substrate and installation of a biofiltration swale and level spreader outlet.
37. The actual peak load for 2008 ~~is~~ is not yet available, but CL&P notes that it is lower than expected due to cooler weather. (Tr. 1, p. 24)
65. CL&P determined that Site 2 would be unsuitable because extensive distribution line work would be required in the area due to limited connection possibilities to existing 23-kV feeders. The substation could be connected to a nearby existing 115-kV circuit, but would require a new right-of-way. Wetland impacts would most~~ly~~ likely be associated with connections to the transmission circuit. The property owner is not known. (CL&P 1, Vol. I, p. I-4 and I-5; Tr. 1, pp. 101-102)
89. Access to the site would be via a new gravel driveway, ~~approximately 70 feet long,~~ directly from Waterford Parkway North. (CL&P 1, Vol. I, p. F-1)
154. The highest existing calculated MFs along the northern property line are ~~4.404,49~~ 4.404,49 mG for peak-day average load conditions and 6.75 mG under peak load conditions. (CL&P 8, R. Gagnon, p. 20)

F. RECOMMENDED CORRECTIONS TO REFERENCES TO CITATIONS

1. CL&P 1, Vol. I, ~~ppp.~~ A-1 and Q-1
2. [Tr. 1], ~~ppp.~~ 1-2
19. CL&P 1, Vol. I, p. ~~e~~Q-1
24. Town of Waterford Comments dated ~~June~~July 8, 2008
- 26, 28, 29. CL&P ~~2,1~~, Vol. II, Exh. 7
31. Tr. ~~1,2~~, pp. 8-11
38. CL&P 1, Vol. I, ~~p-pp.~~ G-4 to G-5

45. Tr. 1, pp. ~~66~~65-67
57. CL&P 1, Vol. I, ~~p~~pp. I-11 to I-12
79. CL&P 1, Vol. I, p. I-~~6~~5
81. Tr. 1, ~~ppp.~~ 39-40
91. CL&P 1, Vol. I, pp. F-1 to F-3
100. CL&P 2, response 26
104. CL&P 1, Vol. I, p. ~~LF~~-36
148. CL&P 1, Vol. I, ~~ppp.~~ M-1 to M-2
150. CL&P ~~1, Vol. I, 8,~~ p. 20
155. CL&P 8, R. Gagnon, -p. 2021
165. CL&P 1, Vol. I, p. J-~~1~~2