

May 11, 2010

S. Derek Phelps
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: DOCKET NO. 370A –The Connecticut Light & Power Company application for Certificates of Environmental Compatibility and Public Need for the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut.

Dear Mr. Phelps:

On April 7, 2010, the Connecticut Light and Power Company (“CL&P”) filed a Petition for Reconsideration of the Denial of a Certificate of Environmental Compatibility and Public Need for the Manchester to Meekville Junction Circuit Separation Project (“MMP”) (“Petition”). CL&P requested that the Council open Docket 370 for the limited purpose of reconsidering CL&P’s application for MMP, consider the comparative costs and benefits of the originally proposed MMP project versus the so-called MMP-V project (the alternate configuration considered by the Council in this proceeding) and issue a certificate for either configuration.¹

Whereas the MMP line calls for a 2.2 mile 115 kV transmission line in an existing transmission right-of-way (“ROW”) in Manchester, Connecticut, the MMP-V line calls for a 345 kV line along that same 2.2 miles that also extends an additional 0.1 miles on the south end of the line and an additional 0.4 miles on the northern end of the line. Moreover, the additional 0.4 miles of 345 kV line contemplated by the MMP-V configuration appears to be proximate to at least four residences that would not be so affected by the MMP configuration.

¹ By way of background, on March 16, 2010, the Council issued a certificate for the Greater Springfield Reliability Project and found that MMP was needed. The Council, however, denied the certificate for MMP without prejudice in order to allow further consideration of the alternate MMP-V configuration.

On April 26, 2010, Richard Blumenthal, Attorney General for the State of Connecticut (“Attorney General”), requested that any Council consideration of the MMP-V route and configuration be preceded by ample notice to both the town of Manchester and any and all residents who may be affected by the 345 kV MMP-V line, especially those that may be affected by the 0.5 mile portions of the MMP-V line which extend beyond the route originally proposed for the MMP line. That is because CL&P’s initial application in this case gave no notice or indication that the MMP segment of the project could be 345 kV or that it could extend beyond the initially proposed 2.2 mile route.

The Attorney General further stated that such notice should be provided in a manner that allows those possibly affected by the MMP-V project a meaningful opportunity to understand the proposal and participate in any proceedings concerning the MMP-V project. Such notice is entirely consistent with Conn. Gen. Stat. § 16-50p(d), which provides that:

[i]f the council determines that the location of all or a part of the proposed facility should be modified, it may condition the certificate upon such modification, provided the municipalities, and persons residing or located in such municipalities, affected by the modification shall have had notice of the application as provided in subsection (b) of section 16-50l.

On May 7, 2010, the Council issued a notice of hearing on June 2, 2010 for consideration of the MMP-V project. That notice appears to contemplate a proceeding in which the Council could not only decide whether to grant CL&P’s Petition, but may also take evidence on the merits of the MMP-V project. Specifically, the notice provides that “[t]he 11:00 a.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Arguments will be entertained in writing after the close of the last hearing session.”

The record in this proceeding does not indicate that any additional notice has yet been provided to the town of Manchester, Connecticut or the residents and proprietors of homes and businesses along the MMP-V route, particularly those that would be more affected by the MMP-V configuration than by the initially proposed MMP route. Therefore, in the event that the Council intends to consider the merits of the MMP-V project at the June 2, 2010 hearing, the Attorney General again urges the Council to require that ample and timely notice be provided to the town of Manchester and any and all residents

who may be affected by the MMP-V line in order to allow a meaningful opportunity to participate in this proceeding.

Sincerely,

RICHARD BLUMENTHAL
ATTORNEY GENERAL

By: _____

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cc: Service list