

STATE OF CONNECTICUT
SITING COUNCIL

* * * * *

THIRD TAXING DISTRICT	*	JUNE 14, 2012
ELECTRIC DEPARTMENT	*	(3:01 p.m.)
APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF AN ELECTRICAL SUBSTATION AT 6 FITCH STREET, NORWALK, CONNECTICUT	*	DOCKET NO. 426

* * * * *

BEFORE: ROBIN STEIN, CHAIRMAN

BOARD MEMBERS: Larry Levesque, DPUC Designee
 Brian Golembiewski, DEP Designee
 Daniel P. Lynch, Jr.
 Edward S. Wilensky
 Philip T. Ashton
 Dr. Barbara Currier Bell

STAFF MEMBERS: Linda Roberts, Executive Director
 Robert Mercier, Siting Analyst
 Melanie Bachman, Staff Attorney

APPEARANCES:

FOR THE APPLICANT, THE THIRD TAXING DISTRICT ELECTRIC DEPARTMENT:

MURTHA CULLINA, LLP
 CityPlace I, 29th Floor
 185 Asylum Street
 Hartford, Connecticut 06103
 BY: ANDREW W. LORD, ESQUIRE

FOR THE PARTY, THE CONNECTICUT LIGHT AND
POWER COMPANY:

JEFFREY D. COCHRAN, ESQUIRE
Senior Counsel
Northeast Utilities Service Co.
P.O. Box 270
Hartford, Connecticut 06141-0270

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HEARING RE: THIRD TAXING 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 The Third Taxing District
4 Electric Department, held at Norwalk City Hall, 125 East
5 Avenue, Norwalk, Connecticut, on June 14, 2012 at 3:01
6 p.m., at which time the parties were represented as
7 hereinbefore set forth . . .

8
9
10 CHAIRMAN DANIEL F. STEIN: Good afternoon.
11 I'd like to call the meeting to order if I may.

12 Ladies and gentlemen, this hearing is
13 called to order this Thursday, June 14, 2012 at
14 approximately 3:00 p.m. Siting Council Docket No. 426.

15 My name is Robin Stein and I'm the
16 Chairman of the Siting Council. Other members of the
17 Council who are present are Brian Golembiewski, the
18 designee from the Department of Energy and Environmental
19 Protection; Larry Levesque, the designee from the Public
20 Utilities Regulatory Authority; Phil Ashton; Daniel
21 Lynch; Dr. Bell; and Ed Wilensky.

22 Members of the staff present are Linda
23 Roberts, Executive Director, Melanie Bachman, Staff
24 Attorney; and Robert Mercier, Siting Analyst. Linda

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1 Stone is the court reporter and Aaron DeMarest, the audio
2 technician.

3 Are we good? Yeah? Okay. This hearing
4 is held pursuant to the provisions of Title 16 of the
5 Connecticut General Statutes and of the Uniform
6 Administrative Procedures Act upon an Application from
7 the Third Taxing District Electric Department for a
8 Certificate of Environmental Compatibility and Public
9 Need for the construction, maintenance, and operation of
10 an electrical substation located at 6 Fitch Street,
11 Norwalk, Connecticut. This application was received by
12 the Council on April 10, 2012.

13 As a reminder to all, off-the-record
14 communication with a member of the Council or a member of
15 the Council staff upon the merits of this application is
16 prohibited by law.

17 Parties and intervenors to the proceeding
18 are -- the Applicant is the Third Taxing District
19 Electric Department, Attorney Andrew Lord, and the party
20 is the Connecticut Light and Power Company and Jeffrey -
21 - Jeff -- Jeffrey Cochran, counsel for Northeast
22 Utilities.

23 We will proceed in accordance with the
24 prepared agenda, copies of which are available here.

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1 Also available are copies of the Council's Citizen Guide
2 to Siting Council Procedures.

3 At the end of this session, we will recess
4 and resume again at 7:00 p.m. The 7:00 p.m. hearing is
5 reserved for the public to make brief oral statements
6 into the record. I wish to note that parties, including
7 their representatives and witnesses, are not allowed to
8 participate in the public comment session.

9 I also wish to note for those who are here
10 and for the benefit of your friends and neighbors who are
11 unable to join us for the public comment session, that
12 you or they may send written statements to the Council
13 within 30 days of the date hereof. And such written
14 statements will be given the same weight as if spoken at
15 the hearing.

16 If necessary, party presentations may
17 continue after the public comment session if time
18 remains.

19 A verbatim transcript will be made of this
20 hearing and deposited at the City Clerk's Office in
21 Norwalk for the convenience of the public.

22 At this time is there any public official
23 who wishes to make a statement at this time? Okay,
24 hearing and I guess seeing none, we'll now go -- any

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1 motions? Okay.

2 I wish to call your attention to those
3 items shown on the hearing program marked as Roman
4 Numeral I-D, Items 1 through 42. Does the Applicant or
5 any party have any objection to the items that the
6 Council has administratively noticed? Hearing and seeing
7 none, accordingly the Council hereby administratively
8 notices these existing documents, statements, and
9 comments.

10 We'll now go to the Applicant. Attorney
11 Lord, will you present your witness panel for the
12 purposes of taking the oath.

13 MR. ANDREW LORD: Yes -- (indiscernible) -
14 -

15 COURT REPORTER: I can't hear you.
16 (pause)

17 MR. LORD: Would you like me to introduce
18 them before we go to the swearing in or would you just
19 like them to stand and be sworn now.

20 CHAIRMAN STEIN: Why don't you introduce
21 them --

22 MR. LORD: Okay --

23 CHAIRMAN STEIN: -- and then we'll swear
24 them in.

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1 MR. LORD: -- starting all the way down
2 the table, at my left is Dr. Joshua Phinney from
3 Exponent, who is our consultant on EMF. Jim Olsen is
4 next to him from Tighe and Bond. He was responsible for
5 the site engineering and environmental review. Next to
6 me is George Leary, he's the General Manager from the
7 Third Taxing District, and he's been the project manager
8 overseeing all aspects of the project. To my right is
9 Joe Cristino, our electric engineer. And Allan Smardin
10 is our sound consultant. So if you guys would stand up
11 so you could be sworn that would be great.

12 MS. MELANIE BACHMAN: Please raise your
13 right hand.

14 (Whereupon, the Applicant's witness panel
15 was duly sworn in.)

16 MS. BACHMAN: Thank you.

17 CHAIRMAN STEIN: Would you provide the
18 list of your exhibits and, you know, make the request to
19 administratively notice them and verify all the exhibits
20 by the appropriate sworn witnesses.

21 MR. LORD: I will. Thank you. First, I'd
22 ask the Siting Council to take administrative notice of
23 the record and decision documents in Docket No. 398.

24 CHAIRMAN STEIN: Is there any objection to

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1 that being noticed? Hearing and seeing none, continue
2 please.

3 MR. LORD: Thank you. I'd like to start
4 by asking Mr. Leary a few questions regarding those
5 exhibits marked for identification as Roman Numeral II-B,
6 1, 2, 3, and 4a, which are the application for the
7 certificate in this docket, a submittal regarding service
8 of the application and public notice requirements, the
9 responses to interrogatories, and his prefiled testimony.
10 Mr. Leary, are you familiar with these documents?

11 MR. GEORGE LEARY: I am.

12 MR. LORD: And were they prepared under
13 your supervision and control?

14 MR. LEARY: Yes, they were.

15 MR. LORD: Do you have any corrections,
16 additions, or deletions to make to these documents at
17 this time?

18 MR. LEARY: No.

19 MR. LORD: Is the information contained in
20 these documents true and accurate to the best of your
21 knowledge and belief?

22 MR. LEARY: It is.

23 MR. LORD: And do you adopt that as your
24 testimony here today?

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1 MR. LEARY: I do.

2 MR. LORD: Thank you. Mr. -- Dr. Phinney,
3 if I could start -- or continue with you please. Did you
4 prepare the sections of the application and responses
5 related to EMF?

6 DR. JOSHUA PHINNEY: I did.

7 MR. LORD: And did you --

8 COURT REPORTER: I couldn't hear you.

9 MR. LORD: You need to press this button.

10 DR. PHINNEY: I did.

11 MR. LORD: Okay. And did you -- and was
12 the prefiled testimony prepared under your supervision or
13 control?

14 DR. PHINNEY: Yes, it was.

15 MR. LORD: Do you have any additions,
16 corrections, or deletions to make to any of that
17 information today?

18 DR. PHINNEY: No, I do not.

19 MR. LORD: Is the information contained
20 therein true and accurate to the best of your knowledge
21 and belief?

22 DR. PHINNEY: Yes, it is.

23 MR. LORD: And do you adopt that as your
24 testimony today?

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1 DR. PHINNEY: Yes, I do.

2 MR. LORD: Thank you. Mr. Olsen, similar
3 questions for you. Are you familiar with the application
4 and the responses to the interrogatories, as well as your
5 prefiled testimony?

6 MR. JAMES OLSEN: Yes, I am.

7 MR. LORD: And was it -- did you assist in
8 the preparation of the sections related to environmental
9 issues and engineering?

10 MR. OLSEN: Yes, I did.

11 MR. LORD: Do you have any additions,
12 corrections, or deletions to make to that information?

13 MR. OLSEN: No, I don't.

14 MR. LORD: Is it true and accurate to the
15 best of your knowledge and belief, that is the
16 information contained in those portions?

17 MR. OLSEN: Yes, it is.

18 MR. LORD: And do you adopt it as your
19 testimony today?

20 MR. OLSEN: Yes, I do.

21 MR. LORD: Thank you. Mr. Cristino, with
22 regard to the application and the electric engineering
23 aspects therein and the interrogatories related to
24 electric engineering, as well as your prefiled testimony,

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1 are you familiar with that information?

2 MR. JOSEPH CRISTINO: Yes, I am.

3 MR. LORD: And did you assist in the --
4 did you prepare or assist in the preparation of those
5 sections of those documents?

6 MR. CRISTINO: Yes, I did.

7 MR. LORD: Do you have any additions,
8 corrections, or deletions to make to those documents at
9 this time?

10 MR. CRISTINO: No, I do not.

11 MR. LORD: Is the information contained
12 therein true and accurate to the best of your knowledge
13 and belief?

14 MR. CRISTINO: Yes, it is.

15 MR. LORD: And do you adopt it as you
16 testimony today?

17 MR. CRISTINO: Yes, sir, I do.

18 MR. LORD: Thank you. Finally, Mr.
19 Smardin, with -- with regard to the application and your
20 prefiled testimony, did you prepare the sections of those
21 documents related to sound generated and potential sound
22 impacts?

23 MR. ALLAN SMARDIN: Yes, I did.

24 MR. LORD: And do you have any additions,

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1 corrections, or deletions to those -- to portions of
2 those documents at this time?

3 MR. SMARDIN: No.

4 MR. LORD: Is the information contained
5 therein true and accurate to the best of your knowledge
6 and belief?

7 MR. SMARDIN: Yes, it is.

8 MR. LORD: And do you adopt that as your
9 testimony today?

10 MR. SMARDIN: Yes, I do.

11 MR. LORD: Thank you. I would offer the
12 aforementioned exhibits as full exhibits.

13 CHAIRMAN STEIN: Does any party have any
14 objection to the admission of these exhibits? The
15 exhibits are admitted.

16 MR. LORD: Thank you, Mr. Chairman.

17 (Whereupon, Applicant Exhibit Nos. 1
18 through 4 were received into evidence as full exhibits.)

19 CHAIRMAN STEIN: We'll now begin with
20 cross-examination by staff. Mr. Mercier.

21 MR. ROBERT MERCIER: Thank you. I'd like
22 to start by going over the letter from the Planning and
23 Zoning Commission that was dated March 23rd.
24 Specifically -- I'll just go through numbers 1 through 3,

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1 starting with No. 1. What's the height of the proposed
2 control house?

3 MR. LEARY: It's approximately 19 feet
4 high, a story and a half.

5 MR. MERCIER: What -- what's the exterior
6 construction materials?

7 MR. LEARY: The exterior will be clapboard
8 --

9 MR. MERCIER: Okay, so you're going to
10 design it to --

11 MR. LEARY: -- or will have the appearance
12 of clapboard if it isn't -- you know, I don't mean to say
13 it's necessarily going to be wood. But it will look like
14 clapboard, be painted white, and there will be false
15 windows.

16 MR. MERCIER: Is it -- is it typically a
17 metal structure and then you're going to put the --

18 MR. LEARY: It will be a metal frame or
19 masonry frame.

20 MR. MERCIER: Okay.

21 MR. LEARY: There's a picture --

22 MR. MERCIER: Okay. I didn't see that
23 information --

24 MR. LEARY: -- that will give you a rough

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1 idea of --

2 MR. MERCIER: -- in the record. That was
3 not submitted, is that correct?

4 MR. LEARY: No.

5 MR. LORD: If you'd like, we can add that
6 as a --

7 COURT REPORTER: I can't hear you.

8 AUDIO TECHNICIAN: A microphone please.

9 MR. LORD: Can you hear me now?

10 COURT REPORTER: I can.

11 MR. LORD: We can add that as an exhibit
12 if you'd like.

13 CHAIRMAN STEIN: That would be helpful,
14 yes.

15 MR. LORD: We'll call it Artist Rendering
16 of Proposed Layout. And I think we would add that as
17 Exhibit No. 5. Mr. Leary, did you prepare or have
18 prepared a rendering of the site showing the proposed
19 conditions?

20 MR. LEARY: I did.

21 MR. LORD: And is this picture that we'll
22 distribute as Exhibit No. 5 that rendering?

23 MR. LEARY: Yes.

24 MR. LORD: I'd ask that it be admitted as

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1 an exhibit. And if I could approach, I can distribute
2 these to you.

3 CHAIRMAN STEIN: Is there any objection?
4 Okay, they're admitted. Thank you.

5 (Whereupon, Applicant Exhibit No. 5 was
6 received into evidence as a full exhibit.)

7 MR. MERCIER: Thank you. Moving to Item
8 2, it's talking about a landscaping plan. Is that plan
9 within the record or this is -- the plan they're
10 referring to is that -- I see a schematic. It's in --
11 under Tab No. 2 and it shows plantings along a rain
12 garden. Is that the planting plan that's referred to?
13 Now this schematic you just submitted, does that reflect
14 the planting schedule presented in the application?

15 MR. LEARY: Yes, it does.

16 MR. MERCIER: Okay. Now regarding the
17 rain garden, what's the approximate depth of that basin?

18 MR. LEARY: Approximately two feet.

19 MR. MERCIER: Okay --

20 MR. LEARY: Well -- sorry, correction --
21 one foot.

22 MR. MERCIER: One foot. And how was the
23 size of it determined? I mean --

24 MR. LEARY: Well if you want more detail,

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1 I think it might be better to come from our environmental
2 people who did this part if that's okay.

3 MR. OLSEN: We sized it according to
4 standard civil engineering principles and the Connecticut
5 DEEP stormwater design manual.

6 MR. MERCIER: Okay, so it meets a certain
7 discharge --

8 MR. OLSEN: Correct --

9 MR. MERCIER: -- criteria?

10 MR. OLSEN: Yeah.

11 MR. MERCIER: And where is the water
12 coming from that will enter it?

13 MR. OLSEN: It's -- excuse me -- runoff
14 from the site. The site is graded and is pitched towards
15 the rain garden, so -- from which takes all the runoff
16 from the site into the rain garden.

17 MR. MERCIER: Is it just sheet flow or is
18 there -- trenches that will run into --

19 MR. OLSEN: Just sheet flow.

20 MR. MERCIER: Okay. Is there ongoing
21 maintenance required for something like this, the rain
22 garden?

23 MR. OLSEN: There would be periodic
24 inspections. It's meant to be subtle sustaining, but

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1 there will be some periodic inspections and cleanout if
2 necessary.

3 MR. MERCIER: Regarding Item 2 again, the
4 second sentence is talking about a replacement tree for -
5 - a proposed Birch Tree. I wasn't sure exactly what they
6 were getting at. If someone could explain what they're
7 talking about, I would appreciate it.

8 MR. OLSEN: That was a comment from the
9 P&Z where they wanted more of a street landscaping type
10 tree, like a Pin Oak or a Maple. And that --

11 MR. MERCIER: Okay, so -- so you proposed
12 a Birch Tree and they want something else?

13 MR. OLSEN: Correct.

14 MR. MERCIER: Okay. At the site today in
15 the northeast corner there's a rather large -- I believe
16 it's a Cherry Tree in the northeast corner. Is that tree
17 going to be removed for this project?

18 MR. LEARY: No, that -- that tree will
19 stay. And I think that's where there's maybe some
20 confusion with zoning because that's at the location
21 where they're saying -- we had shown a Birch Tree.
22 They're saying it could be a street tree. But I think
23 they'll be agreeable to leaving the tree that's there.
24 It's a large decorative tree.

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1 MR. MERCIER: Would the construction of
2 the rain garden require the removal of that tree? I'm
3 looking at the schematic shown in the application and I
4 see a large tree in the rain garden. So I'm not sure
5 what tree that is.

6 MR. LEARY: You'll have to answer that.

7 MR. OLSEN: Is it okay if I check with one
8 of our -- I have my civil engineer here --

9 MR. MERCIER: Yeah.

10 (pause)

11 MR. OLSEN: The response is the Third
12 Taxing District would like to keep the tree that's there.
13 The way the design is right now it shows a new tree being
14 installed. So that would have to be modified.

15 MR. MERCIER: Okay. Item 3, it talks
16 about an entrance gate. And the gate will have material
17 that screens the interior. And I believe you're going to
18 put privacy slats on the gate?

19 MR. LEARY: Yes. Zoning asked us -- and
20 we would have done that in any event, but we hadn't shown
21 it on our presentation to them.

22 MR. MERCIER: Is there any reason why not
23 to put it on the entire fence that faces the street?

24 MR. LEARY: We would put it on more than

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1 just the gate. The -- the house will screen a lot of the
2 property and we don't want to hide the house behind slats
3 --

4 MR. MERCIER: Okay --

5 MR. LEARY: -- the control house. But the
6 rest of it will be planted. And I had promised some of
7 the neighbors we would screen the sides also.

8 MR. MERCIER: You say the house will
9 screen the substation. I'm assuming you're meaning from
10 a straight on view or as people drive by?

11 MR. LEARY: Yeah.

12 MR. MERCIER: Now I noticed today behind
13 the tree we were just talking about, the Cherry Tree
14 that's now going to remain possibly if this project is
15 approved, along the abutter to the east, and I believe
16 that's an auto body shop, there's a rather wide open
17 space, there's no vegetation at all. And I don't see any
18 screening installed along that eastern side. Is that
19 something that can be incorporated or privacy slats on
20 the fence, something of that nature?

21 MR. LEARY: I had promised the owner of
22 the auto repair shop that we would screen that. We'd put
23 either slats or plantings or maybe both.

24 MR. MERCIER: Okay, thank you. Going to

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1 the estimated cost of the facility on page 7, I believe
2 it listed it as eight million dollars. Does that include
3 CL&P's cost to install the poles?

4 MR. LEARY: Yes, it does. That was --
5 that budget was made before we had made the arrangements
6 we have with CL&P. So they will pay for their piece, and
7 that's probably a million and a half dollars.

8 MR. MERCIER: Okay, so your remaining
9 piece is six and a half. Now in regards to the new
10 terminal structures shown here in the schematic, what's
11 the approximate height of these?

12 MR. LEARY: That hasn't been engineered
13 yet. We have been showing that as 40 feet high.

14 MR. MERCIER: Do you know the height of
15 the tallest structures within the existing East Ave.
16 substation?

17 MR. LEARY: The existing East Avenue
18 Substation -- it's certainly less than 40 feet. So these
19 would be the tallest structures in both substations --
20 those terminal structures.

21 MR. MERCIER: Okay. Do you have an
22 estimate of what's in there?

23 MR. CRISTINO: Yeah, the existing
24 structures are approximately 25 feet high.

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1 MR. MERCIER: Thank you. Now in reading
2 the application, it stated the existing grade of the
3 substation would be lowered about four to eight feet.
4 Now when you say that, do you mean the entire parcel or
5 you're talking about the substation itself?

6 MR. LEARY: The -- the property is going
7 to be regraded and it will pitch from the back towards
8 the street. So you know, we can't go any lower --
9 actually, we're going to have to raise the -- raise the
10 grade, you know, in the back.

11 MR. MERCIER: Okay. You just said you
12 were going to lower it. If you could just clarify what -
13 - exactly what you're going to be doing? Are you going
14 to be installing fill?

15 MR. LEARY: What was the reference?

16 MR. MERCIER: I'll have to find it.

17 (pause)

18 MR. MERCIER: I can't locate it right now,
19 but if you could just please describe what you just
20 mentioned? You're going to install fill and raise the
21 grade?

22 MR. LEARY: We have to raise the grade in
23 the back towards the railroad in order to pitch the side
24 towards the street.

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1 MR. MERCIER: Okay. What's the difference
2 in pitch say from the street --

3 MR. LEARY: It's about four feet.

4 MR. MERCIER: Okay. Was there any
5 environmental study as to any potential soil contaminates
6 at the site?

7 MR. LEARY: We had a Phase 1 study done at
8 the time we purchased the property and they found no --
9 no issues. It was previously a residence, so there's
10 really no reason to expect there would be problems.

11 MR. MERCIER: Let's see -- on page 22 of
12 the application, it stated the work hours would be about
13 7:00 to 5:00 each day, Monday through Friday, generally
14 it said. I was wondering what activities could cause a
15 deviation from that particular schedule.

16 MR. LEARY: There may be towards -- you
17 know, parts of the project where they would have to shut
18 something down or coordinate with the railroad where they
19 might have to do things at an odd time.

20 MR. MERCIER: Can you give me an example
21 of what kind of things?

22 MR. LEARY: CL&P will be -- and maybe they
23 should address this -- but CL&P will be setting poles up
24 along the railroad and that has to be done at a time that

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1 the lines would be lightly loaded, and they would have
2 access to that area.

3 MR. MERCIER: Okay. Now on page 25,
4 that's where I saw the lowering four to eight feet, it
5 was talking about visual quality and how it would be
6 improved by lowering the grade. So that -- that's
7 statement is incorrect as -- is that right?

8 MR. LORD: Yeah --

9 MR. LEARY: Yeah, that's not going to
10 work. We're -- we're going to have to actually raise --
11 we'll raise the back of the site from where it is now.

12 MR. MERCIER: Alright, thank you. Once
13 the substation is constructed, will there be any need for
14 the existing underground CL&P 9S45 and 9S46 lines?

15 MR. LEARY: No. No, they are to be de-
16 energized.

17 MR. MERCIER: De-energized and left in
18 place?

19 MR. LEARY: I expect they'd be removed,
20 at least the section that we -- you know, that we own.

21 MR. MERCIER: Let's see -- and there was a
22 comment in the application that the State Historic
23 Preservation Office was contacted. Have they responded
24 to your inquiry yet?

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1 MR. OLSEN: They have not. Thirty days
2 went by without any comment from them.

3 MR. MERCIER: When you sent the letter to
4 them, did you -- was there any historic sites that were
5 in the area of any interest that you identified?

6 MR. OLSEN: No, there were not.

7 (pause)

8 MR. OLSEN: I said it's more than 30 days,
9 but it's been about eight months since we sent it in, so
10 -- and multiple requests for a response, and we haven't
11 heard anything back.

12 MR. MERCIER: And how did you contact
13 them? By letter, e-mail, phone, or --

14 MR. OLSEN: We -- we contacted them
15 through our historic consultant, Heritage, who sent the
16 letter to them.

17 MR. MERCIER: Okay. Regarding alternative
18 sites, I understand -- according to the application on
19 page 16, it said you were waiting several years for a
20 suitable property to appear. Is this the first suitable
21 property? Were other sites ever considered?

22 MR. LEARY: We did consider -- way back we
23 did consider one other site. We -- we didn't -- we
24 didn't negotiate with the site owner. It turns out the

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1 soil conditions would have required construction on
2 pilings, so we abandoned that idea.

3 MR. MERCIER: Whereabouts was that? Do
4 you have any --

5 MR. LEARY: It was off of Goldstein Place,
6 again backed up to the railroad.

7 MR. MERCIER: Let's see -- regarding the
8 noise report and the related interrogatory No. 18, the
9 response states the substation is -- the interrogatory
10 response states the substation is subject to state noise
11 control regulations --

12 MR. SMARDIN: That's --

13 MR. MERCIER: -- and --

14 MR. SMARDIN: -- that's correct.

15 MR. MERCIER: And further the
16 interrogatory states that the report in the application
17 was revised to reflect that. But I don't see any
18 discussion as to how this site could meet the state noise
19 criteria. The report in the application basically refers
20 to it, it talks about how the substation was exempt from
21 the regulation.

22 MR. SMARDIN: That -- that was incorrect.
23 I used the Norwalk noise code, which is almost identical
24 to the state's code. And the levels from the substation

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1 have to meet the required amounts that are in the code,
2 which is 66 dBa, if it's a -- if the source is --
3 impinges on an industrial area or an industrial source
4 that impinges on a residential area. And the residential
5 area, the allowable noise level is 61 and 51 -- daytime
6 is 61 and nighttime is 51. And I found that all of the
7 areas that I measured, that the sound level was far below
8 the allowable noise levels.

9 MR. MERCIER: What equipment in the
10 substation or process when it's under normal operation
11 causes the most noise?

12 MR. SMARDIN: Almost 90 percent of it
13 would be the transformers.

14 MR. MERCIER: Okay. And how did you
15 obtain the information to plug into your model as to what
16 the noise emitted from the transformer is? Manufacturer
17 specs or --

18 MR. SMARDIN: That, and also I actually
19 took measurements of the existing station and its noise
20 levels. Then based on a list that was given to me of the
21 new equipment that would be in there and based on
22 previous experience with other substations, I looked at
23 all of the data and then projected the two -- the
24 existing substation and the new substation to the various

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1 residences and the businesses in the area.

2 MR. MERCIER: Did the manufacturer have an
3 actual spec sheet that listed the noise emitted?

4 MR. SMARDIN: No.

5 MR. MERCIER: Okay, so I understand you
6 went around to other similar substations and just
7 measured what those levels were --

8 MR. SMARDIN: Yes --

9 MR. MERCIER: -- and entered those levels
10 as your model for this particular --

11 MR. SMARDIN: And then projected the
12 additional line to the residences, the commercial areas,
13 and the -- and the surrounding area.

14 MR. MERCIER: Do you know if the
15 manufacturer actually has noise emission information?

16 MR. SMARDIN: I really don't. My
17 experience in the past has been to go to the -- into the
18 field and various other substations that I've measured
19 over the years and actually measure the level in the area
20 where it exists.

21 MR. MERCIER: In your experience have you
22 found, you know, there's different errors of equipment --
23 or -- is the older equipment louder or quieter than the
24 more recent stuff you've examined?

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1 MR. SMARDIN: If I remember correctly, the
2 difference between that is very very small. It's maybe
3 10 percent.

4 A VOICE: Is that 10 dB?

5 MR. SMARDIN: Oh, no. Ten percent. More
6 -- more like around 2 or 3 db -- or dBa. The reason I
7 say dBa is that's the scale that's used because it
8 approximates the response characteristic of the human ear
9 to loudness, and that's also the scale that's used in
10 Norwalk's regulation, the State of Connecticut's
11 regulation, and most -- and most community noise
12 regulations use that as for their measurement of
13 criteria.

14 MR. MERCIER: Okay, thank you. I have no
15 further questions, Mr. Chairman.

16 CHAIRMAN STEIN: Thank you. Mr. Ashton.

17 MR. PHILIP T. ASHTON: Okay. In no
18 particular order, is there any provision for a portable
19 in the design of this substation?

20 MR. CRISTINO: Yes, sir, there is.

21 MR. ASHTON: Where does that show on --
22 which drawing?

23 MR. CRISTINO: It doesn't. It shows on
24 the new nomenclature diagram --

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1 MR. ASHTON: Okay --

2 MR. CRISTINO: -- but it doesn't show
3 anything that's been presented --

4 MR. ASHTON: You haven't put in separate
5 disconnect switches for a portable?

6 MR. CRISTINO: No, sir, we didn't.

7 MR. ASHTON: But that's to come, is that
8 fair?

9 MR. CRISTINO: Yes, sir.

10 MR. ASHTON: Okay.

11 A VOICE: Keep your voice up --

12 MR. CRISTINO: Yes, sir, I will.

13 COURT REPORTER: Your mic is not on.

14 MR. ASHTON: Just picking up at the end
15 here of the sound levels, did you measure sound levels --
16 or did you measure sound levels which included the noise
17 from the railroad or did you discount that?

18 MR. SMARDIN: That's part of the existing
19 background level, but that was discounted.

20 MR. ASHTON: But it's very cyclical and -
21 -

22 MR. SMARDIN: Yes -- yes, it is.

23 MR. ASHTON: So how did you handle that?

24 MR. SMARDIN: Well --

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1 MR. ASHTON: Did you do it over a weighted
2 average over a period of time or --

3 MR. SMARDIN: Over a period of time.
4 Taking the existing substation sound levels when there
5 weren't any trains, you know, passing by. I did -- I did
6 measure one that did come into the station. And what you
7 do is through a -- there's a formula that you can take
8 the train out of the calculation so you're really just
9 left with what you want, and that's the source, the
10 substation noise without other things. That includes
11 traffic by the way, you know, passing on the street and
12 that type of thing. So that's -- that's filtered out,
13 yes.

14 MR. ASHTON: Have you ever been involved
15 with a determination or a specification for transformers
16 and their noise levels?

17 MR. SMARDIN: Not --

18 MR. ASHTON: Have you ever done anything -
19 -

20 MR. SMARDIN: I'm sorry, go ahead.

21 MR. ASHTON: Have you ever done any work
22 with substations before?

23 MR. SMARDIN: Oh, yes. For Northeast
24 Utilities, Consolidated Edison and New York Con-Ed --

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1 MR. ASHTON: Okay --

2 MR. SMARDIN: -- in fact, right in --
3 South Norwalk -- South Norwalk Electric and various other
4 -- other utilities. There was no specific specification
5 for transformers. You just have to go and measure --
6 measure various sites and basically take an average. And
7 that's what I did.

8 MR. ASHTON: Are you aware if a
9 transformer is specified to meet certain noise level
10 requirements? Part 1. And part 2; are you aware if they
11 test for transformer actual noise after production?

12 MR. SMARDIN: By the manufacturer?

13 MR. ASHTON: Yeah.

14 MR. SMARDIN: No, I'm not.

15 MR. ASHTON: Would it surprise you that
16 they do?

17 MR. SMARDIN: It wouldn't surprise me if
18 they did, no.

19 MR. ASHTON: And would it surprise you if
20 companies do specify noise levels for transformers --

21 MR. SMARDIN: That wouldn't --

22 MR. ASHTON: -- when they purchase them?

23 MR. SMARDIN: That wouldn't surprise me.

24 MR. ASHTON: But you don't know?

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1 MR. SMARDIN: But I -- I'm not aware of
2 it, no.

3 MR. ASHTON: Okay -- (mic feedback) --
4 what did I do? Okay.

5 We talked about runoff from the site. And
6 Mr. Leary, you mentioned you've got to raise the back of
7 the site by about four feet. Why do you have to raise
8 it?

9 MR. LEARY: In order to pitch the storm
10 water towards the street.

11 MR. ASHTON: What you do in a substation
12 is put down a crush stone surface, don't you --

13 MR. LEARY: Yes --

14 MR. ASHTON: -- when you have some
15 drainage in a substation typically?

16 MR. LEARY: Yes. As a practical matter,
17 very little water is going to get to the street --

18 MR. ASHTON: I was going to say, do you
19 expect any water to come off that site?

20 MR. LEARY: Maybe in the winter if it's
21 frozen you might get something, but --

22 MR. ASHTON: One of the things that has
23 occurred is that companies have tended to -- or
24 intending, maybe the present tense -- to depress a

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1 substation site so that they can put a berm between the
2 substation and the viewing area for the public. Had that
3 thought crossed your mind?

4 MR. LEARY: It -- it did. It would be
5 very hard to do on that site because you still have
6 visual from the sides. And we don't have space on the
7 sides to --

8 MR. ASHTON: Yeah, I understand that, but,
9 you know, half a loaf is better than no loaf I guess.
10 Did you ever consider turning the control house 90
11 degrees? Does that work for you --

12 MR. LEARY: We actually did turn the
13 control house so the long side is facing the street to
14 get more screening from --

15 MR. ASHTON: Okay, so that's why it is.
16 So how about a suggestion that you anchor the fence to
17 each corner of the control house and eliminate the fence
18 where the building is facing the street? That makes it
19 look a little less like a prison and more like a useful
20 commercial type of operation.

21 MR. LEARY: We probably could do that.
22 That's an interesting idea. I don't know what the
23 regulations are now for -- the federal government has
24 gotten heavily involved in the security of these things

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1 and there are -- there are some new standards. But to
2 the extent we could do that, that probably would be a
3 good idea.

4 MR. ASHTON: They put -- put in vanishing
5 cream on the substation so nobody knows they're there.

6 Is the CL&P takeoff structures part of
7 this application or are they going to come separately?

8 MR. LEARY: No, they are part of this.

9 MR. ASHTON: So our action should consider
10 in toto the CL&P work to be done? Is that fair to say?

11 MR. LEARY: Yes.

12 MR. ASHTON: Mr. Lord, you happy with
13 that? I don't know whether you're under contract with
14 CL&P too or not.

15 MR. LORD: Well the --

16 MR. ASHTON: And Mr. Swan can correct me
17 later on if that's not --

18 MR. LORD: The application was set up such
19 that we are asking for permission to do the CL&P portion
20 just so it's one project that would be covered by an
21 approval.

22 MR. ASHTON: Okay. Okay. There are no
23 new feeders coming out of this substation. The
24 connection is from the new station to the existing one to

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1 the west. Is that fair to say?

2 MR. LEARY: Yes, that's correct.

3 MR. ASHTON: And the transformer windings
4 are not such that they could be tapped at a future date
5 or a higher voltage feeder or to create a feeder coming
6 off the new station?

7 MR. LEARY: No. If we had to add a
8 feeder, it would come out of the old station, out of the
9 East Avenue Station.

10 MR. ASHTON: Okay. Okay, so -- okay. I
11 think that's it -- if -- are you familiar with the way an
12 application works -- has Mr. Lord informed you of the
13 miseries of a Siting Council application; that the
14 application is made and if everything goes well, you get
15 approval, and then there's what follows a development and
16 management plan?

17 MR. LEARY: I have a general idea.

18 MR. ASHTON: Okay.

19 MR. LEARY: He tried, but I'm not sure I
20 understood -- (laughter) --

21 MR. ASHTON: Would it be a reasonable
22 thing to put the landscaping plan as part of the D&M
23 plan? Typically this is what is done, the details of it
24 anyway. Do you have any problem with that?

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1 MR. LEARY: No. I expected that was the
2 case.

3 MR. ASHTON: Okay. What is the nature of
4 the CL&P takeoff structures, are they going to replace
5 the line structures, the 14, 16 -- or 61 line that's
6 there? 1461 I guess is --

7 MR. LEARY: According to what's been
8 filed, there will be two new poles of similar height of
9 what's there as takeoff structures. One of the existing
10 poles may be removed depending on the position of the new
11 one.

12

13 MR. ASHTON: Well you've got one on the --
14 just to the east of the substation, and one quite a
15 distance west of it. Could that one just to the east be
16 used as a takeoff structure?

17 MR. LEARY: No. It would require crossing
18 other property.

19 MR. ASHTON: Other non-railroad property?

20 MR. LEARY: Other -- the property that
21 fronts on Fitch Street --

22 MR. ASHTON: East --

23 MR. LEARY: -- the adjacent lot, you'd
24 have to -- you would have to cross --

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1 MR. ASHTON: Get an aerial trespass.

2 Okay. Let me postulate what a configuration might need
3 be and you tell me if I'm wrong or right, where you put
4 in two new poles and run the conductors to them from the
5 east and the west, is there going to be a conductor going
6 all the way through but not electrically connected around
7 the pole? In other words, you come from the east to a
8 dead-end pole, you then tap off to the substation bus,
9 but you'd also continue with the strain conductors going
10 further west to the next structure, and at that structure
11 you'd simply tap off, but the conductors between the
12 poles would be just de-energized. They could be jumpered
13 however if there was ever a need that arose. Is that
14 what they're talking about?

15 MR. LEARY: We would have to ask the CL&P
16 people, you know, what --

17 MR. ASHTON: Do you want to consult with
18 your attorney? I think he's nodding his head, I'm not
19 sure.

20 MR. LEARY: I don't know that that's the
21 case, so -- can we do that?

22 CHAIRMAN STEIN: CL&P is going to be
23 coming up shortly if -- because they're a party --

24 MR. ASHTON: Okay -- alright, I'll

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1 interrogate them then. I'll pass. Thank you. That's
2 it, Mr. Chairman.

3 CHAIRMAN STEIN: Thank you. Dr. Bell.

4 DR. BARBARA C. BELL: Thank you, Mr.
5 Chair. Going back to a question Mr. Mercier asked, the
6 Phase 1 study for soil contamination, can you give us --
7 I don't think that's in the record, is it? Not that I've
8 seen. Could you tell us when it was done?

9 MR. LEARY: It was done when we bought the
10 property a year -- a year and a half ago.

11 DR. BELL: Thank you.

12 COURT REPORTER: Pardon me.

13 (pause - tape change)

14 DR. BELL: One of the questions the
15 Council asked, Question No. 5, asked for current peak
16 load. And the answer I think went back to 2006, which
17 was the biggest peak for the system. So -- but what I'm
18 looking for is perhaps a more standard peak load in more
19 recent history. So is there some way you could either
20 give us -- I mean we can't have this year's peak load
21 because we don't really have it yet. So perhaps a three-
22 year average or something to indicate a more typical peak
23 on this system?

24 MR. LEARY: We -- we last year had a peak

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1 of 16 -- as I recall, 16.1 megawatts last year --

2 DR. BELL: And would you consider that a
3 little more typical than the peak in 2006 for current
4 conditions?

5 MR. LEARY: Yes.

6 DR. BELL: Okay. So that was -- could you
7 say that again please?

8 MR. LEARY: 16.1.

9 DR. BELL: Okay. A question about
10 lighting. In Question No. 13 from the Council you
11 supplied some information about lighting, but it wasn't -
12 - it isn't clear to me whether this is lighting that's
13 always on or only on if some kind of repair is needed.
14 And the cut-sheets that you gave had to do with
15 generating stations, which I didn't exactly understand
16 because those are not the same as substations. So could
17 you help me understand whether you're contemplating
18 lights that are on every night or only nights when
19 personnel need to be around to deal with the equipment?

20 MR. LEARY: Mr. Cristino did that response
21 and I -- I think he can elaborate.

22 MR. CRISTINO: Our -- our intent is to
23 keep low level security lighting on each night and have a
24 second level of lighting on top of that for emergency

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1 switching, emergency repair work, or any -- any nighttime
2 work that would be needed within the substation to
3 minimize trip hazards and the running of extension cords
4 and temporary lighting.

5 DR. BELL: Is -- is that required by some
6 kind of engineering standard to have the lighting -- the
7 first level of lighting on all the time?

8 MR. CRISTINO: Well -- no. The -- the
9 short answer is no. But what we've got in that area is a
10 unique formation of shadows from the lighting in the
11 railroad station. We have some security lighting in
12 102E, the existing 27,000 volt substation to the west,
13 and we also have some lighting from the street lights out
14 on East Fitch Street. So what we wanted to do was keep
15 low level lighting within the substation for security
16 purposes.

17 We -- we're going to have cameras that are
18 NERC required for security purposes, so we don't need
19 high intensity lighting. And one of the things we wanted
20 to try to stay away from is the use of an infrared type
21 of light sensitive camera, which could flare up if
22 someone, you know, was attempting to get into the
23 substation shown a flashlight or some high intensity
24 light source into the camera itself. So if we kept low

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1 lighting level, we would be able to eliminate some -- you
2 know, some security problems also.

3 DR. BELL: Are you familiar with the Dark
4 Sky Association lighting standards?

5 MR. CRISTINO: I've -- I've -- I've taken
6 one -- but I'm not -- I can't say that I'm proficient in
7 it. I'm just familiar.

8 DR. BELL: These kinds of situations or
9 matters really come up in the D&M phase. I'm wondering
10 if you would be willing to take a look at those standards
11 which have to do basically with shielding lights from
12 different directions. If you'd be willing to take a look
13 at it for the D&M plan and be a little more specific on
14 exactly about these two levels that you're just
15 explaining to me, which isn't absolutely clear in the
16 record?

17 MR. CRISTINO: Sure. We can -- we can
18 definitely do that.

19 DR. BELL: Okay, thank you. On the
20 historical or archeological investigations, on page 13,
21 Section H.8, I gather that what you're trying to say is
22 that two archeological investigations were done in the
23 area or in this part of Norwalk, generally speaking, but
24 neither one was in the exact vicinity of the property.

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1 Is that a fair paraphrase of what you're saying in
2 Section H.8?

3 MR. OLSEN: One moment to read this.

4 (pause)

5 MR. OLSEN: Yes, that's correct.

6 DR. BELL: Okay, so the -- when you're --
7 when you're talking about the vicinity of the property,
8 you mean a square mile? Do you mean two city blocks?
9 I'm just trying to get at how close were these other
10 archeological investigations.

11 MR. OLSEN: I would have to check with our
12 historical consultant on that and see what the search
13 radius was. I don't have that information right at my
14 fingertips.

15 DR. BELL: Okay. What would be helpful is
16 -- often Heritage and other outfits that do this kind of
17 stuff, they -- they give you a little map and they show a
18 radius and whatever -- I mean they have a standard
19 radius, but whatever they would want to put in if you
20 could just show us a sketch of where these investigations
21 were with the site in the middle --

22 MR. OLSEN: Sure --

23 DR. BELL: -- is that fair?

24 MR. OLSEN: Yes.

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1 DR. BELL: Okay, thank you.

2 MR. OLSEN: We can get you that.

3 DR. BELL: Back to the matter of the rain
4 garden, rain gardens are usually designed to handle
5 runoff from structures. And that clearly isn't the case
6 here, but okay. What I'm wondering about now -- now
7 we're envisioning, as we were discussing in response to
8 Mr. Ashton's questions, a grading that goes from the back
9 to the street. Is it your opinion that there will be
10 enough runoff to -- sheet flow runoff to sustain the rain
11 garden properly?

12 MR. OLSEN: Yes, that is -- that is our
13 opinion -- or my opinion. And there's also, you know, a
14 paved parking area there too that will -- that is not
15 impervious that will be supplying the rain garden.

16 DR. BELL: Okay. I have a question about
17 noise -- and I guess this is my last question. In -- in
18 the description of the study in the application you say
19 you did not include the contribution -- the noise
20 contribution of equipment in the East Avenue Substation.
21 Is that -- am I reading correctly?

22 MR. SMARDIN: I -- I did include the
23 equipment from the substation in my -- in my study, yes.

24 DR. BELL: Well I'll have to find my

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1 reference. I'll give up on that, but at any rate, your
2 answer is you did include the --

3 MR. SMARDIN: I did include the substation
4 in the study -- the existing substation in the study,
5 yes.

6 DR. BELL: Okay -- oh -- excuse me, I -- I
7 know that's wrong -- I need to -- I'm not asking about
8 noise. I'm asking about EMF, I apologize. It's Mr.
9 Phinney I need to ask. You said you didn't include the
10 equipment from -- any magnetic fields around the
11 equipment in the East Avenue Substation when you were
12 measuring or calculating. Could you give me your
13 rationale for that?

14 DR. PHINNEY: On -- on the access road
15 that proceeds from East Avenue that's perpendicular to
16 the existing substation and perpendicular to then one
17 wall of the proposed site, there I was able to measure.
18 And -- and generally there were a lot of sources in that
19 area that weren't well characterized. So in other words,
20 there's four lines underneath that access road and I was
21 able to measure them and know that two of them for
22 instance would be decommissioned. So measurements in my
23 mind were the best way of handling the portions of the
24 site that are to the east of the proposed site.

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1 Now on the west side, that's something
2 where the new -- the proposed equipment dominates. So by
3 -- by just modeling even the breaker tie, the loop feed,
4 and the overhead loop feed, that really gave a very clear
5 picture in a way that was -- you know, I had a clear
6 design for for the -- for the fields immediately to the
7 west -- sorry, to the east of the proposed site. So that
8 -- that's why I did that.

9 The -- for instance, the exact route of
10 the underground feeders and exactly how they come up into
11 the complexity of that existing substation was something
12 that wouldn't affect the numbers calculated on the east
13 side in any substantial way.

14 DR. BELL: I see.

15 CHAIRMAN STEIN: A follow-up question.

16 MR. DANIEL P. LYNCH, JR.: It is a follow-
17 up question concerning the EMFs --

18 COURT REPORTER: I can't hear you.

19 MR. LYNCH: That southeast corner seems to
20 be a hot bed for milligauss readings, up to one-eighty --
21 (indiscernible) -- does that include the railroad
22 catenaries or is that just the substation?

23 DR. PHINNEY: That is just the substation
24 and the inter-ties, so the 1461 line and its conductors.

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1 That does not include any railroad catenaries or any of
2 the other parallel lines that run parallel to the 1461
3 for instance on the other side of the tracks.

4 MR. LYNCH: Would you consider the one-
5 eighty plus milligauss reading extremely high? And I
6 know you talked about it disseminates at 20 feet and so
7 on and so forth --

8 DR. PHINNEY: I -- I would not. And if --
9 if you'd allow me to explain a little bit, I've measured
10 fields at Scovill Rock, Beseck, Singer, East Devon,
11 Norwalk, Glenbrook, all these subs, and typically where
12 the conductors pass over the perimeter of one of these
13 substations, I -- I know that values in excess of 180,
14 under for instance even average load conditions, can be
15 encountered, can be measured in that situation. So the
16 180 plus that you measured -- or that you referenced was
17 a calculated value for a peak load condition and is
18 something -- something that I would expect --

19 MR. LYNCH: It was. That's true, yes.
20 The rating just caught my eye, that's all. Thank you
21 very much.

22 DR. BELL: I'm finished with my questions.
23 Thank you, Mr. Chair.

24 CHAIRMAN STEIN: Thank you. Mr.

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1 Golembiewski.

2 MR. BRIAN GOLEMBIEWSKI: Thank you,
3 Chairman. Just a few questions. One for Mr. Olsen. The
4 - the building roof drainage, is that going to be
5 directed into the rain garden? Because I mean it would
6 appear -- it's right there. And it would be an
7 impervious surface on the --

8 MR. OLSEN: Yes. I believe it just comes
9 off the roof and onto the ground and flows over into the
10 rain garden.

11 MR. GOLEMBIEWSKI: Okay, so you wouldn't
12 specifically just have a downspout directed to the rain
13 garden?

14 MR. OLSEN: Yeah, I'm -- I'm not familiar
15 with the buildings, the spouts, or the drainage off the
16 roof. My understanding is it just comes right off the
17 roof.

18 MR. GOLEMBIEWSKI: Okay. Could you look
19 into that issue for the D&M plan?

20 MR. OLSEN: Sure.

21 MR. GOLEMBIEWSKI: Okay. And just make
22 sure it's designed to take that also.

23 MR. OLSEN: Okay.

24 MR. GOLEMBIEWSKI: And then just one

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1 question for Mr. Phinney. Is it fair to say, in reading
2 your report, that any properties -- the EMF field north
3 of Fitch Road there's really no change at all?

4 DR. PHINNEY: I would say that's -- that's
5 a fair statement. I don't recall an exact distance, but
6 something I do like to say often is like a hundred
7 meters, approximately 300 plus feet, would be typically a
8 distance at which you wouldn't expect to see --

9 MR. GOLEMBIEWSKI: Okay, so -- so the
10 church and the residential property --

11 DR. PHINNEY: Yeah --

12 MR. GOLEMBIEWSKI: -- should really have
13 no difference --

14 DR. PHINNEY: Yes --

15 MR. GOLEMBIEWSKI: Okay --

16 DR. PHINNEY: -- I would agree with that.

17 MR. GOLEMBIEWSKI: Alright. And then I'm
18 not sure who to ask this, but I'll just throw it out
19 there. The final landscaping and screening for the
20 property, the people at the church or the residence,
21 would there be any substantial improvement, would there
22 be any measurable difference to visibility living in
23 those properties?

24 MR. LEARY: Let me try that. I refer to

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1 what was there as the haunted house, it was a house that
2 was virtually collapsing, so whatever we do is going to
3 look better than what was there. But we will -- we
4 actually maintain several parks in East Norwalk and own
5 other properties, and we'll keep this looking good, so it
6 will be an asset to the neighborhood and not a problem.

7 MR. GOLEMBIEWSKI: Okay.

8 MR. LEARY: And our commissioners of
9 course are elected and they have every incentive to make
10 sure that happens.

11 MR. GOLEMBIEWSKI: Okay, thank you.

12 That's all I have, thank you.

13 CHAIRMAN STEIN: Thank you. Mr. Wilensky.

14 MR. EDWARD S. WILENSKY: Yes. Mr. Leary,
15 have you had any meetings with the residents across the
16 street? Has there been any communication with them? And
17 if so, what was their reaction?

18 MR. LEARY: The -- the people across the
19 street -- everyone on that end of the street was notified
20 by mail. You're on -- I believe on the service list. We
21 didn't just go to the adjacent properties. We went right
22 down the street. So they've all been notified. And I've
23 talked directly to some of them, not all of them. And
24 you know, there's some concerns about visibility and

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1 what's it going to look like, which is why we had the
2 rendering done. We didn't -- that -- that just came to
3 me today. That -- that's fresh off the presses. We had
4 the rendering done so people could get some idea of what
5 it would look like.

6 MR. WILENSKY: Do they have an association
7 in that particular area, because some areas do have
8 associations? Is there any group or one group that you
9 might have met with or --

10 MR. LEARY: Not that I know of. There is
11 an East Norwalk improvement --

12 MR. WILENSKY: Yeah --

13 MR. LEARY: -- or neighborhood association
14 --

15 MR. WILENSKY: Is that --

16 MR. LEARY: -- and -- and they were also
17 on the list of people. I don't think -- they weren't
18 notified, but they were listed in the application. But
19 this is a small community and everybody knows what's
20 going on, so --

21 MR. WILENSKY: Actually just as an aside,
22 Mr. Leary, can you explain how the Third District works -
23 -

24 MR. LEARY: Sure --

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1 MR. WILENSKY: -- because this is unusual
2 for -- you know, for -- I don't see it too often in
3 municipalities.

4 MR. LEARY: If you go back into the 1800's
5 --

6 MR. WILENSKY: Well that's just before my
7 time -- (laughter) --

8 MR. LEARY: I've heard some discussion of
9 that -- (laughter).

10 The -- the -- we were the East Norwalk
11 Fire District. So we started off as a fire district.
12 The fire district went into the electric business in
13 1906. And in 1913 the City of South Norwalk, the town of
14 Norwalk and the East Norwalk Fire District were all
15 consolidated into what now is the City of Norwalk. And
16 each of these entities retained some of their original
17 identity. So the fire district now became a taxing
18 district.

19 MR. WILENSKY: Are there other districts
20 within the municipality of Norwalk --

21 MR. LEARY: There are --

22 MR. WILENSKY: -- like the Second District
23 --

24 MR. LEARY: -- there's at least --

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1 MR. WILENSKY: -- or First District?

2 MR. LEARY: There are at least six that I
3 know of, and there may be a couple of others that
4 basically exist on paper. But the First District
5 operates a water department and serves a good portion of
6 the city. It's not just the First District. They own
7 the water department and they serve maybe half of the
8 city. The Second District owns an electric and water
9 department, and their water department serves probably
10 the other half of the city that has water service. And
11 then we as the Third Taxing District are in the electric
12 business. We also own the fire station, we own the
13 building the library is in, we own about three or four
14 parks, and the historic cemetery.

15 MR. WILENSKY: This is quite unique and
16 very interesting. Thank you.

17 MR. LEARY: Very unusual --

18 MR. WILENSKY: Yes. I don't know of any
19 other municipalities that have anything like this.

20 Another question -- Question 4 -- I
21 believe it's question number -- Question No. 6 --
22 question -- no, hold on a second, I think it is Question
23 4 -- an estimate of the number of interruption of service
24 related to the 9S45 and 9S46 lines in the past five

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1 years. And then there was a -- in the year 2009 there
2 were quite a few -- total number of hours per year that
3 were out I gather, which -- and that's 346, which is
4 considerably more than any other time. Why is that?

5 MR. LEARY: I think that is when we had a
6 transformer failure and we -- we shut that line down --
7 actually, the line probably wasn't down then, but our --
8 these numbers came off of the meters. We have two meters
9 that measure the power coming into East Norwalk. So that
10 meter was shut down during probably much of that time
11 while we made repairs, and therefore it shows as an
12 outage.

13 MR. WILENSKY: Okay.

14 MR. LEARY: So those numbers are for all
15 causes and not just the lines themselves being out. It
16 could be other things, like in this case in the
17 substation.

18 MR. WILENSKY: And Question No. 6, your
19 peak load goes from 16 -- 16 to 29 within the period of
20 10 years. That's quite ambitious. That's almost
21 double. Why is that?

22 MR. LEARY: Two causes. We have a data
23 center that's being built that we are going to serve half
24 the load -- they're going to buy half their power from us

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1 and half from CL&P. And their load is going to be 16
2 megawatts. So we pick up 8 megawatts on that alone. And
3 the rest of it comes from the wastewater treatment plant
4 --

5 MR. WILENSKY: Okay --

6 MR. LEARY: -- the wastewater treatment
7 plant is expanding or they're being required to expand,
8 and they're going to increase their electric load as part
9 of their treatment process. So both of those are
10 contributing to -- beyond those two things, our load
11 growth would be very small.

12 MR. WILENSKY: Didn't you have a large
13 manufacturing plant move out of Norwalk, like an aircraft
14 manufacturer --

15 MR. LEARY: That -- that --

16 MR. WILENSKY: -- and that that --

17 MR. LEARY: Yes, that's what we call
18 Northern --

19 MR. WILENSKY: Yes --

20 MR. LEARY: -- Northrop Grumman now --
21 they are not our customer unfortunately, so -- or maybe
22 fortunately --

23 MR. WILENSKY: Yeah, you're not concerned
24 about that -- or you are concerned --

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1 MR. LEARY: But they are moving out of
2 Norwalk.

3 MR. WILENSKY: Yeah. Thank you. Thank
4 you, Mr. Chairman. Thank you, Mr. Leary.

5 CHAIRMAN STEIN: Mr. Levesque.

6 MR. LARRY LEVESQUE: Mr. Leary, you
7 mentioned at the hearing today that you talked to the
8 neighbor or neighbors to the west about screening there?

9 MR. LEARY: Yes, I did.

10 MR. LEVESQUE: Can you take a look at your
11 site plan that's labeled map C-2.0 in Section -- Tab 2.

12 MR. LEARY: I'm looking.

13 MR. LEVESQUE: B-2 -- Section B-2. It's
14 the first of the site plans.

15 MR. LORD: It's up -- it's up front I
16 think --

17 (pause)

18 MR. LEARY: Do you know what section
19 that's in? I'm trouble finding it.

20 MR. LEVESQUE: It's B-2.

21 MR. LEARY: B-2. No, that's not --

22 MR. LEVESQUE: I think it's your only site
23 plan, B-2. It's the first one after the area map --

24 MR. LEARY: Yeah, I've got --

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1 MR. LEVESQUE: C -- C-2.0.

2 MR. LEARY: I have it, thank you.

3 MR. LEVESQUE: I just wanted everybody on
4 the same page.

5 MR. LEARY: Okay.

6 MR. LEVESQUE: Now you -- you weren't
7 planning on putting plantings all along that one
8 property, were you?

9 MR. LEARY: Probably not, but maybe the
10 front -- the front half. You know, the part that would
11 be visible.

12 MR. LEVESQUE: Okay. And I know you're
13 going to work on that with your landscape people for the
14 D&M plan --

15 MR. LEARY: I'm sorry?

16 MR. LEVESQUE: For -- I know you're going
17 to work on -- you know, work on it, to put in actual
18 plantings. I thought the -- you know, the planting size,
19 that if they grow this big, that will -- it seemed to be
20 appropriate --

21 MR. LEARY: Yes --

22 MR. LEVESQUE: -- of your rendering. And
23 then maybe -- I thought for the -- for the church's
24 benefit, the few pedestrians that go by and for the

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1 houses, maybe the most important or maybe the only ones
2 you might need is from your existing front tree line of
3 your plantings to the line that's marked as your existing
4 25-foot contour, that dash line --

5 MR. LEARY: Yes --

6 MR. LEVESQUE: -- that's parallel to the
7 front.

8 MR. LEARY: Yes.

9 MR. LEVESQUE: I think if you went that
10 far, that would do the most to block the view of -- from
11 across the street and passerbys.

12 MR. LEARY: I -- I agree. If we get that
13 passed where the, you know, buildings are to the side --

14 MR. LEVESQUE: Yeah --

15 MR. LEARY: -- then that would provide all
16 the screening needed.

17 MR. LEVESQUE: Because you don't want the
18 extra expense of going near the equipment and it's tight
19 there.

20 MR. LEARY: Exactly. True.

21 MR. LEVESQUE: Thank you --

22 MR. LEARY: We will -- we will do that.

23 MR. LEVESQUE: Well you --

24 MR. LEARY: I think we will be given

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1 little choice and the neighbors will insist on it.

2 MR. LEVESQUE: You know, use your good
3 judgment. Thank you.

4 CHAIRMAN STEIN: Mr. Lynch.

5 MR. LYNCH: Referring back to Mr.
6 Mercier's question about the trees in the back of the
7 existing substation, going back to those days of
8 yesteryear, last fall where the two storms hit
9 Connecticut, there are some large trees back there, and I
10 think Mr. Cristino explained the scenario whereby, you
11 know, what would happen to prevent some of these large
12 trees from falling into the substation. The two storm
13 panel and their 82 suggestions -- or whatever they had --
14 is relying on energy security to keep everything running.
15 Is there any plan in place to follow some of these
16 suggestions?

17 MR. LEARY: We did cut some of the trees
18 that were back there already. And I agree, there's more
19 to be done there --

20 MR. LYNCH: You know, the likelihood of
21 them falling is probably not good, but for someone who
22 was without power for 10 days, you know, anything you can
23 do would be a plus. And the -- to me it seemed that the
24 trees are rather tall. And even though this part of the

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1 state only had to deal with the hurricane/probable storm,
2 they did -- there were a lot of outages. And I guess the
3 question I should ask is did you have any outages during
4 that time?

5 MR. LEARY: We did. We had very little
6 during the October storm, but during the hurricane, we --
7 we had people out for several hours. So -- not --
8 everyone -- everyone in Norwalk or in East Norwalk was
9 back within less than 24 hours.

10 MR. LYNCH: Lucky them.

11 MR. LEARY: Yes.

12 MR. LYNCH: I'm only kidding. The -- this
13 may be a follow-up to Mr. Ashton's question on that pole
14 that's going to be -- the CL&P pole that's going to be
15 moved to the east. This afternoon at the field review
16 there was a scenario that the pole may not be replaced.
17 Is that a question for CL&P or --

18 MR. LEARY: Probably. They would be best
19 equipped to answer that.

20 MR. LYNCH: Okay. And -- in reading
21 through here, I found something rather interesting, and
22 that's the comment -- the seismic questions or area that
23 was discussed. Now last year there was an earthquake in
24 Virginia that didn't extend up this far. And being a

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1 listener of the Discovery Channel all the time, I
2 understand soft soil, which the East Coast has, these
3 travel -- the earthquake waves travel further. And about
4 five years ago there was an earthquake just outside of
5 Albany. And what does -- the soft soil that you're
6 talking about, how will that impact the substation?
7 Could a stronger, you know, .4 or .6 earthquake cause
8 some damage?

9 MR. LEARY: Well I can't answer that.
10 Joe, do you have -- do you want to --

11 DR. PHINNEY: Do you want an engineer's
12 answer or a geologist's answer?

13 MR. LYNCH: I -- I'm just asking out of
14 curiosity.

15 DR. PHINNEY: Yeah, I'm a geologist. I'm
16 not a seismologist, but I felt that earthquake. But I
17 don't know, that's -- I don't anticipate there to be a
18 problem, but it's something we didn't -- that's something
19 we didn't specifically study.

20 MR. CRISTINO: Yeah, we -- we typically
21 design -- the existing substation equipment is all welded
22 in place and it meets the current seismic requirements
23 for Connecticut.

24 MR. LYNCH: I -- I didn't hear the last

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1 part. Are you saying that there are standards for
2 earthquake protection?

3 MR. CRISTINO: Yeah -- well all the
4 substations and the equipment that we normally work with
5 has specific seismic ratings. And the existing station,
6 even though it goes back, you know, quite a few years,
7 over the years we've -- we've reworked it, changed
8 insulators, changed supports, and actually upped some
9 steel work. And the substation equipment that was inside
10 the building that you didn't see during our walk-through,
11 from that switch-gear right through to the transformers
12 and the circuit breakers and steel that you did see in
13 the old station, they're all installed presently meeting
14 Connecticut's seismic rating.

15 MR. LYNCH: Thank you. I just thought in
16 light of the fact that I've seen what the hurricane did
17 to the Washington Monument, I figured I'd -- when I saw
18 it, I said I've got to ask them about this. Thank you
19 very much.

20 MR. CRISTINO: You're welcome.

21 MR. LYNCH: Mr. Chairman, I'm all through.

22 CHAIRMAN STEIN: Thank you. I'll now ask
23 the Party, CL&P, do you have any cross-examination?
24 Attorney Cochran?

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1 MR. JEFFREY COCHRAN: No, we don't.

2 CHAIRMAN STEIN: Mr. Mercier.

3 MR. MERCIER: Thank you. I'm just forgot
4 to ask about -- was there a sign placed at the property
5 indicating the -- announcing this hearing?

6 MR. LEARY: Yes, there was.

7 MR. MERCIER: When was it installed?

8 MR. LEARY: About 12 or 13 days before the
9 hearing.

10 MR. MERCIER: What was the size of the
11 sign?

12 MR. LEARY: Four-by-eight.

13 MR. MERCIER: Okay. And where -- where on
14 the property was it placed?

15 MR. LEARY: It was placed in the front
16 center.

17 MR. MERCIER: Okay, thank you. Also who
18 did the schematic of the proposed substation?

19 MR. LEARY: Andreopolis Architects.

20 MR. MERCIER: Okay. I'm just looking at
21 it -- I'm looking at the right side of the schematic.
22 Does -- is the fence line along -- the substation fence
23 line along the property line?

24 MR. LEARY: It is.

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1 MR. MERCIER: Okay, so the --

2 MR. LEARY: It may be in a little bit, but

3 --

4 MR. MERCIER: A little in. Like a foot,
5 two feet?

6 MR. LEARY: I think there's a requirement
7 like three feet on the --

8 MR. MERCIER: Okay --

9 MR. LEARY: -- on the fence.

10 MR. MERCIER: So the landscaping on the
11 right side of this photograph pretty much can't be done
12 that way?

13 MR. LEARY: No. In fact, there's no room
14 there. It's -- he didn't include the buildings on either
15 side, so they just filled that in.

16 MR. MERCIER: Okay. Thank you.

17 CHAIRMAN STEIN: Thank you. Now the next
18 group that will come up is CL&P.

19 (pause)

20 CHAIRMAN STEIN: Attorney Cochran, do you
21 have -- do you have witnesses? And could you identify
22 them and then have them sworn in please.

23 MR. COCHRAN: Okay. Mr. Soderman and Mr.
24 Lindgren, I ask that you each state your full name and

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1 position for the company. Mr. Lindgren.

2 MR. BOWIN LINDGREN: My name is Bowin
3 Lindgren. I'm a Contract Project Manager for Northeast
4 Utilities.

5 MR. CHRISTOPHER SODERMAN: My name is
6 Christopher Soderman. I'm a senior engineer in the
7 Transmission Line and Civil Engineering Group at
8 Northeast Utilities Service Company.

9 MR. COCHRAN: Okay. And --

10 CHAIRMAN STEIN: Wait, we'll have you
11 sworn -- sworn in.

12 MR. COCHRAN: If you could stand up.

13 MS. BACHMAN: Please raise your right
14 hand.

15 (Whereupon, Christopher Soderman and Bowin
16 Lindgren were duly sworn in.)

17 MS. BACHMAN: Thank you.

18 MR. COCHRAN: Okay --

19 CHAIRMAN STEIN: Attorney Cochran, could
20 you --

21 MR. COCHRAN: Yes --

22 CHAIRMAN STEIN: -- could you begin by --
23 with the exhibits that you've filed --

24 MR. COCHRAN: Yes --

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1 CHAIRMAN STEIN: -- and their
2 verification.

3 MR. COCHRAN: Yes. We have three exhibits
4 that we'd like admitted into evidence. The first
5 exhibit, B-1, is our May 10th Request for Party Status.
6 And that exhibit is self-proving. Exhibits B-2 and B-3
7 are the prefiled testimonies of Mr. Lindgren and Mr.
8 Soderman. And I have some questions for the witnesses.

9 First Mr. Lindgren, regarding exhibit --
10 CL&P Exhibit B-2, which is your prefiled testimony dated
11 June 12th, including your resume, did you prepare or
12 oversee the preparation of that prefiled testimony?

13 MR. LINDGREN: Yes, I did.

14 MR. COCHRAN: And do you have any
15 corrections or updates to your June 12th prefiled
16 testimony at this time?

17 MR. LINDGREN: No, I don't.

18 MR. COCHRAN: Okay. And is your prefiled
19 testimony true and accurate to your knowledge?

20 MR. LINDGREN: Yes, it is.

21 MR. COCHRAN: Do you adopt that June 12th
22 prefiled testimony as your testimony here today?

23 MR. LINDGREN: Yes, I do.

24 MR. COCHRAN: Okay. Next Mr. Soderman,

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1 regarding CL&P's Exhibit B-3, which is your prefiled
2 testimony dated June 12th, including your resume, did you
3 prepare or oversee the preparation of that prefiled
4 testimony?

5 MR. SODERMAN: I did.

6 MR. COCHRAN: And do you have any
7 corrections or updates to that prefiled testimony at this
8 time?

9 MR. SODERMAN: I do not.

10 MR. COCHRAN: And is your prefiled
11 testimony true and accurate to your knowledge?

12 MR. SODERMAN: It is.

13 MR. COCHRAN: And do you adopt your June
14 12th prefiled testimony as your testimony here today?

15 MR. SODERMAN: I do.

16 MR. COCHRAN: With that, Chairman, I would
17 ask that CL&P's three exhibits be admitted into evidence.

18 CHAIRMAN STEIN: Does I guess the
19 Applicant have any objection?

20 MR. LORD: No objections.

21 MR. COCHRAN: Okay.

22 CHAIRMAN STEIN: The exhibits are
23 admitted.

24 (Whereupon, CL&P Exhibit Nos. 1, 2, and 3

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1 were received into evidence as full exhibits.)

2 MR. COCHRAN: Okay. With that, the panel
3 is ready for cross-examination.

4 CHAIRMAN STEIN: Thank you. Mr. Mercier.

5 MR. MERCIER: Thank you. I just have one
6 question regarding the 9S45 and 46 lines. Once this
7 project is completed, what will happen to those lines
8 that enter the Third Taxing District?

9 MR. SODERMAN: That's a little more of a
10 question for our distribution, but if they're going to be
11 taken out of service on the Fitch Street end, my guess is
12 we would probably pull the cables to salvage some
13 material.

14 MR. MERCIER: Okay, thank you.

15 CHAIRMAN STEIN: Mr. Ashton.

16 MR. ASHTON: Thank you. That -- just
17 elaborating on that, that would depend upon whether the
18 load is served off those cables, isn't that true?

19 MR. SODERMAN: Yes. Yeah. I mean
20 obviously we wouldn't want to cause more harm than --

21 MR. ASHTON: Right. But twenty-seven six
22 -- 77.6 kV is a standard sub-transmission voltage in
23 Norwalk, is that right?

24 MR. SODERMAN: It is a fairly common

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1 voltage in this part of the state --

2 MR. ASHTON: Mr. -- he knows all about it.

3 MR. SODERMAN: Yeah --

4 (pause)

5 MR. SODERMAN: Alright, in that case,
6 according to our distribution folks, we're going to leave
7 them in place.

8 MR. ASHTON: Okay. Mr. Soderman, by any
9 chance are you related to another Soderman I recall --

10 MR. SODERMAN: Probably who has testified
11 in front of this body before, yes.

12 MR. ASHTON: Just checking.

13 MR. SODERMAN: He is my father if you're
14 referring to Richard A Soderman.

15 MR. ASHTON: Yes.

16 MR. SODERMAN: Yes.

17 MR. ASHTON: Okay. And Mr. Lindgren, I
18 have to be very candid with you, I am not aware of what a
19 contract project manager is. Can you elaborate please?
20 You know, normally I think of a witness as being an
21 expert in engineering or environmental matters, but I see
22 you have -- you've got -- at least you've got a finger in
23 the door of a winery, so that's --

24 MR. LINDGREN: I am a contractor working

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1 for the company. I've been working there several years
2 in a number of capacities. I do in fact own a winery out
3 in Washington. I've spent many many years --

4 MR. ASHTON: Then what are you doing here
5 -- (laughter) --

6 MR. LINDGREN: -- so I've spent many, many
7 years in the utility business in various roles. I
8 actually for a while taught project management at the
9 George Mason University, so --

10 MR. ASHTON: What is your specific role
11 with this application? I can see Mr. Soderman's --

12 MR. LINDGREN: I am -- I am the project
13 manager for this job, so I'm responsible for the
14 scheduling, the planning, the execution of the field work
15 --

16 MR. ASHTON: So they've taken that role
17 away from a senior engineer?

18 MR. SODERMAN: In a lot of the larger
19 transmission projects that -- that is pretty much the
20 case. We've developed that project management
21 organization at Northeast Utilities.

22 MR. ASHTON: Okay. What -- I think you
23 probably heard my earlier question and I did not -- when
24 I asked it, I had not seen this little sheet which shows

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1 the schematic representation. I'm assuming that new
2 poles will be connected so that the line dead-ends on
3 either side and then taps into the substation, and as
4 need be they could be jumpered around that dead-end
5 structure?

6 MR. SODERMAN: Well, I -- I think probably
7 what would more likely be the case when we're with the
8 final in-service configuration --

9 MR. ASHTON: Yeah --

10 MR. SODERMAN: -- is that these would be
11 90 degree dead-end monopoles and there would not be --
12 there would not be a permanent connection between the two
13 poles. However to your question earlier about the
14 possibility of incorporating that, we were intending --
15 actually, I think we had discussed -- the other engineers
16 and I had discussed the option about leaving the banks
17 such that we could connect straight through on these
18 poles --

19 MR. ASHTON: Right --

20 MR. SODERMAN: -- and operate it as a
21 circuit, mostly for construction capability --

22 MR. ASHTON: Yeah --

23 MR. SODERMAN: -- and then when the time
24 would come, we would remove the either arms over to the

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1 other side of the pole to help us make the turn into the
2 substation, and so they wouldn't be on -- they wouldn't
3 remain connected. But -- I mean my immediate concern
4 with leaving them connected is if we have a good
5 lightning strike on one pole that's going to go over
6 insulation, it could affect the other circuit, so -- take
7 out both ends of the circuit. So that -- that would be -
8 - that would be --

9 MR. ASHTON: Isn't that a pretty good load
10 considering the fact you've got miles of circuit here?

11 MR. SODERMAN: No, I understand that, but
12 you know, right now if we did taps for example off of
13 this transmission line, than the entire length between
14 Darien and Compo, the 1416 line, if you have an event
15 anywhere on that --

16 MR. ASHTON: You'd lose the whole line --

17 MR. SODERMAN: -- you'd lose the whole
18 line. But now when looping it into the new Fitch Street
19 Substation, if we have an event between Darien and Fitch
20 Street -- and I'm just referring to it as the Fitch
21 Street Substation just for convenience right now -- or
22 between Fitch Street and Compo, then you still have
23 service to the substation --

24 MR. ASHTON: Yes, you have a loop system

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1 through a breaker --

2 MR. SODERMAN: Yes --

3 MR. ASHTON: -- I understand that. But
4 again, I was thinking -- well, okay -- I was thinking
5 that -- and this is -- I'll modify the question --

6 MR. SODERMAN: Mmm-hmm --

7 MR. ASHTON: -- I was thinking that given
8 a connection between the two tap poles, you didn't need a
9 self-supporting 90-degree heavy dead-end structure, you
10 could do -- use a much lighter structure because it's a
11 dead-end -- the strain goes all the way through and you'd
12 just need to carry the burden of the tap into the
13 substation. Isn't that true?

14 MR. SODERMAN: Well you could consider
15 that. CL&P -- historically what they would do as a best
16 practice is when we're coming to a dead-end and we're
17 assuming that there's hardware --

18 COURT REPORTER: One moment please.

19 (pause - tape change)

20 MR. SODERMAN: When we're coming to a
21 dead-end and assuming that we have a lot of hardware
22 there, which is much more likely to fail than say a
23 suspension piece, that we would design the structure to
24 be a broken dead-end on that side. So we would design

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1 the pole essentially the same way in either case.

2 MR. ASHTON: You now use poles in heavy
3 angled structures that are not full dead-end --

4 MR. SODERMAN: We --

5 MR. ASHTON: -- that are angled and they
6 are guyed. Why doesn't that logic apply here?

7 MR. SODERMAN: Well in this case here we -
8 - we wouldn't be able to guyed this particular pole most
9 notably because of the rail tracks on the other side --

10 MR. ASHTON: Sure you can. East -- going
11 parallel with the railroad you can guyed between the two
12 structures?

13 MR. SODERMAN: We -- we could --

14 MR. ASHTON: That's -- that's why I'm
15 saying that would reduce the magnitude of the structure
16 itself, wouldn't it?

17 MR. SODERMAN: That's true. But now we're
18 looking into doing more excavation in the vicinity of the
19 railroad, which --

20 MR. ASHTON: Why -

21 MR. SODERMAN: Well to put -- to put the
22 anchors in for the guywire --

23 MR. ASHTON: No -- let me back up --

24 MR. SODERMAN: I'm not sure I'm

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1 understanding here.

2 MR. ASHTON: You -- right now you have two
3 tangent structures in the vicinity of Fitch Street, is
4 that not correct?

5 MR. SODERMAN: That is correct.

6 MR. ASHTON: With one structure you're
7 considering moving it slightly so it can be the tapped
8 structure for the new substation --

9 MR. SODERMAN: Yes --

10 MR. ASHTON: -- correct?

11 MR. SODERMAN: Yep.

12 MR. ASHTON: The second one you will
13 install a new tap structure, is that correct?

14 MR. SODERMAN: Yes.

15 MR. ASHTON: Right -- as I heard you, you
16 are proposing no structures to be heavy 90-degree dead-
17 ends, is that correct?

18 MR. SODERMAN: Yes, sir.

19 MR. ASHTON: Why can you not build them as
20 tangent structures with a slack tap between the tangent
21 structure and the substation?

22 MR. SODERMAN: Well we are planning on
23 designing the poles for the slack tensions coming into
24 the station --

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1 MR. ASHTON: Yeah --

2 MR. SODERMAN: -- and you could continue
3 the wires through --

4 MR. ASHTON: Or a guywire --

5 MR. SODERMAN: Or a guywire going down to
6 -- continuing it to the next adjacent structure --

7 MR. ASHTON: Right --

8 MR. SODERMAN: -- kind of like you would
9 do with a pole --

10 MR. ASHTON: You're two tap structures are
11 going to be, what, a hundred feet apart or something like
12 that?

13 MR. SODERMAN: That's true. But now when
14 you're -- when you're putting that kind of direct
15 connection in between them, even if you are putting
16 insulators into those pull-backs, those pull-back guys,
17 you're still connecting them so that a single event can
18 still take out both circuits there. Even if you connect
19 them through insulators, there is the possibility --

20 MR. ASHTON: Isn't -- isn't that exposure
21 all over the system?

22 MR. SODERMAN: We've actually in a number
23 of cases, most notably up by Black Pond in 2002, we've
24 been trying to separate quite a number of --

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1 MR. ASHTON: 345 --

2 MR. SODERMAN: Yes. And we've been trying
3 to do that --

4 MR. ASHTON: And 115 --

5 MR. SODERMAN: No, I understand that -- I
6 understand that --

7 MR. ASHTON: And this is not a critical
8 ISO structure, is it?

9 MR. SODERMAN: Actually, this is a major
10 path-through --

11 MR. ASHTON: I -- I --

12 MR. SODERMAN: -- into southwest
13 Connecticut from Bridgeport --

14 MR. ASHTON: I understand --

15 MR. SODERMAN: -- from --

16 MR. ASHTON: -- I know where it goes, but
17 it's not designated as a critical line. Is that correct?

18 MR. SODERMAN: I'm not sure. I could --
19 we can look into that and see if this is considered a BBS
20 facility --

21 MR. ASHTON: When we get to the D&M, I
22 want to hear an argument as to why you should not use
23 lighter, less visible tangent structures for those -- for
24 that path --

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1 MR. SODERMAN: Yeah --

2 MR. ASHTON: -- coming in there, and a
3 connection between them, because I can see it costing far
4 less being much less visible --

5 MR. SODERMAN: Mmm-hmm --

6 MR. ASHTON: -- and I cannot see it
7 jeopardizing your system to any consequence. You can put
8 a hundred feet of strain insulators in if you wanted --

9 MR. SODERMAN: Well you --

10 MR. ASHTON: -- but hell would freeze over
11 before that --

12 MR. SODERMAN: That's -- that's true. I
13 mean you could -- you know --

14 MR. ASHTON: Of course it is. It's an
15 engineering decision.

16 MR. SODERMAN: Yeah. But at some point
17 there's going to be that point where you're putting all
18 of those insulators in and at what point are you not
19 actually gaining a whole lot by connecting the two.

20 MR. ASHTON: Mr. Soderman, I've done this
21 work --

22 MR. SODERMAN: Yeah --

23 MR. ASHTON: -- and -- thank you. Nothing
24 further.

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1 CHAIRMAN STEIN: Thank you. Dr. Bell.

2 DR. BELL: All I need to say is that I
3 have no questions for this panel. Thank you, Mr. Chair.

4 CHAIRMAN STEIN: Thank you. Mr.
5 Golembiewski.

6 MR. GOLEMBIEWSKI: Thank you, Chairman. I
7 just had one question. This new linkage, does it create
8 any problems say reliability-wise, like, you know, when
9 we model there's contingency N -- contingency N plus 1 or
10 dash 1 -- is -- does -- would this have any effect on
11 your reliability planning?

12 MR. SODERMAN: I mean you're adding
13 basically a position on a path, so you're going to have a
14 failure on -- I mean in terms of through current, you
15 know, from Compo to Darien or the other way around, you
16 still have a similar common path, so the amount of --
17 you're adding some components, but nothing significant -
18 -

19 MR. GOLEMBIEWSKI: Okay --

20 MR. SODERMAN: -- I wouldn't think.

21 MR. GOLEMBIEWSKI: Alright. Thank you.

22 CHAIRMAN STEIN: Mr. Wilensky.

23 MR. WILENSKY: No questions, Mr. Chairman.

24 CHAIRMAN STEIN: Mr. Levesque.

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1 MR. LEVESQUE: No questions for CL&P.

2 CHAIRMAN STEIN: Mr. Lynch.

3 MR. LYNCH: Just one question. When we
4 were at the field review, you created -- you talked about
5 a scenario that if you did not remove the CL&P pole to
6 the east, that you would use that existing pole. Could
7 you just go over that again for the record?

8 MR. LINDGREN: I think the issue is the
9 next pole to the east path -- that first pole, the
10 existing pole to the east would become the new next in
11 line structure. And there's a limitation of two degrees
12 for the deflection of a line into the new structure. And
13 so if we have the new structure exactly where we are
14 showing it, then we would not need that other existing
15 structure and we would remove it. If we were to move
16 that new structure, we might in fact need to relocate the
17 existing structure and use it so as not to create a
18 condition of more than a two degree deflection on that
19 other line. Chris might want to --

20 MR. SODERMAN: Yeah. Basically, there's
21 just a limit to what the structure and the foundation
22 that it is sitting on can accommodate. And so we're just
23 trying to stay within those limits.

24 MR. LYNCH: Okay, thank you. I just

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1 wanted to get that on the record that's all.

2 MR. SODERMAN: Yes, sir.

3 CHAIRMAN STEIN: Does the Applicant have
4 any cross-examination?

5 MR. LORD: I have no questions.

6 CHAIRMAN STEIN: I, therefore, declare a
7 recess. We'll resume at 7:00 p.m. for the public portion
8 of this hearing. Thank you.

9

10 (Whereupon, the hearing adjourned at 4:35
11 p.m.)

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