

STATE OF CONNECTICUT
SITING COUNCIL

* * * * *

THE UNITED ILLUMINATING COMPANY * JANUARY 17, 2013
* (3:00 p.m.)
*

APPLICATION FOR A CERTIFICATE OF *
ENVIRONMENTAL COMPATIBILITY AND *
PUBLIC NEED FOR THE CONSTRUCTION, *
MAINTENANCE, AND OPERATION OF A * DOCKET NO. 433
115/13.8 KILOVOLT SUBSTATION *
LOCATED AT 14 OLD STRATFORD ROAD, *
SHELTON, CONNECTICUT *
*

* * * * *

BEFORE: ROBIN STEIN, CHAIRMAN

BOARD MEMBERS: Robert Hannon, DEEP Designee
Michael Caron, PURA Designee
Edward S. Wilensky
Philip T. Ashton
James J. Murphy, Jr.
Dr. Barbara Bell

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

APPEARANCES:

FOR THE APPLICANT, THE UNITED ILLUMINATING
COMPANY:

BRUCE MCDERMOTT, ESQUIRE
UNITED ILLUMINATING HOLDING COMPANY
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New Haven, Connecticut 06506

FOR THE INTERVENOR, CONNECTICUT LIGHT & POWER COMPANY:

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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 United Illuminating
4 Company, held at the Shelton Town Hall, 54 Hill Street,
5 Shelton, Connecticut, on January 17, 2013 at 3:00 p.m.,
6 at which time the parties were represented as
7 hereinbefore set forth . . .

8
9
10 CHAIRMAN ROBIN STEIN: Good afternoon,
11 ladies and gentlemen. We probably should have hired a
12 baseball stadium or something for this. This is quite an
13 impressive group and, you know, we're almost as high up
14 as if we're in Denver, so -- (laughter) -- anyway, this
15 is Connecticut Siting Council Docket No. 433, and we're
16 calling this meeting to order today, Thursday, January
17 17, 2013, at approximately 3:00 p.m.

18 My name is Robin Stein and I'm the
19 Chairman of the Connecticut Siting Council. Other
20 members of the Council present are Mr. Hannon, who is the
21 designee from the Department of Energy and Environmental
22 Protection; Director Caron, the designee from the Public
23 Utilities Regulatory Authority; Mr. Ashton; Senator
24 Murphy; Dr. Bell; and Mr. Wilensky.

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1 Members of the staff present are Linda
2 Roberts, Executive Director; Melanie Bachman, Staff
3 Attorney; and Robert Mercier, Siting Analyst. Gail
4 Gregoriades is the court reporter and Aaron DeMarest is
5 our audio technician.

6 This hearing is held pursuant to the
7 provisions of Title 16 of the Connecticut General
8 Statutes and of the Uniform Administrative Procedure Act
9 upon an application of The United Illuminating Company
10 for a Certificate of Environmental Compatibility and
11 Public Need for the construction, maintenance, and
12 operation of a 115-13.8 Kilovolt Substation to be located
13 at 14 Old Stratford Road in Shelton, Connecticut. The
14 application was received by the Council on October 3,
15 2012.

16 As a reminder to all, any off-the-record
17 communication with a member of the Council or a member of
18 the Council staff upon the merits of the application is
19 prohibited by law.

20 The parties and intervenors to the
21 proceeding are as follows: The Applicant is United
22 Illuminating Company, Attorney McDermott representing,
23 along with the people in front of me. And the intervenor
24 is CL&P, and Attorney Borges King is representing

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1 Connecticut Light and Power Company.

2 We will proceed in accordance with the
3 prepared agenda, copies of which are available in the
4 back. Also available are copies of the Council's Citizen
5 Guide to Siting Council Procedures.

6 At the end of this afternoon session, we
7 will recess and resume again at 7:00 p.m. The 7:00 p.m.
8 hearing will be reserved for the public to make brief
9 oral statements into the record.

10 I wish to note for the record that parties
11 and intervenors, including their representatives and
12 witnesses are not allowed to participate in the public
13 comment session.

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

21 If necessary, party or intervenor
22 presentations may continue after the public comment
23 session if time remains.

24 A verbatim transcript will be made of this

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1 hearing and deposited with the City Clerk's Office in
2 Shelton for the convenience of the public.

3 I'd like to start -- I believe -- if we
4 have any comments from any public officials or the
5 President of the Board of Aldermen? Are you here, sir?
6 If you would like to address us?

7 MR. JOHN ANGLACE: Thank you. Members of
8 the Siting -- of the Connecticut Siting Council --

9 CHAIRMAN STEIN: And just for the record
10 just spell --

11 MR. ANGLACE: John Anglace.

12 CHAIRMAN STEIN: Thank you.

13 MR. ANGLACE: 676 Long Hill Avenue,
14 Shelton, Connecticut. President of the Shelton Board of
15 Aldermen.

16 Unfortunately, because of a previous
17 engagement, Mayor Mark A. Lauretti is unable to be here
18 with you today. He has asked me to welcome you to
19 Shelton on behalf of himself and all the citizens of
20 Shelton. In fact, we're delighted to have you here under
21 such positive circumstances.

22 The business you undertake here today is
23 important to Shelton and the surrounding communities.
24 Our continued economic growth is dependent upon receiving

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1 necessary electric infrastructure now and in the future.
2 The United Illuminating Company has been an important and
3 responsible partner in the economic vitality of this
4 area. Their decision to invest in this substation at
5 this time is not only necessary, but critical.

6 The site they have chosen is located in
7 the heart of Shelton's economic development corridor and
8 provides the first impression of our city to out-of-town
9 investors. Therefore, it is critical that the aesthetics
10 be given priority consideration in the build-out of the
11 property. Consequently, if this site -- if this location
12 is deemed appropriate by the Council, we would request a
13 strong say in the final site development to ensure that
14 it adds to the positive commercial/industrial impression
15 of the area.

16 Shelton has labored with the help of UI
17 and others for over 20 years to create the Route 8
18 corridor and we have every reason to believe that the
19 proper development of this project site can add to the
20 good work that has made us an economic leader among
21 Connecticut communities.

22 We wish you well in your determinations
23 and stand ready to provide assistance as needed. Thank
24 you very much for being here with us today.

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1 CHAIRMAN STEIN: Thank you very much, sir.
2 We'll now begin with the items which are shown on the
3 hearing program marked Roman Numeral I-D, Items 1 through
4 41. Does the Applicant or any party or intervenor have
5 any objection to these items that the Council has
6 administratively noticed?

7 MR. BRUCE MCDERMOTT: No objection.

8 CHAIRMAN STEIN: Hearing and seeing none,
9 the Council hereby administratively notices these
10 existing documents, statements, and comments.

11 We'll now go to the appearance by the
12 Applicant. Attorney McDermott, would you present your
13 witness panel for the purposes of taking the oath and
14 Attorney Bachman will administer the oath.

15 MR. MCDERMOTT: Absolutely. Good
16 afternoon, Mr. Chairman. Good afternoon, members of the
17 Council. Thank you for this opportunity to present this
18 application today.

19 I will now present the panel. I guess
20 I'll start to my immediate right and just work down the
21 table or tables as the case is. Mr. Chuck Eves, the
22 Director of Engineering and Strategic Planning is to my
23 immediate right. Next to him is Mr. Christian Bilcheck,
24 he's the UI Director of Asset Planning and Transmission.

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1 Followed by Mr. Tony Buccheri, Senior Project Manager;
2 George Becker, Manager of Transmission and Substation
3 Engineering; Dr. Benjamin Cotts from Exponent as you know
4 is the company retained by -- the firm retained by the
5 company for EMF purposes. Followed by Mr. Aaron Lewis,
6 Senior Project Manager from Black and Veatch Corporation;
7 Mr. Bohdan Katreczko, Supervisor of Environmental and
8 Real Estate; Robert Manning, Manager of System Integrity
9 for UI, followed by -- I was going to say Louise Mango,
10 but it looks like Mike Libertine, All Points Technology
11 Corporation, who performed the visual assessment for the
12 company; and finally, Miss Louise Mango, Phenix
13 Environmental, and as the name suggests, she helped us
14 with environmental matters for this. And the panel with
15 that I guess is ready to be sworn.

16 CHAIRMAN STEIN: Would you please stand so
17 we can swear you in. Thank you.

18 MS. MELANIE BACHMAN: Please raise your
19 right hand.

20 (Whereupon, the Applicant's witness panel
21 was duly sworn in.)

22 MS. BACHMAN: Thank you.

23 CHAIRMAN STEIN: Would you continue by
24 numbering the exhibits of the filings you've made and

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1 making requests to administratively notice the documents,
2 and verifying all documents by the appropriate sworn
3 witness.

4 MR. MCDERMOTT: Yes, Mr. Chairman. The UI
5 exhibits are numbered 1 through 7. Exhibit No. 1 being
6 the application, along with associated bulk filed
7 exhibits; Exhibit No. 2 being the Municipal Consultation
8 Filing; Exhibit 3 is the correspondence from the Tribal
9 Historic Preservation Office of the Mohegan Tribe;
10 Exhibit 4 is the company's response to three
11 interrogatories from the Siting Council; Exhibit 5 is a
12 letter that the company sent to abutting property owners;
13 Exhibit 6 is the affidavit of Mr. Buccheri regarding the
14 sign that noticed the hearing; and Exhibit 7 is the pre-
15 filed testimony of Mr. Eves, dated January 10, 2013.

16 For the sake of efficiency, I think all --
17 with the exception of Mr. Buccheri's affidavit regarding
18 the sign, I think Mr. Eves is able to adopt those
19 exhibits, if that's okay with the Council?

20 CHAIRMAN STEIN: (Indiscernible, mic not
21 on) --

22 MR. MCDERMOTT: Mr. Eves, did you prepare
23 or oversee the preparation of UI Exhibits 1 through 5 and
24 7 of this application?

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1 MR. CHUCK EVES: Yes, I did.

2 MR. MCDERMOTT: And do you have any
3 changes or additions to any of those exhibits at this
4 time?

5 MR. EVES: I have one minor change to my
6 prefiled testimony. My business address is no longer
7 Shelton. It is Orange, Connecticut.

8 MR. MCDERMOTT: Okay, that would item
9 prefiled -- or Exhibit No. 7, Mr. Chairman.

10 And with that, Mr. Eves, do you adopt UI
11 Exhibits 1 through 5 and 7 into the record here today?

12 MR. EVES: I do.

13 MR. MCDERMOTT: Mr. Chairman -- I'm sorry
14 -- Mr. Buccheri, regarding Exhibit No. 6, the affidavit
15 regarding the Sign that provided notice of the hearing,
16 did you prepare or -- well did you prepare that exhibit?

17 MR. TONY BUCCHERI: Yes, I did.

18 MR. MCDERMOTT: And do you have any
19 changes to it?

20 MR. BUCCHERI: No.

21 MR. MCDERMOTT: And do you adopt it here
22 today?

23 MR. BUCCHERI: I do.

24 MR. MCDERMOTT: And with that, Mr.

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1 Chairman, I move that UI Exhibits 1 through 7 be admitted
2 into evidence.

3 CHAIRMAN STEIN: Thank you. Does the
4 intervenor have any objection to the Applicant's
5 exhibits?

6 MS. JOAQUINA BORGES KING: No, we do not.
7 Thank you.

8 CHAIRMAN STEIN: Thank you. Therefore,
9 the exhibits are admitted.

10 (Whereupon, Applicant Exhibit Nos. 1
11 through 7 were received into evidence as full exhibits.)

12 CHAIRMAN STEIN: We'll now begin with the
13 cross-examination of the Applicant by Mr. Mercier and
14 staff.

15 MR. ROBERT MERCIER: Thank you. I'd like
16 to discuss a few things that were mentioned at the field
17 review today just to clear them up. There's an existing
18 fence along the river and a gate that we walked through
19 to see the substation site. Would that existing fence be
20 retained?

21 MR. EVES: The fence directly along the
22 river?

23 MR. MERCIER: That's correct.

24 MR. EVES: That fence would be removed as

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1 part of our project. And there would be a fence
2 constructed more interior, on the interior side of the
3 pavement that we were standing on with a substation.

4 MR. MERCIER: Would the existing fence be
5 removed all the way to the existing building that's on-
6 site? I think it extends down there.

7 MR. EVES: Yes, it would be.

8 MR. MERCIER: According to the plan, it
9 appears the fence then extends along Route 8. Is that
10 portion of the fence going to be removed?

11 MR. EVES: That portion of the fence would
12 not be removed. I'm sorry, let me clarify my statement
13 from earlier. The fence -- the fence along the river
14 that was to our back as we were conducting the site visit
15 would be removed. As it moves up the -- as it moves up
16 along the river toward the building, we will retain a
17 fence to keep people outside of the area where the
18 remediation is going on. So that -- that portion -- if
19 you look on the --

20 A VOICE: It will be replaced --

21 MR. EVES: -- on the drawing that portion
22 of the fence will be replaced and would run into a fence
23 that we install as part of the project.

24 MR. MCDERMOTT: Mr. Mercier, maybe I could

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1 ask Mr. Eves to identify what he was referring to as the
2 map for both the record and the Council's --

3 MR. MERCIER: Yes.

4 MR. EVES: As part of -- (mic static) --
5 as part of the prefiled testimony exhibit, there's a Site
6 Plan, The Shelton Substation, Drawing No. XXXX-001 that
7 was submitted. In the gray region you can see the fence
8 that was behind us today as we were conducting the site
9 visit. It's represented by a thin line with two vertical
10 dash lines, and that shows the fence to be removed.

11 MR. MERCIER: Okay --

12 CHAIRMAN STEIN: Just for -- excuse me --
13 just for clarification is that -- is that the map that's
14 dated Revised 1/10/2013?

15 MR. EVES: Yes.

16 CHAIRMAN STEIN: Okay, thank you.

17 MR. MERCIER: Okay, so all the dash as you
18 described it would be removed, even along the right-of-
19 way and along Old Stratford Road up -- up to the
20 containment pit?

21 MR. EVES: Correct.

22 MR. MERCIER: Okay.

23 MR. EVES: And then there would be a new
24 eight-foot fence installed to maintain the separation of

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1 the public from the area that's going to be remediated -

2 -

3 MR. MERCIER: Okay --

4 MR. EVES: -- as well as our substation.

5 MR. MERCIER: During the removal of the
6 fence along the river, would there be cutting of trees in
7 that --

8 MR. EVES: To say that there would be none
9 might be unrealistic, but we would attempt to minimize
10 that as much as possible. I mean to the extent to simply
11 get the fence out of there, there may be some vines or
12 some minor vegetation that has grown up through the
13 fence, but we would -- we would attempt to minimize that
14 to the extent possible.

15 MR. MERCIER: Okay. And also in looking
16 at this plan, the gray area you talked about, that's the
17 proposed conservation area. Again the trees along the
18 river don't have to be cleared for the substation portion
19 --

20 MR. EVES: Correct --

21 MR. MERCIER: -- perhaps a little bit for
22 the fence, but there's mature trees there and those are
23 going to be retained --

24 MR. EVES: Correct --

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1 MR. MERCIER: -- is that correct -- okay.

2 MR. MCDERMOTT: Mr. Mercier, I forgot to
3 mention we have -- we do have a screen off to my right if
4 there's any opportunity -- or if you would like, we can
5 certainly project any of the exhibits for the Council
6 Members or the public that are here --

7 MR. MERCIER: Thank you --

8 MR. MCDERMOTT: -- so just give us the
9 word.

10 MR. MERCIER: The existing building on
11 site, what -- what's the purpose of that building?

12 MR. EVES: That site -- or that building
13 serves the purpose in the remediation -- the molasses
14 vats that are currently used to remediate the site are
15 stored in that building. That building existed when the
16 previous tenant, Lord Industries, was on the property.

17 MR. MERCIER: Is there a gate somewhere so
18 whoever is performing the remediation can access that? I
19 don't see a gate marked where they could access the
20 building and not go into the substation area.

21 MR. EVES: If you'll refer back to the
22 plan that we previously referenced, you can see the
23 access to the substation in the area near where we
24 entered today, so you'll see the driveway leading in and

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1 there's an opening there and there are two fences,
2 there's a fence to your left and a fence to your right
3 there marked with the X's --

4 MR. MERCIER: Okay, I see it, yes --

5 MR. EVES: -- so they would be able to
6 come in through that area and get back into that region
7 where the building is --

8 MR. MERCIER: Does the --

9 MR. EVES: -- and be separated from our
10 substation.

11 MR. MERCIER: Okay, I do see that, thank
12 you. Does -- the proposed conservation parcel, does that
13 encompass any of the paved areas? When we were out there
14 today, there was a gate we walked through and some
15 pavement --

16 MR. EVES: Yes --

17 MR. MERCIER: -- that goes to that back
18 building.

19 MR. EVES: So in the gray area there you
20 see the existing fence, so to the extent that the
21 conservation area, you know, extends to the south of
22 that, that area is currently paved, yes.

23 MR. MERCIER: Would there be removal of
24 that pavement as part of that conservation set aside?

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1 MR. EVES: We had not initially planned
2 that.

3 MR. MERCIER: I have just a question on
4 the actual conservation parcel, is that something that's
5 going to be retained by UI or is that going to be given
6 to a land trust, or how is that -- how is that
7 preservation ensured?

8 MR. EVES: I'm sorry, Mr. Mercier, could
9 you repeat the question?

10 MR. MERCIER: Regarding the conservation
11 parcel, is UI going to retain that portion of the
12 property, the proposed conservation piece along the river
13 or is that something that's going to be donated or --

14 MR. EVES: We're currently studying what
15 our options are for that. We are governed by certain
16 rules with PURA and DEEP, so we're currently considering
17 what the options are there.

18 MR. MCDERMOTT: If I can just jump in
19 there for one second, Mr. Mercier. As the Council may
20 know that if regulated utilities dispose of utility
21 property, they need to seek PURA approval above a certain
22 dollar amount. We're still in the process of determining
23 what the value of that kind of non-usable piece of
24 property would be. And then obviously that would factor

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1 in as part of, you know, do we go to PURA; and if so,
2 when; or do we retain it and, you know, simply have it
3 out as an easement or other access for the public.

4 MR. MERCIER: Thank you. One other item
5 we looked at out there was the detention basin area.
6 That's in the south corner of the parcel. Right now is
7 that a shrubbery area? Is that mature trees along the
8 road? What -- what's actually the kind of vegetation
9 that's there?

10 MR. EVES: It's a mixture. There were
11 some more mature trees up along the Black Brook area. As
12 we get out more into the containment pit, it was more --
13 it's more grass and potentially low shrubs.

14 It is -- it is an infiltration basin. In
15 the current design it is not a containment pit, so it's
16 designed to have the stormwater run off the property into
17 that area and then percolate down through the grasses
18 that will grow there, into the ground essentially. So
19 it's not designed as a containment pit. That was an
20 initial design that we had had. We met with the city and
21 discussed what the options would be and resolved it
22 toward more of a infiltration basin than a containment
23 pit.

24 MR. MERCIER: Now beyond that fence line

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1 where your containment pit is are there -- is there
2 existing trees along the roadway or are you clearing
3 right up to the road, because I think one of the concerns
4 was the maintain of the wooded barrier, the wooded buffer
5 around the substation along that area?

6 MR. EVES: Correct, there are -- there are
7 trees between our property and the Route 8 exit ramp
8 there that will remain. So the mature trees in that
9 region would remain.

10 MR. MERCIER: Okay. And the -- and the
11 water that's going to flow into this is from some catch
12 basins you said?

13 MR. EVES: Correct, on -- on the
14 substation property. So currently there is -- there are
15 catch basins on the property from the previous industrial
16 use. Those -- one of those actually directly exits into
17 the Black Brook in that region, that will come out and
18 our stormwater will come off into this infiltration basin
19 and again will percolate down through the grass and other
20 vegetation there.

21 MR. MERCIER: How many catch basins do you
22 have?

23 MR. EVES: I think it's like four or five
24 -- (pause) -- 1, 2, 3, 4 -- 5. Those are designated on

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1 the third drawing in the package, XXXX-003, they're the
2 circles connected by the darker black lines and you can
3 see the two pipes exiting into the infiltration basin.

4 MR. MERCIER: Okay, thank you.

5 MR. EVES: And you -- as you just stated,
6 the entire drainage system there now will be removed and
7 you said there's existing catch basins, or are there
8 other tie-ins that go somewhere else that will be within
9 your substation footprint?

10 MR. EVES: Mr. Lewis, is it fair to say
11 that the entire or just things that are in our way?

12 MR. AARON LEWIS: My name is Aaron Lewis
13 with Black and Veatch. And in response to that question,
14 the plan would be any underground utilities that are
15 underneath the substation footprint that we would
16 interfere with as part of the construction, it would be
17 taken out. It's our understanding the only thing in
18 there is that existing stormwater system. So we would
19 demolish the existing system and then put in place this
20 infiltration bed along with the interconnecting piping
21 that brings the water from the site.

22 MR. MERCIER: I'm just curious I guess if
23 there's like a basin outside your footprint, does it
24 drain into the area where you're working or has that all

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1 been investigated and it's a self-contained area where
2 you're going to dig up that one basin and that's the
3 entire -- the extent of the system there?

4 MR. LEWIS: We know that there is another
5 basin. It's currently in service over near the existing
6 building. So if you went back and looked at the original
7 site plan drawing that we were referring to, the 0001
8 drawing, you'll see a couple of small boxes -- there's
9 actually three of them over near that existing building,
10 and those are all currently part of the stormwater system
11 that existed before, and they drain through a different
12 culvert into Black Brook, and that portion of the system
13 would remain in place. We would only be modifying the
14 system that sits underneath the substation property to
15 the extent that we would need to remove it for the new
16 system, and we would basically isolate and plug any
17 piping that would be extending over to the existing
18 property.

19 MR. MERCIER: Okay, thank you. Looking at
20 plan -- Mr. Eves, your prefiled testimony, sheet 1 I
21 guess, the plan we were just talking about with the
22 conservation parcel and drainage basins, I see the -- I
23 see a floodway designation that's just outside your
24 substation footprint. Now does that -- does that line

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1 preclude you from building anything within the floodway?
2 What's the significance of the floodway I guess is my
3 question?

4 MR. EVES: The floodway as I understand it
5 is the area of the river where the current would flow
6 during a flood event or -- or not would flow, could flow
7 during a flood event. So that area might be subject to
8 debris passing by and things of that nature. And what
9 would differentiate that from the hundred-year floodplain
10 would be -- that area would see current. And as you went
11 inward, there would be no current further in from the
12 hundred-year floodplain.

13 MR. MERCIER: Okay, so it's based on
14 current. And I see the next line up would be the hundred
15 year flood line. Now is this -- are these -- are these
16 flood lines based on post-construction contours or is
17 this preexisting?

18 MR. LEWIS: Yeah, this is Aaron Lewis
19 again. And the lines shown on this site plan represent
20 the FEMA existing flood lines that were established -- I
21 believe it was in the 70's. So we've carried those over
22 just to show how they overlay the site.

23 MR. MERCIER: Okay, so these are the FEMA
24 lines from the 70's? That was the last update that

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1 you're aware of for this area?

2 MR. LEWIS: That's correct.

3 MR. MERCIER: Are you aware if they're
4 doing any current update or is one planned? I know they
5 do --

6 MR. EVES: As part of the study, we
7 studied the floodway and found that it actually is not --
8 the extent of the hundred-year flood line is actually a
9 little bit less drastic than is shown here. We are
10 working with the City of Shelton to have that updated.
11 As an electric utility we cannot update that, so we're
12 working with the City of Shelton to do so.

13 MR. MERCIER: What was the revision that
14 you discovered based on? Is it watershed changes or
15 structures?

16 MR. EVES: One of the most significant
17 impacts was the presence of the old industrial building
18 and the floodway in the flood area and the removal of
19 that. There was the removal of a downstream dam also
20 that lessened the flood impact in this area to the tune
21 of roughly three feet.

22 MR. MERCIER: And when you -- when you go
23 to revise the flood line is that something the Department
24 of Environmental -- Energy and Environmental Protection

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1 get involved with or is that strictly FEMA only?

2 MR. EVES: Mr. Buccheri, could you --

3 MR. BUCCHERI: Yeah, we -- we met with
4 DEEP to discuss this and the guidance we were given was
5 to meet with the City of Shelton. The utilities and DEEP
6 don't have like a direct path to provide that information
7 to the Army Corps -- to the Army -- sorry -- to FEMA. So
8 we would -- we had met with Shelton and we told them that
9 we would provide them with the results of the study, and
10 they would -- they could forward that to FEMA to have
11 that revision done.

12 MR. MERCIER: Is this a common practice
13 for development? You know, there could be changes in
14 flood lines and FEMA has to be notified and approve it,
15 is this - is that pretty common? Anybody?

16 MR. BUCCHERI: I mean I would think so.

17 MR. EVES: Miss Mango, could you address
18 the commonest of that action?

19 MS. LOUISE MANGO: I could. It is not all
20 that common. And I think that this site is a little bit
21 unusual because for whatever reason the Federal Emergency
22 Management Agency has not updated their floodplain
23 mapping for some years. And over the last 30 or perhaps
24 40 years a number of changes have occurred as the panel

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1 has said, and not just the removal of the big industrial
2 building on this particular site, but also there was a
3 dam on the Far Mill River that was removed. And I think
4 when DOT actually built Route 8, they -- they moved the
5 Far Mill River, a portion of it a little bit. And then
6 of course there's been development upstream in Shelton.
7 None of that is reflected on the FEMA maps despite the
8 fact that I do think that if one goes and looks at these
9 floodplain maps, it will say 2010. So this mapping was
10 analyzed and a hydraulic analysis was done by Malone and
11 MacBroom. And Malone and MacBroom went with UI and
12 presented this information to DEP. And they were the
13 ones, as Mr. Buccheri said, who suggested that UI
14 coordinate with the City of Shelton to try to get the
15 FEMA floodplain changed. But for the most part, you
16 wouldn't have this series of sort of drastic changes that
17 occurred and that had not been picked up by FEMA in and
18 of themselves.

19 MR. MERCIER: Okay. So going back to the
20 plan, the hundred-year flood line, you stated that was
21 based on the FEMA 115 elevation?

22 MR. EVES: Correct.

23 MR. MERCIER: And when you -- when you do
24 the finished grade of the substation, what -- what are

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1 the grades?

2 MR. EVES: Our standard is to put our
3 control room floor and any electrical equipment a foot
4 above the hundred-year floodplain.

5 MR. MERCIER: Would it be the revised one
6 that you seek or is it more the 115?

7 MR. EVES: We're going to -- we're going
8 to use the existing 115 for our electrical equipment and
9 build to that standard is our current plan.

10 MR. MERCIER: Okay, so everything within
11 the substation will be out of the -- out of the FEMA line
12 --

13 MR. EVES: The --

14 MR. MERCIER: -- the hundred-year flood
15 line that is?

16 MR. EVES: The -- the control room
17 enclosure and the electrical equipment will be raised to
18 that point.

19 MR. PHILIP T. ASHTON: I'm sorry, above
20 the hundred-year --

21 COURT REPORTER: Microphone please.

22 MR. ASHTON: Sorry, Gail. Above the
23 hundred-year FEMA flood? I've got a deaf ear from the
24 flu, I'm sorry.

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1 MR. EVES: Yes, above the hundred-year
2 FEMA flood. We would go one foot above the hundred-year
3 floodplain. So at 116 feet based on --

4 MR. ASHTON: And do you know what the
5 elevation of the 500-year FEMA flood is? You show the
6 line --

7 MR. EVES: It's --

8 MR. ASHTON: -- but I couldn't pick up an
9 elevation on it.

10 MR. EVES: It's -- it's -- it's one foot
11 above the hundred-year. So it -- at the old -- using the
12 old elevations, it would have been 116 feet.

13 MR. ASHTON: So if I understand your
14 answer correctly, then the control room would be at the
15 FEMA 500-year flood line, is that correct?

16 MR. EVES: Yes.

17 MR. ASHTON: Thank you.

18 CHAIRMAN STEIN: Dr. Bell, do you have a
19 follow-up to --

20 DR. BARBARA C. BELL: I -- I just want to
21 make sure we get the numbers correct. My understanding
22 is that the FEMA flood line is at 115, whereas the Malone
23 and MacBroom flood line is at 113, it's point -- either
24 .6 or on another page .75, so right in that neighborhood

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1 over -- over 113 and a half. So if you were to build at
2 316, it would be one foot above the FEMA flood line. But
3 if you were to build at 315, that would be a foot and a
4 half above the Malone and MacBroom flood line. I -- I
5 just want to state that's my understanding for the
6 record. And then just ask you again, you're saying right
7 now that you're designing to build at 316?

8 MR. EVES: A hundred and sixteen. One-
9 sixteen, but --

10 DR. BELL: Sorry. I don't know how I got
11 that three in there, but 116, thank you. Thank you, Mr.
12 Chair.

13 MR. MERCIER: Going back to that, so 116
14 would be the top of the foundation for the control room,
15 is that right?

16 MR. EVES: 116 would be the control room
17 floor. So the top -- I think there's -- there's a steel
18 beam that runs along the bottom of the control room, so
19 the foundation would be slightly lower, but the control
20 room floor would be at 116.

21 MR. MERCIER: So the actual gravel surface
22 of the control room area, that's -- these plans that you
23 provided are accurate where it shows about 113 plus or
24 minus a half foot?

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1 MR. LEWIS: Yeah, this is Aaron Lewis
2 again. And I'd just like to clarify that the existing
3 grade average is around 113 feet. And we are elevating
4 foundations for the critical equipment to keep it above
5 the hundred-year floodplain. So in those stances we'll
6 have, you know, several feet between the finished grade
7 and the floor say of the enclosure, and there will be
8 steel access platforms that allow maintenance and
9 operations to gain access. But we will not -- the gravel
10 and the finished grade will not be brought all the way up
11 to that -- within six inches say of that finished -- or
12 floor elevation. There will be access platforms in those
13 cases.

14 MR. MERCIER: Okay. In regards to the
15 control room, what -- what's like a critical height
16 within it? Like how high does the water have to go
17 before it damages the equipment? Above grade I assume -
18 -

19 MR. EVES: Once water got into the control
20 room, it's not very far from the floor up to where there
21 would be sensitive equipment there. It could be a matter
22 of inches to a foot.

23 MR. MERCIER: Is that the most critical
24 piece of equipment in the substation?

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1 MR. EVES: I think a reasonable person
2 would say that, yes. I mean to clarify that, I mean for
3 the substation to operate their main critical elements,
4 but that is a critical element yes.

5 MR. MERCIER: During the Storm Sandy that
6 occurred last year, do you know if this area -- if your
7 substation footprint flooded --

8 MR. EVES: There was --

9 MR. MERCIER: -- your proposed substation
10 footprint?

11 MR. EVES: There was no indication that it
12 did. Now Sandy from a flooding -- there was a lot of
13 discussion in the press about flooding. The flooding
14 associated with Sandy was a coastal flooding event. The
15 rain water from Sandy was not -- this is a rain event
16 that will cause flooding on the substation, and that's
17 different from the flooding that we experienced during
18 Sandy.

19 MR. MERCIER: I'm going to move on to
20 something else and it has to do with some visibility of
21 the station. I saw a diagram -- I don't recall offhand
22 where it was, but it showed a creamery up in the
23 northeast -- northwest of the project area. I assume
24 that's a farm type situation, the public can go there.

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1 And there was some photographs taken from that area --

2 MR. MICHAEL LIBERTINE: Yes --

3 MR. MERCIER: Were the photos worse case
4 from the property or is that just representative views?
5 I'm trying to get a sense of where they actually were
6 taken.

7 MR. LIBERTINE: This is Mike Libertine for
8 the record.

9 Yes to answer your question as simply as
10 we can. It is a -- it is somewhat of a retail business.
11 But what we did is we actually stood in the parking lot,
12 which is the closest portion of the property to the site,
13 so in this case I would say that represents a worst case
14 scenario from the ground level of that property.

15 MR. MERCIER: And that's Photo 4 behind --

16 MR. LIBERTINE: That's -- that's --

17 MR. MERCIER: -- Exhibit E --

18 MR. LIBERTINE: That's -- yes, that's
19 correct. It's Photo 4 and it's been simulated as well.
20 There's an open field that separates one of the few areas
21 that's open between the site and some of the surrounding
22 areas to the north, and so it was somewhat of a critical
23 view. As you can see the overhead wires that are there
24 today extend just east of that property in a north/south

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1 direction towards where the substation is proposed and
2 there is somewhat of an open grass meadow that is between
3 the river and Beard Saw Mill Road.

4 MR. MCDERMOTT: Mr. Mercier, just so I
5 make sure that you and Mr. Libertine are working off the
6 same analysis, please recall in the prefiled testimony we
7 submitted, we did submit revised drawings, so -- I -- I
8 don't think it dramatically impacts the discussion here,
9 but I just wanted to make sure that it was -- everyone
10 was working off the same set of drawings.

11 MR. MERCIER: Yes, thank you. Just north
12 -- just north of the substation there is a field area.
13 Is that -- is that a conservation parcel?

14 MR. EVES: On the -- on the far side of
15 the river, I believe it's the farm that you spoke about
16 as part of the creamery.

17 MR. MERCIER: Okay, so the farm extends
18 all the way down Beard Saw Mill just north of your
19 property?

20 MR. LIBERTINE: I don't know the specific
21 dimensions, but it does -- the property does have
22 frontage on both sides, south and north of that
23 particular road. So I do believe the field that I
24 referenced is part of that property.

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1 MR. MERCIER: Slightly northeast of your
2 property I believe there's some town owned land there.
3 Is that for the water company? Is that a water company
4 parcel? There's some kind of structure on it with a
5 driveway.

6 MS. MANGO: I believe it's a pump station
7 -- a City of Shelton owned pump station, water, sewer, or
8 something --

9 MR. MERCIER: Okay --

10 MS. MANGO: -- it's a -- it's a city
11 utility parcel.

12 MR. MERCIER: Okay. And opposite that
13 pump station property there's a residence across on the
14 north side of Beard Saw Mill. Do you expect any
15 visibility from that residence?

16 MR. LIBERTINE: I think certainly there
17 will be some views during the winter months when the
18 leaves are off the trees through the mass and branching.
19 There's -- there's a fairly, you know, solid strip of
20 deciduous trees. But certainly when we did our recon,
21 the leaves had just started to break. And I did notice
22 today that I could see two of the residences from the
23 site itself. So my expectation is that there will be
24 some seasonal views that are somewhat obstructed from the

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1 mass that's there today with the trees.

2 MR. MERCIER: Okay, thank you. Is there
3 any 24-hour lighting in and around the substation?

4 MR. EVES: There will be 24-hour lighting
5 to the degree that is required for us to be able to see
6 with our security cameras what is going on within the
7 substation perimeter. So it would be low level lighting
8 to allow that purpose.

9 MR. MERCIER: How is the lighting
10 oriented, along the fence line or -- I guess what I'm
11 getting at is it going to be oriented out towards the
12 residences that live north of there or is it just shining
13 down in the immediate area of the fence? Is there any
14 control of the lights?

15 MR. EVES: Mr. Lewis.

16 MR. LEWIS: The lighting is designed with
17 what they call high mass lights with -- they're shielded
18 fixtures that would direct the light down in a cone and
19 they're located in the center of the parcel currently,
20 shown on the site plan drawings. You can see they're
21 called out as a 50-foot lighting pole. And so the intent
22 of those types of fixtures are they keep the light within
23 the boundaries of the substation. They'd be designed in
24 that way.

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1 MR. MERCIER: Okay, so only these two
2 poles would be providing night lighting on a normal
3 basis and there could be emergency additional lighting,
4 but --

5 MR. LEWIS: Yeah, I think the operation
6 would allow for minimal lighting as Mr. Eves stated for
7 normal situations. In the event that nighttime
8 operations were required, additional light fixtures on
9 these structures would be able to be illuminated to allow
10 that to happen. And obviously the foot candle levels
11 would go up to allow that work to proceed safely.

12 Your -- your question about additional
13 lighting, there are going to be small access lights over
14 each one of the doors on the enclosures that are photo
15 cell controlled and they would essentially illuminate the
16 access platforms I mentioned earlier. And those would
17 come on, you know, every night at dusk.

18 MR. MERCIER: Okay, those go on every
19 night, got'cha.

20 One other question I had was you have a
21 90-foot radial pole. I was wondering what the diameter
22 of that pole was?

23 MR. EVES: That's a wood pole --

24 MR. MERCIER: Okay --

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1 MR. EVES: -- you can pretty much get your
2 arms around it at the base.

3 MR. MERCIER: What -- what's going on it?

4 MR. EVES: That would be communications --
5 radio communications for -- for -- our electronic meter
6 reading would be one application. Other -- as we get
7 into advanced distribution automation, we'd use that for
8 that application as well to communicate with electric
9 devices on the distribution system.

10 MR. MERCIER: Are they like whip type
11 antennas? Are they thicker round dishes or what kind of
12 antennas are we talking about or equipment?

13 MR. EVES: They're -- they're typically
14 linear antennas. I wouldn't call them whip, but they're
15 -- they're typically straight structures, you know, maybe
16 an inch in diameter from what we've installed in the
17 past. That technology obviously evolves over time, but
18 to date they're typically linear antennas on those.

19 COURT REPORTER: One moment please.

20 (pause - tape change)

21 MR. EVES: That -- that antenna may extend
22 a few more feet above the top of the 90-foot pole. And
23 that 90-foot pole is set in the ground to a certain
24 degree as well, eight or so feet.

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1 MR. MERCIER: Okay, thank you. I have no
2 further questions, Mr. Chairman.

3 CHAIRMAN STEIN: Mr. Wilensky, is it
4 alright if we start at your end with questions?

5 AUDIO TECHNICIAN: Your microphone, Mr.
6 Wilensky.

7 MR. EDWARD S. WILENSKY: There were
8 monitoring wells on the property. And what was the
9 purpose of the monitoring wells? And how do you plan to
10 replace -- how -- what would you do with the monitoring
11 wells?

12 MR. EVES: Louise, could you address the -
13 -

14 MS. MANGO: The -- the monitoring wells
15 are groundwater monitoring wells and groundwater
16 injection wells. And they are essentially the last phase
17 of the remediation of this site.

18 The site itself, the entire six acres or
19 the majority of it was occupied by Lord Corporation and
20 they did various manufacturing things over time. And as
21 a result of that, they had certain levels of
22 contamination from underground storage tanks, from, you
23 know, other types of solvents and things of that sort.
24 They remediated we believe everything, soil, surface

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1 water. They took down their buildings and all of that,
2 but they have a groundwater plume of a certain kind of
3 contamination and it exists where the groundwater wells
4 are. It's not on the portion -- it's not below the
5 portion of the property where UI proposes to build the
6 substation. It's basically where you see the monitoring
7 wells on the -- I guess that would be the eastern portion
8 of the site.

9 MR. WILENSKY: I gather this ground was
10 then polluted?

11 MS. MANGO: Yes. It -- it was a former
12 industrial site, yes, and they made -- Mr. Katreczko
13 would probably know what they made.

14 MR. BOHDAN KATRECZKO: Yes, Bohdan
15 Katreczko for the record.

16 Lord manufactured elastomers and all kinds
17 of O rings, rubber products. And as part of that process
18 some of the hazardous substances they used were like
19 tetrachloroethane, trichlorethane, things that would --
20 you know, pretty much used as degreasers. So when
21 Arcadis, who's doing -- on behalf of Lord doing the
22 monitoring, they, pursuant to I guess -- they have an
23 underground injection control deal with the Connecticut
24 DEP, and over the years they've been injecting molasses

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1 into those monitoring wells to --

2 MR. WILENSKY: But has this -- this
3 groundwater that was polluted -- I'm sorry not the
4 groundwater -- the ground that was polluted, has that
5 been --

6 MR. KATRECKO: Oh, the ground portion,
7 yes, that has been already remediated.

8 MR. WILENSKY: And it has been removed?

9 MR. KATRECKO: Correct. Here we're just
10 talking about the groundwater.

11 MR. WILENSKY: And this groundwater -- and
12 this pollution, were they cancer causing agents that were
13 in the groundwater pollution?

14 MR. KATRECKO: Well let's put it this
15 way, as part of their process they were using hazardous
16 substances. And with their agreement with the DEP,
17 they're using this underground injection system to help
18 like anaerobic bacteria break down whatever is left in
19 the -- in the groundwater. So they -- they've been
20 monitoring it for years, since like 1995. And Arcadis,
21 who's the environmental consultant for Lord, is pretty
22 confident -- I mean I've seen the analysis myself, and
23 over the years it's been getting better, it's been
24 improving. So they're sort of on their final round of

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1 groundwater monitoring results, which will let them know
2 whether to continue or whether it's, you know, pretty
3 much all cleaned up.

4 MR. WILENSKY: Will these monitoring wells
5 be replaced?

6 MR. KATRECZKO: They're not going to
7 impact the --

8 MR. WILENSKY: So it's -- right now
9 they're on the footprint of this site or this project, am
10 I right or --

11 MR. KATRECZKO: Some -- some may be
12 abandoned, as well as there's the possibility -- and
13 we're -- we're sort of having conversations with them
14 now, one or two may be moved outside of the footprint of
15 the substation.

16 MR. WILENSKY: But those that will be
17 removed, will you replace them?

18 MR. KATRECZKO: Yes. Well when I say
19 removed, I mean replaced.

20 MR. WILENSKY: So there still -- there
21 still will be monitoring wells there?

22 MR. KATRECZKO: Not in the -- not in the
23 footprint of the substation.

24 MR. EVES: They can -- they can bore to

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1 the location they need to go from multiple directions, so
2 we would use that approach to move their injection points
3 outside of our substation perimeter to get to where they
4 needed to get to from the wells that might conflict. So
5 -- so we're currently working with Arcadis and Lord to
6 ensure that our construction does not conflict with their
7 ability to monitor and/or remediate.

8 MR. WILENSKY: As far as you're concerned,
9 now this pollution that was there is not -- is no longer
10 there?

11 MR. KATRECZKO: What they've been doing
12 over the years is monitoring and it's been attenuating,
13 it's been getting less and less.

14 MR. WILENSKY: Will there be water
15 supplied to the -- when the facility is built, would any
16 water be necessary -- drinking water? And if so, how
17 would it be supplied --

18 MR. EVES: Mr. Lewis --

19 MR. WILENSKY: -- because I don't think
20 you can dig a well.

21 MR. LEWIS: Yeah, the intent would be for
22 us to tie into the city water supply --

23 MR. WILENSKY: Okay --

24 MR. LEWIS: -- and there would be a

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1 restroom facility located in the control room enclosure
2 and also eye wash stations. But that would all be
3 furnished or supplied by city water.

4 MR. WILENSKY: In other words, the City of
5 Shelton does have city water that's supplied to this
6 particular area?

7 MR. LEWIS: That's correct.

8 MR. WILENSKY: So they don't -- wells are
9 not necessary for a hotel or motel or anything like that
10 in the area?

11 MR. LEWIS: That's my understanding.
12 There's a city main nearby going down Pootatuck Place.

13 MR. WILENSKY: One last question. There's
14 a wetland area on this map, shown on the map. What's
15 your plan with the wetland?

16 MR. BUCCHERI: In order to develop this
17 site, we -- we are going to be removing the wetland. We
18 have met with the Army Corps of Engineers on this. And
19 one of the things we plan to do very shortly is file a --
20 submit a Category 2 permit to the Army Corps of Engineers
21 and DEEP and we'll be proposing to, you know, conserve a
22 strip of land along the Far Mill River as compensatory
23 mitigation for the wetland.

24 MR. WILENSKY: So you're working with the

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1 Army Corps of Engineers?

2 MR. BUCCHERI: Correct.

3 MR. WILENSKY: Who don't move very fast --
4 (laughter) -- anyway, that's about it. Thank you, Mr.
5 Chairman.

6 CHAIRMAN STEIN: Thank you. Mr. Ashton.

7 MR. ASHTON: Thank you. Just a couple of
8 questions first of all for a little background. Is it my
9 understanding that UI is the owner of this property and
10 the property is subject to the CL&P easement, and that's
11 the only one? Is that correct?

12 MR. BUCCHERI: This is Tony Buccheri. And
13 yes, that is correct.

14 MR. ASHTON: You own it in fee simple?

15 MR. BUCCHERI: We own the property --

16 MR. ASHTON: Okay. What is the -- or who
17 owns the remediation process? And are they tenants on
18 the property or what?

19 MS. MANGO: The Lord Corporation is
20 responsible for the remediation process --

21 MR. ASHTON: Okay --

22 MS. MANGO: -- and they have a
23 longstanding consent order with the Connecticut DEEP.
24 And as part of the purchase of the property, UI

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1 investigated that. And Lord and its consultants, who are
2 Arcadis, they are required to continue the monitoring and
3 continue the remediation of the groundwater, which as we
4 said before is the last remaining thing to be done. So
5 they will be given full access to the property. The shed
6 that has the molasses in it is -- needs to be accessible
7 to them. And they will continue their monitoring and
8 injection well efforts until --

9 MR. ASHTON: You're not going to distil
10 rum there, are you -- (laughter) --

11 MS. MANGO: I'm not sure what --
12 (laughter) --

13 MR. ASHTON: My -- my question is driven
14 by could Lloyd -- could Lord walk away and leave UI
15 holding the bag on this? I know they have the order, but
16 if you -- if Lord just suddenly folded its tent and stole
17 away into the night, who's left holding the bag?

18 MS. MANGO: Lord -- Lord is an ongoing --
19 you know, it's a -- still a viable corporation. They
20 have operations elsewhere. And my understanding is that
21 this property was owned by an intermediary -- I think it
22 was Whitewater Developers prior to when UI bought it --
23 and throughout this time Lord has demonstrated a fairly -
24 - I mean they have been committed to continuing the

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1 cleanup --

2 MR. ASHTON: Yeah --

3 MR. MCDERMOTT: Mr. Ashton --

4 MR. ASHTON: -- I understand --

5 MR. MCDERMOTT: Sorry Mr. Ashton, if I
6 could jump in, I could give you the legal answer, which
7 is that when Lord sold the property to Whitewaters,
8 pursuant to the Connecticut Transfer Act, they became the
9 certifying party. So they are legally obligated to
10 undertake remediation pursuant to the Transfer Act. When
11 UI purchased the property from Whitewaters, we also
12 became responsible under the Connecticut Transfer Act for
13 the remediation of the property. UI worked out an
14 agreement with the Lord Corporation. And much to Lord
15 Corporation's credit, they said, you know what, we are so
16 invested in this property, we as good environmental
17 citizens want to make sure that the remediation is
18 finished appropriately and we will continue to assume the
19 responsibility for the remediation. So we have
20 essentially delegated our responsibilities to Lord
21 Corporation to continue the remediation.

22 MR. ASHTON: And they would have full
23 access to the site as needed and appropriate?

24 MR. MCDERMOTT: Exactly. And I -- as I --

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1 since I'm testifying, let me just -- one further thought

2 --

3 MR. ASHTON: Well you're a good witness -

4 -

5 MR. MCDERMOTT: Thank you -- (laughter) --

6 I have very good counsel -- is that Lord Corporation and

7 UI have been working very closely, we've had site visits,

8 they're fully aware of the plans --

9 MR. ASHTON: Yeah, okay --

10 MR. MCDERMOTT: -- and so I think this has

11 been very much of a cooperative effort between the

12 company and Lord to both continue the remediation, which

13 obviously Lord has to do pursuant to the Transfer Act,

14 and to ensure kind of maximum utilization of the

15 property.

16 MR. ASHTON: So the chances of this

17 blowing up are slim to none?

18 MR. MCDERMOTT: We hope, that's right.

19 MR. ASHTON: One last question in that

20 regard. I recognize what is being done. I understand

21 the process, I've been involved in it before. Where do

22 we stand time-wise on this process of cleanup? Is it,

23 you know, in the 90th percent of cleanup or something

24 like that? I realize you can't give a really precise

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1 quantitative measure, but --

2 MR. EVES: Miss Mango, could -- could you
3 comment on that or Boh.

4 MR. KATRECZKO: As you mentioned, it's --
5 it's difficult to say, but, you know, percentagewise
6 they're about 90, 95 percent --

7 MR. ASHTON: Okay. You're well along
8 then?

9 MR. KATRECZKO: Right.

10 MR. ASHTON: Let me turn to the design of
11 the station. This I'm sure is an initial phase that
12 you're proposing with two banks and a breaker. What's
13 the ultimate concept of this site and how does it work
14 out?

15 MR. EVES: Chris Bilcheck.

16 MR. CHRIS BILCHECK: So as you observed,
17 the initial build-out includes two power transformers and
18 one gas circuit breaker, a 115-kV gas circuit breaker,
19 with one transmission line looping in and out of this
20 site. It's been designed with provisions in it to allow
21 three power transformers, 50 MVA rated transformers, as
22 well as up to three bays of what's called a breaker and a
23 half design. It has flexibility in the design that it's
24 not an all or nothing, it could end up being a single tie

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1 breaker station with a transmission capacitor bank added
2 to it. It could be a four breaker ring bus type design
3 if you're familiar with that type of --

4 MR. ASHTON: Yes --

5 MR. BILCHECK: -- you know, ring bus or a
6 breaker and a half design. So ultimately, it could end
7 up being as large only as a three bay breaker and a half
8 design, but it could be anything in between where it is
9 now and --

10 MR. ASHTON: I -- as I looked at the
11 drawing, I assumed the third breaker would be -- pardon
12 me -- a third transformer would be involved. Where would
13 that be located? Between the two proposed?

14 MR. BILCHECK: Exactly.

15 MR. ASHTON: Okay. And it would then tie
16 into the low side by an open bus? You show an open bus
17 connecting the two proposed transformers --

18 MR. EVES: Correct, it would be --

19 MR. ASHTON: -- and the third transformer
20 would tie into that same open bus?

21 MR. EVES: Correct.

22 MR. ASHTON: You've got a problem with
23 duty on that bus?

24 MR. EVES: We would design it in such a

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1 way that we would not.

2 MR. ASHTON: Okay. Do the -- by the way
3 is a 50 MVA transformer self-cool rating or forced cool
4 rating?

5 MR. BILCHECK: It would be a 30, 40, 50,
6 so --

7 MR. ASHTON: 30, 40 --

8 MR. BILCHECK: -- 30 would be the --

9 MR. ASHTON: Okay, that's -- 30 is the
10 carcass of it -- 30 MVA is a self-cool --

11 MR. BILCHECK: Yeah.

12 MR. ASHTON: Okay. What do you have for
13 oil containment? Do you have sumps under these
14 transformers?

15 MR. EVES: There's -- there's an oil
16 containment -- an oil containment pit will be designed to
17 capture all the oil. Would you like to elaborate on
18 that, Mr. Lewis?

19 MR. LEWIS: As Mr. Eves stated, there will
20 be a concrete lined oil containment pit under each
21 transformer. And dewatering of those pits for rain or
22 any moisture that gets in there would be going through a
23 petro barrier --

24 MR. ASHTON: Yeah --

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1 MR. LEWIS: -- a system that has beads
2 that swell in the presence of any oil to prevent oil from
3 being discharged. The drainage from these pits would be
4 taken to the infiltration basin.

5 MR. ASHTON: Yeah. And they would be
6 designed to handle the full oil charge on a transformer?

7 MR. LEWIS: Yeah, the minimum volume would
8 be 110 percent of the transformer volume.

9 MR. ASHTON: Okay. I -- I've had a little
10 experience with floods and flooding. And the one that
11 haunts me to this very day is the 1955 flood. I'm older
12 than most of you here. When the --

13 MR. WILENSKY: No, you're not --

14 MR. ASHTON: -- oh, pardon me, Ed --
15 (laughter) -- when the Shepaug Dam was a dry -- if you're
16 familiar with it up on the Housatonic, it was a dry pond.
17 And in the rain that dam -- or the pond filled up and
18 overtopped the dam overnight. And that incident caused
19 the Corps and everybody else to throw the 500-year
20 forecast -- the flood forecast into the trash can and
21 start again. And I think we could all agree -- and I see
22 somebody out in the audience who I'm sure would agree
23 that a hundred-year flood or five-hundred year floods are
24 a creation, a wise creation designed to try and give us

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1 some means of handling development in flood prone areas.
2 However, the exact nature of what constitutes a hundred-
3 year flood can vary considerably. It will -- you can get
4 one area of town that gets a huge soaking and another
5 town -- or another part of that same town doesn't.

6 I have a very great concern that while the
7 -- apparently there is a margin of conservatism in the
8 FEMA figures, and we are relying on those figures pretty
9 closely at the control house. And the control house I
10 suspect, and you can confirm it, will have a wire trough
11 in it that will be below the floor level, that by -- I
12 don't know -- a foot or 18 inches or something like that,
13 that could get its feet wet. And as you indicated there
14 are critical elements in the control panel that are not
15 much above the floor level. What would -- why would you
16 not want to seriously look at raising that control house
17 up a couple of feet above the 500-foot level -- 500-year
18 flood level to make absolutely certain that you will not
19 get into a flooding situation? I'm looking at you, Mr.
20 Eves.

21 MR. EVES: It's an excellent question, Mr.
22 Ashton, and it's something we -- I think UI struggles
23 with, and we struggled with in the wake of the storms
24 that we recently -- that we recently encountered. We've

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1 developed practical standards that govern the utility
2 industry, the NESC, and how we build with respect to
3 flooding across our system. And I think as you look at
4 each individual issue on its own merit, it may make sense
5 to spend a little more money to improve the situation at
6 that location. But if you extend that across the entire
7 electric system, I think that is where the costs begin to
8 add up there --

9 MR. ASHTON: Well first of all, we're not
10 talking about the whole electric system. We're talking
11 about the Old Stratford Road Substation --

12 MR. EVES: Yes --

13 MR. ASHTON: -- and wouldn't you agree
14 with me that the cost of raising that floor up two feet,
15 for argument's sake, is very small because you're going
16 to be moving a heck of a lot of earth around there and
17 it's a matter of forming concrete and footings and so
18 forth. It's not a bank breaker in a 38 million dollar
19 project, and it's going to be something less than the
20 sales tax.

21 CHAIRMAN STEIN: I would just like to --
22 this is the same inquiry -- one of the advantages or
23 disadvantages is I usually go last, so -- but I totally
24 agree with Mr. Ashton. I'm very -- I'm very concerned

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1 that in lieu of the two storm report, which really I
2 think put the onus on everybody, and the Siting Council
3 among others, that we should be looking to harden
4 facilities and not make mistakes that might haunt us in
5 the future. So I'm -- I'm really concerned about what
6 may from your standpoint appear to be an adequate margin
7 of safety, but one foot -- and I think it's one foot
8 above the hundred-year and not above the 500-year, I
9 think you're even with the 500. And so I'm just --

10 MR. ASHTON: Yeah --

11 CHAIRMAN STEIN: -- I just want to echo
12 that concern and --

13 MR. ASHTON: Yeah, I stand corrected, Mr.
14 Chairman, you're right. I made a note you're proposing
15 Elevation 116 from the floor of a control house --

16 CHAIRMAN STEIN: And Dr. Bell I think has
17 an added comment, so this is -- you can get a sense that
18 this is a concern of us.

19 DR. BELL: I -- I have a question and not
20 a comment so much, but it's based on the importance of
21 this matter certainly. Mr. Ashton was talking about the
22 500-foot -- the 500-year flood level, I'm sorry. And
23 earlier we went to great lengths to confirm exactly what
24 we were talking about with respect to the hundred-year

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1 flood level. So now my question is, okay, if we're going
2 to talk about the 500-year flood level, what is that? It
3 is marked on the map, we see it, but we don't -- I don't
4 know what the contour is for that.

5 MR. EVES: The elevation of the 500-year
6 floodplain based upon the previous FEMA calculations was
7 a foot above the hundred-year floodplain. So the -- the
8 old hundred-year floodplain was 115, the old 500 would
9 have been 116.

10 DR. BELL: Okay, thank you. Now I
11 understand.

12 CHAIRMAN STEIN: Sorry Mr. Ashton, but --

13 MR. ASHTON: I didn't ask -- but I could
14 have asked what's the maximum -- (indiscernible) --

15 COURT REPORTER: Microphone --

16 MR. ASHTON: -- but I suspect there's
17 somebody in the audience who's got an answer to it --

18 MR. MCDERMOTT: Mr. Ashton, were we left
19 hanging with your question about the incremental cost of
20 raising --

21 MR. ASHTON: No, but I'm just -- it's my
22 belief, subject to your convincing me otherwise, that the
23 cost of raising the control house up a foot is not a
24 major cost component in building this substation?

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1 MR. EVES: It is not in this specific case
2 for this specific --

3 MR. ASHTON: I don't want to get into how
4 many nickels and dimes there are in it, but it's not a
5 heck of a lot.

6 What are the cut and fill volumes that are
7 proposed? Does anybody have that?

8 MR. EVES: It's 15,000 cubic yards of fill
9 to bring the site up to level --

10 MR. ASHTON: And not much cutting? No
11 off-site transport --

12 MR. EVES: Mr. Lewis.

13 MR. LEWIS: Right now the current plan is
14 just to cut the, you know, top maybe foot of soil. It's
15 organic in nature, non-compressible, so we get down to
16 good structure. And then that would all be hauled off-
17 site because it's not usable.

18 MR. ASHTON: Have you thought about
19 possibly using it under the right-of-way and use it for
20 screening and raise up that area?

21 MR. LEWIS: I believe the current plan is
22 to try to minimize any impact to that area because there
23 is some natural vegetation growing there. So we'll try
24 to stay out of that area underneath the CL&P line as much

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1 as possible except where we're crossing with our main
2 access road.

3 MR. ASHTON: I've been on a little bit of
4 a crusade to try and convince some of the -- CL&P
5 particularly to use the material they take off a site,
6 the footprint for a substation to build a berm around it
7 and use -- to provide -- and use that as a base for
8 screening. It seems to work in the one that they've done
9 at Westport. This substation is in a depressed bowl, if
10 you will, and so I can understand that there's the chance
11 to put berm around it is not very high that will
12 materially affect it. I guess I'd have to see that, but
13 I would hope in looking at the ultimate design of it --
14 and my friend Miss Mango here would push in that
15 direction so we can screen.

16 And that leads me to another question.
17 You show the containment pit area right at the -- more or
18 less the intersection of the ramp and Old Stratford Road.
19 That's right where cars coming generally northwest on Old
20 Stratford will get a view of the substation. And I
21 wondered if there would be any benefit to shifting it
22 further east towards the Lord's molasses shack around the
23 corner so that it can be -- further landscaping could be
24 done in what is now designated as the control pit area.

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1 That's where you get a sharp view of the substation.
2 It's not the 90 degrees to your right coming down the
3 ramp, but it's dead on ahead of you. And the thought
4 struck me that if that could be used for further
5 plantings, it may help screen the station.

6 MR. EVES: Mr. Ashton, let me -- the
7 infiltration basin actually will be planted with -- you
8 know, it initially will be grasses that can grow in the
9 water, but eventually the natural vegetation in that
10 area would take over. So that may -- over time may grow
11 --

12 MR. ASHTON: You ain't going to see it,
13 nor are your grandchildren. Well I understand it and I
14 understand what you're trying to do, and I don't disagree
15 with what you're trying to do. I was wondering simply if
16 you could move it a couple of hundred feet east, just on
17 the east side of the substation rather than on the south
18 side, it would allow for a little further planting in
19 that area.

20 MR. EVES: In that case it would be
21 impacting the remediation area, the wells. So I'm not
22 sure that we'd be able to excavate to the depth we would
23 need to for --

24 MR. ASHTON: Well you tell me you're close

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1 to the end of the remediation area, so I would -- I will
2 leave it with you that you take a careful look at it for
3 the development and management plan on the assumption
4 that this is approved because that's one area where there
5 is significant visibility to a high volume of traffic.
6 You're looking dead at it when you come around that
7 corner.

8 Let's see -- I know this is -- we don't
9 have jurisdiction over distribution, but I'm curious as
10 to what you're proposing for what I knew as what we
11 called substation getaways, the distribution lines. Are
12 they all going to be underground coming out of here? And
13 -- underground until you get to Huntington Avenue or
14 whatever it is going to be?

15 MR. EVES: They will be underground
16 exiting the substation and they'll turn --

17 MR. ASHTON: And how far away --

18 MR. BUCCHERI: Two --

19 MR. EVES: Mr. Buccheri.

20 MR. BUCCHERI: We plan to have a duct line
21 -- two duct lines exiting the substation. One of them
22 will head on Old Stratford Road towards Bridgeport Avenue
23 --

24 MR. ASHTON: Yeah --

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1 MR. BUCCHERI: -- and one of them will
2 head on Old Stratford Road towards Armstrong Road.

3 MR. ASHTON: I have to admit in my past
4 life that a couple of my creations I don't think are very
5 attractive because we did not get rid of the clap-trap
6 coming out of the substation. And I'm hoping that would
7 not apply here or in any substations today. I think
8 we've come down the road a little further and that ought
9 to be a carefully thought out plan.

10 You have proposed -- or you are proposing
11 four pull off structures. Two dead-end structures I
12 assume directly under the CL&P line and then two just in
13 the station itself, which the ones -- the dead-end
14 structure under the line I have -- I understand
15 completely. I was a little bit surprised about the other
16 ones and wondered if you'd looked at an alternative of
17 taking the bus which runs almost dead north/south and at
18 the end of the bus swinging to the west so you can come
19 off a dead-end structure directly onto the bus with no
20 intermediate structure in both the northern section and
21 the southern section. Have you looked at that as an
22 alternative? That gets rid of one tall structure. And
23 presumably it would fit in the -- in the ultimate
24 development of the station. Do you understand what I'm

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1 driving at?

2 MR. EVES: Mr. Lewis, could you comment on
3 that?

4 MR. LEWIS: Right. One -- one
5 consideration that we had -- we did look at that and a
6 number of alternatives to try to bring the lines in. And
7 ultimately, we're trying to maintain that access road on
8 the south that's shown as that monopole that you referred
9 to. And then in addition, knowing that the bus in the
10 substation could potentially be built out up to three
11 additional -- or two additional diameters to what's
12 shown, we want to try to keep those H-frames lined up as
13 best we can in a line so that the lines could be turned
14 in as the first bay shows.

15 MR. ASHTON: That road that comes around,
16 is that the route that the portable will take?

17 MR. EVES: Yes.

18 MR. ASHTON: And where would the bay for
19 the portable be, the portable transformer?

20 MR. EVES: The mobile substation would
21 pull in either -- in under either one of the
22 transformers.

23 MR. ASHTON: It would -- you would pull in
24 under or adjacent to, or what?

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1 MR. EVES: Adjacent to, and then we would
2 pick up the PDC enclosure from the mobile substation. So
3 we'd park in proximity so we could make a connection on
4 the 115-kV bus coming in, and then direct the cables from
5 the 13.8 side into the PDC enclosure.

6 MR. ASHTON: And those cables would lie on
7 the ground I assume.

8 MR. EVES: In order to maintain the space,
9 we would need to bring all those lines in as Mr. Lewis
10 said. We need to keep that line out and away from the
11 substation because in the future --

12 MR. ASHTON: Yeah, I -- I don't disagree
13 with that --

14 MR. EVES: Okay --

15 MR. ASHTON: -- I understand you're
16 dropping down and you've got tangent structures it looks
17 like both north and south of the substation, so -- so
18 these have got to be a dead-end structure, they've got to
19 take full -- but coming off a dead-end, I thought you
20 might turn the bus 90 degrees and come in on a dead-end
21 there, and that would avoid that other tall structure.

22 MR. EVES: If we were only building the
23 substation as it exists, that would be an option. But to
24 build it such that in the future we could expand it,

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1 requires us to keep that line away from where the future
2 buses would be and provide us room to bring the other
3 lines in potentially.

4 MR. ASHTON: Let me just go look at -- I
5 made a note on a drawing I think -- (pause) -- I thought
6 of one way you could scrounge a few feet, and that is --
7 substation engineers love square corners on substations.
8 I -- I think that's just ingrained in their genetic
9 makeup. I wondered if it would be reasonably possible on
10 the corner closest to the ramp to cut it off at a 45-
11 degree and then get a little more landscaping in there,
12 not by taking a huge amount off, but -- substation
13 corners tend to be the repository of old standoff
14 insulators, bushings and other miscellaneous junk. And I
15 wondered if that's a reasonable consideration?

16 MR. EVES: Mr. Becker, would you like to
17 respond?

18 MR. GEORGE BECKER: George Becker for the
19 record. Yeah, we -- that corner could be cut off. We
20 don't have any plans for any expansion into that corner,
21 so --

22 MR. ASHTON: I'm solely thinking of
23 landscaping and --

24 MR. BECKER: Yeah --

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1 MR. ASHTON: -- and trying to screen it.
2 I know it's -- I think Mr. Libertine said it's deciduous
3 along there. That works great in the summer, but it's
4 kind of naked in the winter. And as things get planted,
5 it would sure be nice to try and provide a little
6 screening. I think the town would like a little more
7 too.

8 That's all my questions, Mr. Chairman.
9 Thank you very much.

10 CHAIRMAN STEIN: Thank you. We'll
11 continue with Mr. Hannon.

12 MR. ROBERT HANNON: Thank you. I do have
13 --

14 COURT REPORTER: Microphone please.

15 MR. HANNON: I do have a few questions. I
16 -- I would like to go back to the issue with the
17 floodplain for a minute. I just want to make sure that
18 everything is correct on this. We're talking about that
19 the way you would be building would be based on the
20 current elevation of 115, correct?

21 MR. EVES: Correct.

22 MR. HANNON: Okay. The reason I'm raising
23 that question is because on page 26 -- and I'm not sure
24 if that would be supplemented by your prefiled testimony,

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1 but it specifically states in there that at this
2 elevation foundations and platforms for critical
3 electrical structures and substation control and
4 equipment enclosures will be designed such that the
5 equipment or finished floors will be a minimum of one
6 foot above the Malone and MacBroom predicted elevations.
7 So that I think is wrong based upon what you're saying
8 with your testimony today. So I think that's something
9 that needs to be corrected. And I'm not sure if there
10 are some other spots that also reflect that. But I just
11 want to make sure there's consistency with how we're
12 looking at this.

13 CHAIRMAN STEIN: I think we need an answer
14 rather than a nod just so we have it on the record.

15 MR. EVES: Yeah.

16 MR. LEWIS: Yeah, that's -- the correct
17 answer is we will be building the facility and the
18 critical foundations to be one foot above the 100-year
19 floodplain based upon the current FEMA maps, Elevation
20 115, and not the lower elevation that was predicted from
21 the Malone and MacBroom analysis.

22 MR. ASHTON: I hope that's subject to a
23 little bit of reconsideration too.

24 MR. EVES: It will be, Mr. Ashton. So

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1 yes, the -- page 26 does require a correction in that
2 regard.

3 MR. HANNON: And I'm not sure if -- there
4 may be a couple of other spots, but again, I think that
5 gets the point across on it.

6 In terms of the dialogue that you had with
7 staff from DEEP, when you were talking about the project,
8 did you identify the 15,000 cubic yards of fill or was it
9 just basically talking about filling the wetland?

10 MR. EVES: Mr. Buccheri, could you discuss
11 the conversation with DEEP?

12 MR. BUCCHERI: Mr. Buccheri -- or Tony
13 Buccheri -- I don't specifically recall talking about the
14 amount of site fill that we would bring into the site.

15 MR. HANNON: Okay. And -- (pause) -- the
16 reason I raise this is because there's a statement in
17 here that DEEP did not have any requirements for the
18 project that include compensatory storage for the
19 development. I'm not sure how accurate that may be in
20 looking at the 15,000 cubic yards. So I don't know what
21 impact that might have. I just want to raise that point.

22 I do have a question about the spillway
23 design because I think that's changed. So I just want to
24 make sure I'm clear on that. If I'm reading the plans

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1 correctly, originally the spillway elevation was 112, but
2 it also had an outlet structure that was a pipe that
3 would extend beyond the initial spillway pad. Is that
4 correct?

5 MR. EVES: The term spillway refers to
6 what's shown on the drawing as the containment pit area?

7 MR. HANNON: Yeah, I'm looking at the
8 grading and drainage, it's 009. Because on the original
9 plan it shows that you have -- in addition to the
10 spillway, you will also have a structure there with a
11 pipe. So I'm assuming that's going to tie in with a
12 specific level and you'd discharge some water that way,
13 but you have the emergency spillway, correct?

14 MR. LEWIS: Yeah, the -- this is Aaron
15 Lewis again -- the initial design was changed as a result
16 of our discussions with the city on what the needs for
17 that basin were. We initially had designed it as a
18 stormwater containment basin that was designed for
19 certain storm events. And the design after that meeting
20 had been changed to really focus on the water quality
21 aspects of the site. So we no longer needed the outfall
22 structure, the pipe you referred to, and ultimately rely
23 upon this small swell that would have riprap in it, that
24 would only be there as an overflow in the event that you

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1 had a storm beyond a reasonable design.

2 MR. HANNON: Okay. And the reason I raise
3 the issue is because right now the spillway elevation is
4 designed for 109. And I'm assuming that with water
5 running downhill, that you're going to have a slight
6 taper to the riprap so that it will be lower at the end.
7 However, that ends up at the toe of a slope that's 110
8 feet. So can you explain how that's going to work?

9 MR. LEWIS: If you don't mind, could you
10 ask the question again --

11 MR. HANNON: No --

12 MR. LEWIS: -- I'm looking at the figure -
13 -

14 MR. HANNON: No problem.

15 MR. LEWIS: Okay.

16 MR. HANNON: Based on the current design
17 of the spillway, it has an elevation of 109. If you look
18 at the topographic maps where the end of that spillway
19 goes, it goes right to the toe of a slope with an
20 elevation of 110. So if the spillway elevation is 109
21 and you're coming into a hill at 110, how is this really
22 going to work and where is the water going to go,
23 because I think that may have been designed originally
24 based on an elevation more of 112. So I'm not sure if

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1 there's additional site work that needs to be done there
2 or not.

3 MR. LEWIS: Yeah, it's something that I'll
4 need to look at. It -- clearly the intent of that
5 spillway is to relieve any overflow water from the basin
6 in the event that we go beyond the design volume. And
7 the grading would need to be set up certainly so that you
8 would flow out of the containment and into the Black
9 Brook --

10 MR. HANNON: Mmm-hmm --

11 MR. LEWIS: -- at that point.

12 MR. HANNON: And then the other thing also
13 associated with that is I believe that the plan showed
14 that erosion and sedimentation control measures do not
15 extend around the entire spillway. So that would also I
16 think need to be corrected.

17 MR. EVES: Mr. Hannon, to your previous
18 question regarding the amount of fill that we were
19 bringing in, the discussion amongst DEEP centered around
20 the previous calculations on the hundred-year flood plan
21 and the impact to the building. And the discussion was
22 around the difference in the impact between the fill we
23 were bringing in and the amount of water that that
24 building displaced based upon where it was. And based

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1 upon that discussion is where we led to the fact that
2 that fill would not have a significant impact on that
3 site given the new floodway calculations.

4 MR. HANNON: And I'm not disagreeing with
5 you --

6 MR. EVES: Okay --

7 MR. HANNON: -- so -- but again, I'm not
8 sure how the agency as a whole, you know, would be
9 looking at putting 15,000 cubic yards in the hundred-year
10 floodplain in essence, you know, without some type of
11 mitigation. So I do not know if that's going to be an
12 issue when the agency reviews it, like the water quality
13 -- or something like that -- it may come up. I'm just
14 raising the point.

15 MR. EVES: Okay.

16 MR. LEWIS: And if I could clarify, I mean
17 that 15,000 cubic yards -- it actually takes into account
18 the cut that we've got to make to get rid of the organic
19 materials. So across the entire substation footprint
20 we're removing soil and then we've got to build that back
21 up, so a significant portion of that quantity is
22 essentially to do that. So you're kind of back to the
23 grade that you're currently at at that point.

24 MR. HANNON: And with respect to that, I

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1 would think that it might be advantageous to actually
2 work out calculations to show how much is being replaced
3 and how much is new fill. And I -- did you say before
4 that you're removing about a foot of that soil or -- I
5 don't remember if you made an indication as to how deep
6 it was.

7 MR. LEWIS: Yeah, I think that that's --
8 our expectation is there's probably about one foot of
9 compressible material there. What we do is -- we'll be
10 scraping back what's there until you get to the point
11 visually you can tell it's good structural fill. So it
12 does vary, but in this area it's expected to be about a
13 one-foot level of cut.

14 MR. HANNON: Okay.

15 COURT REPORTER: One moment please.

16 (pause - tape change)

17 MR. HANNON: I have no other questions.

18 CHAIRMAN STEIN: Thank you. Director
19 Caron.

20 MR. MICHAEL CARON: Thank you, Mr.
21 Chairman.

22 I guess I would only say here that during
23 Hurricane Sandy -- or Storm Sandy -- NEEOC had a
24 conversation with some UI executives concerning at least

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1 one, if not more than one control station that came
2 within inches of being flooded and seriously damaged.
3 And my recollection of that conversation was that if it
4 had been damaged, restoration would have taken months.
5 And I just don't want to be in a position of telling this
6 Governor or any governor for that matter that I had a
7 chance to avoid any flooding of a substation at some
8 point and not taken that advantage. So I would echo my
9 colleagues' concerns about the height. If you have the
10 chance to make your infrastructure that much more
11 resilient at a relatively reasonable cost, I certainly
12 would encourage you to consider that very seriously.

13 That's it, Mr. Chairman. Thank you very
14 much.

15 CHAIRMAN STEIN: Thank you. Senator
16 Murphy.

17 MR. JAMES J. MURPHY, JR.: Thank you, Mr.
18 Chairman.

19 I just also would like to echo the
20 sentiments that Director Caron just mentioned and from
21 the others and be a part of that. And we've pretty well
22 covered it, but in the comments from the president of the
23 Shelton Council, he indicates that the town would be very
24 concerned about adding a positive commercial industrial

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1 impression to the area from the substation as people
2 approach it. And I guess this goes to Miss Mango and Mr.
3 Libertine. Do you have any suggestions or comments as to
4 what you might do with a substation to maybe effectuate
5 something of this nature? I mean to me a substation is a
6 substation. But you people are creative, so I'll give
7 you a chance.

8 MS. MANGO: Well we have thought about
9 this obviously and -- what we do have is a two-acre site
10 for the substation within the six-acre parcel that UI
11 does own. As a holdover from Lord, the fence that we all
12 see now around the substation demarcates the boundary of
13 the six-acre site. So right off the bat we've thought
14 about -- for example, on Pootatuck Place that rusted
15 fence that you see does not need to be there, so we've
16 thought about removing that fence. The fence would only
17 be around the substation itself. And the area along
18 Pootatuck Place offers some opportunities for possible
19 landscaping.

20 We've also thought about what could be
21 done up near the road, Old Stratford Road and Pootatuck
22 Place, bearing in mind that there's some line-of-sight
23 traffic issues there. You know, there's traffic -- you
24 have to turn -- people turning on to Old Stratford Road

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1 need to have line-of-sight visibility, so we have looked
2 at that. And then, you know, we're sort of thinking
3 that, you know, we'll talk to the city about those kind
4 of things, maybe some lower level shrubby landscaping,
5 flowers, and things of that sort that won't interfere
6 with line-of-sight.

7 And the other issue that does come into
8 play is that UI actually does not actually own rights to
9 the road. Some of the verge, or whatever you want to
10 call it, is actually owned by DOT along Old Stratford
11 Road, and I'm not sure what the setback is along
12 Pootatuck Place. But in any event, so that would have to
13 be worked out -- you know, some landscaping type of
14 things would have to be worked out with, you know, the
15 city and the state highway people.

16 Some of the other things we thought about
17 obviously is leaving as many trees as we can so that they
18 don't interfere with the -- as long as they don't
19 interfere with the substation or CL&P's overhead line.

20 And then of course, you know, the big
21 thing is -- everyone has told us from the city, and we
22 talked about this with the Corps of Engineers and DEEP,
23 the issue is the preservation of the riparian corridor
24 along the Far Mill River, leaving the trees that are

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1 there, which are quite mature, and then creating a place
2 for the public to park at the end of Pootatuck Place so
3 that they can actually have some access to the river. So
4 we're hoping that sort of package will create a positive
5 impression and, you know, be something that the city
6 could buy into. Do you have anything?

7 MR. LIBERTINE: No, I think you said it
8 well.

9 MR. MURPHY: Thank you. I have no other
10 questions, Mr. Chairman.

11 CHAIRMAN STEIN: Thank you. Dr. Bell.

12 DR. BELL: Thank you, Mr. Chairman. I
13 have a couple of questions on a new topic, which is need.
14 In the application on page 11 you talk about the -- when
15 -- when you started planning with your 10-year plans.
16 And you -- you say the greater Shelton area was projected
17 to experience a load growth of 60 MVA over five years,
18 from '09 to 2013. Then you go on to discuss the next
19 plan and that justifies the current project. But my
20 question simply is what did happen in between the years
21 of '09 to today?

22 MR. EVES: Chuck Eves. The economic
23 downturn --

24 DR. BELL: Yeah --

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1 MR. EVES: -- is the main factor in that -

2 -

3 DR. BELL: Right, I understand that,
4 that's the argument. But what I'd like to know is what
5 was the figure? You predicted a growth of 60 MVA. We
6 know it's less than that --

7 MR. EVES: Okay --

8 DR. BELL: -- but could you tell us the
9 actual figure?

10 MR. EVES: Okay. So -- so that was a --
11 so that figure of 60 MVA was back in -- it was UI's 2008
12 to 2017 ten-year plan. So what we said then was over the
13 next 10 years -- I'm sorry -- over the five years of 2009
14 to 2013, yes, we could -- we could provide that number.

15 DR. BELL: I'd just like to know what it
16 actually was. I understand your -- or what you think the
17 reason is. Just that it would help if we had that.

18 MR. EVES: We'll look at that over the
19 next couple of minutes and --

20 DR. BELL: Yeah --

21 MR. EVES: -- we'll get that back to you.

22 DR. BELL: That kind of feeds into my next
23 question, which is you tell us how you evaluated the need
24 for this area and you based it on your own data and

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1 modeling of the system to get at what you think the need
2 is now going ahead. My question is do you have any check
3 on that, such as possibly ISO New England's studies of
4 transmission into the area or -- or could you cross-check
5 it with predictions that you made for the Trumbull
6 Substation, which is part of this immediate complex? Is
7 there -- in other words, I'm trying to get at just how
8 you might cross-check your predictions for this area with
9 -- to help get another vector on the data and the
10 planning.

11 MR. BILCHECK: Chris Bilcheck. In regards
12 to ISO New England's forecasting, I think you're talking
13 about forecasting of customer load?

14 DR. BELL: Yes.

15 MR. BILCHECK: So ISO New England only
16 forecasts down to the state level, so they -- they
17 forecast the load and growth in New England as well as
18 each state within New England. They rely upon the
19 companies in each state to provide information on the
20 local knowledge we have about load growth within our
21 service territories, they do not get down to that level,
22 to answer one part of your question about being able to
23 compare or --

24 DR. BELL: Right. I guess -- yes, you're

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1 absolutely right. I understand. But -- so I guess --
2 just to follow that up with one extra question, don't
3 they forecast into particular areas in the sense of where
4 they may have a critical point in their planning and
5 they're looking to see -- for instance, we've looked at
6 the GSRP, and they -- they have predictions for certain
7 substations so as to plan for whether they need to bring
8 in a 345 as opposed to a 115 at X-substation, and then
9 they model how that substation will go with another one.
10 So in that sense don't they do some more -- more precise
11 planning?

12 MR. BILCHECK: Chris Bilcheck again. So
13 they really derive those substation level load forecasts
14 from the information that the companies provide --

15 DR. BELL: Okay --

16 MR. BILCHECK: -- so they don't -- they do
17 not forecast at the substation level. Though their
18 models do include the forecasts at the substation level,
19 they derive them from the state -- the Connecticut state
20 level forecasts and then the distribution of the load
21 across all the substations in the state based on the
22 information the companies provide.

23 DR. BELL: Okay, I -- I -- I thank you for
24 that. I've got a better grasp on that.

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1 Okay, one more question about need. You
2 talk about how the -- you looked at the capacity ratings
3 for the substations in this area and you found that one -
4 - the capacity rating for one of the substations
5 decreased markedly, and that's one of the basic
6 rationales for building a new substation. So my
7 understanding is that it decreased not because there was
8 a deterioration in the equipment or anything, rather you
9 were taking a modeling approach and so you -- basically
10 the rating decreased because you changed the contingency
11 conditions that you applied to that substation. And my
12 question is what was the main contingency that you
13 changed that resulted in a decreased rating? Is that a
14 sensible question?

15 MR. EVES: That -- Chuck Eves -- we didn't
16 change the contingency. We added an additional element
17 or dimension of analyses into what we look at. So in the
18 past we had looked at thermal rating, well what is the
19 thermal rating of the substation. And as our substations
20 began to -- and the regions began to approach a higher
21 and higher level of loading, one of the things we began
22 to consider is what is the impact, the voltage impact,
23 and can the voltage be sustained in these regions if we
24 load the region to 95 percent. And what we found is in

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1 some cases that is not the case. Especially in the
2 Indian Well and Ansonia region where it's extended up --
3 a single transmission line as a radial tap, we have a
4 condition there called voltage collapse. So what happens
5 there is as the voltage declines, there are certain
6 loads, like an incandescent light bulb where the current
7 that the load will draw will vary with the voltage.
8 There are other loads however that the lower the voltage
9 goes, the more current it draws because it tries to
10 maintain the power. And when that happens, the voltage
11 can collapse. So that additional dimension of analysis
12 that we did indicated that we can't load things up to the
13 thermal rating in certain places. We -- we have to go
14 with a voltage limited rating. And that's what drew down
15 the capacity we thought we had at Indian Well.

16 DR. BELL: Okay.

17 MR. BILCHECK: And if I could just expand
18 on that -- Chris Bilcheck -- if we had a -- we did not
19 change the contingency like Chuck mentioned, but if we
20 had a contingency occur, which is loss of one of the
21 station transformers near peak load, we did have exposure
22 to voltage collapse conditions over the past few years.
23 So it -- it was an exposure that we had. And prior to
24 determining what the restricting rating was, we had that

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1 exposure that we were living through unknowingly.

2 DR. BELL: Okay. I have one question for
3 Mr. Cotts. There's -- you have Appendix I. And then
4 there's an appendix to Appendix I, right? And within
5 that appendix to an appendix there's a Figure No. 7, and
6 it concerns --

7 CHAIRMAN STEIN: If you don't believe some
8 of us do our homework, you're wrong -- (laughter) --

9 DR. BELL: And it -- and it concerns your
10 spot measurements of -- that you took in the area --

11 DR. BENJAMIN COTTS: Yes --

12 DR. BELL: -- just to kind of provide a
13 little educational tool, which I thought was very useful,
14 but I didn't understand it because -- this is -- this is
15 on page 9 of the appendix --

16 MR. COTTS: Mmm-hmm --

17 DR. BELL: -- It says the highest magnetic
18 field levels occurred beneath overhead distribution lines
19 either at roadway intersections or along sidewalks. And
20 then Figure 7 itself is a bar diagram and it -- it shows
21 that the -- to me it shows that the highest levels were
22 at a grocery store. So, I just -- and then there were
23 other conflicts, so I just didn't quite understand
24 whether I was reading this correctly.

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1 DR. COTTS: Sure. So -- this is Benjamin
2 Cotts at Exponent.

3 Just to clarify a little bit, part of the
4 reason that it was phrased as it was is that you want to
5 look at locations where people will be passing through
6 these fields most often. And when you see these fields,
7 it will be typically near, as it's stated here, an
8 overhead distribution line or by the sidewalks. The
9 field that was measured inside the grocery store is
10 measured at a very very close distance for instance to
11 one of the heavy freezers at a location where you
12 wouldn't typically go very often or for a very extended
13 period of time. So in terms of an overall exposure to
14 the field levels, that tends to not be as big a deal as
15 it might be for an extended period of time for instance
16 walking beneath a transmission or a distribution line.

17 DR. BELL: Okay. So -- I -- I think it's
18 useful to have these educational tools. This obviously
19 does not have any direct bearing on the proposal that
20 we're studying, but my simple comment is -- I understand
21 your answer to my question, but I think it -- for an
22 educational tool, if you're going to be presenting
23 something like this to the public, which you may have an
24 opportunity to do in one of your contracts, it would be

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1 helpful to state it in the way you answered my question
2 rather than the way it's stated on this page. Do you see
3 what I'm saying?

4 DR. COTTS: I understand what you're
5 saying.

6 DR. BELL: Okay, thank you. Those are my
7 questions, Mr. Chair.

8 CHAIRMAN STEIN: Thank you. I have just a
9 couple. One, there's correspondence -- and I can't
10 remember, but I think it's the Conservation Commission of
11 the town -- and I think you've covered all their points,
12 but I just want to make sure that you don't have any
13 issues with their suggestions. I think they're mostly
14 about the area to be maintained along the river and the
15 parking, but I just want to make sure that you don't have
16 any issues with -- and I don't know who to address this
17 to, but --

18 MR. EVES: Chuck Eves for the record.
19 That we don't have any issues with the city's proposal
20 for the -- for the riparian access along the river?

21 CHAIRMAN STEIN: Right. I think it was
22 correspondence from -- was it the Conservation Commission
23 -- or some entity from the city.

24 MR. EVES: Correct. No, we will be

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1 working -- we will be working with the city and with PURA
2 in finding a way with which we can provide that access to
3 the City of Shelton.

4 CHAIRMAN STEIN: And you'll maintain the
5 parking area?

6 MR. EVES: We -- we have not gotten into
7 that level of detail in the discussion. I think our
8 original intent was that we would not, we would turn that
9 property over to the City of Shelton. However, during
10 those discussions we could -- we could come to that
11 decision.

12 CHAIRMAN STEIN: And getting -- I just
13 want to get back to that point we raised about the height
14 of the facility relative to the floodplain -- and I don't
15 want to -- I don't need to repeat it, I think you've
16 heard the concern from a number of us -- but if you were
17 to raise it an additional foot or whatever it is we're
18 talking about, would that require additional fill?

19 MR. EVES: I don't believe so. And -- and
20 we are going to look -- we will raise those facilities.
21 We've heard Mr. Ashton loud and clear and the rest of the
22 Council. We will -- I do not believe it will require
23 additional fill for us to raise those critical elements
24 above the 500-year floodplain.

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1 CHAIRMAN STEIN: Thank you. Unless there
2 are -- you --

3 DR. BELL: (Indiscernible) --

4 CHAIRMAN STEIN: Dr. Bell.

5 DR. BELL: Just one follow-up to your
6 question, Mr. Chair. The other -- the conservation trust
7 gentleman, Mr. Welsh, has correspondence in which he
8 asked for an invasive plant removal and native vegetation
9 restoration plan. That's something we didn't -- I think
10 you did cover all the other points raised in the -- I
11 think there were four letters, but that's one we didn't
12 cover.

13 MR. EVES: I think we need to further
14 understand the details of that suggestion, what invasive
15 species we're talking about.

16 DR. BELL: You haven't discussed that in
17 any detail with the town?

18 MR. EVES: Not in any detail.

19 DR. BELL: Thank you.

20 MS. MANGO: If I could just add one thing
21 real quick? I mean I think that -- we would talk to the
22 city about working to restore native plants perhaps as
23 part of the landscaping or in the upland area. I don't
24 think that we could commit to invasive species removal

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1 like if there's something that's carried downstream and
2 starts to grow along the river banks because, you know,
3 we're at the end of -- sort of at the end of the Far Mill
4 River watershed and you'd be doing that forever. But
5 right now I have not seen a lot of invasive species
6 there. For example, like there's not phragmites and
7 things of that and like huge stands of it along the Far
8 Mill River. So I think that's the only thing that's a
9 little bit questionable, but that would be something that
10 we would work with the city and the Conservation
11 Commission to discuss what specifically they mean. If
12 they're talking about some native plantings, I'm sure
13 that could be accommodated. If they're talking about
14 people going out once a month and pulling Purple
15 Loosestrife, that's a little out there. So I think
16 that's a little bit out of the realm of possibility.

17 DR. BELL: Okay. I -- I just was trying
18 to understand where you stood with it, and I -- your --
19 you're saying (a) it hasn't been discussed in any detail,
20 but (b) what you've just expressed is kind of where
21 you're prepared to go with it if you do get to discussing
22 it in detail?

23 MS. MANGO: Yeah. I mean I think there's
24 a lot of options there. For example, you know, in my

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1 town the Boy Scouts love to do this kind of thing; you
2 know, it's a Boy Scout project. I mean I think there's
3 other options than having UI personnel assigned to do
4 something if that's -- if that's what the city is
5 thinking about. If they are thinking, you know, let's
6 just supplement the existing riparian corridor with some
7 native plants or landscape the rest of the parcel with
8 some native plants, that's probably going to be quite
9 reasonable.

10 DR. BELL: Thank you.

11 CHAIRMAN STEIN: Yes, Mr. Mercier.

12 MR. MERCIER: Thank you. I just have a
13 question regarding the wetland on the property. I
14 understand that was formed because there's asphalt that's
15 buried under some soil maybe a foot or two?

16 MR. EVES: That's correct.

17 MR. MERCIER: Okay. So when you excavate
18 your substation area through the organic matter and you
19 get down to the asphalt, do you have to remove that
20 asphalt that's there also?

21 MR. EVES: Yes.

22 MR. MERCIER: Okay. And is -- is the
23 asphalt throughout the entire substation footprint or is
24 it just in select areas?

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1 MR. BUCCHERI: No, it's not throughout the
2 entire substation area. We have -- in fact, we have a
3 graphic representation of where the asphalt used to be
4 and where the building is to be and we could take a look
5 at it. We could bring it up on the screen if need be.

6 MR. MERCIER: That's not necessary, but
7 thank you. Thank you, I'm all set.

8 CHAIRMAN STEIN: Thank you. We'll now go
9 to cross-examination, if there is any, by Connecticut
10 Light and Power. Attorney --

11 MS. BORGES KING: (Indiscernible) --

12 CHAIRMAN STEIN: We usually break -- can
13 we break now -- (pause) -- Attorney Borges King, do you
14 have exhibits that you're going to be presenting?

15 COURT REPORTER: A microphone.

16 MS. BORGES KING: No, we do not have any
17 exhibits or witnesses to swear in. We do have a
18 correction to our Motion for Intervention, which can be
19 taken up by Mr. McDermott or myself, it's pretty
20 straightforward.

21 CHAIRMAN STEIN: Why don't we do that
22 now.

23 MS. BORGES KING: Okay.

24 CHAIRMAN STEIN: Thank you.

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1 MR. MCDERMOTT: I can actually do it
2 through a redirect question of Mr. Eves. I think I have
3 Attorney Borges King's concurrence on the correction to
4 be made, so rather than have her testify, Mr. Eves can
5 just put it in the record, which is that -- Mr. Eves, in
6 the CL&P intervention request it states that upon
7 completion of the project, UI would convey ownership of
8 the four monopole structures outside the substation to
9 CL&P. And it's -- I believe -- it's my understanding
10 that that is not correct. And for the record, could you
11 -- could you correct the -- could you correct the record
12 please?

13 MR. EVES: Correct, UI will convey the
14 ownership of the two monopoles that are within the right-
15 of-way to CL&P.

16 MR. MCDERMOTT: And then UI will maintain
17 ownership of the other two?

18 MR. EVES: And UI will maintain ownership
19 of the other two, correct.

20 MR. MCDERMOTT: That was the correction
21 that Attorney Borges King was referring to, Mr. Chairman.

22 CHAIRMAN STEIN: Okay. I think --

23 MR. MCDERMOTT: And -- I'm sorry to be a
24 party pooper -- I know we have a five minute break -- or

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1 a break at 5:00 o'clock. If I could have say two minutes
2 just to confer with the panel to make sure -- I have one
3 redirect question I think I want to ask, but I want to
4 make sure there's no others. And if I could do my
5 redirect now, I think we could dispense with the panel.

6 CHAIRMAN STEIN: That would -- (pause) --

7 MS. BACHMAN: Dr. Bell, I believe you had
8 a question -- you were looking for a figure from their
9 forecast as to the growth beyond 60 MVA?

10 DR. BELL: Oh, that's right, yes.

11 MS. BACHMAN: Is it possible to get an
12 answer to that before the break or --

13 CHAIRMAN STEIN: Or else a homework
14 assignment.

15 MR. EVES: Mr. Manning, would you have a
16 response to that?

17 MR. ROBERT MANNING: Sure. Bob Manning
18 for the record. We could get you the figure. We do not
19 have the figure with us. That was based on like you said
20 the previous forecast from '06. I could tell you some of
21 that decrease was due to specific large customers that
22 (1) the load wasn't realized, and (2) -- their full load
23 wasn't realized, and (2) the development never
24 materialized.

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1 And just also for the record, annually we
2 do refresh our load forecast, you know, to take into
3 account these changes as they occur. We could get you
4 that number though.

5 DR. BELL: I'd just like to have the
6 number --

7 MR. MANNING: Okay --

8 DR. BELL: -- whatever it is.

9 MR. MANNING: Can we do that as a late
10 file or --

11 MR. MCDERMOTT: Is that something we could
12 try an effort over dinner? I think the Council is trying
13 to avoid bringing in factual evidence after the close of
14 the record, Mr. Manning.

15 MR. MANNING: Sure. We could try and get
16 that at the break.

17 CHAIRMAN STEIN: That would be very
18 helpful and we'll give you a two-minute break --

19 MR. MCDERMOTT: Thank you very much.

20 (off the record)

21 CHAIRMAN STEIN: Attorney McDermott, are
22 you --

23 MR. MCDERMOTT: Thank you, Mr. Chair, that
24 was productive. We did some engineering back there and I

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1 -- (laughter) -- I have one question for Mr. Eves.

2 Mr. Eves, will the company commit today at
3 the hearing to increase the level of the control room
4 floor and the associated equipment within the control --
5 the control house, excuse me, to be one foot above the 5-
6 year floodplain elevation?

7 MR. ASHTON: Five hundred --

8 MR. MCDERMOTT: Five-hundred year
9 floodplain elevation.

10 MR. EVES: We will commit to move the
11 control room floor as well as any exposed electrical
12 equipment one foot above the 500-year floodplain as it is
13 calculated today --

14 A VOICE: FEMA --

15 MR. EVES: -- the FEMA floodplain.

16 MR. MCDERMOTT: With that --

17 CHAIRMAN STEIN: Is that it --

18 MR. MCDERMOTT: -- that concludes my
19 redirect examination.

20 CHAIRMAN STEIN: Okay. Thank you. So we
21 will adjourn this evidentiary portion of the hearing.
22 We'll resume the meeting and we'll have the public
23 hearing at 7:00 p.m. here.

24 MR. MCDERMOTT: Okay. So Mr. Chairman,

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1 just to be clear, we can tell the panel not to reconvene
2 after this dinner break, is that correct?

3 CHAIRMAN STEIN: That's up to you. We're
4 not going to be questioning them. If they want to be
5 here to listen to the public, that's your call.

6 MR. MCDERMOTT: Thank you very much.

7

8 (Whereupon, the hearing adjourned at 4:56
9 p.m.)

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Tony Buccheri
Christian Bilcheck
Robert Manning
Bohdan Katreczko
George Becker
Louise Mango
Aaron Lewis
Dr. Benjamin Cotts
Michael Libertine

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