

ORIGINAL

CONNECTICUT
SITING COUNCIL

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THE CONNECTICUT LIGHT & POWER CO. *
APPLICATION FOR A CERTIFICATE OF *
ENVIRONMENTAL COMPATIBILITY AND *
PUBLIC NEED FOR THE STAMFORD *
RELIABILITY CABLE PROJECT, WHICH *
CONSISTS OF CONSTRUCTION, MAINTENANCE *
AND OPERATION OF A NEW 115-kV *
UNDERGROUND TRANSMISSION CIRCUIT *
EXTENDING APPROXIMATELY 1.5 MILES *
BETWEEN GLENBROOK AND SOUTH END *
SUBSTATIONS, STAMFORD, CONNECTICUT *
AND RELATED SUBSTATION IMPROVEMENTS *
* * * * *

June 20, 2013
(1:00 p.m.)

DOCKET NO. 435

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CONNECTICUT
SITING COUNCIL

BEFORE: JERRY MURPHY, CHAIRMAN

BOARD MEMBERS: Robert Hannon, DEEP Designee
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Daniel P. Lynch, Jr.
Philip T. Ashton
Dr. Barbara Bell

STAFF MEMBERS: Melanie Bachman, Executive Director
David Martin, Siting Analyst

APPEARANCES:

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1 court reporter is Nancy Parette.

2 This hearing is held pursuant to
3 provision of Title 16 of the Connecticut General
4 Statutes and of the Uniform Administrative Procedure Act
5 upon the application of the Connecticut Light and Power
6 Company for a Certificate of Environmental Compatibility
7 and Public Need for the Stamford Reliability Cable
8 Project, which consists of construction, maintenance and
9 operation of a new 115-kV underground transmission
10 circuit extending approximately 1.5 miles between
11 Glenbrook and South End Substations in Stamford,
12 Connecticut and related substation improvements. This
13 application was received by the Council on January the
14 18th 2013. This Council previously held a hearing on
15 March 28, 2013, on this docket. During a meeting of the
16 Council on April the 18th, 2013, the Council, on its own
17 motion, voted to reopen the evidentiary record for the
18 above-referenced proceeding.

19 As a reminder to all, off-the-record
20 communications with a member of the Council or a member
21 of the staff, upon the merits of this application, is
22 prohibited by law.

23 The parties and intervenors in this
24 proceedings are the applicant is the Connecticut

1 Light and Power Company, represented by Marianne Barbino
2 Dubuque, Esquire of Carmody & Torrance, LLP.

3 The party is the Office of Consumer
4 Counsel, represented today by Lauren A. Henault,
5 Esquire.

6 We also have an appearance on behalf of
7 the Consumer Counsel from Joseph A. Rosenthal, Esquire.

8 We will proceed in accordance with the
9 prepared agenda, copies of which are available at the
10 desk, if you don't already have one.

11 The Council requests to take
12 administrative notice of a Letter from Robert Carberry,
13 Project Manager, NEEWS Siting and Permitting,
14 Connecticut Light & Power Company to Melanie Bachman,
15 Acting Executive Director of the Siting Council
16 regarding underground construction of distribution line
17 segments at transmission line road crossings, dated May
18 the 17th, 2013.

19 Are there any objections to the Council
20 taking administrative notice of this letter?

21 ATTORNEY BARBINO DUBUQUE: No objection.

22 ATTORNEY HENAULT: No objection.

23 CHAIRMAN MURPHY: Hearing no objection,
24 the Council will take administrative notice of that.

1 I guess we move now to you.

2 Is your panel different from when we held
3 the hearing in Stamford? Has everybody been sworn?

4 MS. BARBINO DUBUQUE: Yes, Mr. Chairman.

5 MR. CHAIRMAN: Okay.

6 (Whereupon the witnesses took the stand.)

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1 RAYMOND GAGNON, PETER NOVAK, WILLIAM BAILEY,
2 ROBERT RUSSO, CHRISTOPHER PAUL SODERMAN,
3 CHRISTOPHER SWAN, ANUJ MATHUR and AMANDA MAYHEW,
4 called as witnesses by the Connecticut Light & Power
5 Company, having been previously sworn, was examined and
6 testified on their oath as follows:

7 MR. CHAIRMAN: Do you have some documents
8 that you want to offer for us at this hearing?

9 MS. BARBINO DUBUQUE: Yes. Thank you.

10 I would like to just reintroduce our
11 panel members. Our lead panel witness is Raymond Gagnon
12 and our Lead witness is Peter Novak. And as you
13 mentioned, they were sworn in at the hearing on March
14 28th.

15 And we have six additional exhibits we
16 would like admitted into evidence, and I would like to
17 handle them as a group.

18 The six exhibits are Exhibit 8, CL&P's
19 response to Council Interrogatories dated May 17, 2013.
20 Exhibit 9, CL&P's response to Council Interrogatories
21 dated May 20, 2013. Exhibit 10, CL&P's supplemental
22 filing 2 dated May 23rd, 2013. Exhibit 11, CL&P's
23 response to Council Interrogatories dated June 12, 2013.
24 Exhibit 12, CL&P's submission of the Local Area

1 One-Line, including Stamford-Greenwich Sub-area dated
2 June 12, 2013. And Exhibit 13, CL&P's Supplemental
3 Direct Testimony of Raymond Gagnon and Peter Novak dated
4 June 12, 2013.

5 I will ask Mr. Gagnon and Mr. Novak --

6 DIRECT EXAMINATION

7 BY ATTORNEY BARBINO DUBUQUE:

8 Q. Did you prepare or oversee the preparation of
9 Exhibits 8 through 13?

10 A. (Mr. Novak) Yes.

11 (Mr. Gagnon) Yes.

12 Q. Are there any corrections, clarifications or
13 additions?

14 A. (Mr. Novak) No.

15 (Mr. Gagnon) No.

16 Q. To the best of your knowledge is the
17 information in Exhibits 8 through 13 true and accurate?

18 A. (Mr. Novak) Yes.

19 (Mr. Gagnon) Yes.

20 MR. ASHTON: I suggest you speak up, this
21 room is sound dead.

22 MR. GAGNON: Okay. Yes.

23 BY ATTORNEY BARBINO DUBUQUE:

24 Q. Do you adopt Exhibits 8 through 12 and do you

1 adopt the written testimony in Exhibit 13 as your sworn
2 testimony?

3 A. (Mr. Novak) Yes, I do.

4 (Mr. Gagnon) Yes.

5 ATTORNEY BARBINO DUBUQUE: Mr. Chairman,
6 I respectfully request that the Council admit into
7 evidence Exhibits 8, 9, 10, 11, 12 and 13 as full
8 exhibits.

9 CHAIRMAN MURPHY: Is there any objection
10 to these documents being admitted for identification and
11 as full exhibits at this hearing?

12 Hearing none, they're so admitted.

13 I assume you're ready for
14 cross-examination. And we will start with Mr. Martin.

15 MR. MARTIN: Thank you, Mr. Chairman.

16 CROSS-EXAMINATION

17 BY MR. MARTIN:

18 Q. I'm a little confused from all the different
19 lines that CL&P is referring to. So, could you clarify
20 for me the role of each of the following transmission
21 lines in CL&P's system? Kind of their import for the
22 project under consideration - the 1440 line, the 1450,
23 1977 and 1151?

24 MR. ASHTON: And I suggest you give

1 Terminal Ames One. I think that would be most helpful.

2 MR. GAGNON: Okay. You talked about four
3 different one -- these are all 115-kV lines down in the
4 Stamford-Greenwich Sub-area. And we have the 1440 line.
5 That's a line that goes from the Glenbrook Substation
6 over to Waterside Substation. It follows along the
7 railroad path.

8 We have the 1450 line that also starts
9 from the Glenbrook Substation and heads over to South
10 End.

11 1440 and 1450, those two lines actually
12 reside on the same towers. Different circuits, but they
13 reside on the same towers along that railroad path.

14 We have the 1877 line. That's a three
15 terminal line. One terminal is a Darien Substation.
16 The other terminal is in Glenbrook, and the third
17 terminal is at South End. The Glenbrook tap to the 1977
18 is a little piece that goes under ground.

19 And then we do talk about the 1151 line,
20 and that's the new proposed line that we are talking
21 about. We studied that line as either underground or an
22 overhead option.

23 BY MR. MARTIN:

24 Q. So, the line we're talking about would be

1 designated as 1151 then? One that's underground or
2 overhead?

3 A. (Mr. Gagnon) That is correct.

4 Q. Okay. Alright. Thank you.

5 So, in response to questions about overhead
6 alternatives you provided two cost estimates. One
7 involved the 1440, 1450 lines and the other for
8 reconstruction, the 1977 line as a double circuit. So,
9 which one of these would be the overhead alternative to
10 the underground line we're to consider?

11 A. (Mr. Gagnon) If we were to overhead the 1977
12 line on the -- the one -- I'm sorry. The 1151 on the
13 1977 would be the overhead -- yeah. It would be the
14 overhead solution that we would go with, if we were
15 going overhead. And it is a lower cost option.

16 Q. And in the estimate provided for the 1440 re --
17 1450 lines it talks about reconstruction of those two
18 lines. And what would be the reason for reconstructing
19 these lines? Is it that they don't apply to the current
20 reliability of safety standards by MERC and the other
21 applicable agencies?

22 A. It's not your electric safety code issue. It
23 really had to do with the planning -- the planning
24 criteria. It's the reliability, planning criteria

1 that's under FERC, down to NERC and the NPC and then how
2 ISO interprets it.

3 That line right now is a DCT, Double Circuit
4 Tower, and when we do planning studies there's a -- when
5 you look at contingency analysis there are some
6 instances where when you look at a double circuit tower
7 you're taking two lines out. So, if we were to -- if
8 the solution was not to put in a separate 151 line, it
9 was to rebuild those to get the power from Glenbrook
10 down to South End we would want to split those lines to
11 be two different lines. Otherwise if we lost that one
12 tower, you would lose both of those lines even though
13 you just upgraded them.

14 So, the idea was to split the lines to make
15 two -- you know, so two contingencies had to take that
16 line out instead of one.

17 Q. Okay. So, if you were to install the
18 underground 1151 line, would you still need to
19 reconfigure the two 1400 lines?

20 A. The 1450 and the 1440, no. We would not
21 reconduct that. We would just leave those as is.

22 Q. Okay. And in the -- in CL&P's existing
23 easement in area shown in Attachment 2, which are the
24 Google Earth aerial photos -- and these photographs show

1 where the 1151 line would be added to the 1977 line.
2 Would CL&P need additional easement width to accomplish
3 that project if you were to add the second circuit?

4 A. (Mr. Gagnon) No. We wouldn't be seeking
5 additional easements. Although the structures
6 themselves, we would have to put towers in that have a
7 lot less sway than our typical standard towers. We
8 would also have to restrain the conductors so the wind
9 doesn't blow those out over -- outside the easement
10 area. So, it would be a little bit of special
11 construction, but no additional easement.

12 Q. Okay. And if Metro North were to add this
13 additional track that seems to be floating around out
14 there would that affect that part of the line that's
15 shown on these photographs?

16 A. We anticipate that they could come back to us
17 and ask us to move that out of the way. I don't know
18 exactly what their plans are, but they have talked about
19 at some point --

20 Q. Right.

21 A. -- expanding for that rail track.

22 Q. So, that -- these are the lines that would
23 have to be relocated at CL&P's expense according to the
24 language of the easement?

1 A. That is correct.

2 Q. Okay. And also in the cost breakdown for the
3 alternative, if the 1440 and 1450 lines were
4 reconfigured. There's a 62 million dollar figure given
5 to right of way acquisition. Is that -- based on the
6 2011 assessed value of the properties that would be
7 affected by it?

8 A. Yeah. There was 29 properties. And, right,
9 they used the assessment value.

10 Q. Okay. And regarding the updated version the
11 Canal Street option, with the line going under the
12 substation. I imagine you reviewed that with the City
13 of Stamford?

14 A. (Mr. Martin) Yes. Yes, we have.

15 Q. And have you received any comments?

16 A. Well, the City of Stamford likes the idea. We
17 stay off of a couple of their local streets that way.
18 So, yes.

19 Q. But they haven't submitted anything formal in
20 writing as they did -- I believe they sent a letter
21 regarding the Canal Street option?

22 A. Correct.

23 Q. But not this updated version.

24 A. I think it was just on physical -- just

1 meetings. Meetings that we had.

2 Q. Marianne just brought to my attention, on May
3 23rd that we got the John Moore set had --

4 Oh, okay. This letter just identified that we
5 notified the counsel that we had talked with the Town,

6 Q. Okay. And then in construction -- there is
7 some also in the material submitted since the last
8 public hearing. There is some talk somewhere about the
9 possibility -- some future possibility of having to
10 relocate the 1977 line. Perhaps because of the railroad
11 expansion or some other reasons. In building the
12 underground 1151 line could you provide space for any
13 future possible relocation of the 1977 line?

14 A Yeah. We actually asked our engineers is that
15 possible. There are some difficulties with that. And
16 some of the trick is -- is -- as we kind of described in
17 the application. With the underground cable one of the
18 things you're trying to do is dissipate heat to keep the
19 ratings. And if we try to put another circuit in there
20 there are a few locations -- they identified three --
21 the engineers identified three locations; the Canal
22 Street crossing, Metro North Railroad, Lincoln Avenue,
23 where it would be a very confined area and you would
24 have some extra heating from some of the -- either it

1 being a confined or you have some distribution circuits
2 in that area. So, we would have to look at maybe the
3 possibility of spreading out the ducks a little bit
4 more, maybe have two paths for the ducks. So, it is
5 possible, but there are some challenges to it. And
6 along the river -- the Rippowam River that's another
7 challenge. Right now we're planning to put some ducks
8 in a very flat profile across that, and to add more
9 ducks you would just extend that flat piece. It's a
10 very shallow area.

11 Q. Okay. Thank you.

12 And in its application, original application,
13 CL&P stated that it anticipated an approximate one year
14 construction period. Does this period hold for all of
15 the various routes that were proposed originally,
16 including the two Canal Street option routes?

17 A. For the underground routes, yes.

18 Q. Yes.

19 A. Yes.

20 Q. Okay.

21 MR. MARTIN: Thank you. Those are my
22 questions, Mr. Chairman.

23 CHAIRMAN MURPHY: Before we move on, just
24 to get it clear in my mind, because I didn't really

1 understand it to be the way it apparently is.

2 I realize that there was a problem with
3 what -- it was suggested that you put in along the 1997
4 line, what-have-you, although you may have to remove
5 them with an expansion by the railroad. But is that
6 also true of what's already there?

7 THE WITNESS: The existing 1977 --

8 CHAIRMAN MURPHY: Yes.

9 THE WITNESS: That is correct, yes.

10 CHAIRMAN MURPHY: That's what I didn't
11 understand to be the case before.

12 THE WITNESS: Yes.

13 CHAIRMAN MURPHY: So, the easement that
14 you have is just so long as they want you to be there,
15 and anytime it's good-bye, in essence.

16 THE WITNESS: That is correct.

17 CHAIRMAN MURPHY: Okay. Alright. Thank
18 you.

19 Dr. Bell.

20 DR. BELL: Thank you, Mr. Chair.

21 I do have a couple of questions, but
22 right at the moment I would like to defer, if I could,
23 to the next person.

24 CHAIRMAN MURPHY: Fine. Then we'll move

1 to Mr. Ashton.

2 MR. ASHTON: Thank you.

3 I've got questions on the material that
4 was submitted, but I want to just touch on a couple of
5 the things you said here.

6 CROSS-EXAMINATION

7 BY MR. ASHTON:

8 Q. Restraining a conductor under wind conditions
9 is not an unusual action, is it, where you have a tight
10 right of way?

11 A. Where we have tight -- right. Correct

12 Q. And normally you plan a right of way so you
13 can handle conductor blow out, but where you've got a
14 tight right of way you've got to keep those conductors
15 down?

16 A. That is correct.

17 Q. I have a problem with the NERC requirement to
18 split up critical circuits onto separate structures.
19 Connecticut has done a pretty thorough job of it, and
20 I've got a number of questions on it.

21 The first one is when is a double circuit
22 structure a critical structure versus a non critical
23 structure?

24 A. When they do modeling -- when they do some

1 modeling studies --

2 Q. Yup.

3 A. -- you look at the different contingencies and
4 if you have -- if you have a double circuit line
5 construction as part of the network that you're looking
6 at, and you -- as part of the analysis you have a single
7 fault that takes out both lines, but doesn't give you a
8 reliability violation. You know, either a voltage
9 situation collapse or a thermal overload on another
10 line, that is not a critical --

11 Q. That would be at peak load conditions. Is
12 that correct?

13 A. That is correct

14 Q. And do we get many line outages at peak load
15 conditions or are they just -- they tend to be a little
16 off peak? Peak load is one hour a year; right?

17 A. Probably.

18 Q. Oh a little -- come on, you can admit
19 that.

20 My son was in Morristown, New Jersey and in
21 driving down there a few months ago I pass beneath a
22 line that's under construction. It's a double circuit
23 structure. It's either 345 or 500 kV and I can't figure
24 out -- I couldn't figure out which at that time. And I

1 cannot understand how in the name of heaven NERC could
2 not consider that a critical facility, and this line
3 down here would be a critical facility. And I'm looking
4 for guidance at to is everybody playing baseball
5 by the same rules, or is there a substantial difference.

6 In Europe you've got double circuit structures
7 all over creation 400 kV, 330, 220, what-have-you. And
8 very few single circuit structures.

9 Why the big difference here and why is it
10 only, by my observation, hitting in Connecticut?

11 A. I wouldn't say it's just Connecticut. What we
12 have is -- you know, FERC has given North America
13 Electric Reliability Corporation the authority to set a
14 policy. And they have two standards, the TPL-001 and
15 TPL-004, and in that they outline what the criteria is.
16 And they do talk about our N-1 and your N minus 1 minus
17 1.

18 Q. Yeah. I'm familiar with that, but it does not
19 seem to be applied consistently. That's my trouble.

20 A. Right. The NPCC interprets those two
21 documents, and they have something called the Directory
22 One. So, we fall under the NPCC Regional Power
23 Coordinating Council.

24 Q. Yup

1 A. And I believe -- that was in Pennsylvania --

2 Q. New Jersey.

3 A. New Jersey.

4 Q. That's PJN. It's not in the NPCC.

5 A. Right. They're in -- right. First
6 Corporation -- what is it? Reliability First
7 Corporation Regional Council. And so they have a little
8 bit different interpretation than we do in terms of how
9 they interpret the N minus 1 minus 1.

10 And then ISO goes a little bit further, and
11 they have their interpretation of what NPCC requirements
12 are.

13 And so there are slight differences in --
14 between different regions and how they interpret the
15 NERC.

16 Q. While I understand that, I would argue that
17 double circuit 345/500 kV versus double circuit 115 is a
18 hell of a different interpretation. Not marginal, it's
19 a substantial black and white difference. And I am
20 pressing to find out what's going on. And if it flies
21 beyond this one docket, by the way.

22 A. Yeah.

23 Q. I know you -- I know most of 345 in
24 Connecticut has been cleaned up, but you're going to be

1 back in for 115 on various structures, and I'm having a
2 great deal of trouble swallowing it. I have to be
3 honest with you. It's a minor interpretation
4 difference, ain't gonna cut it.

5 Let me move on. But that's a candid opinion
6 from somebody who knows the business a little bit.

7 A. Yeah

8 Q. In the docket -- pardon me -- Exhibit 12.
9 Beginning on page 2, and on the next few pages you talk
10 about the limitations of installing a second circuit on
11 the existing structures and you indicate that they have
12 sufficient load bearing capabilities to support the
13 second circuit, which if memory serves me it was
14 proposed as a 1590 conductor. Is that right.

15 Peter -- I'm sorry, Mr. Novak?

16 A. (Mr. Novak) For which?

17 Q. The second circuit overhead that was proposed?

18 A. For the 1977 line?

19 Q. Yeah.

20 A. It would have been another 1272 line?

21 Q. 1272?

22 A. Yes.

23 Q. So, the examination of the adequacy of those
24 structures was done for a 1272 conductor?

1 A. That is correct.

2 Q. I've got to pick on Mr. Novak.

3 A. Yes.

4 Q. He's missing me, I know.

5 And I understand it's base plates, anchor
6 bolts and so forth.

7 A. Yeah.

8 Q. What I'm not sure of is if you decided to go
9 with -- what was it -- 1190. Is that right? Is that
10 the next conductor down, standard size?

11 A. Are you talking a different conductor type
12 than ACSR?

13 Q. Yes. A smaller conductor

14 A. Yes.

15 Q. How small a conductor would be acceptable on
16 those towers?

17 A. We actually did some analysis down to 954 and
18 still found over a 50 percent failure rate.

19 Q. Fifty percent of the towers failed?

20 A. The steel poles and towers, yes.

21 And at that point -- if we were to go any
22 smaller with the conductor size we would not be able to
23 meet the requirements, capacity requirements for the
24 line.

1 Q. Yeah. I'm aware that you're squeezing
2 capacity and it's a question of trade off.

3 My fundamental problem is I'm gagging at
4 spending \$6,000.00 per foot for an underground cable.
5 Per foot. I mean, that's -- gold would be cheaper than
6 that. And so I'm squeezing you to find out what
7 alternatives we have that allow for the load to be
8 supplied at a reasonable risk level. And allowing for
9 some growth. And I'm really troubled by this thing.
10 It's -- for me it's mind boggling. It's absolutely mind
11 boggling.

12 Let me move on to a slightly different
13 subject. The railroad in one station or another over
14 time has given to CL&P -- and I suspect HelCo, but I
15 don't know for sure -- but particularly I know it's
16 given to CL&P easements to construct circuits along the
17 railroad property. I mean, that goes back to the time
18 of Norwalk Harbor coming on line where I know there was
19 a major upgrade in the rights the railroad provided
20 beginning at Ely Avenue where the cables terminate
21 coming out of Norwalk Harbor, westward towards Stamford.
22 What I'm curious about is the fact that there was some
23 anticipation of a fourth circuit overhead from Glenbrook
24 to South End. And, in fact, I can recall explicitly two

1 of the towers where the railroad crosses beneath the
2 turnpike, I guess it is, are designed and have arms for
3 that fourth circuit. Was that done with the
4 acknowledgement that there was or was not adequate
5 rights for the fourth circuit?

6 Where does the -- where do the rights for the
7 fourth circuit end if they begin at Ely Avenue and go
8 westwardly. The Ely Avenue overhead structures are
9 portal four circuit structures, so they have to be
10 allowed on railroad property.

11 A. (Mr. Gagnon) I would have to assume it's
12 under the existing easement that we have for that
13 section for Glenbrook to South End with the -- with the
14 New Haven, New York, Hartford railroad trustees.

15 Q. Yeah. It was New York, New Haven, Hartford at
16 that time. And the law firm of the lady sitting next to
17 you I believe negotiated that, but I'm not 100 percent
18 certain.

19 The big problem in the overhead is the right
20 of way of, what, 62 million, or something like that. I
21 forget what the number is, but it was something that was
22 almost in light years.

23 A. Right.

24 Q. And I wanna -- my question is just how good is

1 that -- how firm is that estimate based on the contents
2 of the easements that the railroad has negotiated.

3 In 60 the deal was you had to rebuild all the
4 signal circuits, and it was a whole slug of them that
5 were rebuilt. But I'm questioning how -- what that
6 easement contains?

7 A. Yeah. When -- that estimate was really -- it
8 was based on the fact that we were looking at breaking
9 out the 1440 and 1450 lines onto two separate
10 structures.

11 Q. Oh, okay.

12 A. In doing that we needed additional easement
13 rights.

14 Q. Okay. Okay. It's not premised on a double
15 circuit structure?

16 A. Correct

17 Q. So, that's -- that's an issue to be
18 considered.

19 I have no problems with the underground
20 routing, just so -- for what little comfort that is.

21 Let me go back. There was one -- when you --
22 in your estimate, as I recall, you included a
23 presumption that labor could be utilized to rebuild
24 those circuits only for two and a half hours a day.

1 What's that based on?

2 A. When we discussed the operations of being able
3 to actually construct along the railroad we worked with
4 Metro North. Metro North said you -- two and three
5 quarter hours would be the window in which they would
6 allow some sort from approximately 2:00 in the morning
7 until 4:30/5:00. And that was based on the last train
8 on the north track; the New Canaan line -- I think
9 that's the fifth track. And --

10 Q. The New Canaan line only goes to Stamford. Is
11 that right? Or it goes -- oh, no. Pardon me. It goes
12 east to Stamford and then swings north. I beg your
13 pardon.

14 A. Right. So that time was based on the fact
15 that the last train leaving would pass -- would be
16 leaving the station at 2:00 in the morning, pass us, and
17 then before the next train and the next morning at 4:45.

18 Q. Okay.

19 A. Those are the windows. And those would be a
20 little bit smaller based on the fact that they still
21 have to take the track out of service, cut the circuits.

22 Q. Switching and all that.

23 A. Exactly.

24 Q. Now that -- does that include a presumption of

1 any work on the railroad right of way whatsoever? Any
2 work of any type on the right of way, or only certain
3 types of work?

4 A. Well, we were specifically talking about
5 working along Track 5 on that north side.

6 Q. Okay. I understand that.

7 A. Right.

8 Q. I understand that. But any kind of work? If
9 you mowed the lawn against Track 5 it would only be two
10 and three quarters hours?

11 A. It sorta -- from our discussion they were
12 talking about within 10 feet of the center line of the
13 rail. You know, that would kind of predicate you on
14 their special conditions. Anything off of that we would
15 be able to leave for overnight, 24 hours, but anything
16 within that -- they called the foul zone --

17 Q. Yeah. Mr. Novak, is that consistent with
18 what's been done in the past, do you know?

19 A. (Mr. Novak) I personally have not worked on
20 any railroad projects

21 Q. You're lucky.

22 A. Well, Dorian Hill had the privilege of doing
23 the Pequonnock/Ely Avenue project.

24 Q. It's like working with the Corp. of Engineers,

1 only worse.

2 A. Yeah.

3 MR. LYNCH: No. Nothing's worse.

4 THE WITNESS: But Metro North Railroad
5 does have guidelines as far as 10 feet off the outside
6 rail and 25 feet --

7 MR. ASHTON: Yeah.

8 THE WITNESS: There are zones that they
9 specify.

10 MR. ASHTON: Let me get a little bit more
11 specific.

12 BY MR. ASHTON:

13 Q. I recognize that you're going to erect a
14 structure -- you know, have a crane erect a structure.
15 They're going to shut the system down and you're going
16 to have to do it fairly quickly. But there's a lot of
17 preparatory work that goes on before you get that
18 structure ready to sit on a foundation. And the
19 question I have is have you squeezed Metro North as to
20 whether there's certain types of work they would permit
21 in a duration longer than two and three quarter hours?
22 Let me put it that way.

23 A. (Mr. Gagnon) We did. We discussed that, the
24 fact of when we go to pull wiring that's going to be a

1 longer term --

2 Q. That's also overhead, and I suspect they will
3 quack at that.

4 A. Correct. But they actually allowed us -- they
5 talked about getting permission for some limited six
6 hour duration periods.

7 Q. Uh-huh

8 A. (Mr. Gagnon) And we would need to pull the
9 conductors and the OPGW static wire. About 12 of those
10 six hour durations.

11 (Mr. Novak) If there was any activities that
12 we would be doing for this construction that the
13 railroad would be considering us to work there without
14 taking the outages it may be on the neighborhood of
15 building access roads along the side of the railroad and
16 building the drilling rig platforms.

17 Q. Right. That's fine. And that's -- and it
18 gets to my point that it's not all two and three quarter
19 -- two and half hours --

20 A. There could be --

21 Q. -- from start to finish.

22 A. Yeah. There could be some --

23 Q. There's a lot of work that goes on that I
24 think could -- probably could get outside that time

1 period. And it depends on the specifics of a given
2 location. I do understand that.

3 A. Yeah.

4 Q. Okay.

5 A. (Mr. Gagnon) I can add one other thing to it,
6 we did ask, you know, is there possibilities of working
7 for extended periods. They said they would have -- we
8 would have to write a letter to the operations
9 department, manager, commissioner; I'm not sure exactly
10 who it was. That would have to be evaluated. But we
11 would also be responsible for setting up train service
12 and -- you know, for all the displaced riders during
13 that period.

14 Q. Do the restrictions apply on weekends?

15 A. They actually -- yes, they did.

16 Q. Okay. Let me find -- I got one more point I
17 want to raise with you.

18 MR. LYNCH: Can I just ask a question.

19 MR. ASHTON: Sure, Dan. While I'm
20 looking.

21 CROSS-EXAMINATION

22 BY MR. LYNCH:

23 Q. Following up a little bit on Mr. Ashton's
24 Metro North questions on construction.

1 In light of the recent accidents down there if
2 -- there's been quite a bit of news. They're going to
3 do inspection of the lines and the rails and so on. If
4 they find something in your construction area how would
5 that impact your project?

6 A. (Mr. Gagnon) That's a great question.

7 MR. ASHTON: How to impact what, Dan?

8 MR. LYNCH: Their construction project.

9 MR. ASHTON: Oh.

10 THE WITNESS: Yeah. Their -- first of
11 all their work would take precedent. So, they would
12 probably put us off for a period of time until the
13 corrections are fixed. And then once it's fixed we
14 would be allowed to do some construction. And I imagine
15 they would have a lot of extra oversight, especially if
16 they were concerned about some of the structures and
17 undermining railroad areas. You know, I'm sure there
18 would be a lot more oversight on what we're doing.

19 BY MR. LYNCH:

20 Q. Is that Metro North's oversight or is that
21 federal regulation?

22 A. (Mr. Gagnon) It's both. The federal railroad
23 has some regulations that we have to follow, even for
24 this. They talk about inspections every three months

1 that all the equipment on the rail tracks have to be
2 inspected. And then Metro North has their own safety
3 and inspection programs.

4 MR. LYNCH: Thank you.

5 Thank you, Mr. Ashton.

6 MR. ASHTON: Mr. Novak I think I want to
7 pick on you for a bit more.

8 CROSS-EXAMINATION

9 BY MR. ASHTON (CONTINUED):

10 Q. Do any of the existing structures fail the
11 NESC -- current NESC requirements?

12 A. (Mr. Novak) Yes.

13 (Mr. Gagnon) The ones that are -- the 1977
14 lines?

15 Q. In that section between just Stamford and
16 Glenbrook?

17 A. (Mr. Novak) Well, again, for the first circuit
18 -- if that's what you're talking about -- we're good.
19 Putting a second circuit up, we're --

20 Q. I'm thinking you got three existing circuits
21 on two sets of structures.

22 A. Oh, yes.

23 Q. Do any of those existing structures, any of
24 them, fail any current NESC requirements?

1 A. The existing structures with existing loading
2 cases that they have on them are fine. They're good.

3 Q. The only one that would be in trouble then is
4 the -- what is it, 1977 line.

5 A. Yes.

6 Q. That would be in trouble. And does that --
7 are any of the structures going back east of Glenbrook
8 that are in trouble on any NESC loadings?

9 A. I'm not aware of any -- again, we didn't look
10 in that study area.

11 Q. Okay. I just wondered if you knew any.

12 Would you agree that the critical circuit
13 criteria is kind of grossly violated between Norwalk,
14 Rowayton Junction and Ely Avenue?

15 A. I would have to ask planning whether or not
16 that is an issue.

17 Q. Are they not four circuit towers with four
18 circuits on them?

19 A. That is correct

20 Q. So that if two circuit towers are in trouble,
21 four circuit towers have to be in double trouble. Is
22 that fair to say?

23 A. That would be one way to look at it, yes.

24 Q. And you're not going to come in here proposing

1 four separate structures on those lines, are you?

2 You don't need to answer that.

3 I'm looking for one question that I had
4 flagged and I don't -- it doesn't jump out at me. Bear
5 with me for a second. (Pause.)

6 I even folded over the page, but apparently I
7 refolded it.

8 MR. ASHTON: Mr. Chairman, I'll pass for
9 a minute. Just while I go look --

10 CHAIRMAN MURPHY: Okay. We'll come back
11 to you then.

12 MR. ASHTON: Thank you.

13 CHAIRMAN MURPHY: Mr. Wilensky.

14 MR. WILENSKY: Just one question.

15 CROSS-EXAMINATION

16 BY MR. WILENSKY:

17 Q. Has DOT and Public Works for the City of
18 Stamford signed off on this project if it goes
19 underground -- the part of the project that's going
20 underground. Have they agreed and -- because there's
21 going to be street delays and closings and all the rest
22 that would involve both DOT and the City of Stamford.

23 A. (Mr. Gagnon) Yeah. We worked with both DOT
24 and the City of Stamford and they both have actually

1 given us written correspondence that they are in favor
2 of this.

3 Q. Did they give a preference and say, gee, why
4 don't you put it overhead and don't bother putting it
5 underground and save us all this grief and aggravation?

6 A. No. As a matter of fact, Stamford has -- one
7 of their criteria for their master plan looks for
8 underground, therefore, new power sources are to be
9 placed underground, or power cables.

10 Q. Well, those roads will have to be detoured
11 while you're in the process of doing that, or just one
12 lane can -- one lane open, one lane closed and --

13 A. Yes.

14 Q. It's a high traffic area?

15 A. For either -- yeah. In either case, if we do
16 overhead or we go underground we're going to have lane
17 closures on quite a few of the streets. Especially
18 South Street along the I-95 corridor there.

19 Q. Will you limit your closures to a certain
20 period of time during the day such as late in the
21 afternoon when it's -- can you keep them open, or do you
22 still have to keep them closed permanently while you're
23 doing the project?

24 A. If we do the overhead option, if you go that

1 way, we're going to have permanent lane closures for a
2 period of time because we have to set up drill rig
3 platforms, but the underground, what we're planning to
4 do is work with the City to figure when is the best time
5 to minimize the traffic impact. And that could be doing
6 some work at night, plating the trench during the high
7 traffic hours so that traffic could drive in the area.

8 Q. Are any of these state roads or mostly local
9 roads?

10 A. South -- all local roads, yeah.

11 Q. So, in other words, -- I mean, the end of the
12 story is they've agreed and you have no problem as far
13 as coming to a conclusion with the City of Stamford and
14 the DOT?

15 A. That is correct

16 Q. Okay.

17 MR. WILENSKY: Thank you.

18 CHAIRMAN MURPHY: Mr. Lynch.

19 CROSS-EXAMINATION

20 BY MR. LYNCH (continued):

21 Q. I want to state first that not being an
22 engineer, I do understand wind conditions and tower
23 swaying though. But in one of the questions from Mr.
24 Martin you explained a configuration of -- that the

1 tower would have less sway. If I heard that correctly
2 why is that?

3 A. (Mr. Gagnon) We were talking about trying to
4 maintain staying within the easement area, and normally
5 we allow towers to have five to ten degrees of sway
6 under very high wind conditions, and because we were
7 trying to stay within that easement area we had to
8 restrain the amount of sway up on the top portion of the
9 pole.

10 MR. LYNCH: Thank you. I couldn't
11 understand why that was necessary, but thank you.

12 Those are my questions, Mr. Chairman.

13 CHAIRMAN MURPHY: Mr. Hannon.

14 MR. HANNON: I have a couple of monetary
15 questions. I'm just trying to figure out some -- I know
16 that the cost is high on what is proposed on the 1151
17 line. But you were making a comment earlier that if the
18 railroad does expand then the 1977 line would also
19 conceivably have to be relocated.

20 CROSS-EXAMINATION

21 BY MR. HANNON:

22 Q. Is that correct?

23 A. (Mr. Gagnon) That's correct.

24 Q. And what kind of cost -- and I don't know if

1 you even give -- know that. But what do you think
2 you're looking at cost-wise for relocating the 977 line
3 -- the 1977 line?

4 A. I mean, just off the top of my head I -- we
5 know that there's not a lot of right of way area in the
6 area. So, most likely we would be looking for another
7 underground route to -- to be able to provide a path
8 between Glenbrook and South End. I would expect it
9 would be -- if it was done by itself, similar to the
10 costs that are proposed here.

11 Q. Okay. Then -- well, you also mentioned
12 earlier that with the 1151 line there was like maybe
13 three areas that were sort of challenge areas, but also
14 relocating the 1977 line there. What kind of cost would
15 you be looking at to take advantage of that now and
16 build it accordingly to potentially significantly
17 reduced costs down the road.

18 A. I'm only going to take a -- this is just an
19 assumption on my part.

20 Q. Understood

21 A. In going by what we did with the Glenbrook
22 Cables Project, we had -- I think the underground --
23 there was a second circuit as part of that project and
24 -- and we added some separate ducks as we did that

1 construction. We pulled out those construction costs
2 afterwards and we found out it was about 33 million
3 dollars for the 8.77 miles. So, I would say about a
4 four million dollar additional cost. Four or five.

5 Q. Okay.

6 A. That's just off the top of my head though

7 Q. But if you had to do the 1977 as a separate
8 entity, I mean, you're talking considerably more money
9 than like four million?

10 A. That's correct.

11 MR. HANNON: Okay. Thank you.

12 CHAIRMAN Murphy: Dr. Bell.

13 DR. BELL: Thank you, Mr. Chair.

14 CROSS-EXAMINATION

15 BY DR. BELL:

16 Q. When you answered Mr. Martin's question a
17 little while ago that if you -- he asked you if you had
18 to -- if you built the 1151, the proposed line, would
19 you have to rebuild the 1440 and the 1445 line, and your
20 answer was no. What I don't quite understand is if
21 those lines were -- if those lines are subject to the
22 NERC criteria right now, which I'm presuming they are,
23 why wouldn't you -- why aren't -- wouldn't they have to
24 be rebuilt in some fashion -- reconfigured in some

1 fashion in any case. I mean, if they're strict in one
2 department on the NERC rules, than I don't understand
3 why you aren't strict in other departments regarding the
4 NERC rules. And I'll throw in for an example cases
5 where I've seen that -- we have an outstanding petition
6 1000, which you may or may not have heard of which is --

7 A. Right.

8 Q. Okay. So, I've written as sub petitions
9 within that 1000 where changes are being made to raise
10 the height of certain lines without changing them from
11 double circuit lines to single circuit lines. Now, that
12 to me -- that surprised me to see that. And I've asked
13 about it and the statement is well, these -- these are
14 not particular critical worries. And I do understand
15 that kind of flexibility, but I guess I'm sharing
16 Mr. Ashton's concern that in some cases the rules apply
17 strictly and in other cases they do not, and I'm having
18 trouble with that.

19 A. Let's take a -- I'll take a step back. When
20 we look at the -- the three major lines that exist
21 today; the 1977 -- and, again, that's a three terminal
22 line. I'm just going to specifically talk about the tap
23 out of 1977 from Glenbrook to South End.

24 So, we've got really three lines coming from

1 the Norwalk -- let's call it the Norwalk side of
2 Connecticut over to the Greenwich side. You've got the
3 1440, 1450 and the 1977, and why it seems like -- and
4 you talked about where Ms. -- we're interpreting it
5 differently. We're actually not. We're using the same
6 criteria. When we talked about rebuilding the 1440 and
7 1450 it's -- we had looked at a failure of the 1977 and
8 a -- and you have a contingency on the existing double
9 circuit tower. N minus 1 minus 1. So, then if you had
10 a failure of the 1440 and 1450, you would lose all 47
11 customers down in the Stamford area,.

12 If we split those on two different towers and
13 we lose a 1977 and we lose one of the 1450's or the --
14 or the 1440, either one of those -- you would still have
15 -- you would still have one conductor be able to supply
16 power to that area.

17 So, what we do is we're looking at do we still
18 have the power flows? Do we have the reliability,
19 violations? Are there lines overloading or do we have
20 voltage collapse. So, that's what we're applying, and
21 in this case it would show that if we weren't rebuilding
22 a new line into the area and we were trying to do
23 something with the existing 1440/1450, we would have to
24 split those lines and rebuild them as separate lines to

1 meet the criteria violations. You know, the N minus 1
2 minus 1. Where if we put in a brand new line those two
3 could stay together. If those two failed we still have
4 this -- a new line to bring the power in.

5 Q. And if you rebuilt them you would have to
6 rebuild them to new specs, but at the moment they're
7 grandfathered in, those two lines?

8 A. Right. Any time you build something new -- if
9 you were building the entire thing, you're building up
10 to the code that's current of that date. That is
11 correct.

12 Q. But now we're talking about a different set of
13 codes, and that's the NESC codes. And I understand
14 that.

15 A. That's correct.

16 Q. So, they tolerate the existence of lines that
17 don't meet their codes as long as they're up to the
18 point where they have to be upgraded completely -- I
19 mean, rebuilt as new.

20 A. That is correct.

21 Q. Yeah. Okay. I have some questions of
22 different departments.

23 Yesterday, or the day before -- the day
24 before, we had the forecast hearing. And I just noted

1 that at the last forecast hearing, last year's, the New
2 Greenwich substation that we've talked about in
3 connection with this hearing, was a concept only. My
4 question is can in the amount we've talked that
5 Greenwich -- the new Greenwich substation -- a new
6 Greenwich substation in this hearing, is -- is the
7 Greenwich substation now under the category of planned
8 as opposed to concept. There s three categories.

9 A. Right.

10 Q. There's proposed or applied for, something
11 like that. Then there's planning and then the vaguest
12 one is concepts. So, I'm just asking did it make it
13 from concept to planned now?

14 A. That's a -- when we put a station in planned
15 status we usually will go and get ISO New England's
16 proposed project application, the I-3-9, and right now
17 we don't have the I-3-9 for the substation.

18 Q. Okay.

19 A. It is -- although we do have it identified as
20 a project in our capital plan for 2017 right now.

21 Q. Okay. In the last hearing you said that --
22 somebody said -- that one of the project is within the
23 500 year flood zone. But I don't believe that the
24 actual plain maps -- there were some aerial maps

1 perhaps, but the actual FEMA flood plan maps that
2 identify with certain hash marks the 500 versus the 100
3 aren't supplied. So, my question is what is the date of
4 the FEMA flood maps that were consulted to give that
5 answer that none of the project is -- the proposed
6 project is within the 500 year flood line.

7 A. We are -- we're going to be checking -- we'll
8 check that right now.

9 But for the hearing, we consulted our
10 environmental group and they are usually picking out the
11 most recent and -- we'll verify what year map that was
12 that they used.

13 Q. Okay. The reason I'm asking is that this area
14 of Stamford, I believe, and we can -- you can treat it
15 as a question is undergoing now and has undergone
16 recently a lot of development, would, presumably, affect
17 the contours of the land and thus the flood point
18 determination, so

19 A. Correct.

20 Q. It would be interesting to know the date.

21 A. Back in the application AE Com is one who
22 supplied -- in figure 2 of the application, AE Com is a
23 company that we hired to look at the environmental
24 conditions, and they used information -- their survey

1 was based on information they had available up to date
2 up through May of 2012. So, we will verify the exact
3 mapping that they used, but according to the
4 information we got from them, it was up to date as of
5 May 12.

6 Q. Okay

7 A. 2012.

8 MR. ASHTON: Just a -- so I understand,
9 does that say that there are or are not facilities
10 within the 500 year flood plan?

11 THE WITNESS: There are not.

12 MR. ASHTON: Including South End.

13 THE WITNESS: Including South End, yeah.
14 It's not in the five year -- 500 year flood plan.

15 MR. ASHTON: It was flooded during Sandy,
16 wasn't it.

17 THE WITNESS: No, it did not flood during
18 Sandy. What CL&P --

19 MR. ASHTON: Protected itself.

20 THE WITNESS: In an effort for storm
21 preparedness we went and we put the barricades,
22 blockades, around the substation. We looked at what
23 stations possibly with the hurricane surge had the
24 biggest risk, and even though we didn't feel it would

1 actually flood, that had the biggest risk, and so we
2 wanted to be proactive and put the barricades.

3 DR. BELL: If you could check that that
4 would be great.

5 The reason I'm asking is that I -- I know
6 there's an aerial map in there that has a line drawn on
7 it, but that's not the actual FEMA map. And so I'm just
8 asking if that -- if that could be checked.

9 ATTORNEY BARBINO DUBUQUE: Mr. Chairman, if
10 we don't have that information available before the end
11 of the hearing may we just provide that as a late file?

12 CHAIRMAN MURPHY: As a late file.

13 ATTORNEY BARBINO DUBUQUE: Thank you.

14 BY DR. BELL:

15 Q. You had a response in your latest responses
16 regarding the 17 percent carrying charge. It's 6. I
17 just need a little bit of -- I'm not a financial person.
18 I just need a little explanation of that.

19 A. (Mr. Gagnon) I'll be honest with you, this
20 area confuses the heck out of me a lot of times. And it
21 really has to do with how the financial people look at
22 the carrying cost numbers.

23 A lot of times they call out something called
24 the Capital Recovery factor or the fixed charge rate,

1 and what that is is that's around 14 percent. And it's
2 really -- it's based on several things. One is like the
3 investment and return and income taxes, depreciation
4 expenses, property expenses, insurance -- all that
5 summed together.

6 And what they do is then you add on top of
7 that the operation and maintenance cost, O&M cost.
8 Administrative and General allocators. And you go from
9 the 14 to the 17 percent.

10 So, the 17 percent is an all in cost. When
11 you look at carrying costs it's all the -- the cost that
12 the company incurs, and it also includes the maintenance
13 and operation costs, administrative costs, for operating
14 the company.

15 Q. Okay. I understand it has different
16 components to it, but what I don't understand is why
17 that would apply to the same -- why the same figure
18 would apply to underground and overhead because it would
19 seem that the maintenance for underground, which would
20 just be the hard costs without the -- the other
21 components would be larger. So, the -- when you added on
22 the other components which would remain the same perhaps
23 you would have to have more?

24 A. The numbers that they use, they base it on

1 gross plant, so they don't break out, you know, above
2 ground, below assets. They just take the gross
3 transmission plant and use that number as the base, and
4 so it -- we typically use the 17 percent no matter what.

5 Q. Okay. That I understand. Alright.

6 So, I thought there was an effort being made
7 to do the carrying costs for underground as opposed to
8 -- okay.

9 Just one more question.

10 It would be fair to say -- would it be fair to
11 say that this project has had a lot of changes along the
12 way. That it's more flexible than the usual project
13 that we have seen small or large. That the company has
14 made efforts to accommodate different stakeholder's
15 wishes, the City, the DOT, for instance, along the way.
16 Would that be a fair way to characterize this project as
17 opposed to, say, a NEEWS project which have alternatives
18 -- have sections of alternatives, but they've been --
19 they haven't been flexible along the way. We've had a
20 pretty set target with the NEEWS projects. This one has
21 had various alternatives reading into it, all being live
22 possibilities. And then there have actually been two
23 changes after application was made to the council. I'm
24 just trying to give this broad characterization. Is

1 that a fair characterization?

2 A. Yes. We are trying to work with the Towns and
3 work with the state to make sure we fit into their
4 plans. I mean, we're in their territory. We want to
5 fit into their plans.

6 I have to admit though, for us it's
7 frustrating a little bit because we're submitting late
8 files and things we would prefer not to have done. So
9 but we are trying to accommodate the towns and
10 state, yes.

11 DR. BELL: Thank you.

12 Those are my questions, Mr. Chair.

13 CHAIRMAN MURPHY: Mr. Ashton.

14 CROSS-EXAMINATION

15 BY MR. ASHTON (continued):

16 Q. Just to begin with ... Mr. Lynch asked a
17 question about deflection, and the answer came back that
18 tower are deflecting up to five degrees. I think what
19 he was driving at is the deflection of the insulator
20 string driven by wind which is constrained when you put
21 a horizontal insulator between it and the tower so that
22 the insulator string can't blow out.

23 The tower deflection, depending on what type
24 of structure can be effectively zero or a little bit.

1 If it's a big structure you aren't going to get much
2 deflection, or at least you better not. If it's a
3 tubular structure you may get a slight amount. Is that
4 fair to say?

5 A. (Mr. Gagnon) That is fair to say, yes.

6 Q. Okay. When we talk about line outages, and
7 loss of load potential what is happening with the water
8 side and Cos Cob generation under those circumstances.
9 There's 60 megawatts of water side, as I recall it. I
10 think a hundred at Cos Cob or a hundred and twenty.

11 A. Yeah. It was 69 at Waterside and 95 at Cos
12 Cob, yeah.

13 Q. Okay. You got 160 megawatts, more or less, to
14 call on faststar our generation. And after N-1, the
15 first outage is it policy then to get those units
16 cranked up?

17 A. Yeah. The criteria talks about after your
18 first N-1, after your first event, ISO and its criteria
19 allows faststar generation or operator response. The
20 operators who are operating the electric system can make
21 changes within a period of time --

22 Q. Thirty minutes.

23 A. Thirty minutes. And then the next event can
24 happen. So, during that 30 minutes they can call on the

1 generators at Cos Cob and Waterside to come on.

2 Q. And are those generators large enough to
3 handle the entire Cos Cob and South End load?

4 A. Well, no, no. We've got --

5 Q. What's a peak load at South End and peak load
6 at Waterside/Cos Cob?

7 A. At waterside I took a note that we have about
8 75.8 -- 76 megawatts of load. At Cos Cob 160. Tomack
9 52.

10 Q. 285? Is that right?

11 A. 288. And then you have South End itself at
12 105.

13 Q. So, you absolutely positively have to have
14 additional transmission of the area, even with the
15 generators going full board. Is that fair to say?

16 A. That is fair to say.

17 Q. And by my rough and ready calculation any one
18 circuit would carry it at this stage of the game,
19 assuming it was connected appropriately.

20 A. It -- yeah. Right now we've got the --
21 probably the 1450 is the line that's probably the most
22 constrained. And I think the LTE rating on that is 351.

23 Q. And this presumes everything happens on a
24 peak?

1 A. Correct.

2 Q. Do your second contingencies also presume
3 everything happens on peak or do you back off a little
4 bit?

5 A. No. It's peak. Peakload here

6 Q. Going back to the critical designation of a
7 circuit board of structure, or a series of structures,
8 is there any room for a variance, if you will, on that
9 designation, or is absolutely chiseled in stone, coming
10 down from Mount Sinai that certain double circuits are
11 always, always critical.

12 A. No, we don't say all double circuits are
13 critical.

14 Q. Okay. I'm squeeking here. I know that.

15 A. Right.

16 Q. So, it is possible, is it not that MERC might
17 say or NPCC or ISO or all the alphabet soup would say,
18 yeah, these things really are critical, but the exposure
19 is short, if only a few structures, the isokeraunic
20 performance is very good, lightning performance is very
21 good, there are no trees around -- you know what I'm
22 talking about.

23 A. Right.

24 Q. Therefore, we will give these absolution and

1 they can stay in place.

2 ATTORNEY BARBINO DUBUQUE: May we go off
3 the record for a moment please.

4 (Whereupon a brief recess took place from
5 2:08 until 2:09 p.m.)

6 ATTORNEY BARBINO DUBUQUE: May we go back
7 on the record now?

8 CHAIRMAN MURPHY: Alright. Back on the
9 record.

10 THE WITNESS: (Mr. Gagnon) My
11 understanding is there is a rule that you can apply to
12 ISO New England and NPCC for a special waiver.

13 MR. ASHTON: Okay.

14 THE WITNESS: I understand that that
15 waiver is very difficult and it's a long arguous
16 process.

17 BY MR. ASHTON:

18 Q. Isn't it fair to say though that that may be
19 the practical answer where there is no other
20 alternative.

21 A. Yes.

22 Q. Okay.

23 A. That's fair to say.

24 Q. Are you aware as to whether or not there have

1 been any double circuit outages along the railroad from
2 Bridgeport to Cos Cob, period? Ever?

3 A. Bridgeport to Cos -- well, we had --

4 Q. Double circuit outages now. Not single.

5 A. We had a tree that fell in Greenwich August 6,
6 2012. It just happened to be the President was in --

7 Q. I'm sorry.

8 A. It just happened to be the President was in
9 town in that area.

10 Q. Yes.

11 A. We still had a tree come into the line and
12 knocked out both the 1740 and the 1750 line.

13 Q. Is that a tree climb problem, or just the tree
14 got tired and it's back far enough that it reached the
15 lines

16 A. It was back far enough that it reached the
17 lines. It was in a -- it was off our property onto --.

18 Q. Do you have danger tree clearance rights?

19 A. Yes, sir. Yes, we do.

20 Q. How far do they go back, by the way?

21 A. I don't know.

22 Q. They're ill defined, is it fair to say?

23 A. Fair to say.

24 Q. Okay.

1 MR. ASHTON: Mr. Chairman, I think that's
2 it. Thank you very much. I appreciate your indulgence.

3 CHAIRMAN MURPHY: Mr. Wilensky.

4 MR. WILENSKY: Has ISO signed off on this
5 project? Has it gone to ISO?

6 THE WITNESS (Mr. Gagnon): Yeah. We have
7 a PPA. That's the proposed plan application. The old
8 I3-9, as people referred to is no adverse impact. They
9 reviewed it, yes.

10 MR. WILENSKY: And who ends up paying for
11 this?

12 THE WITNESS: This will go to ISO for
13 determination. And we expect a determination will be
14 100 percent regionalized at this point. That's what
15 we're going to --

16 MR. WILENSKY: Even the underground
17 portion of it?

18 THE WITNESS: The underground, yeah.

19 MR. WILENSKY: Because they're always
20 hesitant on that, it seems?

21 THE WITNESS: Right. If we went in with
22 an underground solution the whole project would be
23 regionalized, we expect. If we went in with overhead
24 they would compare it with the underground and say

1 there's a delta and that delta would be localized,
2 because it was a more expensive solution.

3 MR. WILENSKY: In other words, they've
4 reviewed -- they've approved the process or they're --

5 THE WITNESS: They have not reviewed it
6 yet.

7 MR. WILENSKY: They never have -- they
8 never do, I should say.

9 THE WITNESS: What they do is they -- we
10 go through another process -- the transmission cost
11 allocation process with ISO. We put in an application
12 telling them what we believe is the regional cost. And
13 what we did on the project they evaluate. You know
14 are these -- you know, does it benefit the region, this
15 project, and that's when when they make that
16 determination. We have not submitted that application
17 yet.

18 MR. LYNCH: Stop giving out bonuses,
19 that's all.

20 MR. WILENSKY: Thank you, Mr. Chairman.

21 MR. ASHTON: Mr. Chairman, I have one
22 more.

23 CHAIRMAN MURPHY: Mr. Ashton.

24 MR. ASHTON: I'm a little concerned when

1 we say who pays for the project and we come up with it's
2 only 27 percent that falls on the Connecticut rate
3 payers. That's Russian economics.

4 The region benefits. The region pays 100
5 percent, not just 27 percent.

6 THE WITNESS: That's correct.

7 MR. ASHTON: And so it's ratepayers
8 throughout New England who pay for this, or any other
9 approved facility in Connecticut, as we pay in
10 Connecticut for facilities that are outside. The idea
11 that we're getting a 27 percent bargain here makes me
12 bristle a little bit because it's part of a cost of
13 energy that effects New England.

14 THE WITNESS: That is correct. And if I
15 missed --

16 MR. ASHTON: Well, it's come up before,
17 but I think it's worth emphasizing that we got to watch
18 these Russian numbers.

19 Thank you.

20 MR. CHAIRMAN: Attorney Henault, do you
21 have any questions of CL&P's panel?

22 ATTORNEY HENAULT: Nothing. Thank you.

23 MR. CHAIRMAN: Does any council member
24 have any further questions?

1 THE WITNESS: We do have some more
2 information regarding the FEMA flood mapping.

3 MR. CHAIRMAN: Fine.

4 THE WITNESS: The mapping that was
5 actually used was June 18, 2010.

6 DR. BELL: Thank you.

7 THE WITNESS: And apparently the
8 substation -- the South End substation is just outside
9 the 500 year flood line.

10 MR. CHAIRMAN: Does that satisfy --

11 DR. BELL: Yes. Thank you.

12 MR. CHAIRMAN: Does anyone have anything
13 further?

14 Is there anything you want to add before
15 we close up shop?

16 ATTORNEY DUBUQUE BARBINO: No, Mr.
17 Chairman.

18 Thank you.

19 THE CHAIRMAN: Before closing this
20 hearing the Connecticut Siting Council announces that
21 briefs and proposed findings of fact may be filed with
22 the Council by any party or intervenor no later than
23 July 22, 2013.

24 The submission of briefs or proposed

1 findings of fact are not required by the council, rather
2 we leave it to the choice of the parties and
3 interveners.

4 Anyone who has not become party or
5 intervener but who desires to make his or her views
6 known to the council may file written statements with
7 the council within 30 days of the date hereof.

8 The council will issue draft findings of
9 fact, and thereafter parties and intervenors may
10 identify errors or inconsistencies between the council's
11 draft findings of fact and the record.

12 However, no new information or new
13 evidence, new argument, and no reply briefs without our
14 permission will be considered by the Council.

15 Copies of this transcript will be filed
16 with the Stamford City Clerk's Office.

17 I declare this hearing adjourned.

18 Thank you all, and drive carefully.

19 ATTORNEY BARBINO DUBUQUE: Thank you.

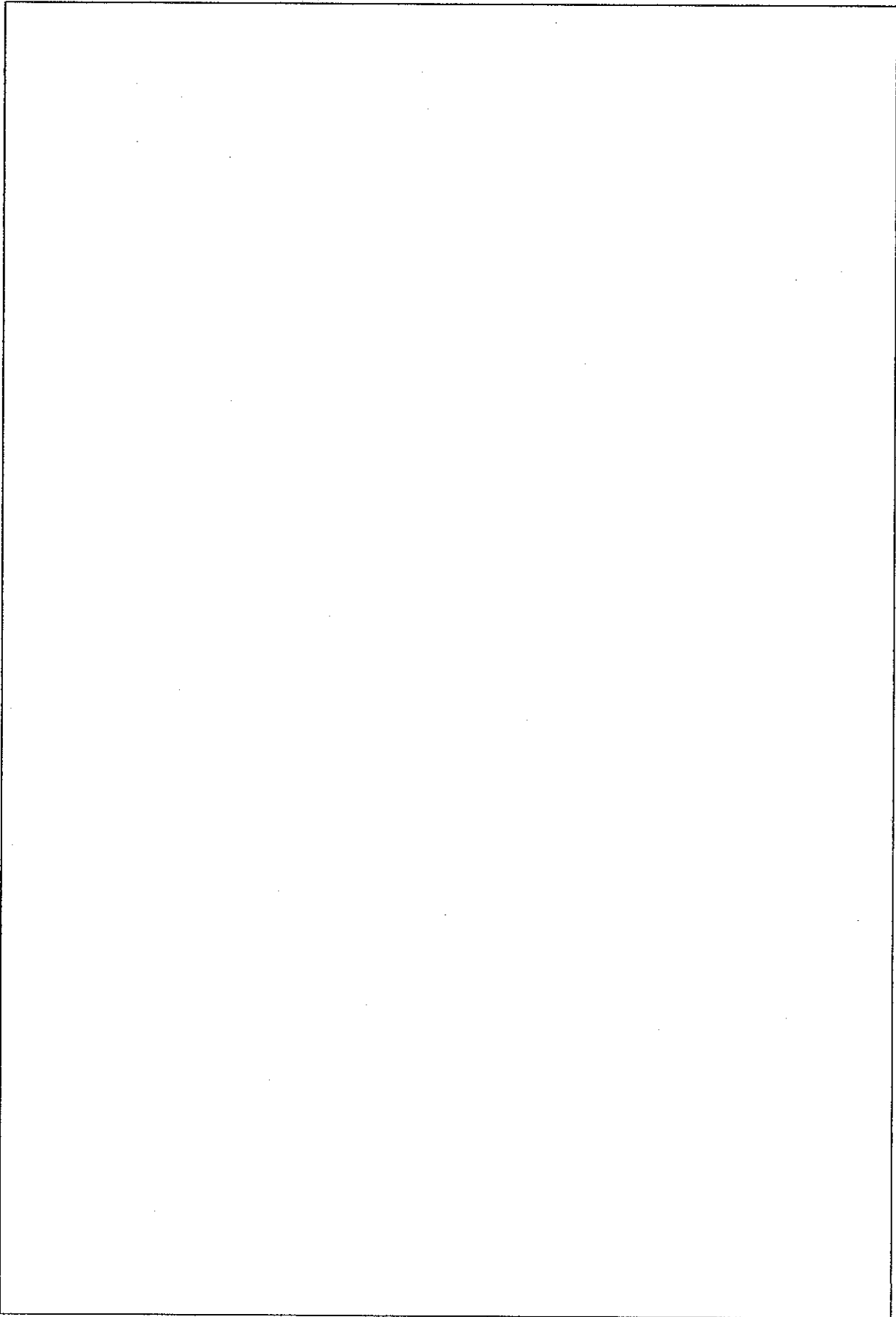
20 (Whereupon the hearing was adjourned for
21 the day at 2:15 p.m.)

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C E R T I F I C A T I O N

STATE OF CONNECTICUT)

)

COUNTY OF HARTFORD)

I, Nancy E. Paretti, a Notary Public in
and for the State of Connecticut, do hereby certify that
the forgoing record is a correct and verbatim
computer-aided transcription of the proceeding herein
set forth.

I further certify that I am neither
counsel for, nor related to, nor employed by any of the
parties to the action in which this proceeding is taken,
and further certify that I am not related to, nor an
employee of any attorney or representative employed by
the parties thereto, nor am I financially interested in
this action.

In witness whereof I have hereunto
set my hand and affixed my notarial seal this date
July 22, 2013.



Nancy E. Paretti
Notary Public

My commission expires February 28, 2017