

March 9, 2016

VIA E-MAIL AND FEDERAL EXPRESS

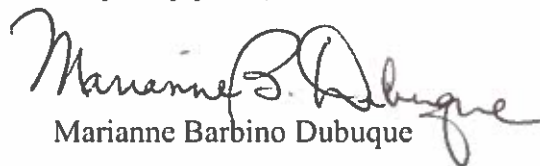
Attorney Melanie Bachman
Acting Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: **DOCKET NO. 461** - Eversource Energy Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 115-kilovolt (kV) bulk substation located at 290 Railroad Avenue, Greenwich, Connecticut, and two 115-kV underground transmission circuits extending approximately 2.3 miles between the proposed substation and the existing Cos Cob Substation, Greenwich, Connecticut, and related substation improvements.

Dear Attorney Bachman:

In connection with the above-referenced Docket No. 461, enclosed please find an original plus fifteen (15) copies of Response to Motion of the Office of Consumer Counsel Dated March 9, 2016.

Very truly yours,


Marianne Barbino Dubuque

MBD/mkw
Enclosures

cc: Service List dated February 1, 2016 attached (with enclosures)

{W2661245}

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> E-Mail	Eversource Energy	<p>Jacqueline Gardell Project Manager Eversource Energy 56 Prospect Street Hartford, CT 06103 jacqueline.gardell@eversource.com</p> <p>John Morissette Project Manager-Transmission Siting-CT Eversource Energy 56 Prospect Street Hartford, CT 06103 john.morissette@eversource.com</p> <p>Jeffery Cochran, Esq. Senior Counsel, Legal Department Eversource Energy 107 Selden Street Berlin, CT 06037 jeffery.cochran@eversource.com</p> <p>Marianne Barbino Dubuque Carmody Torrance Sandak & Hennessey LLP 50 Leavenworth Street Waterbury, CT 06702 mdubuque@carmodylaw.com</p>
Party Approved on July 23, 2015	<input checked="" type="checkbox"/> E-Mail	Office of Consumer Counsel	<p>Lauren Henault Bidra, Esq. Staff Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Lauren.bidra@ct.gov</p> <p>Joseph A. Rosenthal, Esq. Principal Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Joseph.rosenthal@ct.gov</p>

			Margaret Bain Associate Rate Specialist Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 Margaret.bain@ct.gov
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Parker Stacy 1 Kinsman Lane Greenwich, CT 06830 pstacy@optonline.net	
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Pet Pantry Super Discount Stores LLC	Mark L. Bergamo, Esq. Edward L. Marcus, Esq. The Marcus Law Firm 275 Branford Road North Branford, CT 06471 mbergamo@marcuslawfirm.com emarcus@marcuslawfirm.com
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Field Point Estate Townhouses, Inc.	Carissa Depetris Dwight Ueda Field Point Estate Townhouses 172 Field Point Road, #10 Greenwich, CT 06830 carissa.depetris@gmail.com d_ueda@yahoo.com
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Christine Edwards 111 Bible Street Cos Cob, CT 06807 SeeEdwards@aol.com	
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Richard Granoff, AIA, LEED AP Granoff Architects 30 West Putnam Avenue Greenwich, CT 06830 rg@granoffarchitects.com	

Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Anthony Crudele Bella Nonna Restaurant & Pizzeria 280 Railroad Avenue Greenwich, CT 06830 bellanonnagreenwich@gmail.com	
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Cecilia H. Morgan 3 Kinsman Lane Greenwich, CT 06830 cecimorgan@aol.com	
Intervenor Approved on September 1, 2015	<input checked="" type="checkbox"/> E-Mail	Dr. Danielle Luzzo Greenwich Chiropractic & Nutrition 282 Railroad Avenue Greenwich, CT 06830 drdanielleluzzo@gmail.com	
Intervenor Approved on September 17, 2015	<input checked="" type="checkbox"/> E-Mail	Joel Paul Berger 4208 Bell Boulevard Flushing, NY 11361 communityrealty@msn.com	
Intervenor Approved on October 1, 2015	<input checked="" type="checkbox"/> E-Mail	Meg Glass 9 Bolling Place Greenwich, CT 06830 glass50@hotmail.com	
Party Approved on January 12, 2016	<input checked="" type="checkbox"/> E-Mail	The Honorable Peter J. Tesei First Selectman Town of Greenwich 101 Field Point Road Greenwich, CT 06830 ptesei@greenwichct.org	Julie D. Kohler, Esq. David A. Ball, Esq. Cohen and Wolf, P.C. P.O. Box 1821 Bridgeport, CT 06601 jkohler@cohenandwolf.com dball@cohenandwolf.com

STATE OF CONNECTICUT

SITING COUNCIL

DOCKET NO. 461 – EVERSOURCE ENERGY : **DOCKET NO. 461**
APPLICATION FOR A CERTIFICATE OF :
ENVIRONMENTAL COMPATIBILITY AND :
PUBLIC NEED FOR THE CONSTRUCTION, :
MAINTENANCE, AND OPERATION OF A 115- :
KILOVOLT (KV) BULK SUBSTATION LOCATED :
AT 290 RAILROAD AVENUE, GREENWICH, :
CONNECTICUT, AND TWO 115-KV :
UNDERGROUND TRANSMISSION CIRCUITS :
EXTENDING APPROXIMATELY 2.3 MILES :
BETWEEN THE PROPOSED SUBSTATION AND :
THE EXISTING COS COB SUBSTATION, :
GREENWICH, CONNECTICUT, AND RELATED :
SUBSTATION IMPROVEMENTS : MARCH 9, 2016

RESPONSE TO MOTION OF
THE OFFICE OF CONSUMER COUNSEL
DATED MARCH 9, 2016

The Connecticut Light and Power Company, doing business as Eversource Energy (“Eversource”), hereby responds to the Office of Consumer Counsel’s (“OCC”) March 9, 2016 Motion requesting that the Siting Council (“Council”) reject Eversource’s Revised Q-LF-20.

For the following reasons, Eversource respectfully requests that the Council accept its Revised Q-LF-20:

1. Eversource has a duty to correct the record.
2. Eversource’s legal counsel has a duty of candor toward the tribunal to correct false statements of material fact or law previously made.

Discussion

- 1. Eversource has sworn to the accuracy of its filings and has a duty to correct the record.**

On March 7, 2016, Eversource submitted a revised response to Q-LF-20, which it originally had filed with the Council on February 16, 2016. The purpose of the revision was to correct information erroneously reported with regard to 2015 Cos Cob 27.6 kV usage. The prior filing did not include any usage for the 11R-1X transformer on the 27.6 kV bus from September 13 through November 1, 2015, even though the transformer was operating and serving load during that period. At the time that it filed the response to Q-LF-20, Eversource was not aware that the total 2015 usage did not include any usage for the 11R-1X transformer for this period.

In its revised filing, Eversource laid out the method used for providing an accurate estimate of the usage for the 11R-1X transformer. Eversource has already made clear to the OCC and to the Council that it is not possible to provide actual annual kWh for the Cos Cob transformers; however, the revised figures include all information available to Eversource.

Eversource has filed the Revised Q-LF-20 in good faith, pursuant to its duty to provide truthful information to the tribunal and correct a known error. Eversource, through its agents, employees, and directors, has sworn under oath to the accuracy of the information it has provided during this proceeding.

- 2. Eversource's counsel has a duty of candor toward the tribunal to correct false statements of material fact or law.**

Pursuant to Rule 3.3 of Connecticut's Rules of Professional Conduct, "[a] lawyer shall not knowingly . . . offer evidence that the lawyer knows to be false." If a lawyer comes to know that material evidence offered by the lawyer, her client, or a witness called by the lawyer


contains false information, “the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.” These duties “continue to the conclusion of the proceeding. . . .”

The filing of Revised Q-LF-20 represents a correction of information that is material to this proceeding. A failure to file this corrected information with the Council would violate an explicit duty of candor placed upon Eversource’s legal counsel by the State.

For the reasons set forth above, Eversource respectfully requests the Council to accept its Revised Q-LF-20.

Respectfully submitted,

THE CONNECTICUT LIGHT AND POWER COMPANY
DOING BUSINESS AS EVERSOURCE ENERGY

By: 
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Its Attorneys
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