

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: Eversource Energy Application for a : Docket # 461
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. : January 6, 2016

Applicant

**PET PANTRY SUPER DISCOUNT STORES' OBJECTION TO THE
CONNECTICUT LIGHT AND POWER COMPANY DOING BUSINESS AS
EVERSOURCE ENERGY MOTION TO EXCLUDE CROSS-EXAMINATION OF
APPLICANT ON ISSUES OF REAL PROPERTY OWNERSHIP.**

Pet Pantry Super Discount Stores ("Pet Pantry") hereby files its objection to the Connecticut Light and Power Company doing business as Eversource Energy ("Eversource") Motion to Exclude Cross-examination of Applicant on issues of real property ownership.

Pet Pantry hereby has already submitted its Memorandum of Law on the discretionary powers of the Connecticut Siting Council under Conn. Gen. Stat. sec 16-50 p (g) and cases which do not mandatorily exclude such examination.

Further, Pet Pantry protests that Eversource should request such exclusion of materials or testimony from the hearing. The Connecticut Siting Council has also raised the issue of real property ownership by Mr. Robert Hannon at page 152-153 of the Transcript of the Hearing held on December 1, 2015. Pet Pantry intends to cross examine Mr. Gagnon of Eversource on the

answers that he provided Mr. Hannon. There is a disagreement with the accuracy of his response, and that is the purpose of cross examination- an attempt to get at the truth of the matter.

The issue is important as it could very well impact the question of how long it will take Eversource to implement its plan if and when any Application for Certification is approved.

Although ownership information is not required it is discretionary information which the Connecticut Siting Council may allow. Eversource has submitted ownership information into the application for which it is now being cross-examined as to the accuracy of such information and the impact it will have on the implementation of the any application.

Eversource has stated that Pet Pantry wants to have this agency make a determination of ownership interests of Eversource and Pet Pantry. No one has challenged the fact that this administrative agency will not determine the interest of any competing ownership in any property but may consider the impact that it could have on the application as to time, costs, and the effect would have in the Application's implementation or delay thus possibly affecting costs.

Pet Pantry does not wish to change the attention of the Connecticut Siting Council on issues between Pet Pantry and Eversource or other competing ownership interests but on the fact that any acquisition or delay related to that question will have an impact on the implementation of the Application and its costs which are being considered by this Council which affect the public as a whole. This also goes to the issue of whether there actually is a need or whether this merely is the exercise of a virtually monopolistic utility company brandishing its hammer to impose its will against and not for the public good.

Eversource states simply and concisely that because it says it is so makes it true and that no one should question them. Then why have the public hearing? When Eversource raises the spectre that the accuracy of its information is uncontroverted; how can it say that that when this

is the whole purpose of the public forum – to determine that truth, that accuracy. Eversource raises the issue each time it says there is a need, that this is the place we want, that it is available, and that it will cost x dollars. That may or may not be the case as determined by “facts” that out themselves during the public hearing and which impact on the application and its far reaching costs. How long will it be when Eversource obtains a property acquisition will affect the cost of the Project and possibly at what cost and therefore does has an impact. No one is asking this council to decide who has superior rights in or to an acquisition of 290 Railroad Avenue, that is left for the parties of courts to decide.

For these reasons, this Council should not exclude any cross-examination of the Applicant on questions related to the ownership of any real properties and how long that acquisition will take and at what costs.

PET PANTRY SUPER DISCOUNT STORES LLC Intervenor


s/ Mark L. Bergamo
Mark L. Bergamo, Esq.
The Marcus Law Firm
(Attorneys)
275 Branford Road
North Branford, CT 06471
Telephone # (203) 481-3330
mbergamo@marcuslawfirm.com
emarcus@marcuslawfirm.com

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: Eversource Energy Application for a : Docket # 461
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. : January 6, 2016

Applicant

CERTIFICATION

I hereby certify that on January 6, 2016, a copy of the foregoing Memorandum was filed by Pet Pantry Super Discount Stores LLC to Eversource Energy electronically and the original and 15 copies was served to all known parties, applicant and intervenors to: by U.S. Mail first class postage prepaid and by electronic mailing to:

The Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
Sitingcouncil@po.state.ct.us

See Attached Service List

Pet Pantry Super Discount Stores LLC Intervenor

By s/Mark L. Bergamo
Mark L. Bergamo
The Marcus Law Firm
Its Attorneys
275 Branford Road
North Branford, CT 06471
Tel. 203-481-3330
mbergamo@marcuslawfirm.com
CT Bar Number 035870

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	