



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 22, 2022

TO: Service List dated June 9, 2022

FROM: Melanie A. Bachman, Executive Director *MAB*

RE: **DOCKET NO. 3B** – The United Illuminating Company Amended Certificate of Environmental Compatibility and Public Need for replacement of a portion of the existing Derby – Shelton 115-kV electric transmission line facility. **Reopening of this Certificate based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).**

The Connecticut Siting Council (Council) will hold a pre-hearing conference **via Zoom Remote Conferencing** on procedural matters on Wednesday, June 29, 2022, beginning at 11:00 a.m. **All parties and intervenors are requested to participate.** The purpose of this pre-hearing conference is to expedite the hearing procedure without sacrificing an informative record necessary for the Council to render a decision.

Join Zoom Meeting

<https://us06web.zoom.us/j/85997678456?pwd=T2FrSDZjSG52emZDTXpuOGVGeUc2UT09>

Meeting ID: **859 9767 8456**

Passcode: **95ynBk**

Dial +1 929 205 6099 US (New York)

Meeting ID: **859 9767 8456**

Passcode: **356796**

During the conference, parties and intervenors will be encouraged to discuss requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of pre-hearing interrogatories. To save the time and expense of the public, **the Council does not allow direct testimony** at the remote public hearing.

Each party and intervenor is requested to provide all other parties and intervenors a list of witnesses and the subjects their pre-filed testimony will address, a list of documents to be administratively noticed, and copies of any available exhibits to be offered at the public hearing.

For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the public hearing in the witness list.**

For the Certificate Holder, please indicate in writing who shall be the **designated presenter during the 6:30 p.m. public comment session in the witness list and what site plan will be used for the presentation.** Please submit the site plan(s) for the presentation as a separate pdf for posting to the Council's website.



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Connecticut Siting Council
Pre-Hearing Conference: Procedure for Public Hearing of July 28, 2022

DOCKET NO. 3B – The United Illuminating Company Amended Certificate of Environmental Compatibility and Public Need for replacement of a portion of the existing Derby – Shelton 115-kV electric transmission line facility. **Reopening of this Certificate based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).**

Pre-hearing Procedure

1. On or before July 14, 2022, all parties and intervenors are requested to electronically exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before July 21, 2022, all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the remote public hearing in the witness list**. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the remote hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to electronically file a written petition with the Council on or before July 21, 2022.
4. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, at least ten days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, signs not less than six feet by four feet at conspicuous locations along the route. The signs shall set forth the name of the Certificate Holder, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number). **The signs shall not be removed until after the commencement of the evening public comment session.**
5. Attached is a list of the Council's administrative notice items. Objections to any item on the list should be sent to the Council before the remote hearing.

Hearing Procedure

6. The 2:00 p.m., July 28, 2022, remote evidentiary hearing session will provide the Certificate Holder, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The Certificate Holder will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the Certificate Holder and all other parties and intervenors.
7. The order of appearances and cross-examination will be governed by a Hearing Program developed by the Council for the proceeding. The Council will issue the Hearing Program prior to the remote hearing.
8. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
9. If any party or intervenor designated representative or witness is using the Zoom dial-in option from a telephone, the phone number and name of the person must be provided in writing to the Council in advance so the phone number can be matched with the appropriate designated representative or witness. **If the phone number and name of the person is not provided in writing to the Council in advance, they will not be admitted into the meeting.**
10. The 6:30 p.m. remote public comment session on July 28, 2022, will be reserved for the public to make brief statements into the record. **Public statements will be limited to 3 minutes.** The Council requests that the Certificate Holder conduct a brief presentation prior to remote public comment, describing the proposed modified facility features from a site plan already submitted into the record. **This site plan will be projected on the Zoom meeting screen during the public comment session.**
11. The Council may, at its discretion, group parties and intervenors with the same interests.
12. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
13. Pursuant to Section 16-50j-15b of the Regulations of Connecticut State Agencies, any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written statements into the record.
14. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.
15. Any person may be removed from the Zoom remote evidentiary session or public comment session at the discretion of the Council.

Post-hearing procedure

16. A verbatim transcript of the remote hearing session will be posted on the Council's project webpage and deposited with the Ansonia, Derby and Shelton City Clerk's Offices, and the Seymour Town Clerk's Office, for the convenience of the public.
17. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the remote hearing.
18. Members of the public will be allowed to submit written statements into the record within 30 days after the close of the remote hearing.
19. Deadlines for briefs, proposed findings of fact, and written statements will be final and no extensions will be granted.



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Administrative Notice List

Docket No. 3B

FEDERAL

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/assets/docs_p_z/results_of_emf_research_emf_questions_answers_booklet.pdf
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Proclamation No. 8460 - Critical Infrastructure Protection Month, 2009, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 FED. REG. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
5. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, available at <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, available at <http://www.nps.gov/subjects/nationalregister/index.htm>
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12. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Annual Energy Outlook 2022*, March 3, 2022, available at <https://www.eia.gov/outlooks/aeo/>
13. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
14. UNITED STATES DEPARTMENT OF AGRICULTURE, Soil Survey Manual, Handbook No. 18, March 2017, available at https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2_054262

REGIONAL

15. ISO-NEW ENGLAND, INC., *2021 Regional System Plan*, November 2, 2021, <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
16. ISO-NEW ENGLAND, INC., *Regional System Plan Project List*, June 2022, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
17. ISO-NEW ENGLAND, INC., *Regional System Plan Asset Conditions List*, June 2022, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
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24. **DOCKET NO. 3** - United Illuminating Certificate of Environmental Compatibility and Public Need for replacement of a portion of the existing Derby-Shelton 115 kV transmission line. Record and Final Decision *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Derby
25. **DOCKET NO. 3A** - United Illuminating amendment to a Certificate of Environmental Compatibility and Public Need for replacement of a portion of the existing Derby-Shelton 115 kV transmission line. Record and Final Decision *available at* <https://portal.ct.gov/CSC/Decisions/DocketLists/Docket-List-Nos1-499>
26. **DOCKET NO. 461A** - Eversource Energy 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 transmission circuits extending approximately 2.3 miles between the proposed substation and the existing Cos Cob Substation, Greenwich, Connecticut, and related substation improvements. Reopening of this docket based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Record and Final Decision *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Greenwich
27. **DOCKET NO. 474** - The Connecticut Light & Power Company d/b/a Eversource Energy Certificate of Environmental Compatibility and Public Need for the Greater Hartford-Central Connecticut Reliability Project that traverses the municipalities of Hartford, West Hartford, and Newington, which consists of (a) construction, maintenance and operation of a new 115-kilovolt (kV) electric transmission line within existing Eversource, Amtrak and public road rights-of-way and associated facilities extending overhead approximately 2.4 miles and underground approximately 1.3 miles between Eversource's existing Newington Substation in the Town of Newington and existing Southwest Hartford Substation in the City of Hartford; (b) modifications to a .01 mile section within existing Eversource right-of-way of the existing overhead 115-kV electric transmission line connection to the Newington Substation (Newington Tap); and (c) related modifications to Newington Substation and Southwest Hartford Substation. Record and Final Decision *available at* https://portal.ct.gov/CSC/2_Facility/Facility/Facility-List---Newington
28. **DOCKET NO. 508** – The United Illuminating Company (UI) application for a Certificate of Environmental Compatibility and Public Need for the Milvon to West River Railroad Transmission Line 115-kV Rebuild Project that consists of the relocation and rebuild of its existing 115- kilovolt (kV) electric transmission lines from the railroad catenary structures to new steel monopole structures and related modifications to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI's existing Milvon, Woodmont, Allings Crossing, Elmwest and West River substations along approximately 9.5 miles of the Connecticut Department of Transportation's Metro-North Railroad corridor traversing the municipalities of Milford, Orange, West Haven and New Haven, Connecticut. Record. https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/4_DocketNos500s/Docket-No-508
29. **PETITION NO. 1293** – Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for all transmission facility asset condition maintenance improvements to comply with the updated National Electric Safety Code clearance requirements. Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1291-1300/Petition-No-1293Eversource

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33. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Air Quality Standards*, Effective April 15, 2014, Regulations of Connecticut State Agencies §§ 22a-174-24, et seq., available at <https://eregulations.ct.gov/eRegsPortal/Browse/RCSA>
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Department of Public Health

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Other State Agencies

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57. STATE OF CONNECTICUT, PUBLIC ACT NO. 22-3, April 28, 2022, available at <https://www.cga.ct.gov/2022/ACT/PA/PDF/2022PA-00003-R00HB-05269-PA.PDF>

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63. EXPONENT, INC., *Research on Extremely Low Frequency Electric and Magnetic Fields and Health*, August 1, 2012 – August 31, 2016, dated April 11, 2017, available at https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Docket_474/1_Application/4742GHCCPApplicationVolume2pdf.pdf

ENVIRONMENTAL

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MAPS

72. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Cities of Ansonia, Derby and Shelton, and the Town of Seymour*, last updated December 2021, available at <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>

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77. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <https://www.audubon.org/important-bird-areas/state/connecticut>
78. Mail-A-Map Street Map, Cities of Ansonia, Derby and Shelton, and Town of Seymour, available at <http://mailamap.com/street-maps>
79. UNITED STATES GEOLOGICAL SURVEY, Interactive Topographical Map Viewer available at <https://ngmdb.usgs.gov/topoview/viewer/#4/39.98/-100.06>
80. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *Connecticut Official State Tourism Map*

Instructions for Parties and Intervenors for Docket No. 3B Remote Public Hearing

1. Attendees can join by clicking (or entering) the following link:
<https://us06web.zoom.us/j/84916984997?pwd=MVE4a1pkalp5NFNoNIRZaFIJaWkzUT09>
from a computer, smartphone, or tablet. **Meeting ID: 849 1698 4997 and Passcode: DLWkt5.** No prior software download is required.
2. For audio-only participation, attendees can join by dialing in at **1(929) 205-6099 (not toll free)** and then enter the **Meeting ID: 849 1698 4997 and Passcode: 475511** from a telephone.
3. All participants are requested to mute sound notifications on their computer, smartphone or tablet. Telephones are often equipped with a “do not disturb” feature for the dial-in option.
4. If any participant is using the **dial-in option from a telephone**, the phone number and name of the participant must be provided in advance so the phone number can be matched with the appropriate participant by NAME. **If the phone number and name of the person is not provided in writing to the Council in advance, they will not be admitted into the meeting.** If using the link, unless the participant types in their name when entering the meeting, the email and name of the participant must be provided in advance so the email can be matched with the appropriate participant by NAME. If the NAME of the person is not typed in or provided when entering the meeting, they will not be admitted into the meeting. Please inform your witness panels.
5. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
6. The Presiding Officer will read an opening statement and cross examination of the Certificate Holder by the Council will commence, one by one, beginning with the staff analyst. Thereafter, the designated representative for each party and intervenor will cross examine the Certificate Holder.
7. Once cross examination of the Certificate Holder by the Council and all parties and intervenors concludes, cross examination of the next party listed on the Hearing Program by the Council will commence, one by one, beginning with the staff analyst. Thereafter, the designated representative for each party and intervenor will cross examine the appearing party.