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December 23, 2011

Mr. Robert Stein
Chairman, Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051



Re: CSC Regulations Revisions—Amendments to Regulations relating to the Rules of Practice of the Council, Sections 16-50j-1 to 16-50z-4, inclusive and Sections 22a-116-B-1 to 22a-116-B-11, inclusive, of the Regulations of Connecticut State Agencies

Dear Chairman Stein:

By this letter, The United Illuminating Company ("UI") provides its comments to the Connecticut Siting Council's proposed regulations revisions or comments to requests made by other commenting parties, as the case may be. UI's comments are focused on Sections 16-50j-56 – 16-50j-59 and Section 16-50j-61.

Overall, UI is supportive of the creation of a streamlined process for largely routine modifications to facilities that will not have a substantial adverse environmental effect. This streamlined process eliminates the need for facilities proposing minor modifications such as installation or change-out of circuit breakers, disconnects, transformers, buses and appurtenant equipment to obtain a certificate pursuant to Section 16-50k of the Connecticut General Statutes. UI offers the following specific comments on Article 4 (Energy Facilities), Part 1:

Sec. 16-50j-57

Subsection (a) authorizes the Council, or "its designee," to review proposed modifications to facilities and to determine whether the proposed modification qualifies as an exempt modification. UI requests that the Council insert the word "staff" before "designee" to clarify that review and approval of the proposed modification shall remain with the Council or its staff.

UI is in agreement with the comments and proposed change requested to Section 16-50j-57(b)(2)(B) and (c)(3) by The Connecticut Light and Power Company ("CL&P"), dated November 23, 2011 ("CL&P's Comments"). UI agrees that the change out of certain equipment that may result in minimal height or width increases should qualify for the exemption. UI is in agreement with CL&P's request to exclude minor height increases of up to ten (10) feet of the original height for transmission-related equipment and six (6) feet for substation-related equipment.

UI further adopts, as its own comments, CL&P's Comments regarding deletion of 16-50j-57(c)(6).

Sec. 16-50j-58

UI disagrees with the requested changes suggested by NRG Energy, Inc. ("NRG") in its comments dated December 6, 2011 ("NRG's Comments"), regarding changes to Section 16-50j-58. NRG requests that the Council create an additional process by which exemption requests pursuant to Section 16-50j-57 are made and acknowledged by the Council. Section 16-50j-58 currently requires the claimant of an exemption to provide, prior to construction, a notice of intent to install exempt equipment to the Council and certain other named entities and persons. NRG's request imposes on the Council publication requirements of that notice and a mechanism for interested parties to comment upon the notice, which the Council shall consider in issuing an acknowledgement that the modification qualifies for an exemption under Section 16-50j-57.

NRG's requested changes to this section would largely undermine the Council's overall purpose of establishing a straight forward and efficient process for permitting minor "exempt" modifications to facilities. NRG's proposed new process could easily result in delays of one or more months depending on when the Council received the notice of the party requesting the exemption. Moreover, NRG's suggested requirement that the Council "shall consider" comments of interested parties prior to issuing an acknowledgement that the proposed modification qualifies for an exemption under 16-50j-57, is likely to result in confusion as to, among other things, the status of those "interested parties," the extent to which the Council must consider any comments, and the ability of interested parties to challenge any subsequent acknowledgement issued by the Council.

UI does propose, however, that the Council consider adding a provision to the end of the Council's proposed section 16-50j-58 that states:

The exemption request shall be automatically deemed acknowledged by the Council or its staff designee unless specifically rejected within thirty (30) days of the Council's receipt of the request.

Section 16-50j-61

UI adopts, as its own comments, CL&P's Comments regarding 16-50j-61(e) and 16-50j-61(f).

Please let me know if you have any questions concerning these comments or would like additional input from UI. UI appreciates the Council's efforts to revise its regulations and wishes the Council and its staff Happy Holidays.

Sincerely,



Bruce L. McDermott
Managing Counsel
UIL Holdings Corporation
As Agent for The United Illuminating Company