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March 29, 2005

Pamela B. Katz, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06054

Re: Docket No. 272 – The Connecticut Light and Power Company and the United Illuminating Company Application for a Certificate of Environmental Compatibility and Public Need for the Construction of a New 345-kV Electric Transmission Line and Associated Facilities between the Scovill Rock Switching Station in Middletown and the Norwalk Substation in Norwalk, Connecticut

Dear Chairman Katz:

The following is a response on behalf of Wilsons to the Draft Findings of Fact which were first made available on the morning of March 28, 2005. Previous scheduling notices indicated that the Draft Findings would be available on March 23. When the Draft Findings were not published on that date or the following date, counsel for the Wilsons sent a letter to the Siting Council objecting to the lateness of posting and the scheduled comment date set for parties and intervenors, March 28, 2005. That objection remains. The parties and intervenors should be given ample opportunity to review the more than 770 Draft Findings of Fact. This issue aside, the Wilsons have the following comments:

1. The Draft Findings of Fact which were first available on the morning of March 28, 2005 are incomplete. The Draft Findings of Fact posted on that day begin at Paragraph 54 and conclude at 778. Draft Findings of Fact 1 through 53 were not posted as well as any Draft Findings after Paragraph 778. Missing Draft Findings of Fact should be available to parties and intervenors for comment prior to any action by the Siting Council.
2. The Siting Council should review very carefully the "Proposed" Draft Findings of Fact. In many instances, opinions have been characterized as "fact". Webster defines "fact" as "a thing that has actually happened or is really true." For example,

Proposed Finding 56, "There is no 345 kV loop in the southwest area of Connecticut" would be a fact, if true. However, "A 'full loop' 345 kV transmission line located within Southwest Connecticut would meet NEPOOL Reliability Standards," may be

only an opinion unless accompanied by the source of the statement, for example, “according to ISO New England.”

Before publishing its Findings, the Siting Council should scrutinize very carefully the “Proposed” Findings of Fact and incorporate in its Findings only legitimate fact.

3. The Draft Findings of Fact omit the Wilsons Proposed Findings of Fact which, in part, compare and contrast the environment, health and economic impact of the Royal Oak right-of-way and the Bypass through the Wilsons’ property. If the Siting Council is considering the Bypass, it must fulfill its statutory obligation to evaluate this criteria before making its decision. Wilsons’ Proposed Findings of Fact 1 through 45 should be considered by the Siting Council and included in the Council’s final set of Findings.
4. The Proposed Findings of Fact as it relates to the discussion of EMFs occasionally equates EMF exposure with exposure at the edge of the right-of-way. Actual probable exposure to humans is where people congregate, presumably for longer periods of time. For example, human exposure at a day care center may consist of its building and fenced play area but exclude land beyond the fenced area to the electric utility easement, thus creating an additional buffer. The Applicants have produced overlays of their existing right-of-way which depict structures beyond the edge of the right-of-way. The distance of these structures provides an additional buffer to human exposure.
5. The Wilsons have the following specific comments, which numbers correspond to paragraphs in the Draft Findings of Fact.

287 – The Wilsons object to this Proposed Finding to the extent it indicates that it would be impossible to avoid impact to wetland. The role of the Siting Council is to minimize such impact.

310 – The Wilsons object to third sentence in this Proposed Finding, no one has suggested either 6 phases of GITL or a depth of 15 feet.

322 – The Wilsons object to this Proposed Finding to the extent it is intended to suggest that GITL is not technically feasible. ISO-NE comment related to the application of GITL, not its feasibility. GITL is a proven technology and used by the utility industry.

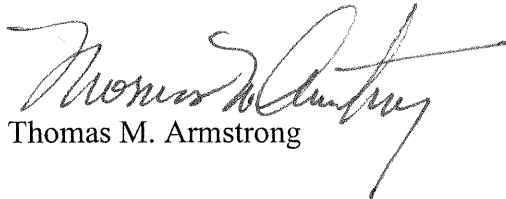
394 – The Wilsons object to this Proposed Finding to the extent it infers technical infeasibility. This is merely a statement expressing additional complexity.

546 – The Wilsons object to this Proposed Finding as it infers there are only 4 residential properties. The utility overlay shows that the proposed Bypass bisects 14 residential lots and would have an adverse impact on the 11 remaining residential lots in the Wilsons' subdivision.

The time allotted by the Siting Council is not permitted a detailed review of the Draft Findings of Fact. However, the Wilsons' believe that the above comments, while somewhat general in nature, are substantive issues which must be considered by the Siting Council before it finalizes its Findings.

Very truly yours,

REID and RIEGE, P.C.



Thomas M. Armstrong

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