

July 19, 2004

Pamela B. Katz  
Chairman  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

**Re: Docket No. 272 – Connecticut Light and Power Company and United Illuminating Company Application for a New 345-kV Electric Transmission Line Between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk**

Dear Chairman Katz:

Richard Blumenthal, Attorney General for the State of Connecticut, hereby responds to the notice issued by the Connecticut Siting Council (“Council”) dated June 4, 2004. In that notice, the Council requested that all parties and intervenors submit comments and details regarding their preferred overhead route and configuration, preferred underground route and preferred overhead/underground route.

There is no question about the need for additional transmission capacity. Indeed, the Attorney General recognizes that the electric infrastructure is inadequate to provide reliable electric service to in various areas of Connecticut and must be improved. Addressing the reliability needs of SWCT requires careful consideration and proper utilization of all options, including upgraded transmission, generation (including distributed generation) as well as conservation and load management.

Comments by ISO New England, unfortunately untimely and unclear, have confined and distracted the debate in this case. Its overbroad criticism of the proposed underground segments as unreliable should not be an obstacle to constructive consideration of this transmission project. Both law and good public policy require siting the line underground as feasible and practical. Pursuant to the requirements of P.A. 04-146, An Act Concerning Electric Siting Criteria (the “Act”), there is a presumption that any proposal to place new transmission lines overhead near residential areas, schools, licensed day care facilities, licensed youth camps or public playgrounds is inconsistent with the purposes of the Act. This presumption can only be rebutted if the applicant can demonstrate that it would be technically infeasible to bury the power lines,

considering the reliability of the electric transmission system in the state. Certainly, under the Act, those who seek to limit the undergrounding of the proposed transmission line carry a heavy burden of proof, one which cannot be met by speculation and conjecture.

As a result, the Council should seek to underground as much as possible of the proposed transmission line. The goal is to site the line in a manner that is least invasive, both environmentally and aesthetically. The Council should heed the preferences of the towns when considering where and how to site the proposed transmission line, as they and their residents are most directly impacted by the line.

Very truly yours,

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RICHARD BLUMENTHAL  
ATTORNEY GENERAL

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cc: Service list