

THE CONNECTICUT SITING COUNCIL
DOCKET NO. 272

Application of Northeast Utilities Service Company
for a Certificate of Environmental Compatibility
and Public Need for a new 345-kV Electric Transmission Line Facility
between Scovill Rock Switching Station in Middletown
and Norwalk Substation in Norwalk

**Testimony Of
Melanie Waynik, Jeanette Kuvin Oren,
Jay Brotman and Susan Birke Fiedler**

On Behalf of

Ezra Academy and Congregation B'nai Jacob

January 13, 2005

Q. Ms. Kuvin Oren, please state your name, address, and position at Congregation B'nai Jacob.

A. My name is Jeanette Kuvin Oren. I am currently the secretary of the Board of Congregation B'nai Jacob, and a Board member of Ezra Academy. I live at 29 Dales Drive, Woodbridge, CT.

Q. Have you previously submitted testimony in this proceeding?

A. No.

Q. Ms. Waynik, please state your name, address and position at Ezra Academy?

A. My name is Melanie Waynik. I am past president of Ezra Academy and currently a member of the Executive of Ezra Academy

Q. Have you previously submitted testimony in this proceeding?

A. No.

Q. Ms. Fiedler, please state your name, address, and position at Ezra Academy.

A. My name is Susan Birke Fiedler. I live at 90 Gilnock Drive, New Haven, CT. I am Vice President of the Board of Ezra Academy. I am also Chair of the Recruitment and Marketing Committee for Ezra Academy..

Q. Have you previously submitted testimony in this proceeding?

A. Yes. I submitted testimony last summer in front of the Siting Council.

Q. Mr. Brotman, please state your name, address, and position at Ezra Academy.

A. My name is Jay M. Brotman. I live at 160 Laurel Road, New Haven, CT. I am Secretary of the Board of Ezra Academy. I am also Chair of the Facility Committee for the school. Professionally, I am a partner in the architectural firm of Svigals+Partners, LLP, 84 Orange Street, New Haven, CT 06510

Q. Have you previously submitted testimony in this proceeding?

A. No.

Q. What is Congregation B'nai Jacob?

A. Congregation B'nai Jacob is the only Conservative synagogue in Woodbridge. Our congregation is 123 years old. Since 1961, Congregation B'nai Jacob has been located at 75 Rimmon Road in Woodbridge. We have a membership of 683 families. In addition to

Ezra Academy, Congregation B'nai Jacob is home to a 3-day-per-week religious school of 170 students, a daily nursery school of 65 students, a weekly high school program ("Makom") of 400 students. We also host an active Boy Scout troop and a teen group (USY) that both meet at B'nai Jacob for activities that include "overnights."

Q. What services does Congregation B'nai Jacob provide to the community of Woodbridge and the regional community?

A. Congregation B'nai Jacob is a "cradle-to-grave" full-service community. Our nursery school is available to all children. We have a national award-winning religious school, the largest Jewish teen program in the state, and an array of adult and family activities. We hold twice-daily prayer services, and on Friday and Saturdays we are host to dozens of Bar/Bat Mitzvahs and other celebrations throughout the year. We have an active community theater group that uses our facilities to perform to sell-out crowds. Many of our celebrations attract crowds in excess of 800 people. In addition, we are one of the locations specified by the Town of Woodbridge for gathering in case of emergency. Other than Amity High School, we have one of the largest facilities for events in New Haven County.

Q. What is Ezra Academy?

A. Ezra Academy is a regional Jewish day school affiliated with the National Solomon Schechter Day School Association and accredited by the Connecticut Association of Independent Schools. Founded in 1966, Ezra Academy has been located at Congregation B'nai Jacob for over 36 years. Ezra Academy is the only Conservative Egalitarian day school in this region and services children from 19 towns including: Bethany, Branford, Cheshire, Easton, Fairfield, Hamden, Milford, Naugatuck, New Haven, North Haven, Orange, Shelton, Southport, Stratford, Trumbull, Wallingford, West Haven, Westport and Woodbridge. Children attend Ezra Academy from grades kindergarten through eighth grade. This academic year 2004/2005, Ezra Academy has 227 students enrolled in its program. In addition there are over 45 employees at the school.

Q. What is the relationship between Congregation B'nai Jacob and Ezra Academy?

A. Since 1968, Congregation B'nai Jacob and Ezra Academy have maintained a co-dependent relationship. Ezra Academy is a tenant of a portion of the property known as 75 Rimmon Road, Woodbridge. In addition, Ezra Academy has made substantial capital improvements to the building's facilities, including the construction of a gymnasium, science lab, library, classrooms and offices. Ezra Academy uses the B'nai Jacob sanctuary for daily religious prayer, gathers in the Social Hall and Auditorium for programs, and inhabits the entire wing of the B'nai Jacob Religious School every weekday. Ezra Academy, which has a reputation as a superb Jewish day school, draws people to live in Woodbridge.

Q. Describe the B'nai Jacob/Ezra Academy campus?

A. The B'nai Jacob/Ezra Academy Campus is best described by reference to a map attached as Exhibit A. In addition, it should be noted that the side of the building closest to the current 115kv line houses the science lab, offices, gymnasium/lunchroom, kitchen, library, kindergarten and nursery classrooms. (See, Exhibits B, C, D & E)

Q. What solution to the proposed transmission application does Congregation B'nai Jacob and Ezra Academy recommend?

A. Ezra Academy and Congregation B'nai Jacob urge the Siting Council to site both the 115kv and 345kv underground in Woodbridge to avoid the B'nai Jacob/ Ezra Academy campus pursuant to the statutory mandate of Public Act 04-246.

Q. What is the reasoning for the recommendation to underground both the 115kv and 345kv lines?

A. The evidence presented in this docket has illustrated that there are reasonable grounds to be concerned about the potential health risks of the Applicants' proposal. B'nai Jacob and Ezra Academy are responsible for the safety of more than 900 children that use their facilities on a regular basis. The Applicants have presented into evidence EMF measurements for the 115kv line and calculations for the 345kv line that are unacceptably high. The Applicants have also presented evidence that the need for transmission will increase dramatically over the time span of the line. As an increase in load flow correlates with an increase in EMF, we are being asked to take an unknown and potentially hazardous risk for our children. Unfortunately, the B'nai Jacob/Ezra Academy property does not lend itself to a safety buffer that can with confidence bring EMF levels to background.

Q. If the Siting Council determines that underground lines are technically infeasible in Woodbridge, then what solution would you recommend?

A. We would recommend that the lines be sited as far away from the B'nai Jacob/Ezra Academy Campus as possible. With respect to the North side of the building, where Ezra Academy playgrounds, picnic area and science lab are located, the right of way can be moved to undeveloped property that may create a sufficient buffer to bring EMF measurements to background level at the edge of the campus. With respect to the West side of the building, where the nursery school playground, kindergarten classrooms and library are located, the B'nai Jacob property abuts a residential property.

Q. Has the Applicant proposed any methods of mitigation that you would be support?

A. No. We are skeptical of the mitigation techniques and projections presented by the Applicants. None of these techniques has been used for the purposes of reducing EMF levels. As institutions that service multitudes of children throughout the day, we can not

with confidence recommend putting overhead lines near our Campus that rely on unproven EMF mitigation techniques. Throughout this proceeding, the Applicants' EMF projections have fluctuated and changed. Sometimes these changes have been due to changes in assumptions, at other times just miscalculations. For example, in the initial Application the Applicants predicted EMF levels at the B'nai Jacob/Ezra Campus to be as high as 95.5 at peak. (*See*, Exhibit F). As EMF became a focus in this proceeding, those numbers miraculously were found to be lower. We are thus skeptical of the accuracy of the projected EMF calculations of the proposed modifications of the 115kv line and the new 345kv line. In addition, there has been no independent testing of the Applicants' mitigation techniques. The backyard experiment presented by Dr. Bailey's video is hardly a guarantee that split phasing will be a sufficient mechanism for mitigation of EMF. Given the Applicants' lack of credibility on this issue and the lack of independent testing, we can not rely on their assurances that mitigation techniques will be successful. Further, the Applicants do not have any incentive to keep EMF levels safe. In order for us to have confidence in their mitigation techniques, there must be consequences when the EMF levels are not maintained as projected. The best incentive is that the line will be shut down in the event their projections are not accurate. If the Applicants are unwilling to accept these consequences, then we are skeptical that they will meet or intend to meet their projections.

Q. What impact do you anticipate to your institutions if the lines are sited overhead?

A. Unless EMF levels are guaranteed to be safe, by independent testing and significant consequences if monitoring indicates that EMF levels are not maintained at background level, our families will not keep their children in our institutions. The evidence in this proceeding highlights that there is an association between EMF and children's health that can not be ignored. Our families have already indicated by their presence at hearings and in school discussions that they are not willing to let their children be used as experiments.

Q. In addition to the potential health impact of the proposed transmission lines, what financial impact would construction of the transmission lines as proposed by the Applicants have on Congregation B'nai Jacob.

A. Given the degree of concern among the members of Congregation B'nai Jacob and the parents of children at Ezra Academy about the new transmission lines, the implications are potentially fatal for Congregation B'nai Jacob. Most of the Congregation's budget derives from membership dues. Congregation B'nai Jacob is attractive to families because it is a full-service synagogue. We could not afford a decline in membership. The current operating budget is millions of dollars, a majority of which is used for salaries and benefits to its employees. Most of our employees reside in New Haven County. Congregation B'nai Jacob and Ezra Academy share the expenses of maintaining the facility. If Ezra Academy is forced to vacate the premises, then B'nai Jacob could not independently afford the operating budget. The proposed new lines could result in the demise of Congregation B'nai Jacob.

Q. In addition to the potential health impact, what financial impact would construction of the transmission lines as proposed have on Ezra Academy?

A. Ezra Academy's operating budget is dependent upon tuition, dues and contributions from its members and supporters to survive. For the academic year of 2004-2005, Ezra Academy has a multi million dollar operating budget. A majority of our budget is used to pay for salaries and benefits to our 45 employees. A significant decrease in enrollment at Ezra Academy would adversely affect the financial viability of the school.

Q. What would be the social impact if these institutions could no longer survive?

A. New Haven County has one of the largest Jewish communities in Connecticut. This is due in large measure to the many programs and institutions that service Jewish life in the community. Congregation B'nai Jacob's campus plays a major role in the Jewish community as the location for a large synagogue, day school, nursery, after school religious program, Hebrew high school, Boy Scout troop and youth groups. The Campus is also the location for many events and community activities. The demise of this Campus as a place where parents could safely send their children would cause irreparable harm to the vibrancy of overall Jewish life in New Haven County.