

STATE OF CONNECTICUT

SITING COUNCIL

Re: The Connecticut Light and Power Company and) Docket 272
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 Scovill Rock Switching Station)
in Middletown and Norwalk Substation in Norwalk,)
Connecticut Including the Reconstruction of)
Portions of Existing 115-kV and 345-kV Electric)
Transmission Lines, the Construction of the Beseck)
Switching Station in Wallingford, East Devon) September 22, 2006
Substation in Milford, and Singer Substation in)
Bridgeport, Modifications at Scovill Rock)
Switching Station and Norwalk Substation and the)
Reconfiguration of Certain Interconnections)
)
**Supplemental Hearing Pursuant to Conn. Gen.)
Stats. § 4-181a(b))**

**COMMENTS OF THE CONNECTICUT LIGHT AND POWER COMPANY
REGARDING THE DRAFT FINDINGS OF FACT DATED SEPTEMBER 11, 2006
OF THE CONNECTICUT SITING COUNCIL**

The Connecticut Light and Power Company ("CL&P") files these comments regarding the draft findings of fact issued by the Connecticut Siting Council on September 11, 2006 concerning the modification, pursuant to Conn. Gen. Stats. § 4-181a(b) of the Council's Decision and Order and Certificate to approve certain variations of the overhead route through Woodbridge, Connecticut.

1. Finding of Fact 4:

Draft Finding: Parties specific to the Segment 2b portion of this proceeding include CL&P, the Town of Woodbridge, Peter and Pamela Werth, and William A. Root. The intervenor in the Segment 2b portion of the proceeding is a group consisting of Congregation B’Nai Jacob, Ezra Academy, the Jewish Community Center of Greater New Haven (the “JCC”) and the Jewish Federation of Greater New Haven (JFNH). (Transcript 1 (Tr. 1), July 20, 2006, 3:00 p.m., pp. 13, 15-17)

Comment: The United Illuminating Company should be added to the list of parties.

2. Finding of Fact 13:

Draft Finding: The JCC, JFNH, Ezra Academy, B’Nai Jacob and the Town of Woodbridge appealed the Council’s decision. As part of the court settlement CL&P would sell its property located to the south of the JCC to the JFNH. The JCC would relocate its ball field to this new property. Currently, the transmission facility on the CL&P property traverses the midsection of the parcel. The transmission line ROW on this property would be relocated to the east to increase the utility of the property for development. Relocation of the ROW within the current CL&P property would make it easier to accommodate a ball field and improve the future development potential of the property for a continuing care retirement community. (CL&P 3, pp. 4, 5; B’Nai Jacob, Ezra Academy, JCC, JFNH 1, p. 5)

Comment: CL&P suggests that additional text included in CL&P’s Proposed Findings of Fact dated August 16, 2006, ¶ 18, should be added to the draft finding to make it clearer that, as a result of the settlement, the JCC changed its preference with regard to the location of the right-of-way and reconstructed lines on its property.

Recommended Change: Revise the finding as follows (new language in italics):

The JCC, JFNH, Ezra Academy, B’Nai Jacob and the Town of Woodbridge appealed the Council’s decision. As part of the court settlement CL&P would sell its property located to the south of the JCC to the JFNH. The JCC would relocate its ball field to this new property. Currently, the transmission facility on the CL&P property traverses the midsection of the parcel. The transmission line ROW on this property would be relocated to the east to increase the utility of the property for development. Relocation of the ROW within the current CL&P property would make it easier to accommodate a ball field and improve the future development potential of the property for a continuing care retirement community. *This settlement made it possible for the first time for the JCC to move to the adjacent CL&P property the recreational facilities that would otherwise be crossed by the new 345-kV line, were it to be moved to a location farther from the existing JCC community building. In addition, the JFNH agreed to provide funding to move certain of the camp facilities under the settlement. Thus, the JCC acquired both a new location for certain of its camp facilities and the means to move them there, and accordingly*

changed its preference with respect to the location of the right-of-way and the reconstructed lines within its property. (CL&P 3, pp. 3, 4, 5; B’Nai Jacob, Ezra Academy, JCC, JFNH 1, p. 5, 6)

3. Finding of Fact 24:

Draft Finding: The distance between the boundary of the existing ROW and the north side of the B’Nai Jacob building is 15 feet at its closest point. The proposed modification on the B’Nai Jacob property moves the ROW to the northwest. With the proposed modification, the edge of the ROW would be approximately 165 feet from the building, the closest 115-kV circuit conductor would be 205 feet, and the closest 345-kV conductor would be 260 feet from the building. (CL&P 1, Tab B)

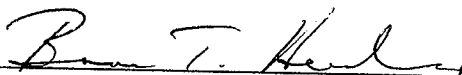
Comment: The measurements in the last sentence of the draft finding are incorrect because they are based on the distance between the building and certain points *under the terms of the Siting Council’s April 7, 2005 Decision and Order, not under the terms of the proposed ROW relocation that is the subject of this proceeding.* (See CL&P 1, Tab B, CL&P Response dated October 28, 2005 to Ezra Academy Request for Information.) The draft finding therefore needs to be corrected and supplemented, as set forth below.

Recommended Change: Revise the finding as follows (new language in italics):

The distance between the boundary of the existing ROW and the north side of the B’Nai Jacob building is 15 feet at its closest point. *Under the Council’s April 7, 2005 Decision and Order, the ROW on the B’Nai Jacob property was shifted to the north, toward the boundary line of the Reis Property but within the B’Nai Jacob Property, to a point approximately 165 feet away from the existing buildings. (D&O, p. 2, ¶ 6; Opinion, p. 14 § XVIIb).* The proposed modification on the B’Nai Jacob property moves the ROW *further to the northwest, about 40 feet, in part onto a small portion of the Reis Property that Congregation B’Nai Jacob proposes to acquire.* ~~With the proposed modification, the edge of the ROW would be approximately 165 feet from the building, the closest 115 kV circuit conductor would be 205 feet, and the closest 345 kV conductor would be 260 feet from the building.~~ (CL&P 1, Tab B; *CL&P 3, Test. of Bartosewicz, et al., pp. 3 and Ex. A & C; Woodbridge Org. 1, Test. of Oren, et al., p. 5).*

Respectfully submitted,

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