

ATTACHMENT

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Required Siting Council Findings Regarding Electric Transmission Line Applications Following Passage of Public Act 04-246

Statutory Requirement	Statutory Provision	P.A. 04-246 Section (if applicable)	Findings of Fact and Record Evidence Satisfying Statutory Requirement
<p>The Council shall not grant a certificate, either as proposed or as modified by the Council, unless it shall find and determine:</p>	<p>CGS §16-50p(a)(3)</p>	<p>§ 4</p>	<p>N/A</p>
<ul style="list-style-type: none"> • (A) The public need for the facility and the basis of the need • (B) The nature of the probable environmental impact of the facility alone and cumulatively with other existing facilities, including a specification of every significant adverse effect, including but not limited to, electromagnetic fields that,¹ whether alone or cumulatively with other effects, conflict with the policies of the state concerning, the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish, aquaculture and wildlife. 	<p>CGS §16-50p(a)(3)(A)</p>	<p>§ 4</p>	<p>See Proposed Findings of Fact, ¶¶ 107-140.</p>
<ul style="list-style-type: none"> • (C) Why the adverse effects are not sufficient reason to deny the application 	<p>CGS §16-50p(a)(3)(C)</p>	<p>§ 4</p>	<p>See Proposed Findings of Fact, ¶¶ 400-478; 480-551; 638-832, Appendix to Findings of Fact.</p>

¹ All text in bold-faced type in this chart reflects language added to C.G.S. § 16-50p by Public Act 04-246.

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<ul style="list-style-type: none"> • (D) <ul style="list-style-type: none"> - (i) What part of the facility shall be located overhead 	CGS §16-50p(a)(3)(D)(i)	§ 4	See Proposed Findings of Fact, ¶¶ 57-58, 82-83, 86-88.
<ul style="list-style-type: none"> • (D) <ul style="list-style-type: none"> - (ii) The facility conforms to a long-range plan for expansion of the electric power grid of the electric systems serving the state and interconnected utility systems and will serve the interests of electric system economy and reliability 	CGS §16-50p(a)(3)(D)(ii)	§ 4	See Proposed Findings of Fact, ¶¶ 92-106.
<ul style="list-style-type: none"> • (D) <ul style="list-style-type: none"> - (iii) That the overhead portions of the facility, if any, are cost effective and the most appropriate alternative based on a life-cycle cost analysis of the facility and underground alternatives to such facility and are consistent with the purposes of this chapter, with such regulations or standards as the Council may adopt...including, but not limited to, the Council's best management practices for electric and magnet fields for electric transmission lines, and with Federal Power Commission guidelines or any successor 	CGS §16-50p(a)(3)(D)(iii)	§ 4	See Proposed Findings of Fact, ¶¶ 141-160, 205-233, 336-374, 400-478, 480-551, 638-832, Appendix to Findings of Fact.

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<p>guidelines or any other applicable federal guidelines and are to be contained within an area that provides a buffer zone that protects the public health and safety, as determined by the Council. In establishing such buffer zone, the Council shall take into consideration, among other things, residential areas, private or public schools, licensed child day care facilities, licensed youth camps or public playgrounds adjacent to the proposed route of the overhead portions and the level of the voltage of the overhead transmission lines on the proposed overhead portions and any existing overhead transmission lines on the proposed route. At a minimum, the existing right of way shall serve as the buffer zone.</p>			
<ul style="list-style-type: none"> • (E) The location of the line will not pose an undue hazard to persons or property along the area traversed by the line. 	CGS §16-50p(a)(3)(E)	§ 4	See Proposed Findings of Fact, ¶¶ 829-830.
<p>For any transmission line with a capacity of 345-kV or more, there shall be a rebuttable presumption that a proposal to place the overhead portions, if any, of such facility adjacent to residential areas, private or public schools, licensed child day care</p>	CGS §16-50p(h)	§ 7	See Proposed Findings of Fact, ¶¶ 552-637.

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<p>facilities, licensed youth camps or public playgrounds is inconsistent with the purposes of this chapter. An applicant may rebut this presumption by demonstrating to the Council that it will be technologically infeasible to bury the facility. In determining such infeasibility, the Council shall consider the effect of burying the facility on the reliability of the electric transmission system of the state.</p>			
<p>For electric transmission line applications, the Council shall administratively notice completed and ongoing scientific and medical research on electromagnetic fields</p>	<p>CGS §16-50o(b)</p>	<p>§ 8</p>	<p>See Council's Administrative Notice Items 2-4, 29. See Companies' Administrative Notice Items 1, 9, 15-29.</p>