

DAVID A. BALL

Please Reply To Bridgeport  
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October 29, 2004

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

**Re: Docket No. 272**

Dear Chairman Katz:

The Towns of Woodbridge, Milford, Orange, and Cheshire ("Towns") submit this response to the Council's request for comments on the appropriateness of taking administrative notice of the transcript from the Federal Energy Regulatory Commission ("FERC") technical conference held in Hartford on October 13, 2004 in FERC Docket No. PL04-14-000. The Towns join in the position of the Attorney General in opposing the Council's taking administrative notice of the transcript.

The conference consisted of invited panelists, many of whom have been witnesses in Docket 272. The panelists were not sworn in, and were not subject to cross examination. The opinions of the invited panel were not representative of the opinions of many of the parties and intervenors in Docket 272, and certainly not the Towns. There was virtually no public participation permitted in the conference.

The Towns join in the arguments of the Attorney General that administrative notice of the transcript would violate the procedural protections of Conn. Gen. Stat. § 4-178. Moreover, if administrative notice is taken of this transcript, the Towns could be prejudiced, particularly if undue weight is afforded the opinions of the panelists, who were not subject to cross examination.

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For these reasons, the Towns oppose the Council taking administrative notice of the FERC transcript.

Very truly yours,

David A. Ball

cc: Service List