

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

RE: JOINT APPLICATION OF THE : DOCKET NO. 272
CONNECTICUT LIGHT AND POWER :
COMPANY AND THE UNITED :
ILLUMINATING COMPANY FOR A :
CERTIFICATE OF ENVIRONMENTAL :
COMPATIBILITY AND PUBLIC NEED :
FOR A 345-KV ELECTRIC TRANS- :
MISSION LINE FACILITY AND :
ASSOCIATED FACILITIES BETWEEN :
SCOVILL ROCK SWITCHING :
STATION IN MIDDLETOWN AND :
NORWALK SUBSTATION IN :
NORWALK : DECEMBER 15, 2005

CITY OF MIDDLETOWN'S
PROPOSED FINDINGS OF FACT

The City of Middletown respectfully requests that the Siting Council find the following facts based upon the evidence received at the hearing on November 30, 2005 and also that paragraph # 538 of the Council's April 7, 2005 Findings of Fact be revised in accordance herewith.

1. The letters submitted as Exhibits A, B and C to the Pre-Filed testimony of Anthony W. Johnson III dated November 22, 2005 are not enforceable contracts. C.G.S. Sec. 52-550.

2. The vegetation management plan pursued by the applicant in its easement area in the Royal Oak subdivision is a course of action based upon company policy and not contract.

Testimony of Anthony W. Johnson III, November 30, 2005;
C.G.S. Sec. 52-550.

3. The applicant's practice in the Royal Oak subdivision is not unique and it has similar arrangements with property owners throughout the state. Testimony of Anthony W. Johnson III, November 30, 2005.

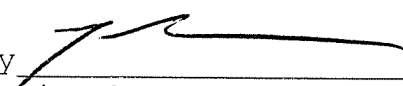
4. The City of Middletown only supported the Royal Oak Bypass on the condition that the existing 115kV lines be relocated into the Bypass. Brief of City of Middletown, 3/16/05, p.6; Letter of Mayor Dominique S. Thornton, 12/30/04 (copy appended to City Brief).

5. The Siting Council did not require that the 115kV lines Be relocated into the Royal Oak Bypass. Opinion, April 7, 2005, p. 15, XVI(a).

6. The City of Middletown does not support the Royal Oak Bypass. Opinion, *supra*; City Brief and Mayor's letter, *supra*.

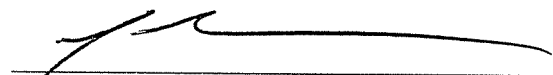
Respectfully Submitted,
CITY OF MIDDLETOWN

By


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CERTIFICATION

I hereby certify that a copy of the foregoing has been mailed to all parties and interveners set out on the November 30, 2005 service list provided by the Siting Council on this 15th day of December, 2005.



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Commissioner of the Superior Court

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