

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

|  |   |                |
|--|---|----------------|
| THE CONNECTICUT LIGHT AND POWER        | : | DOCKET NO. 272 |
| COMPANY AND 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 FACILITES BETWEEN THE       | : |                |
| SCOVILLE ROCK SWITCHING STATION IN     | : |                |
| MIDDLETOWN AND THE NORWALK             | : |                |
| SUBSTATION IN NORWALK, INCLUDING       | : |                |
| THE RECONSTRUCTION OF PORTIONS         | : |                |
| OF EXISTING 115-KV AND 345 KV ELECTRIC | : |                |
| TRANSMISSION LINES, THE CONSTRUCTION   | : |                |
| OF BESECK SWITCHING STATION IN         | : |                |
| WALLINFORD, EAST DEVON SUBSTATION      | : |                |
| IN MILFORD, AND SINGER SUBSTATION IN   | : |                |
| BRIDGEPORT, MODIFICATIONS AT           | : |                |
| SCOVILL ROCK SWITCHING STATION AND     | : |                |
| NORWALK SUBSTATION, AND THE            | : |                |
| RECONFIGURATION OF CERTAIN             | : |                |
| INTERCONNECTIONS                       | : | MARCH 11, 2005 |

**PROPOSED FINDINGS OF FACT OF THE TOWNS OF  
WESTON, WILTON AND FAIRFIELD**

The Towns of Weston, Wilton and Fairfield submit the following proposed findings of fact in the above-captioned proceeding.<sup>1</sup>

**Construction of Alternative A or Alternative B would have significant reliability, cost and environmental impacts**

1. Under either Alternative A or B, there would be a problem with outages on the existing 115-kV lines during construction of the new 345-kV line. *Tr. 4-20-04 @ 196-98.*
2. According to the Applicants, the impact of trying to build Alternative A or Alternative B would be enormous. *Tr. 4-20-04 @ 196.*

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<sup>1</sup> The undersigned has been authorized to file these proposed findings of fact jointly on behalf of the Towns of Weston, Wilton and Fairfield.

3. To address outages during the construction process, a new 115-kV transmission line would have to be constructed, on the edge of the right of way, thereby requiring expansion of the right of way (a "wraparound line"). *Tr. 4-20-04 @ 196-98*. Ms. Mango testified that the 115kV line would have to be buried under roads, and she was "not sure where those roads would be, there's not a direct line from Hawthorne to Norwalk. And all the roads are basically small two-lane roads." *Tr. 4-20-04 @ 208*.
4. The additional work involved with constructing a wraparound line would extend the construction schedule, increase costs, and cause greater environmental impacts. *Application, Vol. 1 @ H-42; Tr. 4-20-04 @ 198-99*.
5. The construction schedule would be extended due to the need to remove existing lattice structures, set poles, and perform foundation work in close proximity to energized 115-kV conductors. *Tr. 4-20-04 @ 199*.
6. This construction would take five years or more. *Id.*
7. In light of this extended construction schedule, it would be difficult for the Applicants to argue a strong case that the costs associated with construction should be socialized throughout New England. *Tr. 4-20-04 @ 200*.
8. Alternative A would result in 15 miles of overhead transmission line. *Tr. 4-20-04 @ 210*.
9. The proposed underground route in Segments 3 & 4 would not result in any takings. *Tr. 4-20-04 @ 206*.
10. With respect to Alternatives A and B, the existing right of way ("ROW") in this corridor is 80 feet in width. *Id.*
11. Alternative A would require the acquisition of easements of 66.3 acres. *Application, Volume 1, p. ES-6*.
12. Alternative B would require the acquisition of easements of 121.8 acres. *Id.*
13. Alternative B would require the taking of 29 homes. *Id.*
14. Alternatives A and B would both involve the acquisition of significant additional permanent ROW along existing 115 kV corridors that traverse densely developed areas in SWCT. *Application, Volume 1, p. H-42*.
15. These estimates of takings do not take into account the necessity of even wider ROWs or significantly taller towers due to the potential EMFs. *See Finding 30-32 below*.

16. Louise Mango, the Applicants' lead environmental witness, testified that with respect to Segments 3 and 4, the ***undergrounding would result in limited environmental impacts***. *Tr. 4-20-04 @ 204-05.*
17. Conversely, Ms. Mango opined, unequivocally, that ***Alternatives A and B would result in potentially significant adverse environmental impacts***. *Tr. 4-20-04 @ 206.*
18. Ms. Mango testified that the proposed underground route is superior to Alternatives A or B from an environmental perspective. *Tr. 4-20-04 @ 212-13.*
19. With respect to Alternatives A and B, the existing ROW lacks existing access roads. *Tr. 4-20-04 @ 208.*
20. With respect to Alternatives A and B, the impacts to birds and wildlife would be considerably greater than the proposed undergrounding in Segments 3 and 4. *Tr. 4-20-04 @ 209.*
21. With respect to segments 3 & 4, by virtue of the undergrounding within existing roads, the project will not adversely affect vegetation, amphibian breeding areas, or wildlife resources. *Tr. 4-20-04 @ 205.*
22. With respect to segments 3 & 4, by virtue of the undergrounding within existing roads, the project will not have adverse impacts on scenic or cultural resources. *Tr. 4-20-04 @ 205-06.*
23. With respect to segments 3 & 4, by virtue of the undergrounding within existing roads, the project will not have long-term adverse effects on existing land use. *Id.*
24. Alternative B would require 85 wetlands crossings. *Tr. 4-20-04 @ 210.*
25. DEP stated with respect to Alternatives A and B that they "appear to offer no advantages relative to the proposed route, while involving several additional impacts including acquisition and clearing of additional right-of-way width, four or five miles of additional overall project length, the acquisition of 29 homes in the case of Alternative B, and the fact that for both Alternatives A and B, from Norwalk Junction to Norwalk Substation, they would share the same right-of-way as the Bethel-to-Norwalk line of Docket 217, thereby placing both legs of 345-kV backbone loop in the same right-of-way, which compromises reliability in the event of a localized catastrophic event in that segment of ROW." *DEP Comments dated May 4, 2004.*
26. ***Because the DEP's conclusion was that it was unlikely that Alternatives A and B would be advanced, it did not review them either in the field or as part of the resource evaluation.*** *DEP Comments dated May 4, 2004*
27. With respect to Alternatives A and B, the Record does not include all of the information required by the Application Guidelines.

28. With respect to Alternatives A and B, the municipal consultations did not include sufficient information with respect to the environmental effects from the proposed facility.

**Construction of Alternative A or Alternative B would result in extremely high EMF exposure levels or towers of several hundreds of feet.**

29. If an overhead route were constructed, EMF exposure levels at the edge of the ROW would be approximately 60 mG. *Tr. 2-1-04 @ 284-85.*

30. The line could not be constructed to achieve EMF exposure levels at 6 mG or less at the edge of the ROW without towers of several hundred feet, which Chairman Katz called “draconian.” *Tr. 2-1-04 @ 286.*

32. Another alternative to reduce EMF exposure levels at the edge of the ROW to 6mG or less would be an even wider ROW, *Tr. 2-1-05 @ 285*, which would require even more takings in Segments 3 and 4. The Record does not include any information as to the additional amount of acquisition, including homes, schools, day care facilities, playgrounds, and the like.

**The proposed underground route is technologically feasible**

33. It is undisputed that the Applicants' proposed route, containing 24 miles of underground lines between Norwalk and Milford, is technologically feasible.

Respectfully submitted,

TOWNS OF WESTON, WILTON  
and FAIRFIELD

By: \_\_\_\_\_

David A. Ball, Esq.  
Monte E. Frank, Esq.  
Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
(203) 368-0211